

ORDINANCE NO. 025, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
REMOVING A CONDITION ON THE ZONING CLASSIFICATION
AND AMENDING THE ZONING MAP OF THE CITY OF FORT
COLLINS FOR THAT CERTAIN PROPERTY KNOWN AS THE
SECOND FISCHER REZONING

A. Division 6.1 of the Land Use Code of the City of Fort Collins establishes the Zoning Map and Zone Districts of the City.

B. Division 6.25 of the Land Use Code of the City of Fort Collins establishes procedures and criteria for reviewing the zoning and rezoning of land.

C. The City has received an application for the rezoning to remove a voluntary condition requiring at least one parking space per bedroom for two parcels, more particularly described below that are in the Old Town, High (“OT-C”) zone district (“Second Fischer Rezoning”).

D. Ordinance No. 122, 2020, changed the zoning classification for the parcels to the Neighborhood Conservation Buffer Zone District (“NCB”). The May 2024 Land Use Code updated zoning terminology to the OT-C zone district, which replaced the NCB zone district.

E. The 2020 rezoning was intended to enable a development plan for apartments on assembled property. A development plan was then subsequently submitted and approved.

F. The condition upon the 2020 rezoning was not required by the City; rather, it was a personal commitment offered by the owner/developer in response to a concern raised at a neighborhood meeting about parking on neighborhood streets. This condition required more space dedicated to parking than what the Land Use Code has ever required for apartment developments.

G. Since the 2020 rezoning, public discussions about land use and housing policy, at both the City and State levels, have led to significant evolution of code requirements for parking, specifically reducing or eliminating many requirements. The May 2024 Land Use Code update reduced parking requirements for studio, one-bedroom, and two-bedroom units. Also in May, a new State law, House Bill 24-1304, was enacted that prohibits any parking requirements for residential development within a defined “Transit Service Area.” The Second Fischer Rezoning is within such an area, and within the locally-identified “Transit-Oriented District.”

H. A neighborhood meeting in September 2024 showed that the original concerns about street parking have diminished.

I. Pursuant to Land Use Code Sections 6.25.2 and 6.25.4(H)(2), the City Planning and Zoning Commission, at its meeting on January 16, 2025, recognized the changed conditions within the neighborhood surrounding and including the subject property and the consistency with the City's Comprehensive Plan and changed State law and unanimously recommended approval of the Second Fischer Rezoning to remove the voluntary parking condition imposed via the 2020 rezoning.

J. Pursuant to Land Use Code Section 6.25.4(H)(2), the City Council has determined that the proposed Second Fischer Rezoning is consistent with the City's Comprehensive Plan and is warranted by changed neighborhood conditions and changes to regulations locally and statewide since the condition was adopted.

K. To the extent applicable, the City Council has also analyzed the proposed zoning against the applicable criteria set forth in Land Use Code Section 6.25.4(H)(3) and finds the proposed zoning to be in compliance with all such criteria and finds that reducing required pavement for parking reflects major changed conditions in the policy and regulatory context and is consistent with the Comprehensive Plan; has neutral or positive impacts on the natural environment; and is consistent with a logical and orderly development pattern in the neighborhood.

L. In accordance with the foregoing, the City Council has considered the Second Fischer Rezoning, finds the rezoning to be in the best interests of the City, and has determined that the property subject to the Second Fischer Rezoning should be zoned as hereafter provided.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. The following condition previously imposed on the property subject to the Second Fischer Rezoning is hereby removed:

Any development plan involving 1185 or 1201 Westward Drive, or both, for residential use must provide at least one parking space per bedroom.

Section 2. The Zoning Map of the City of Fort Collins adopted pursuant to Land Use Code Section 6.1.2 is hereby amended by changing the zoning classification from Old Town, High ("OT-C") – with condition, to OT-C, for the following described properties in the City known as the Second Fischer Rezoning more particularly described as:

Parcel 1:

Lot 15, The Western Heights Subdivision, recorded at Reception No.701791, Larimer County Clerk and Recorder

also known as 1201 WESTWARD DR, FORT COLLINS, CO 80521.

Parcel 2:

Commencing at a point 29.6 feet South of the Northeast corner of the South Half (S1/2) of the South Half (S1/2) of the Northeast Quarter (NE1/4) of the Southeast Quarter (SE1/4) of Section 15, Township 7 North of Range 69 West of the Sixth Principal Meridian; thence West 330 feet; thence South 90 feet; thence East 330 feet; thence North 90 feet to the point of beginning, EXCEPT that parcel as described in deed recorded June 9, 1989 at Reception No. 89025675, County of Larimer, State of Colorado

also known as 1185 WESTWARD DR, FORT COLLINS, CO 80521.

Section 3. The property subject to the Second Fischer Rezoning will continue to be included in the Residential Neighborhood Sign District on the Sign District Map adopted pursuant to Land Use Code Section 5.16.1(M).

Section 4. The City Manager is hereby authorized and directed to amend the Zoning Map in accordance with this Ordinance.

Introduced, considered favorably on first reading on February 18, 2025, and approved on second reading for final passage on March 4, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: March 14, 2025

Approving Attorney: Heather N. Jarvis