

ORDINANCE NO. 034, 2014
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING SECTIONS 3.8.31 AND 5.1.2 OF THE LAND USE CODE
PERTAINING TO HOOP HOUSES

WHEREAS, in 2011, the City Council adopted the City Plan Safety and Wellness Vision, which contains numerous policies supporting local food production, including Principle SW3, which directs staff to encourage and support local food production to improve the availability and accessibility of healthy foods, and to provide other educational, economic, and social benefits; and

WHEREAS, in 2013, the City Council adopted Ordinance No. 096, 2013, which allowed for urban agriculture in all zone districts throughout the City; and

WHEREAS, City staff has conducted citizen outreach regarding potential urban agriculture land use changes, and throughout that process, numerous citizens have asked that hoop houses be permitted in the City in order to increase year-round food production potential; and

WHEREAS, City staff has conducted outreach on the potential benefits and impacts of allowing hoop houses and has found that significant support exists for allowing hoop houses within the City to promote year round access to locally produced foods, although some concern has been expressed about the potential neighborhood impacts of larger hoop house structures; and

WHEREAS, requiring that hoop houses be allowed only pursuant to an urban agriculture license will serve as a proper method for addressing the concerns raised by citizens so that the location and architectural characteristics of the hoop houses will not adversely impact neighborhoods; and

WHEREAS, accordingly, City staff has recommended certain amendments to Sections 3.8.31 and 5.1.2 of the Land Use Code; and

WHEREAS, the City Council believes that the proposed amendments are in the best interests of the City and its citizens.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That Section 3.8.1 of the Land Use Code is hereby amended by the addition of a new subparagraph (15) which reads in its entirety as follows:

3.8.1 Accessory Buildings, Structures and Uses

...

(15) hoop houses.

Section 2. That Division 3.8.31(C)(2) of the Land Use Code is hereby amended to read as follows:

3.8.31 Urban Agriculture

...

(C) *Standards.*

...

(2) *General Standards.* Urban agriculture shall be allowed as a permitted use, provided that all of the following conditions are met:

...

(j) Hoop Houses. If an urban agriculture land use contains a hoop house, then the hoop house shall be set back a minimum of five (5) feet from any property line and shall also be located in such a manner that the hoop house does not generate potential adverse impacts on adjacent uses, such as shading or glare.

(jk) Additional Impact Mitigation. Measures such as landscaping, fencing, or setbacks to mitigate potential visual, noise, or odor impacts on adjoining property may be required by the Director. There shall be no offensive noise, vibration, smoke, dust, odors, heat or glare noticeable at or beyond the property line of the parcel where the urban agriculture land use is conducted. Where an urban agriculture land use abuts a residential use, there shall be a minimum setback of five (5) feet between the operation and the property line.

...

Section 3. That Section 5.1.2 of the Land Use Code is hereby amended by the addition of a new definition "*Hoop houses*" which reads in its entirety as follows:

Hoop house shall mean a structure used for the purpose of growing crops that has a semi-flexible, non-metallic frame covered by a flexible polyethylene film of not more than six (6) mil, but not containing any mechanical or electrical systems or equipment or storage items.

Introduced, considered favorably on first reading, and ordered published this 4th day of March, A.D. 2014, and to be presented for final passage on the 18th day of March, A.D. 2014.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading on the 18th day of March, A.D. 2014.

Mayor

ATTEST:

City Clerk