

In November 2022, the Fort Collins City Council approved the 2022 Land Development Code, which updates and replaces the City's 1997 Land Use Code. The new Land Development Code will take effect Jan. 1, 2023.

Why was the Land Use Code updated?

Fort Collins' existing Land Use Code hasn't had a major update since 1997. Just as our community has grown and needs have changed in the past 25 years, our development regulations also need to evolve. Through a two-year public process, the City revised the Land Use Code with five guiding principles:

- Increase overall housing capacity (market rate and affordable) and calibrate market-feasible incentives for affordable housing
- Enable more affordability, especially near high-frequency transit and amenities
- Allow for more diverse housing choices that fit in with the existing neighborhood context
- Make the code easier to use and understand
- Improve predictability of the development review process, especially for housing

Several of the City's long range plans recommend code changes to meet the City's goals. These include City Plan (2019), the Housing Strategic Plan (2021), Our Climate Future (2021), and the Transit Master Plan (2019). The updated code supports implementation of these adopted planning documents.

What was the community engagement process?

The community engagement effort included four information sessions, three interactive

input sessions, a series of virtual workshops, weekly office hours, regular updates in City development newsletters, and presentations to more than a dozen advisory boards, commissions and community groups.

A Technical Working Group of affordable housing providers and community members who frequently interact with the current codes was also involved.

Further, because the revised Land Development Code is written to meet other City long range plans, it also reflects the input of thousands of residents who provided opinions during those efforts.

I'm concerned about changes in my neighborhood. What is now allowed?

With the updated code, all residential zones now allow accessory dwelling units, and some zones that previously allowed only single-unit detached houses (RL, NCL/OT-A) would permit duplexes and small (up to 3 unit) apartment/townhome style buildings if one unit is set aside as an affordable home. There are still zones that require large lots (RUL, RF) and are primarily meant for lower density, single-unit housing.

Duplexes, small apartment/townhouses, and accessory dwelling units can increase housing options without changing the character of a neighborhood. Buildings with 2-4 units that are virtually indistinguishable from a single-unit house already exist in many Fort Collins neighborhoods, including the Old Town area.

What regulations have not changed?

This update does not alter existing requirements related to historic preservation; natural resource protection; parks, open space and trails; landscaping and tree protection; neighborhood compatibility standards; infrastructure requirements and engineering design standards; traffic control; and development standards that do not relate to housing development. A project is required to meet all applicable code requirements before it can be approved.

No changes have been made to existing short-term rental (ex. Air BnB, VRBO) or occupancy (U+2) regulations.

What are Accessory Dwelling Units and what are the changes for ADUs?

An Accessory Dwelling Unit (ADU) is a separate living space associated with a primary dwelling. There are two types of ADUs: attached (internal to the primary dwelling, such as a basement apartment) and detached (in a separate building, such as a carriage house).

ADUs are an important housing option for people who might want to live with extended family, have a space for a caretaker, or rent out a unit to supplement their income.

ADUs were not previously a defined building type in the code.

The updated code permits ADUs in all residential and mixed-use zones. In some zone districts, attached ADUs may be more feasible than detached ADUs, depending on access for utilities, vehicles, and emergency services.

Attached ADUs are limited to 45% of the square footage of the primary dwelling, unless they are located below-grade in a basement. Detached ADUs are limited to either 600 sq. ft. or 1000 sq. ft., depending on the size of the primary dwelling.

How are project approval and notification processes changing?

Public involvement continues to be critical to the development review process. The updated code encourages and ensures opportunities for early public involvement while shortening the length of the process for housing projects. All projects must meet the requirements in the code in order to be approved. The types of review processes for new development projects include:

- Basic Development Review (BDR) - No public hearing, Staff-level decision
- Type 1 - Public hearing, Hearing Officer decision
- Type 2 - Neighborhood Meeting and Public Hearing, Planning & Zoning Commission decision

Housing projects are now subject to a BDR process in many zone districts. While the process has been streamlined, this is in combination with new building and design standards that are clearer and more predictable for property owners, neighbors, and developers. The new requirements are more clearly defined and less subjective, limiting the amount of discretion City staff have when reviewing projects.

No changes have been made to public notification processes. The yellow "Development Under Review" signs, mailed notices, email newsletters, and other notification processes remain the same. Similarly, there are no changes to the current appeal process. If a BDR decision is appealed, it would trigger a public hearing with the Planning & Zoning Commission, and their decision could also be appealed to City Council.

Where can I learn more?

To learn more about the updated LDC, read the LDC itself, and interact with City staff, visit www.fcgov.com/LUCupdates.