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# NATURAL AREAS SPECIAL USE POLICY

## Purpose

The purpose of the Natural Areas Special Use Policy is to describe the formal policies and procedures of the City of Fort Collins Natural Areas Department (NAD) for managing requests for special use activities, and oversight of those activities, that occur within City -owned or managed natural areas. This policy describes the most common categories of Special Use permits issued by the NAD and provides specific information for each of those categories.

The intent of this policy revision (2023) is to update the Special Use Policy to include historic and cultural use and ensure consistency with the NAD Commercial Use Policy.

This policy does not address special use on other lands owned or managed by the City of Fort Collins such as City streets, or parks. **Please note that other permit requirements or legal restrictions may apply if an activity will impact or occur in other properties or facilities.**

**The NAD may at its sole discretion elect to deny or revoke any special use permit for failure to comply with the permit conditions or policies as outlined herein. A special use permit is a revocable license. The issuance of a permit does not grant any interest in property.**

This Natural Areas Special Use Policy provides general guidance to describe the types of special uses NAD considers to be compatible with its mission. In general, permit decisions must strive to:

1. Avoid and/or minimize the impact of the approved activity on natural and cultural resources.
2. Ensure that applicants comply with City Municipal Code, NAD regulations and other state and federal laws.
3. Avoid the impact of the approved activity on the safety and quality of other visitors' experience.
4. Direct special use to appropriate sites and appropriate times in the interest of avoiding real or perceived impacts to users and resources.
5. Promote the Leave-No-Trace, Zero Waste (recycling) and Carbon Neutral ethic to permittees and activity participants.

## Definition of Special Use

Special Use is any use of a natural area that is not typically allowed, as listed in Chapter 23, Article IX (Natural Areas), section 23-193 of Fort Collins City Municipal Code.

As a home rule municipal corporation, the City of Fort Collins has the general authority to regulate activities on City property. Chapter 23 (Public Property), Article IX (Natural Areas), section 23-194 of

Fort Collins City Municipal Code (the “Code”) authorizes the Natural Areas Director to administer a permit system for uses or activities that are otherwise prohibited under Article IX.

Excluded from the Special Use Policy is any permit request that has a commercial component. Those requests fall under the NAD Commercial Use Policy.

Common requests include access to closed sections of a natural area, group activities greater than 15 individuals, off-trail use, or plant collection. Requests may be for ecological research, educational programs or field trips, or for recreational or other activities that are otherwise prohibited in the Code.

### **Special Use Permit Application, Review, and Conditions**

NAD review of a special use permit application is made to ensure the protection of wildlife, wildlife habitat, and rare species, and ensure the safety of visitors and prevent visitor conflicts.

The Special Use Permit review process takes up to fifteen (15) business days.

Special Use Permits are classified into three categories: 1) Research; 2) Educational – including cultural and historical uses; and 3) Recreational. These three categories as well as the general terms and conditions are described below.

### **Special Use: Research Permits**

Research permits are required for those seeking to perform ecological, wildlife, or related research or data collection within a natural area. These permits may be issued for a lengthy period to accommodate the timeframe for research and data collection. Research permits do not include instructional activities such as on-site classes, research training or demonstrations of research.

Unlike other Special Use Permit applications, Research Permits are accepted year-round but only reviewed and approved twice a year (deadline is the first Friday of February and September). Staff will notify applicants of questions (pending status), approval, or denial within fifteen (15) business days after the application deadline.

Incomplete applications may not be accepted or may significantly delay the review process. The NAD website (<https://www.fcgov.com/naturalareas/permits.php>) has details.

Permits will be evaluated based on the project’s scientific merits including the specific research question, proposed methodology and analysis, and commitment to provide the NAD with a final report via digital copy. Final reports shall include results or research findings in an abstract or executive summary format within six months of the ending date of the permit.

Failure to provide a timely research report or return NAD-provided materials identifying researchers such as vests, may be the basis for denial of future permits.

## **Special Use: Educational Permits**

Requests for school-sponsored field trips, instructional courses, and similar activities may be requested on a year-round basis. Any educational request that involves a fee or donation must apply under the Commercial Use Permit category.

For purposes of this policy, traditional cultural and historical uses are considered a type of educational use. In reviewing a permit request for a traditional cultural or historical use, the NAD will consider the historical and traditional connection of the activity to natural areas lands, as well as the educational value and cultural significance of the request.

In addition to the general criteria under “Purpose,” above, NAD will evaluate requests to ensure there are no conflicting uses or events for the days and locations requested. Staff will notify applicants of questions (pending status), approval, or denial within fifteen (15) business days.

## **Special Use: Recreational Permits**

In addition to the general criteria under “Purpose,” above, NAD will evaluate recreation permit requests specifically for compatibility with resource protection, including wildlife and native plant disturbance. Any recreational activity that would require participants to pay a fee or donation must apply for a permit under the Natural Areas Commercial Use Permit system. Staff will notify applicants of questions (pending status), approval, or denial within fifteen (15) business days.