

ORDINANCE NO. 222, 2025  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
AMENDING THE LAND USE CODE OF THE CITY OF FORT  
COLLINS TO ADD WILDFIRE RESILIENCY LANDSCAPING  
REQUIREMENTS

A. The City of Fort Collins, as a home-rule municipality, is authorized by Article XX, Section 6 of the Colorado Constitution, the provisions of state statutes, and its City Charter to develop and implement policies and ordinances regulating the development of land within the City.

B. In 2024, City Council approved Ordinance 055, 2024, with an effective date of May 27, 2024, to adopt the current Land Use Code by reference to replace the previous Land Use Code originally adopted in 1997.

C. When the current Land Use Code was adopted, City Council and staff understood that the Land Use Code would be subject to future amendments, not only for the purpose of clarification and correction of errors, but also for the purpose of ensuring that the Land Use Code remains a dynamic document responsive to community needs and changing conditions.

D. The State of Colorado adopted Senate Bill 23-166 in 2023 in response to the increasing wildfire risk within Colorado. The bill established the Wildfire Resiliency Code Board tasked with (1) defining which areas of the state are within the wildland-urban interface and subject to heightened wildfire risk; and (2) adopting a wildfire resiliency code setting forth minimum standards for hardening structures and reducing fire risk in the defensible space surrounding structures in the wildland-urban interface.

E. Because portions of the city are located within the wildland-urban interface, the City is required to adopt code standards that meet or exceed the Wildfire Resiliency Code Board adopted wildfire resiliency code.

F. The Land Use Code amendments contained in this Ordinance pertain to landscaping requirements for properties within the wildland-urban interface for the purpose of reducing fire risk in the defensible space surrounding structures and are intended to meet or exceed the minimum requirements of the Wildfire Resiliency Code Board adopted wildfire resiliency code.

G. Requirements for hardening structures within the wildland-urban interface that meet or exceed the minimum requirements of the Wildfire Resiliency Code Board adopted wildfire resiliency code are being added separately to the City's building codes.

H. On November 20, 2025, the Planning and Zoning Commission unanimously recommended on a 5-0 vote (Peel and Connelly absent) that City Council adopt the proposed Land Use Code Amendments.

I. City Council has determined that adoption of the amendments set forth in this Ordinance is in the best interests of the city and promote the general public health, safety, and welfare.

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 that Section 5.10.1 of the Land Use Code is hereby amended by the addition of a new Subsection (L) which reads in its entirety as follows:

#### **5.10.1 Landscaping and Tree Protection**

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##### **(L) Wildfire Resiliency – Defensible Space Landscaping.**

(1) Pursuant to C.R.S. § 24-33.5-1237(2)(a), the City must adopt requirements that meet or exceed the model Colorado Wildfire Resiliency Code adopted by the State of Colorado Wildfire Resiliency Code Board to mitigate wildfire risk within wildland-urban interface areas related to the construction and use of certain structures and the site and area where such structures are located. This Subsection (L) addresses the maintenance and management of defensible space around certain structures regarding landscaping materials and plantings and is intended to meet the requirements of the Colorado Wildfire Resiliency Code. The purposes of the requirements in this Subsection (L) are to protect life and property by mitigating the spreading of wildland fires to structures, from structures to wildland fuels, and between structures. Requirements regarding other issues such as structure hardening and contained in the model Colorado Wildfire Resiliency Code have been adopted into Chapter 5 of the Code of the City of Fort Collins.

(2) The provisions of this Subsection (L) shall take precedence over all other landscape standards of this Code to the extent there is a conflict. The most up to date version of the Colorado State Forest Service Home Ignition Zone Guide may be utilized in interpreting and applying this Subsection (L), however, the provisions of this Subsection (L) shall take precedence over the Home Ignition Zone Guide to the extent there is a conflict.

(3) This Subsection (L) is not subject to the modification of standards procedure set forth in Division 6.8, Modification of Standards, nor the variance procedure set forth in Division 6.14, Variances. The Director shall have the authority to grant modifications to this Subsection (L) in response to a written request. Director decisions must be issued in writing and are not subject to appeal. In order to grant a modification, the Director must find all of the following:

(a) Compliance with the strict application Subsection (L) is impractical;

(b) The requested modification is in conformance with the intent and purpose of Subsection (L); and

(c) The requested modification does not lessen health, life, and fire safety requirements.

(4) The requirements of this Subsection (L) apply to building permit applications submitted on and after April 1, 2026, for a structure, or portion of a structure, within areas classified as low, moderate, or high fire intensity on the current online version of the State of Colorado Wildfire Resiliency Code Map ("Resiliency Map") except for building permit applications for the following, with listed calculations measured from the condition of the building or structure existing as of April 1, 2026:

(a) Interior alterations of existing structures.

(b) Additions to existing structures that do not increase the footprint of the structure by more than five-hundred (500) square feet.

(c) One-story detached accessory structures not containing habitable floor space, such as tool and storage sheds, playhouses and similar uses, provided that the floor area does not exceed one-hundred twenty (120) square feet and the structure is located greater than or equal to ten (10) feet from the nearest adjacent structure containing habitable floor space.

(d) Accessory buildings and accessory structures classified as Utility and Miscellaneous Group U, as defined in the amended International Building Code adopted in Chapter 5 of the Code of the City of Fort Collins, located more than fifty (50) feet from a structure containing habitable floor space.

(e) Fences located more than eight (8) feet from a structure containing habitable floor space.

(f) Any thirty-five (35) acre or larger lot containing only one structure containing habitable floor space that does not abut a developed lot.

(5) Structures that must comply with this Subsection (L) must meet the buffer requirements set forth in (a) and (b) below. The specified buffers and requirements within each buffer shall only extend to the property line of the lot where such structure is located.

(a) A minimum five (5) foot buffer (the "Immediate Zone") surrounding structures located within any area shown on the Resiliency Map as low, medium, or high fire intensity classification must be maintained as follows:

(I) The Immediate Zone must be maintained free of slash, combustible mulch, or other woody debris.

(II) Only the following landscaping materials and plantings may be located within the Immediate Zone:

(i) Noncombustible hard surfaced materials such as rock, gravel, sand, concrete, bare earth, or stone/concrete pavers.

(ii) Ignition resistant plantings set forth on the list maintained by the Director.

(III) Trees.

(i) No new trees may be planted in the Immediate Zone. Existing mature trees of no less than ten (10) inch diameter at four and a half (4.5) feet above ground level may be maintained.

(ii) Tree crowns extending to within ten (10) feet of any structure that requires a building permit shall be pruned to maintain a minimum clearance of ten (10) feet.

(iii) Prune tree branches to a height of six (6) to ten (10) feet from the ground or a third of the total height of the tree, whichever is less.

(b) For all structures located within moderate and high fire intensity classifications on the Resiliency Map, two additional buffers are required to be maintained at all times as described in below Subsections (I) and (II).

(I) A buffer extending from the edge of the Immediate Zone to a minimum of thirty feet around any structure (the "Intermediate Zone") must be maintained at all times free of large accumulations of slash, combustible mulch, or other woody debris and in compliance with the following restrictions on trees and shrubs:

(i) Trees.

(A) Tree crowns extending to within ten (10) feet of any structure must be pruned to maintain a minimum clearance of ten (10) feet.

(B) Prune tree branches to a minimum height of six (6) feet from the ground or a third of the total height of the tree, whichever is less.

(C) Tree Spacing. Tree crowns within thirty (30) feet of any structure must be spaced at least ten (10) feet from each other to prevent structure ignition and promote fuel discontinuity to limit fire spread.

(ii) Shrubs. Shrub groups are five (5) or more shrubs within a ten (10) foot radius of each other. Groups shall be spaced at least ten (10) feet between each other and from the edge of tree branches to prevent structure ignition.

(II) A buffer extending from the edge of the Intermediate Zone to a minimum of one-hundred (100) feet around any structure (the "Expanded Zone") must be maintained at all times in which all tree crowns must be spaced at a minimum of six (6) feet apart.

Introduced, considered favorably on first reading on December 2, 2025, and approved on second reading for final passage on December 16, 2025.

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Mayor

ATTEST:

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City Clerk

Effective Date: December 26, 2025

Approving Attorney: Brad Yatabe

Exhibit: None