



CITIZEN ADVISORY BOARD MEETING
Zoom Webinar and/or Clearview Library
5 S. Timber Ridge Parkway, Severance, CO 80550

AGENDA
CITIZEN ADVISORY BOARD MEETING
Wednesday, August 7, 2024, at 6:00 PM

A. CALL TO ORDER

1. Roll Call
2. Pledge of Allegiance
3. 6.05.24 Minutes

B. REGULAR MEETING

1. **Slate Communications Presentation**
 - Legislative
 - Staff Presentation: Nicholas Wharton, Town Manager
2. **Council Member Petition: Proposed Letter to Governor**
 - Discussion
 - Staff Presentation: Nicholas Wharton, Town Manager
3. **Council Member Petition: Short-Term Rental**
 - Discussion
 - Staff Presentation: Nicholas Wharton, Town Manager
4. **Council Member Petition: Safe Passageways and Enclaves**
 - Discussion
 - Staff Presentation: Nicholas Wharton, Town Manager
5. **Council Meeting Petition: Future Town Gathering Location(s)**
 - Discussion
 - Staff Presentation: Nicholas Wharton, Town Manager

C. COMMUNICATIONS

Commission approval may be sought for administrative actions in association with staff reports.

1. Town Staff
2. Board Members

D. ADJOURN

Citizen Advisory Board MEETING
Wednesday, August 7, 2024, 6:00 PM (MDT)

Registration URL
https://us02web.zoom.us/webinar/register/WN_MVhoLgSURjeRmH_U15jYYg

The Town of Severance does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in the provision of services. For disabled persons needing reasonable accommodation to attend or participate in a town service, program, public meeting, or activity, call 970-686-1218 at least 72 hours in advance. Disabled access is available from the front entrance of the Town Hall.



CITIZEN ADVISORY BOARD MEETING
Zoom Webinar and/or Town Council Chamber
3 S. Timber Ridge Parkway, Severance, CO 80550

MEETING MINUTES

Wednesday, June 5, 2024, at 6:00 PM

Present:

Chair:

Vice-Chair:

Board Members:

Karen Hessler
Tad Borrett
Marissa Riopelle

Absent:

Josh Green, Colin McManus & Richard Vandenberg

Audience: Dan Meyers & David Bruen

Staff:

Lindsay Radcliff-Coombes, Deputy Town Manager
Leah Vanarsdall, Town Clerk

A. CALL TO ORDER

1. Roll Call
2. Pledge of Allegiance
3. 4.03.24 and 5.01.24 Minutes
No Quorum

B. REGULAR MEETING

1. Council Member Petition: Proposed Letter to Governor
 - Discussion

- Staff Presentation: Nicholas Wharton, Town Manager
No Quorum

2. Council Member Petition: Board of Adjustments/Variance Discussion

- Discussion
- Staff Presentation: Nicholas Wharton, Town Manager
No Quorum

C. COMMUNICATIONS

Commission approval may be sought for administrative actions in association with staff reports.

1. Town Staff
2. Board Members

D. ADJOURN

6:12 pm

TOWN OF SEVERANCE

Josh Green, Chair

ATTEST:

Leah Vanarsdall, MMC, Town Clerk



AGENDA ITEM SUMMARY

AGENDA ITEM	SUBMITTED BY	PRESENTED BY
Slate Communications Presentation	Nicholas Wharton, Town Manager	Kristen Knoll
ACTION REQUESTED		
No action is required.		<u>Presentation</u>
BRIEF SUMMARY		
Kristen Knoll of Slate Communications will be providing a presentation on the most recent survey results from the proposed ballot initiative and the next steps of communication to Severance residents.		
PUBLIC SUPPORT/CONCERN		
Survey results will be presented.		
ANALYSIS AND RECOMMENDATION		
No action is required.		
MATERIALS SUBMITTED		
The following materials were submitted and included in this packet: 1. 2024-07-23 SEV Sales Tax Initiative Open House Presentation		



INVESTING IN OUR ROADS

Potential Sales & Use Tax
Ballot Initiative



- STREET MAINTENANCE
- ROAD QUALITY
- ROAD FUNDING
- THE CHALLENGE
- SALES & USE TAX
- PROS & CONS
- CONVERSATIONS *(Council & Staff)*
- COMMUNITY INPUT
- SURVEY RESULTS

STREET MAINTENANCE

82 MILES Town Maintained Roads

Responsibilities

- Repair and maintain streets
- Repair and maintain curbs, gutters, and sidewalks
- Repair and maintain traffic signs and pavement markings
- Small traffic control and flagging operations
- Grading of Town owned dirt roads
- Right-of-way (ROW) mowing and maintenance
- Snow plowing and removal
- Street sweeping
- Drainage maintenance

OVERALL ROAD QUALITY

VERY GOOD

Average 80 out of 100 PCI (Pavement Condition Index)

84%

Town roads in “Excellent” or “Very Good” condition

2.7 MILES

Total road miles that are beyond repair and require full reconstruction

40 YEARS

Proactive maintenance & rehab can delay full road reconstruction by an additional 40 YEARS.

Data based on a Pavement Management Report completed in November 2023 by Infrastructure Management Services.

ROAD FUNDING OVERVIEW

GENERAL FUND

5

GENERAL FUND REVENUE – \$5,897,141

GENERAL FUND EXPENDITURES - \$5,754,636

Streets and road maintenance operations are paid from the General Fund with property and sales taxes:

- **Street Maintenance**
\$653,596 (11% of total expenditures)
- **Snow Removal**
\$115,814 (2% of total expenditures)
- **Public Works Facilities Maintenance**
\$81,200 (1.4% of total expenditures)

The Transportation Capital Improvements are additionally paid from the General Fund. Historically, there has been no dedicated funding for these projects:

A new \$15.50 monthly fee is being paid by every household to fund these transportation capital improvement projects.

- \$800,000 (2024 Projects included a complete reconstruction of Blue Spruce and repaving of WCR 23 south of WCR 70)

FUNDING COMPARISON

CURRENT FUNDING SOURCE

\$15.50 Monthly Transportation Utility Fee

\$800,000 = Annual Revenue

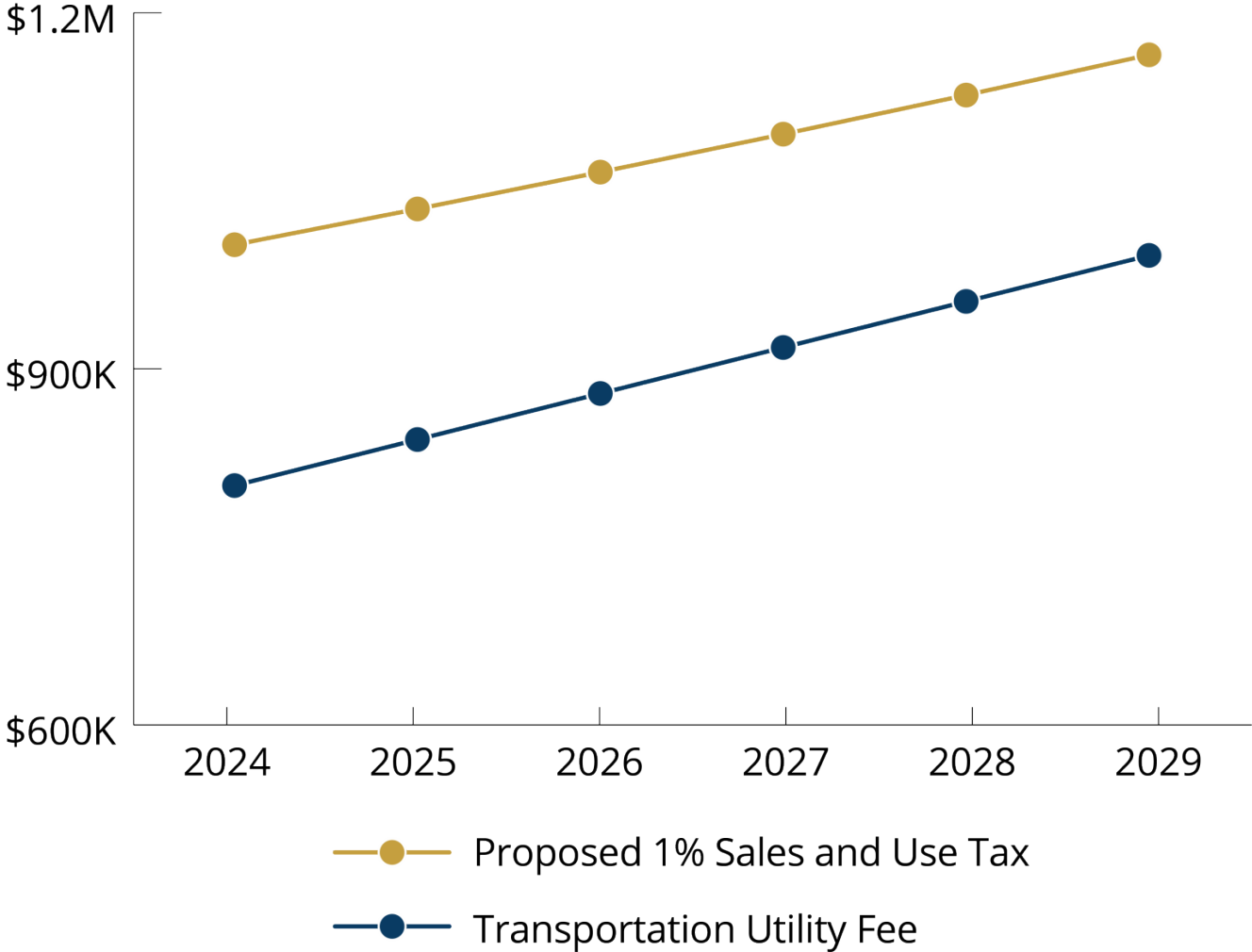
POTENTIAL DEDICATED 1% SALES & USE TAX

Sales Tax Estimated Revenue: \$640,880

Building Material Use Tax Estimated Revenue: \$363,721

\$1,004,601 = First Year Revenue

ROAD FUNDING PROJECTIONS



TRANSPORTATION UTILITY FEE

- 2024 - \$801,660 (\$15.50 Per Month)
- 2025 - \$840,450 (\$16.25 Per Month)
- 2026 - \$879,240 (\$17.00 Per Month)
- 2027 - \$918,030 (\$17.75 Per Month)
- 2028 - \$956,823 (\$18.50 Per Month)
- 2029 - \$995,610 (\$19.25 Per Month)

PROPOSED 1% SALES & USE TAX

- 2024 - \$1,004,601 (Projected 3%)
- 2025 - \$1,034,739 (Projected 3%)
- 2026 - \$1,065,781 (Projected 3%)
- 2027 - \$1,097,754 (Projected 3%)
- 2028 - \$1,130,687 (Projected 3%)
- 2029 - \$1,164,607 (Projected 3%)

THE CHALLENGE

- Without a dedicated funding source (like the \$15.50 monthly fee), street maintenance would be unfunded.
- Current revenue is not keeping up with capital road improvement needs.
- Road conditions are good now, but road quality and safety will decline without additional funding.
- Road repair costs continue to go up.

SALES & USE TAX SNAPSHOT

TOWN	USE TAX	SALES TAX
Severance — Current Tax Rate	3.0%	3.0%
Severance — Proposed 1% Sales & Use Tax Increase	4.0%	4.0%
Eaton	4.0%	4.0%
Greeley	4.11%	4.11%
Evans	4.50%	4.50%
Ault	3.0%	3.0%
Johnstown	3.5%	3.5%
Timnath	3.0%	3.0%
Windsor	3.65%	3.65%

WHY IS A SALES & USE TAX THE MOST VIABLE OPTION?



PROS & CONS OF A 1% SALES AND USE TAX INCREASE

Pros:

- The \$15.50 Transportation Utility Fee would be eliminated.
- A dedicated fund that can *only* be used for street maintenance.
- Improved street conditions, safety, and quality.
- Sales and use taxes are paid by both residents and visitors.

Cons:

- An increase in the Town's sales tax rate makes retail purchases more expensive.
- Consumers who base shopping decisions on sales tax rates may choose to shop outside of Severance.
- The Town only has a few retail locations where sales tax is collected. The initial revenue collected from a 1% sales and use tax would be minimal until more retail or development comes to Severance.
- Businesses may face increased compliance costs associated with adjusting to new tax rates, updating systems, and ensuring accurate tax collection and remittance.

CONVERSATIONS (Council & Staff)

The Town's infrastructure budget is not keeping up with repair and replacement needs.

The Town's roads are in good condition now, but repair costs will continue to go up and road quality will go down without additional funding.

The Town and Council want to eliminate the monthly \$15.50 Transportation Utility Fee if a 1% sales and use tax is placed on the ballot and approved by voters.

Investing in our roads now is an investment in the Town's future.

COMMUNITY INPUT

TOWN-WIDE SURVEY DISTRIBUTION:

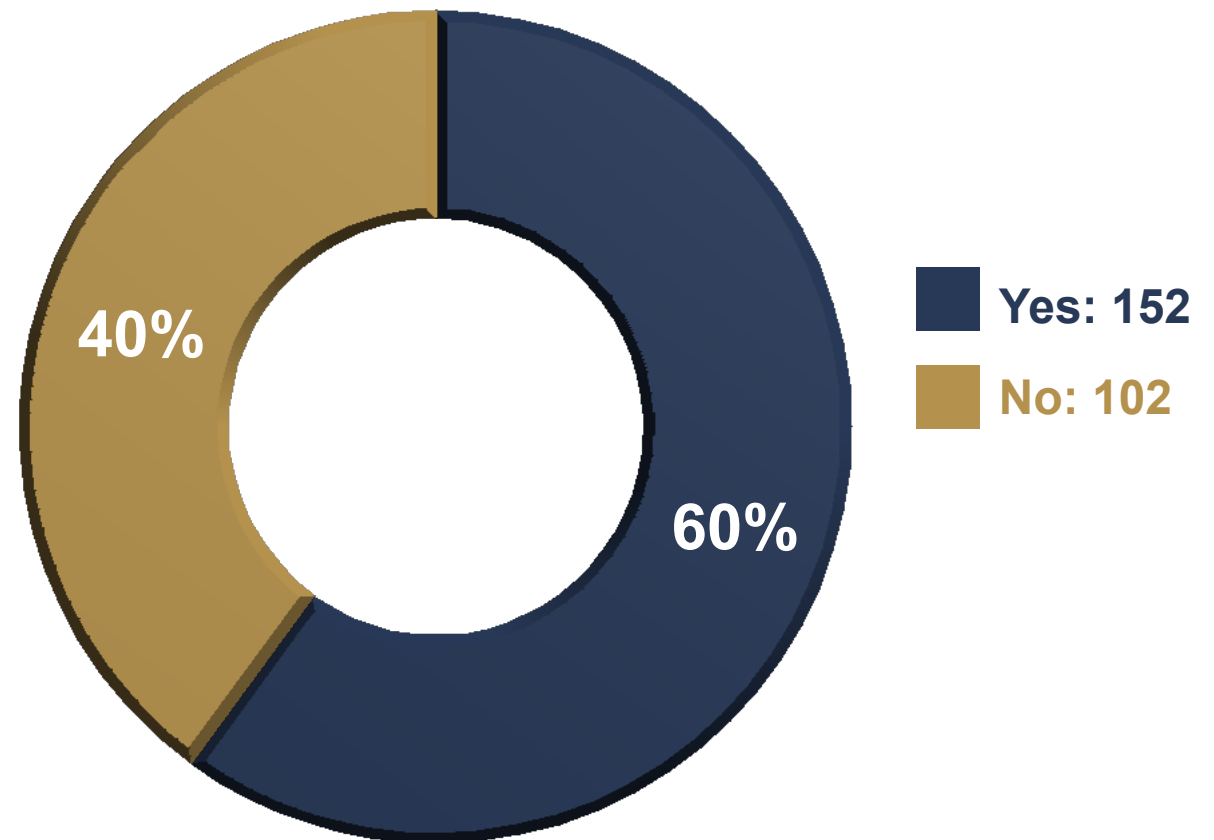
- Simple, online questionnaire
(not statistically valid)
- Promotion:
 - Shared at summer concerts and movie night events
 - Included in existing digital platforms: social media, website, newsletter

254 TOTAL SURVEY RESPONSES

(as of July 23)

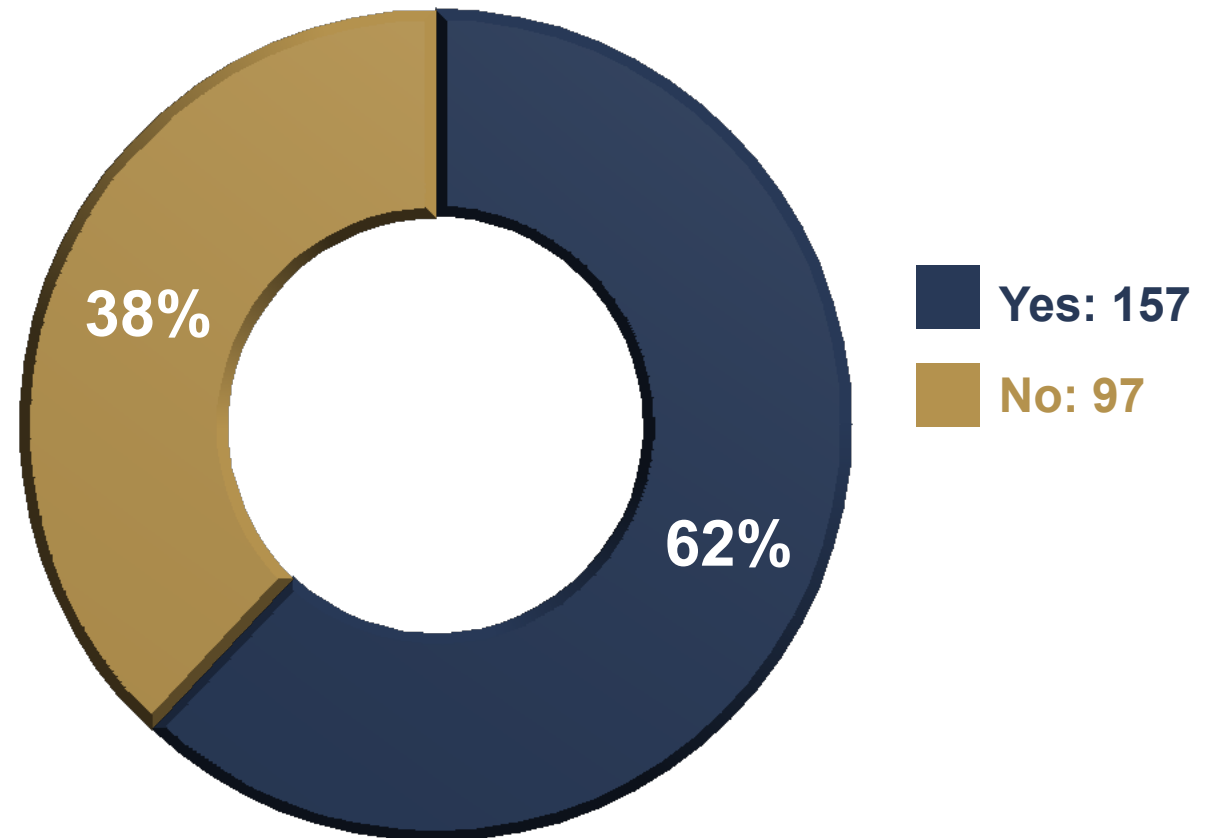
SURVEY RESULTS

1. If voters approve an additional 1% sales and use tax increase this November, the Transportation Utility Fee would be eliminated. Knowing this, would you vote to approve a dedicated 1% sales and use tax measure to replace the Transportation Utility Fee and help pay for road maintenance and improvements?



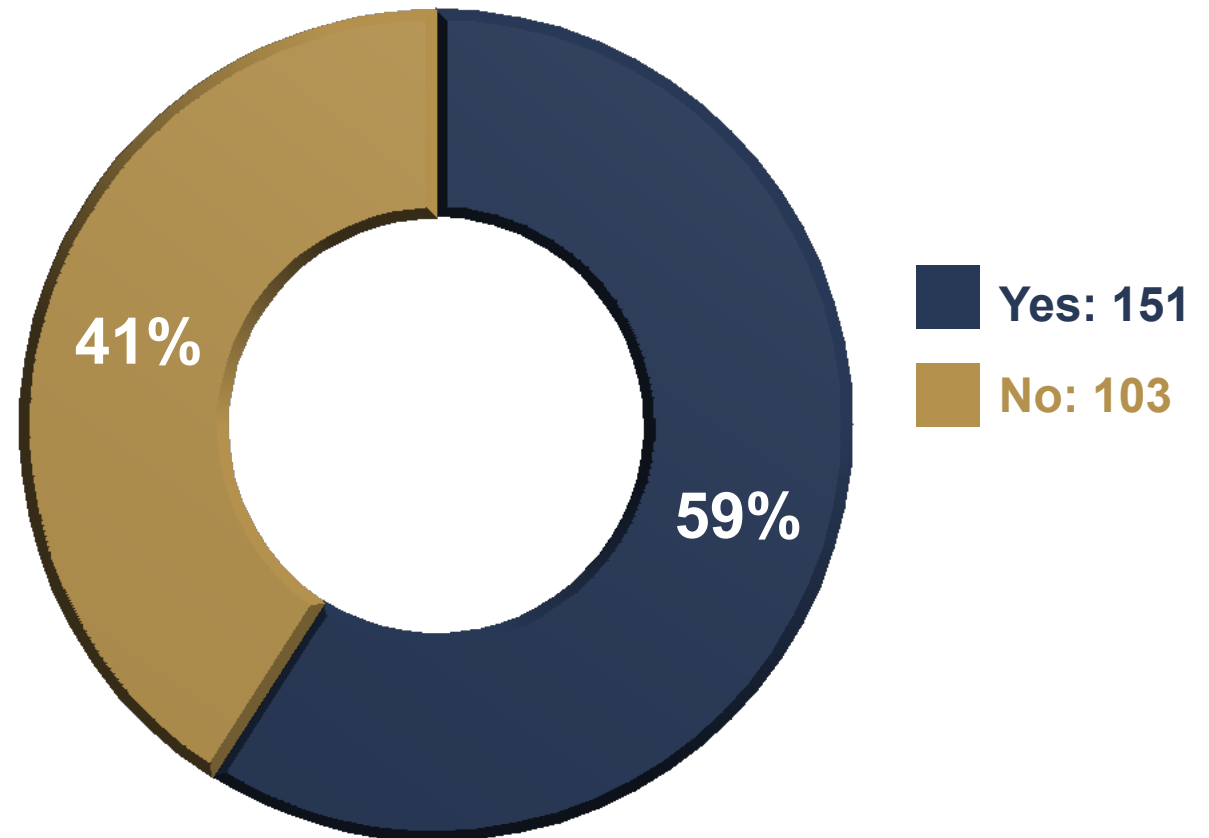
SURVEY RESULTS

2. Sales and use taxes are paid by both residents and visitors alike. Knowing that an additional 1% sales and use tax increase would also be paid for by non-residents and new development, would you vote to approve a dedicated 1% sales and use tax to fund road maintenance and improvements to replace the Transportation fee?



SURVEY RESULTS

3. If the election was held tomorrow, would you vote in favor of an additional 1% sales and use tax increase that would dedicate funding for the sole purpose of maintenance, improvement, preservation, acquisition, and expansion of the Town's transportation facilities to replace the \$15.50 fee?



4. What is your overall satisfaction with the Town's current street and road conditions? Explain.

It is necessary that we take care of our infrastructure. The exponential cost of roads in disrepair will be harmful to our community's future.

Overall the condition is ok. The 1% isn't going to do anything because there isn't enough commercial business to support it. Severance needs to bring in more businesses not more homes.

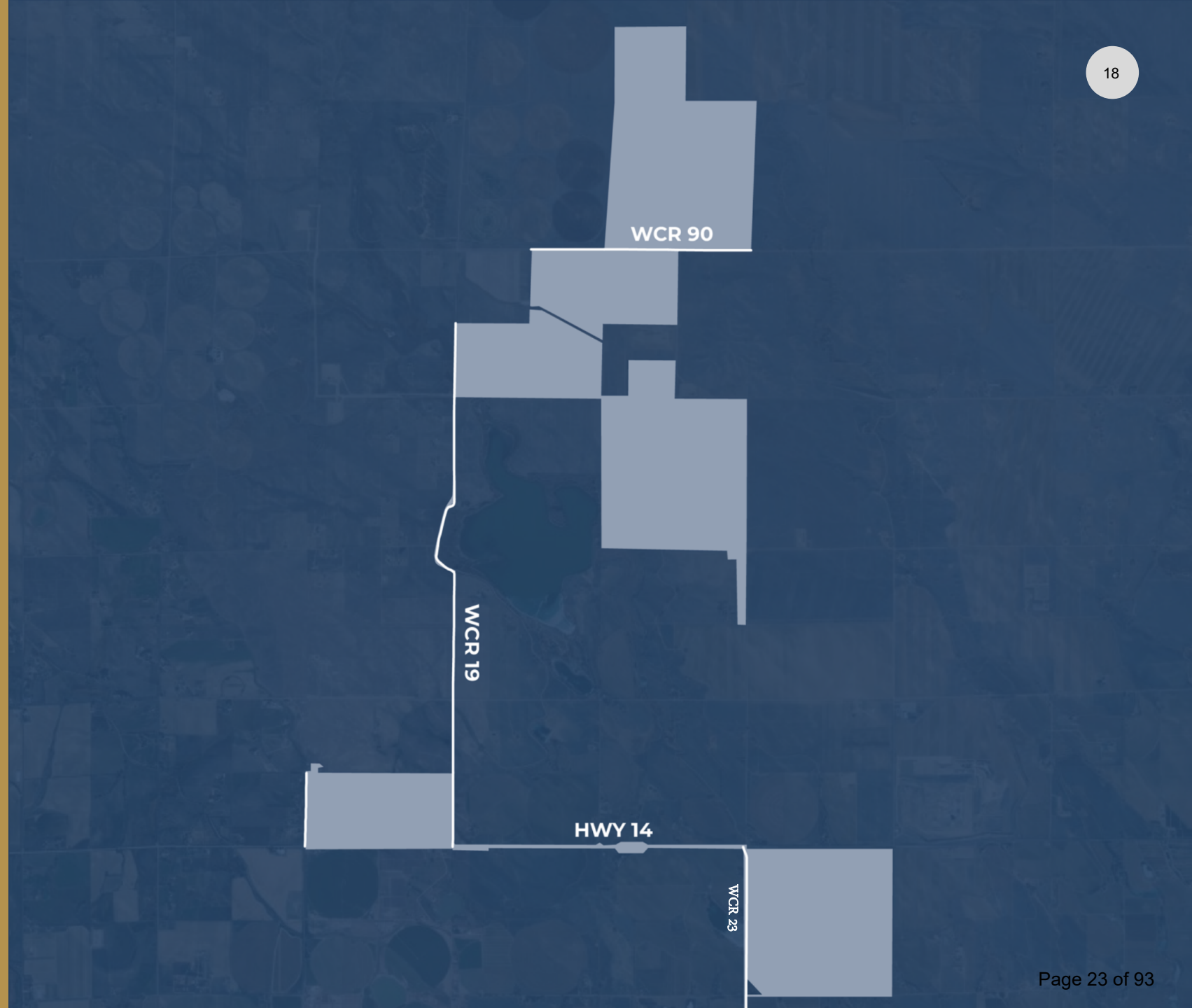
Encouraged about the focus and direction the town has been doing for the road and streets currently.

Need to know more information as to what this 1% sales tax/use fee will be [used for].

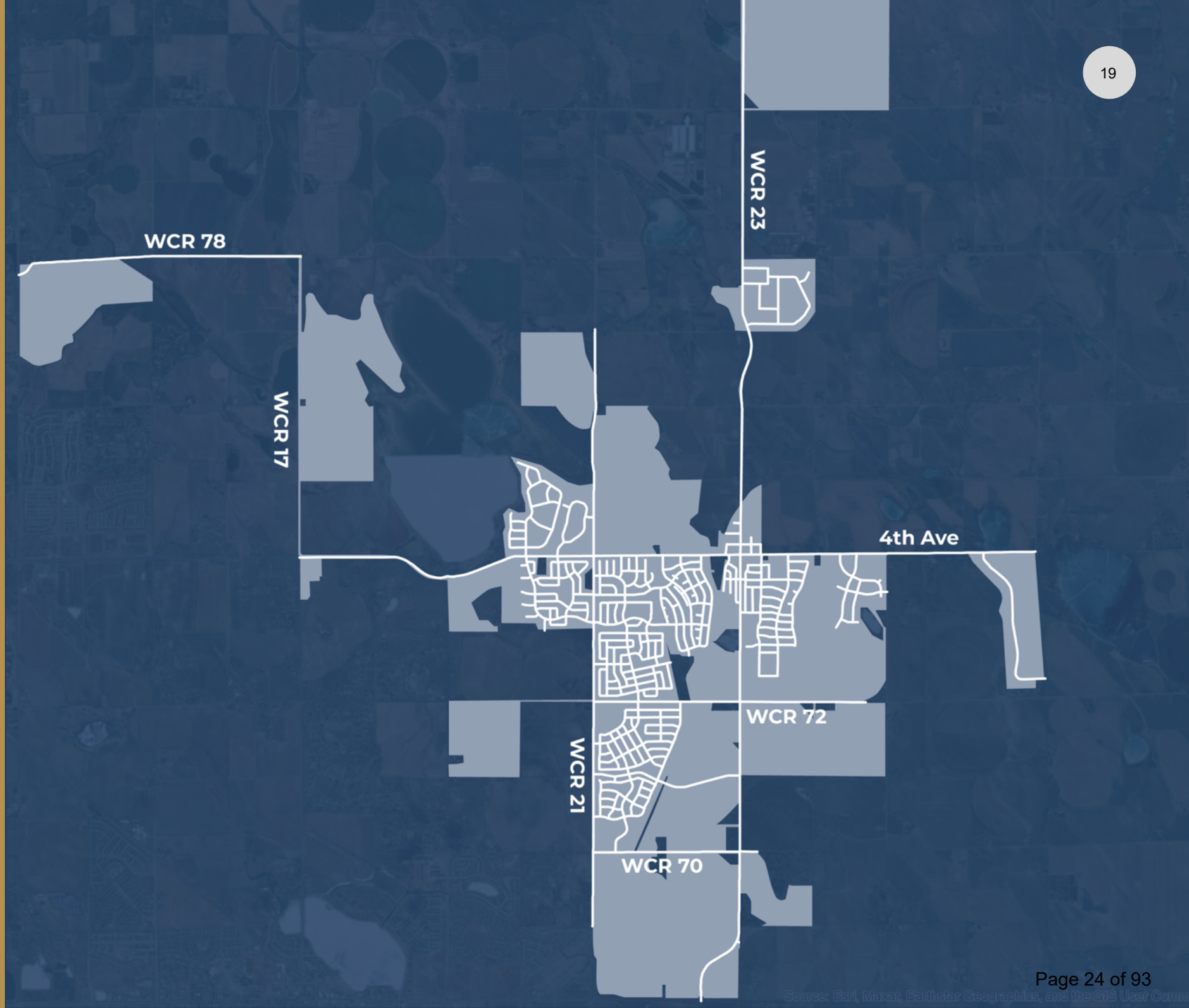
Good to this point. Need to maintain same conditions.

Poor management of financial responsibility.

TOWN MAINTAINED ROADS (North)



TOWN MAINTAINED ROADS (South)



**NOW IT'S
YOUR
TURN!**



**Scan the QR Code or
visit: rb.gy/48l18c**

A photograph of a road construction or maintenance site. A two-lane asphalt road stretches into the distance, bordered by a metal guardrail on the right. Several orange traffic cones are placed along the guardrail and on the road. The background features bare trees and a body of water under a cloudy sky. The text "QUESTIONS & DISCUSSION" is overlaid in large white letters on the left side of the image.

QUESTIONS & DISCUSSION



AGENDA ITEM SUMMARY

AGENDA ITEM	SUBMITTED BY	PRESENTED BY
Council Member Petition: Proposed Letter to Governor	Nicholas Wharton, Town Manager	Council Member Gagliardi
ACTION REQUESTED		
Management asks that the Citizen Advisory Board review and discuss the proposed Letter to the Governor and provide any comments or suggestions to Council Member Gagliardi they deem necessary.		<u>Action Requested</u> <u>Discussion</u>
BRIEF SUMMARY		
This proposed agenda item was a council member petition by Council Member Gagliardi.		
PUBLIC SUPPORT/CONCERN		
None at this time.		
ANALYSIS AND RECOMMENDATION		
Management asks that the Citizen Advisory Board review and discuss the proposed Letter to the Governor and provide any comments or suggestions to Council Member Gagliardi they deem necessary.		
MATERIALS SUBMITTED		
The following materials were submitted and included in this packet: 1. LetterToTheGovenor240424		

The Honorable [Governor's Name]
Office of the Governor
136 State Capitol Building
Denver, CO 80203
Dear Governor [Governor's Last Name],

We, as elected and appointed officials representing the interests of our community, are writing to you with a shared concern regarding partisan issues that are impacting not only our state but also our town, Severance, Colorado.

Colorado's designation as a Sanctuary State and the fiscal responsibility of this designation have become pressing matters affecting our communities. We believe it is crucial to address these issues collectively to ensure the well-being and prosperity of all residents.

Recently, Severance was approached by the City of Denver with a request to accommodate undocumented migrants and refugees. While we empathize with the plight of these individuals, Severance lacks the necessary infrastructure and resources to support any significant influx of homelessness. Such a move would strain our community's resources and jeopardize the quality of life for our residents.

As an example of this strain, Denver Health provided more than \$130 million in uncompensated care last year. Leaders say about \$10 million of that was for migrant care. From October through December, migrants made up about 10% of emergency department visits. These statistics underscore the significant strain that the issue of migrant care places on our state's healthcare system, further emphasizing the need for a comprehensive and sustainable solution.

Additionally, the issue of undocumented migrants or refugees is a federal issue and not one that our state, which does not share a border with another country, should bear the burden of. It is our belief that once all undocumented people are properly processed and documented, they can then have the freedom to live wherever they want and enjoy the rights and freedoms of our great nation.

Colorado's long standing reputation as a politically "purple" state has been a source of pride for many of us. This designation signifies an electorate that is informed, engaged, and capable of making decisions based on a comprehensive understanding of the issues at hand. However, the current state of partisan politics and rhetoric in our country is impeding progress on critical matters.

We believe it is imperative to transcend partisan divides and work together in pursuit of practical solutions that benefit all Coloradans. By fostering an environment of collaboration and constructive dialogue, we can address the challenges facing our state and pave the way for meaningful progress.

Governor, we urge you to consider the concerns raised in this letter and to prioritize bipartisan cooperation in your administration's policies and initiatives. Together, we can uphold Colorado's legacy as a beacon of progress and unity.

Thank you for your attention to this matter. We look forward to your leadership in guiding our state towards a brighter and more prosperous future for all.

Sincerely,
[Your Name]
[Your Position/Title]
[Your Contact Information]



AGENDA ITEM SUMMARY

AGENDA ITEM	SUBMITTED BY	PRESENTED BY
Council Member Petition: Short-Term Rental	Nicholas Wharton, Town Manager	Council Member Vandermark
ACTION REQUESTED		
Management asks that the Citizen Advisory Board review and discuss the proposed Short-Term Rental Information and provide any comments or suggestions to Council Member Vandermark they deem necessary.		<u>Discussion</u>
BRIEF SUMMARY		
This proposed agenda item was a council member petition by Council Member Vandermark.		
PUBLIC SUPPORT/CONCERN		
None at this time.		
ANALYSIS AND RECOMMENDATION		
Management asks that the Citizen Advisory Board review and discuss the proposed Short-Term Rental Information and provide any comments or suggestions to Council Member Vandermark they deem necessary.		
MATERIALS SUBMITTED		
The following materials were submitted and included in this packet: 1. Short Term Rentals 2. Larimer STR 3. Windsor STR 4. Fort Collins STR		

Short-Term Rentals



What is a Short-Term Rental (STR)

- A short-term rental is typically defined as a rental of any residential home unit or accessory building for a short period of time. This generally includes stays of less than a month (30 days), but the maximum length can vary



Types of STR

- **Entire homes**

A rental property can be considered a short-term rental if the owner spends most of the time there but occasionally rents out the whole home for a few days or weeks, up to a maximum number of days per year.

Additionally, if an absentee owner rents out their property for short stays, up to a given number of days per year, that would also be considered a short-term rental.

- **Accessory dwellings**

If an owner were to rent out a portion of a property they live in – such as a guest house or garage apartment – for short periods of time that, too, would be considered a short-term rental.

If an absentee owner were to rent out similar accessory dwellings for a given number of days per year on a property they own but do not live in, that also would be considered a short-term rental.

- **Rooms**

If an owner rents out one or more rooms in their primary home for short stays, up to a maximum number of days per year, that's considered a short-term rental.

If an owner were to do this but live off-site at a *different* property, it would still be considered a short-term rental.

What does the future of short-term rentals look like?

- The popularity of companies like Airbnb and Vrbo show that short-term rentals aren't just a big-city phenomenon. There is now a global boom, with the number of listings for short-term rental properties growing every year with hundreds of different short-term rental websites in existence.
- Considering the growth of the sharing industry, it's becoming more and more important for communities to engage with owners in the short-term rental industry. Studies show most short-term rental owners/operators are unaware of the rules around compliance and community preservation issues.

Big Colorado Snapshot

- **Boulder County**

- In Boulder County, officials are mulling a number of changes to STRs operating in unincorporated areas of the county. Some of these changes include redefining what qualifies as an STR vs. vacation rental, requiring operators to notify all adjacent property owners of their STR permit upon approval, capping the number of available licenses, requiring all parking to be on-site, and limiting occupancies to eight.

- **Lakewood**

- The city of Lakewood passed legislation in March 2023 that requires all STRs to be licensed through the city. Property owners are only allowed one permit, and the STR must be considered the owner's primary residence.

- **Steamboat Springs**

- In Steamboat Springs, a major ski resort destination, a new STR tax of 9 percent went into effect at the beginning of 2023. In the first month, it generated \$1.3 million for the city. The revenue will be used for affordable housing projects.

- **Estes Park**

- In Estes Park, an impact tax for STRs of \$1,390 annually per property was established in an attempt to boost funding for local workforce housing. In Larimer County, which includes Estes Park, new rules passed earlier this year enable permit transfers between family and non-family members (with limits), a requirement that STRs have a buffer zone of 500 or 250 feet depending on zone, a 500-foot buffer for park areas, and a requirement that property managers are located within an hour of the STR, among other new regulations.

- **Salida**

- In Salida, part of Chaffee County, the city requires an annual fee for rentals, as well as an additional occupational lodging tax of \$15 per bedroom per night. Applications for STR licenses in the Commercial District can be submitted at any time. The city also restricts new STR licenses to those who own the property and reside within the county.

- **Colorado Springs**

- Officials in Colorado Springs passed regulations that prevent non-owner occupied properties from being used as STRs in single-family zoning districts. In other zones, non-owner-occupied STRs must have a 500-foot buffer from other STR properties in the area. Owner-occupied STRs are allowed to operate within single-family zones.



New regulations in Larimer County

- Provide procedural requirements to seek a short-term rental license for, and to regulate an Owner who rents or advertises for, a short-term rental and to fix the fees, terms, and manner for issuing and revoking a license issued therefor
- Additionally, the Ordinance ensures that short-term rentals are operated in a manner that is compliant with all applicable rules, laws and regulations, as well as to ensure it is compatible with the surrounding neighborhood and protects the overall community character.
- Larimer County assumes no responsibility for the operation of the short-term rental and Owner agrees to hold Larimer County harmless for any injury or damage which may occur, of whatever type or nature, as the result of the operation of the short-term rental

What are other Municipalities doing??

Windsor

Business License and Short-Term Rental Permit Required

Short-Term Rental Permit Application Fee.

Compliance with Restrictive Covenants.

Compliance with State and Federal Laws.

Insurance Required

Owner or Property Management Information for Emergency Contact.

maximum occupancy of a Short-Term Rental

Inspection and Reinspection. Short-Term Rentals shall be inspected for initial licensure by the Town Building and the Windsor Severance Fire Rescue.

Fort Collins

Licenses are \$150 and are non-refundable and non-transferrable. Annual renewal is \$100.

License number must be included in all advertising.

Owner must complete and self-certify that dwelling meets required safety standards.

STR operators must obtain a Sales Tax and Lodging Tax License.

Sales and lodging tax collection and remittance.

Name, phone number, and email of local contact must be provided.

What can Severance do?

01

Set an ordinance with rules and regulations for safety.

02

Require STR owners to register with the town of severance.

- Including emergency contact, and property details.

03

Charge a STR an application fee.

04

Charge a lodging Tax

**AMENDED LARIMER COUNTY ORDINANCE FOR IMPLEMENTATION AND ENFORCEMENT OF
SHORT-TERM RENTAL REGULATIONS**

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LARIMER COUNTY,
COLORADO:

WHEREAS the conversion of residential properties to short-term rental units has a variety of effects on the neighborhoods in which such units are located, as well as on the community, including issues such as increased noise, traffic, potential for trespassing, fire-safety concerns and trash not being disposed of properly, and

WHEREAS on June 10, 2019, the Larimer County Board of County Commissioners (hereinafter referred to as BoCC) adopted reasonable and necessary short-term rental regulations in the Larimer County Land Use Code (hereinafter referred to as LUC) which became effective September 1, 2019, but with a two-year grace period for existing operators to become compliant; and

WHEREAS on June 10, 2019, the BoCC also adopted amendments to the 2018 International Residential and Building Codes (hereinafter referred to as the “Building Codes”) regarding short-term rentals which became effective September 1, 2019, but with a two-year grace period for existing operators to become compliant; and

WHEREAS, on April 3, 2023, the BoCC adopted new short-term rental regulations which will become effective on June 1, 2023; and

WHEREAS said LUC and Building Code regulations set forth the criteria, development process and permitting requirements to obtain a short-term rental license; and

WHEREAS in conjunction with the aforementioned LUC regulations, Larimer County contracts with an outside monitoring company to monitor the internet spaces where short-term rentals are advertised to determine compliance with the regulations; and

WHEREAS the BoCC desires to effectively implement and enforce the regulations regarding short-term rentals with an Ordinance incorporating the existing regulations and providing additional regulations addressing the granting, enforcement, and revocation of a short-term rental license and other code compliance measures; and

WHEREAS Larimer County has adopted new LUC regulations regarding Short-Term Rentals and seeks to update and amend the Ordinance for Implementation and Enforcement of Short-Term Rental Regulations previously adopted in 2021 to update and address best practices in the enforcement of Short-Term Rentals.

NOW THEREFORE, to achieve these goals the BoCC clarifies and sets forth the following compliance measures in this Ordinance for Implementation and Enforcement of Short-Term Rental Regulations.

SECTION 1. TITLE

This Ordinance shall be titled Amended Larimer County Ordinance for Implementation and Enforcement of Short-Term Rental Regulations.

SECTION 2. AUTHORIZATION

This Ordinance is authorized pursuant to:

Section 30-11-101(2), C.R.S.: Counties have the authority to adopt and enforce resolutions regarding health, safety, and welfare issues as otherwise prescribed by law.

Section 30-15-401(1)(s), C.R.S.: The Board of County Commissioners has the power to adopt ordinances to provide for procedural requirements pursuant to House Bill 20-1093 concerning County authority to grant a license and regulate short-term rentals.

SECTION 3. RESPONSIBILITY FOR ADMINISTRATION

This Ordinance shall be administered by the Larimer County Community Development Department or by its designee.

SECTION 4. PURPOSE/INTENT

The purpose of this Ordinance is to:

- A. Provide procedural requirements to seek a short-term rental license for, and to regulate an Owner who rents or advertises for, a short-term rental and to fix the fees, terms, and manner for issuing and revoking a license issued therefor. For purposes of this Ordinance, short-term rental shall collectively refer to short-term rentals, short-term rentals – hosted, and Bed and Breakfast Inn as described in the Larimer County Land Use Code.
- B. Additionally, the Ordinance ensures that short-term rentals are operated in a manner that is compliant with all applicable rules, laws and regulations, as well as to ensure it is compatible with the surrounding neighborhood and protects the overall community character.
- C. A vacation home with a valid operating registration approved under the previous Estes Valley Development Code prior to April 1, 2020, may continue to operate as defined under the previous code. Such non-conforming vacation homes must comply with the requirements of this Ordinance and the LUC with the requirement to renew every other year. Non-conforming vacation homes are required to comply with the life-safety provisions of this Ordinance, the LUC and the Building Codes.
- D. A short-term rental with a valid approval under the LUC from April 1, 2020, until June 1, 2023, may continue to operate as defined under the previous code. Such non-conforming short-term rentals must comply with the requirements of this Ordinance and the LUC with the requirement to renew every other year. Non-conforming short-term rentals are required to comply with the life-safety provisions in this Ordinance, the LUC and the Building Codes.

SECTION 5. INDEMNIFICATION

- A. Larimer County assumes no responsibility for the operation of the short-term rental and Owner agrees to hold Larimer County harmless for any injury or damage which may occur, of whatever type or nature, as the result of the operation of the short-term rental.
- B. No term or condition of this Agreement shall be construed or interpreted as a waiver, either expressed or implied, of the monetary limits, notice requirements, immunities, rights, benefits, defenses, limitations and protections available to Larimer County under any applicable law, including but not limited to the Colorado Governmental Immunity Act, C.R.S. 24-10-101, et. seq, as currently written or hereafter amended or implemented.

SECTION 6. APPLICABILITY

- A. This Ordinance applies to the unincorporated area of Larimer County including unincorporated parcels within the Estes Valley Planning Area.
- B. The provisions set forth in this Ordinance shall only apply to short-term rental properties, as defined within the LUC. This Ordinance shall not apply to the furnishing of lodging services in hotels, motels, resort lodge cottages timeshares/fractional ownership units within a building operating akin to that of a hotel/motel with a central check-in located within such facility, or to properties with leases of thirty (30) days or longer.

SECTION 7. LICENSE AND COMPLIANCE REQUIRED

- A. It is unlawful to lease, advertise for lease, or permit the leasing of any short-term rental in the unincorporated areas of Larimer County without approval from the Larimer County Planning Division according to standards set forth in the LUC as well as the Building Codes, as amended and adopted by Larimer County, which are hereby referenced and adopted in their entirety.
- B. Subsequent to the Planning Division approval and the Certificate of Occupancy issuance from the Building Division, a license to operate as a short-term rental will be issued. For short-term rentals or vacation homes approved prior to June 1, 2023, the planning approval number will serve as the license number until the renewal or re-certification of the license on the two-year anniversary date.
- C. An application for a short-term rental shall be reviewed by the Community Development Department in accordance with the applicable criteria.
- D. Approvals shall be in accordance with the regulations set forth in the LUC which are hereby referenced and incorporated in their entirety, as well as building permits, inspection approvals and Certificates of Occupancy required by the Building Codes, also hereby referenced and adopted in their entirety.
- E. Any short-term rental in operation without a valid license may be issued a Cease and Desist letter and will be required to cease all operations and advertising immediately. Short-term rentals may not operate without appropriate approvals and a license. Larimer County may seek any remedy available.

- F. Following the issuance of a Cease and Desist letter, and the owner comes in to apply for a proper license, an additional fee in the amount of \$500 will apply when the Owner subsequently comes in to apply for the required license. The additional fee is a result of the additional cost of County staff and resources to process the late application and to obtain compliance.
- G. If an application is not submitted and approved, any advertising will clearly state in the banner heading the residence is only allowed to be rented long-term, greater than 30 days.

SECTION 8. OTHER REQUIREMENTS

- A. Notices. Any notices or communications required or reasonably implied by this Ordinance may be sent to the Owner or Property Manager by the County via U.S. mail or via electronic mail.
- B. Property Manager. The Property Manager shall have access and authority to assume management of the short-term rental and take remedial measures and to accept service on behalf of the owner. The Property Manager shall be available 24 hours per day, 7 days per week to respond to complaints, issues of concern, and violations related to this Ordinance. The Property Manager must be able to affirmatively respond to complaints within one hour of notification of such complaint. Failure of a Property Manager to affirmatively respond to a complaint and attempt to resolve such complaint within an hour of notification shall be considered a violation of the Ordinance.
- C. Property Manager Contact Information. Owner and Property Manager shall be responsible to provide the Property Manager's contact information to all neighbors within 500 feet of the short-term rental of the Property Manager's contact information. Proof of such shall be provided to the County within ten (10) days of Planning approval and/or Change in Information. The Property Manager's contact information shall be posted on a publicly available online database.
- D. Renewal. Renewal is required every other year on the anniversary of the original approval or license date. Failure to complete and resubmit the renewal form to the Community Development Department, shall be cause for consideration or revocation of the license. At the time of renewal the current Owner/Property Manager will sign a form acknowledging they have read and will abide by the Ordinance for Implementation and Enforcement of Short-term Rentals in effect at the time.
- E. Re-Inspection. Short-term rentals shall be re-inspected by the Building Division every four (4) years accompanying the renewal every other year to ensure continued compliance with the applicable building code. At the time of the re-inspection a non-conforming vacation home shall be required to be in compliance with the LUC safety standards contained in Section 3.3.5.B o through w. The fee for this re-inspection shall be \$200.
- F. Advertising. Any advertising shall contain the Larimer County license number in the banner heading of any advertisement. The advertisement shall also contain the approved number of occupants.

- G. Noise and Disorderly Conduct. Be a good neighbor. All short-term rentals are subject to the Larimer County Noise Ordinance. The Noise Ordinance is enforced by the Larimer County Department of Environmental Health during business hours and the Larimer County Sheriff's Office after hours. Disorderly conduct issues are handled by the Larimer County Sheriff's Office.
- H. Vehicles and Other Structures. No person shall be permitted to stay overnight in any motor vehicle, included but not limited to, a motorhome, truck camper, travel trailer or other similar vehicle, tents, or other outdoor structures on the property in addition to the short-term rental.
- I. Compliance with Other Laws. Owners, Property Managers, and renters are required to comply with county, state and federal laws. A violation or infraction instituted by another jurisdiction or agency for activity at the short-term rental property shall be counted as a violation as defined in Section 9.

SECTION 9. VIOLATIONS, ENFORCEMENT and REVOCATION

A. On-going Compliance Obligation of Owner.

- (1) Approval of an application/license is expressly contingent upon the Owner maintaining compliance with all requirements set forth in this Ordinance, the LUC and the adopted building codes. If at any time an Owner fails to maintain such compliance as required, the Owner shall be in violation of this Ordinance.
- (2) The renewal/re-certification of a short-term rental license is discretionary by Larimer County and may be denied or approved with additional conditions based on, but not limited to, failure to comply with any terms, condition or requirement as outlined in this Ordinance or the Land Use Code regulations and the International Building Code as adopted.

B. Complaints.

- (1) Complaints concerning a short-term rental shall first be directed to the Property Manager. The Property Manager shall respond to the complaint, including visiting the site if necessary. Failure of a Property Manager to affirmatively respond to a complaint and attempt to resolve such complaint within an hour of notification shall be considered a violation of the Ordinance.
- (2) The Property Manager shall provide a detailed report of all complaints received and their resolution or attempted resolution to the Community Development Department, and specifically the Code Compliance Supervisor, within 48 hours of notification or attempted notification of the complaint.
- (3) The County may investigate, including but not limited to an inspection of the property, any complaint received, to determine if it is a substantiated complaint that represents a documented violation of any provision(s) of this Ordinance. Violations of this Ordinance shall be subject to the enforcement provisions set forth herein. If violation(s) are not corrected or if there are repeat offenses, Larimer County may pursue action as provided for herein.

- (4) If upon review at any time, Larimer County determines the Owner has failed to comply with any of the requirements, performance standards, conditions or restrictions imposed by this Ordinance, Larimer County may take such action as is deemed necessary to remedy the non-compliance, including but not limited to, revocation of the license as set forth in Section 9D below.

C. Suspension or Revocation.

1. A license granted pursuant to this Ordinance may be revoked or suspended by the Community Development Department following a Show Cause Determination for any violation of the Ordinance, or violation of the short-term rental regulations in the LUC and Building Codes, as amended. The Community Development Department may commence revocation proceedings if any of the following occurs:

- i. An Owner has had three (3) substantiated complaints; or
- ii. An Owner has violated or is currently violating this Ordinance in a manner that significantly endangers the public health, safety and/or welfare.

D. Suspension or Revocation Determination:

- 1. The Show Cause Determination shall be made by the Larimer County Community Development Director or their designee.
- 2. A Notice of Violation shall be given to the Owner or Property Manager setting forth the date and substance of the alleged violation(s).
- 3. Within fifteen (15) days of receipt of the Notice of Violation, the Owners and/or Property Manager may submit a response and provide documentation disputing the allegations to the Director.

The Director shall consider the following when determining whether to suspend or revoke the short-term rental license:

- i. The nature and seriousness of the violation
 - ii. Impact of the violation on the neighborhood and/or community
 - iii. Corrective action, if any, taken by the Owner or Property Manager
 - iv. Prior violations
 - v. The likelihood of reoccurrence of the violation or violations
 - vi. Entirety of the circumstances surrounding the violation
 - vii. Willingness, or lack thereof, to rectify the violation
 - viii. Length of time the Owner has held a license
4. Following receipt of any evidence that may be provided to the Director, if it is determined that good cause exists for the imposition of a sanction against the Owner, the Director may impose the following sanctions:
- ix. Suspension of the license for a time period not to exceed six (6) months; or
 - x. Revocation of the license.

5. Any action taken pursuant to this Section shall be commensurate with the seriousness of the violation(s) and the action, or lack thereof, taken by the Owner to resolve the violation(s). Egregious and/or severe life-safety violations may be subject to immediate revocation.
6. The Director shall provide their decision in writing to the Owner and Property Manager.
7. An Owner whose short-term rental license has been suspended must immediately cease all operations during the pendency of the suspension. All advertising shall cease during the pendency of the suspension.
8. An Owner whose short-term rental license has been revoked must immediately cease all operations. All advertising shall cease immediately.

E. Appeals of License Revocations.

1. Any determination made by the Director related to the suspension or revocation of the license may be appealed to the BoCC pursuant to Section 6.7.2 of the LUC.

F. Costs of Enforcement, Revocation and Appeal. In the event it is necessary for the County to act for enforcement of this Ordinance, there shall be added to any fees due, all reasonable costs and fees incurred by the County, including reasonable attorney fees. If any action is brought in a Court of law, by or against the County relating to the enforcement, interpretation, or construction of this Ordinance, or of any document provided for herein, or of any proceeding hereunder, the prevailing party in such action shall be entitled to reasonable attorney fees as well as all costs incurred in the prosecution of such action.

G. Violations. Any short-term rental in operation after January 1, 2022, without the required license, may be deemed in violation and subject to fines, increased fees and injunction proceedings.

H. Penalties. Pursuant to C.R.S. 30-15-402, any person who is convicted of violating this Ordinance commits a civil infraction and is subject to a fine of up to \$1,000 per violation, per day as long as the violation(s) continues.

I. Advertising. Any advertising listing the short-term rental for rent, such as online rental sites i.e., VRBO, AirBnB, etc., or published to solicit rental of a short-term rental, without a license from the Community Development Department is a violation.

SECTION 10. REMEDIES NOT EXCLUSIVE

- A. The remedies listed in this Ordinance are not exclusive of any other remedies available under any applicable federal, state or local laws. It is within the discretion of the Community Development Department to seek cumulative remedies.

SECTION 11. SEVERABILITY

The provisions of this Ordinance are hereby declared to be severable. If any provision, clause, sentence, or paragraph of this Ordinance or the application thereof to any person, establishment, or

circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this Ordinance.

SECTION 12. PUBLICATION AND EFFECTIVE DATE

- A. Following its adoption, this Ordinance shall be published in a newspaper of general circulation of Larimer County once by title only with the date of the initial publication and containing any section, subsection or paragraph of the Ordinance which was amended.
- B. Following the initial publication, the Ordinance shall take effect thirty (30) days after the date of publication in said newspaper.

Upon motion duly made and seconded, the foregoing Ordinance was adopted on the ____ day of _____, 2023.

BOARD OF COUNTY COMMISSIONERS OF
LARIMER COUNTY, COLORADO

By: _____
Chair

ATTESTATION:

I, _____, Larimer County Clerk, attest that the foregoing AMENDED LARIMER COUNTY ORDINANCE FOR IMPLEMENTATION AND ENFORCEMENT OF SHORT-TERM RENTAL REGULATIONS was read at a meeting of the Board of County Commissioners and has been published in a newspaper of general circulation for Larimer County at least ten (10) days prior to the date of its adoptions, in compliance with Section 30-15-406 D.R.S. 1973 as amended.

[SEAL]

Larimer County Clerk/Deputy Clerk

TOWN OF WINDSOR
ORDINANCE NO. 2024-1697

AN ORDINANCE AMENDING CHAPTER 16 OF THE WINDSOR MUNICIPAL CODE TO
ALLOW SHORT-TERM RENTALS AS A RESIDENTIAL USE

WHEREAS, the Town of Windsor (“Town”) is a home rule municipality, with all powers and authority vested under Colorado law; and

WHEREAS, the Town created and adopted the Windsor Municipal Code (“Code”) Chapters 14, 15, 16 and 17, known as the Windsor Land Use Code (“Land Use Code”); and

WHEREAS, Short-Term Rental (“STR”) properties are utilized by homeowners throughout the Town; and

WHEREAS, the Town has not yet adopted code requirements for the licensure and regulation of Short-Term Rentals; and

WHEREAS, for the purposes of health and safety of the inhabitants of Short-Term Rentals, the protection of surrounding neighboring properties and the protection of community character, the Town seeks to regulate this residential use; and

WHEREAS, the Town finds that the adoption of this Ordinance is necessary for the health, safety, and welfare of the residents.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF THE TOWN OF WINDSOR, COLORADO, AS FOLLOWS:

Section 1. Chapter 16 of the Land Use Code is hereby amended to add regulations regarding Short-Term Rentals in Town limits. The new section shall read as follows:

Sec. 16-3-60.-Short-Term Rentals.

- (a) Intent. The intent of this article is to provide procedural requirements, regulations and fee schedule for a Short-Term Rental property. This article ensures that Short-Term Rentals, also known as STRs, are operated in a manner that is compliant with all applicable rules, laws, and regulations, as well as to ensure it is compatible with the surrounding neighborhood and protects the overall community character.
- (b) The provisions set forth in this article shall only apply to Short-Term Rental properties, as defined within the Land Use Code. This article shall not apply to the furnishing of lodging services in hotels, motels, resort lodge cottages, bed and breakfast establishments, timeshares/fractional ownership units within a building or to properties with leases that exceed thirty (30) days or more.
- (c) Definition. Short-Term Rental means a dwelling unit, within a residentially zoned property, that is rented for a period of twenty-nine (29) consecutive days or less.

- (1) Short-Term Rentals, that are owned in fee-simple by an individual property owner or corporate entity, shall be allowed in the following dwelling types (as defined by the Land Use Code), and are subject to fire and building code compliance: (a) single-family detached and attached residences; (b) multi-family condominiums; and (c) accessory dwelling units.

(d) General Provisions. Short-Term Rentals are only allowed in zone districts that allow residential uses in accordance with the requirements of the underlying residential zone and subject to the following conditions:

- (1) Business License and Short-Term Rental Permit Required. It shall be unlawful to offer, provide, or operate a Short-Term Rental in the Town of Windsor without obtaining a business license and a Short-Term Rental Permit from the Town, through the department(s) tasked with oversight and enforcement. A Short-Term Rental Permit shall only be issued to a natural person, whose name appears on the property deed or a corporate entity.
- (2) Application. Before any permit under this article is issued, an application for Business License and Short-Term Rental Permit shall be submitted to the Finance Department and Community Development Department – Planning. All applications shall be made upon forms provided by the Community Development Department. The Community Development Department may require additional documentation associated with the application as necessary to enforce the requirements of this article.
- (3) Short-Term Rental Permit Application Fee. Before any permit under this article is issued, an applicant for a Short-Term Rental Permit must pay a Short-Term Rental application fee which has been determined necessary by the Town to offset costs associated with Short-Term Rental regulation. This fee may be reasonably adjusted by the Director of Finance or their designee.
- (4) Compliance with Restrictive Covenants. If the parcel upon which a Short-Term Rental is proposed falls within the jurisdiction of a homeowners' association or similar covenant-based property owners' association, the requirements of this Section shall be considered minimum requirements. Any such association shall have the right to lawfully adopt more stringent standards for Short-Term Rentals, including the outright prohibition of Short-Term Rentals, for any parcel within the regulatory authority of such association.
- (5) Compliance with State and Federal Laws. All Short-Term Rentals must comply with applicable state and federal laws.
- (6) Insurance Required. It shall be unlawful to operate a Short-Term Rental without fire, hazard and liability insurance coverages, which limits are set by the Town. Proof of insurance will be required prior to issuance of the permit. The Town shall not be held liable.

- (7) Owner or Property Management Information for Emergency Contact. The owner or property manager shall have access and authority to assume management of the Short-Term Rental, take remedial measures, and to accept service on behalf of the owner. The owner or property manager shall be available twenty-four (24) hours per day, seven (7) days per week to respond to complaints, issues of concern, and violations related to this article. The owner or property manager must be able to affirmatively respond to complaints within an hour of notification of such complaint. Failure by the owner or property manager to affirmatively respond to a complaint shall be considered a violation of this article.

(e) Requirements.

- (1) Development Standards. All Short-Term Rentals must meet the applicable Town development standards, building, residential and fire codes adopted by the Town. These requirements include, but are not limited to, properly installed and functioning smoke detector(s), carbon monoxide detector(s) and fire extinguisher(s) on the properties.
- (2) The maximum occupancy of a Short-Term Rental unit shall be limited to four people more than twice the number of bedrooms listed in county records. A loft with an egress window or door may be treated as a bedroom. Example: two bedrooms equals two times two plus four, or eight people.
 - (a) A bedroom is any enclosed habitable space within a dwelling unit, which complies with the minimum room dimension requirements of the International Residential Code, as adopted, and amended from time to time. Living rooms, family rooms and other similar areas that are so situated and designed as so to clearly indicate these intended uses, shall not be interpreted as bedroom rooms.
- (3) Site plan depicting off-street parking stalls and trash facility locations.
 - (a) Parking. The Short-Term Rental shall provide at least one (1) off-street parking space.
 - (b) Trash Removal. Trash shall be contained in an appropriate manner to prevent litter dispersion to adjacent neighbors.
- (4) Application.
 - (a) Proof of property and liability insurance must be provided upon acceptance of application.
 - (b) Street side emergency address numbers are displayed in accordance with 911 regulations.
 - (c) Smoke alarms and carbon monoxide detectors are in correct working order and that the correct number of devices are installed per the International Residential Code. (Include date of device).

- (d) Working fire extinguishers are located at each cooking area and are in close proximity to each open flame source.
- (e) Trash containers are of sufficient size to accommodate the maximum occupancy allowed and that a collection plan is in place.
- (f) Notification to tenants of noise and parking regulations in accordance with the applicable Code.
- (g) Number bedrooms in the rental unit.
- (h) Number of full bathrooms in the rental unit.
- (i) Number of off-street parking spaces available.
- (j) Property complies with the Code.

- (5) The owner or property manager shall be responsible to provide their contact information to all neighbors adjacent to the Short-Term Rental, including those neighbors on the opposite side of the street. Proof of such shall be provided to the Town within ten (10) days of Community Development approval and/or following any change in information.
- (6) Existing Short-Term Rentals. Existing Short-Term Rentals will be required to submit a formal Short-Term Rental application in conjunction with each new business license application or, if submitting with a business license renewal application, a Short-Term Rental application will be required every two (2) years accompanying the renewal.
- (7) Renewal Application. Renewal application and fee payment is required biannually upon notification by the Town. Failure to complete and resubmit the renewal application form to the Town shall be cause for consideration or revocation of approval.
- (8) Change in Ownership. Any change in ownership shall require a new application, license, and permit. Business licenses and Short-Term Rental Permits are not transferable.
- (9) Inspection and Reinspection. Short-Term Rentals shall be inspected for initial licensure by the Town Building Official and the Windsor Severance Fire Rescue. Subsequent renewal applications shall be inspected by Windsor-Severance Fire Rescue every two (2) years accompanying the renewal every other year to ensure continued compliance with the applicable building and fire codes.
- (10) Advertising. Any advertising shall contain the Town permit number. (Ex.: STR24-001)

(f) Neighborhood Complaints.

- (l) Complaints concerning a Short-Term Rental shall first be directed to the owner or

property manager. The owner or property manager shall respond to the complaint, including visiting the site, if necessary, within one (1) hour of notification. Failure to affirmatively respond to a complaint and attempt to resolve such complaint shall be considered a violation of this article.

- (2) The Town may investigate any complaint received, to determine if it is a substantiated complaint that represents a documented violation of any provision(s) of this article.
- (3) Violations of this article shall be subject to the enforcement provisions set forth herein. If violation(s) are not corrected or if there are repeat offenses, the Town may pursue action as provided for herein.
- (4) If upon review at any time, the Town determines the owner has failed to comply with any of the requirements, performance standards, conditions or restrictions imposed by this article, the Town may take such action as is deemed necessary to remedy the non-compliance, including but not limited to, suspension or revocation of the approval as set forth in section (g) below.

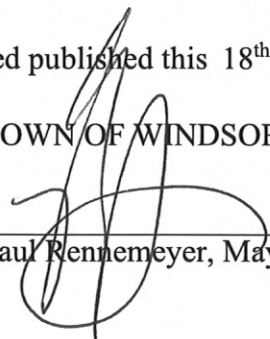
- (g) Any person who violates a provision of this Article may be guilty of a misdemeanor and, upon conviction thereof, shall be punished in accordance with the applicable provisions of this Code. Each day of operation of a Short-Term Rental in violation of this Article shall constitute a separate offense. In addition to the foregoing, the Town shall be entitled to seek all other available relief at law or in equity with regard to any violation of the provisions of this Article, including but not limited to injunctive relief.
- (h) This Ordinance will take effect January 1, 2025, to allow owners of Short-Term Rentals to come into compliance with the provisions of this Ordinance.

Section 2. Severability. The provisions of this Ordinance are hereby declared to be severable. If any section, paragraph, clause, or provision of this Ordinance shall, for any reason, be held to be invalid or unenforceable by a court of competent jurisdiction, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance.

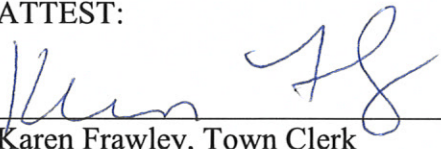
Section 3. Repealer. All orders, resolutions, or ordinances in conflict with this Ordinance are hereby repealed, only to the extent of such conflict. This repealer shall not be construed as reviving any resolution, ordinance, or part thereof, heretofore repealed.

Introduced, passed on first reading and ordered published this 18th day of March, 2024.

TOWN OF WINDSOR, COLORADO


Paul Rennemeyer, Mayor

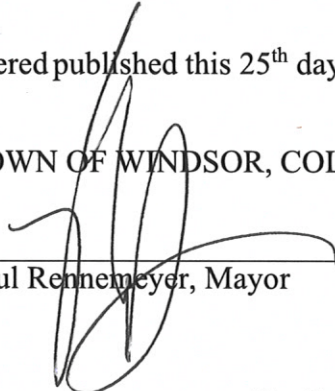
ATTEST:


Karen Frawley, Town Clerk

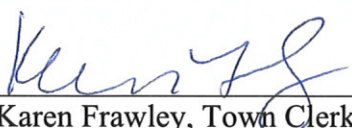


Introduced, passed on second reading, and ordered published this 25th day of March, 2024.

TOWN OF WINDSOR, COLORADO


Paul Rennemeyer, Mayor

ATTEST:


Karen Frawley, Town Clerk



ORDINANCE NO. 056, 2024
OF THE COUNCIL OF THE CITY OF FORT COLLINS
UPDATING CITY CODE REFERENCES TO ALIGN WITH THE
ADOPTION OF THE REVISED LAND USE CODE

A. City Council is adopting the revised Land Use Code pursuant to Ordinance No. 055, 2024, to replace the existing Land Use Code adopted in 1997 ("1997 Land Use Code") that will be codified separately as the 2024 Transitional Land Use Regulations.

B. The purpose of this Ordinance is to update various City Code references to the 1997 Land Use Code to align with the revised Land Use Code.

C. The City Council finds that the changes in this Ordinance are in the best interests of the City of Fort Collins in furthering adoption and utilization of the revised Land Use Code.

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. Section 1-15 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 1-15. - General penalty and surcharges for misdemeanors offenses, petty offenses, traffic offenses, and traffic and civil infractions.

...

- (f) Except as provided in Paragraph (4) below, any person found responsible for a violation of this Code designated as a civil infraction shall pay a civil penalty for such infraction of not more than three thousand dollars (\$3,000). Said amount shall be adjusted for inflation on January 1 of each calendar year. For the purpose of this provision, *inflation* shall mean the annual percentage change in the United States Department of Labor, Bureau of Labor Statistics, consumer price index for Denver-Boulder, all items, all urban consumers, or its successor index, plus costs, damages and expenses as follows:

...

- (3) If a defendant fails to answer a citation for a civil infraction or notice to appear in court or before a Referee for such infraction, a default judgment shall enter in the amount of the civil penalty plus all costs, expenses and damages. In the event a defendant fails to pay a civil penalty, costs, damages or expenses within thirty (30) days after the payment is due or fails to pay a default judgment, the City may pursue any legal means for collection and, in addition, may obtain an

assessment lien against the property that was the subject of the violation if the Code violation is designated as a nuisance in Chapter 20, is a violation of any civil infraction contained in Chapter 5, 12, 20, 24 or 27, or is a violation of Land Use Code Division 5.14 and was committed by an owner or tenant of the property.

...

Section 2. Section 2-174 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 2-174. - Historic Preservation Commission.

...

(c) The Commission shall also have the following additional functions:

...

- (4) To coordinate with the various other City boards, commissions and City staff members whose actions may affect the preservation of historic resources in the community; and
- (5) To provide advice and written recommendations to the appropriate decision maker and/or administrative body regarding plans for properties containing or adjacent to sites, structures, objects or districts that: (a) have been determined to be individually eligible for local landmark designation or for individual listing in the State or National Registers of Historic Places; (b) are officially designated as a local or state landmark or are listed on the National Register of Historic Places; or (c) are located within an officially designated historic district or area.

...

Section 3. Section 2-176 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 2-176. - Planning and Zoning Commission.

...

(b) The Commission shall have the following functions:

...

- (2) To exercise the authority vested in it by state planning and zoning laws subject to the provisions of this Section and the following additional provisions and limitations:

...

- c. The procedures for development review within the City shall be as established in the Land Use Code or, if applicable, the 2024 Transitional Land Use Regulations. Accordingly, Section 31-23-215, C.R.S., shall have no force or effect in the City; and

...

Section 4. Section 2-177 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 2-177. - Land Use Review Commission.

...

(b) The Commission shall have the following powers and duties:

- (1) In accordance with and as limited by Land Use Code Division 6.18, to hear and decide appeals from and review any order, requirement, decision or determination made by an administrative official charged with enforcement of the regulations established by the Land Use Code or, if applicable, the 2024 Transitional Land Use Regulations; and
- (2) To authorize upon appeal in specific cases, and in accordance with the provisions of Division 6.14 of the Land Use Code, variances from the terms of the Land Use Code or, if applicable, of the 2024 Transitional Land Use Regulations.

Section 5. Section 4-2 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 4-2. - Exceptions.

The provisions of this Chapter are subject to such exceptions as may be provided in the Land Use Code or, if applicable, the 2024 Transitional Land Use Regulations.

Section 6. Section 4-117 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 4-117. - Sale of chickens and ducklings; quantity restricted; keeping of chickens and ducks.

...

- (b) In those zone districts where the keeping of farm animals (as that term is defined in Article 7 of the Land Use Code) is not otherwise allowed, the keeping of chickens and/or ducks (poultry) shall be permitted subject to the following requirements and subject to all other applicable provisions of this Chapter.

...

Section 7. Section 5-27 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 5-27. - Amendments and Deletions to the 2021 International Building Code.

The *2021 International Building Code* adopted in §5-26 is hereby amended to read as follows:

...

51. A new **CHAPTER 36 SUSTAINABLE BUILDING CONSTRUCTION PRACTICES** is hereby added to read as follows:

...

3604.2 Definitions applicable to this Chapter:

Affordable Housing: Residential occupancies that meet the criteria established in the Land Use Code Article 7 as affordable housing.

...

Section 8. Section 5-264 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 5-264. - Certificate required for occupancy of dwelling units contained in single-family or two-family dwellings in excess of limit; conditions; revocation or suspension.

- (a) No dwelling unit contained in a single-family or two-family dwelling shall be occupied by more persons than the number of persons permitted under Section 5.14.1 of the Land Use Code unless a certificate of occupancy for an extra-occupancy rental house has been issued for such dwelling by the Building Official.

...

Section 9. Section 5-265 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 5-265. - Posting; inspection of books and records; disclosure.

...

(c) Any person selling or leasing a dwelling unit shall forthwith provide all purchasers, lessees or sublessees of such unit with a written disclosure statement, on a form provided by the City, specifying the maximum permissible occupancy of such unit under Section 5.14.1 of the Land Use Code. Such disclosure statement shall be signed and dated by all parties to the transaction immediately upon execution of any deed, contract for purchase and sale or lease pertaining to such unit. In the case of a lease, the following shall apply:

...

Section 10. Section 7.5-17 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 7.5-17. - Definitions.

When used in this Article, the following words and terms shall have the following meanings:

Building permit shall mean the permit required for new construction and additions under Division 6.13 of the Land Use Code, or, if applicable, Division 2.7 of the 2024 Transitional Land Use Regulations, and the permit required for the installation of a mobile home pursuant to Subsection 18-8(b) of this Code; provided, however, that the term *building permit*, as used herein, shall not be deemed to include permits required for the following:

...

Dwelling shall mean a building used exclusively for residential occupancy, including single-family dwellings, two-family dwellings and multi-family dwellings, and which contains: (a) a minimum of eight hundred (800) square feet of floor area, or (b) in the case of a dwelling to be constructed on the rear portion of a lot in the LMN, MMN, OT, CCN, CCR, HC, or E zone districts, a minimum of four hundred (400) square feet of floor area, so long as a dwelling already exists on the front portion of such lot. The term dwelling shall not include hotels, motels, tents or other structures designed or used primarily for temporary occupancy. Any dwelling shall be deemed to be a principal building.

...

Section 11. Section 7.5-19 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 7.5-19. - Imposition, computation and collection of fees.

...

- (b) Notwithstanding any language to the contrary contained in this Article, development projects for which final approval of the associated Project Development Plan, as such terms are defined and described in the 2024 Transitional Land Use Regulations, had been received prior to June 6, 2017, shall be required to pay the capital expansion fees at the rates in effect prior to June 6, 2017.

Section 12. Section 7.5-24.1 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 7.5-24.1. - Entitlement to refund upon abandonment.

Fees collected pursuant to this Article may be refunded to the current owner of the real property for which the fee was paid in the event that the right to develop the property in accordance with the approved plan has been abandoned as provided in Section 6.3.10(B)(3) of the Land Use Code. Any such refund shall be processed in accordance with the procedures described in § 7.5-25. No such refund based upon abandonment shall be made until the following conditions have been met:

...

- (2) the property is adequately fenced in accordance with the standards contained in Article 4 of the Land Use Code in such manner as to adequately protect, in the judgment of the City Manager, public safety;

...

Section 13. Section 7.5-25 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 7.5-25. - Procedure to obtain refund.

- (a) All applications for refund under this Article shall be submitted to the Financial Officer. Each application shall be in a form established by the Financial Officer, and shall contain the following:

...

- (3) for refunds based upon abandonment, a copy of the approval of abandonment in accordance with Section 6.3.10(B)(3) of the Land Use Code; and

...

Section 14. Section 7.5-47 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 7.5-47. - Definitions.

When used in this Article, the following words and terms shall have the following meanings:

...

Dwelling unit shall mean habitable floor space intended for the exclusive use of a single household with a single kitchen, or including a second kitchen pursuant to Land Use Code Section 5.3.6, located in any *single-unit* (attached or detached), *two-unit* (attached or detached), or *multi-unit dwelling* or *building* containing dwelling unit(s) and nonresidential use(s), as these terms are defined in the Land Use Code.

...

Section 15. Section 7.5-81 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 7.5-81. - Definitions.

When used in this Article, the following words and terms shall have the following meanings:

...

Traffic-generating development, commencement of shall mean the point of approval of a site specific development (as that term is defined in Article 7 of the Land Use Code), or the issuance of a building permit, whichever occurs first after the effective date of this Division.

...

Section 16. Section 10-30 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 10-30. - Takings determinations.

Any person who claims that his or her property has been taken by reason of the application of any provision of this Article may apply to the Utilities Executive Director for a Takings Determination using the procedural and substantive requirements and criteria set forth in Division 6.19 of the City's Land Use Code, provided that, for the purpose of this Section, any reference therein to the Director of Community Development and Neighborhood Services shall be deemed to constitute a reference to the Utilities Executive Director and any reference to the Land Use Code therein shall be deemed to constitute a reference to this Article. Said Takings Determination Procedures shall be exhausted before the institution of any judicial proceeding against the City claiming a taking of affected property.

Section 17. Section 12-18 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 12-18. - Collection and disposal of refuse and rubbish.

...

- (b) All refuse containers and recyclable materials that are not required to be enclosed at all times per Land Use Code Division 5.11 shall be screened except on collection day, or within twelve (12) hours preceding the time of regularly scheduled collection from the premises, when they may be placed curbside as defined in §15-411 of this Code. Refuse containers and recyclable materials shall not, at any time, be placed on the sidewalk or in such a manner as to impair or obstruct pedestrian, bicycle or vehicular traffic.

...

Section 18. Section 14-21 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 14-21. - Purpose.

The standards and procedures in this Article apply in whole or in part to determine the eligibility of resources for designation as landmarks or landmark districts for (1) landmark or landmark district designation pursuant to Article III, (2) the analysis of proposed development pursuant to Land Use Code Division 5.8, and (3) property owner information.

Section 19. Section 14-23 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 14-23. - Process for determining the eligibility of sites, structures, objects and districts for designation as Fort Collins landmarks or landmark districts.

- (a) *Application.* An application for determining the eligibility of a resource or district for designation as a Fort Collins landmark or Fort Collins landmark district may be made by the owner(s) of the resource(s). A non-binding eligibility determination may be made by a development review applicant pursuant to Land Use Code Section 5.8.1(D)(2). Said application shall be filed with the Director. Staff may require a current intensive-level Colorado Cultural Resource Survey Form for each resource contained in an application. The applicant shall reimburse the City for the cost of having such a survey generated by a third-party expert selected by the City. Within fifteen (15) days of the filing of such application, and receipt of the intensive-level survey if required, staff shall determine whether the property or properties containing or comprising the site, structure, object or district is eligible for designation as a Fort Collins landmark or landmark district based on the information contained in the application and any additional information that may be provided by others. A determination of eligibility shall be valid for five (5) years unless (1) the Director determines that significantly changed circumstances require a reevaluation of the prior eligibility determination, or (2) the site, structure, object or district is undergoing designation proceedings pursuant to Article 3 of this Chapter in which case, new determinations of eligibility shall occur pursuant to such Article. Staff shall promptly publish the determination in a newspaper of general circulation in the City and cause a sign to be posted on or near the property containing the resource under review stating that the property is undergoing historic review. Said sign shall be readable from a point of public access and shall state that more information may be obtained from staff.

...

Section 20. Section 15-108 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 15-108. - All solicitation prohibited by posting of "No Solicitation" or "No Trespassing" sign.

- (a) No solicitor, whether commercial or noncommercial, shall enter or remain upon any private premises in the City if a "No Solicitation" or "No Trespassing" sign is posted at or near the entrance(s) to such premises. For the purposes of this provision, if an occupant of a multi-unit dwelling, as defined in Division 7.2 of the Land Use Code, wishes to prohibit door-to-door solicitation by the posting of a sign, the sign prohibiting solicitation must be posted at or near the entrance(s) to the occupant's individual dwelling.

...

Section 21. Section 15-381 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 15-381. - Definitions.

The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this Section:

...

Neighborhood zone district shall mean one (1) of the following zone districts, as established and described in Article 6 and Article 2 of the Land Use Code: Rural Lands (RUL); Urban Estate (UE); Residential Foothills (RF); Low Density Residential (RL); Low Density Mixed-Use Neighborhood (LMN); Medium Density Mixed-Use Neighborhood (MMN); Old Town (OT); and High Density Mixed-Use Neighborhood (HMN).

Non-neighborhood zone district shall mean any zone district, as established in and described in Article 6 and Article 2 of the Land Use Code, that is not a neighborhood zone district.

...

Section 22. Section 15-387 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 15-387. - Restrictions and operation.

...

- (b) The vehicles, structures, devices and other similar items described in the license for any outdoor vendor shall not be located by the vendor in any of the following manners or places:

...

- (5) Upon a public sidewalk within the Downtown Zone District, as defined and established in Article 2 and Article 6 of the Land Use Code (except as a concessionaire of the City);

...

- (p) The following additional requirements shall apply to particular types of outdoor vendor licensees, as specified:

...

- (6) Stationary vendors shall only vend on private parcels of land or lots within non-neighborhood zone districts, as defined and established in Article 2 and Article 6 of the Land Use Code, and they shall not vend from a private parcel or lot within any neighborhood zone district.

Section 23. Section 15-475 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 15-475. - Location and selection criteria.

- (a) No medical marijuana store shall be issued a license if, at the time of application for such license, the proposed location is:

...

- (4) Within the boundaries of any RUL, UE, RF, RL, LMN, MMN, OT or HMN zone district;

- (5) In a residential unit.

...

Section 24. Section 15-615 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 15-615. - Location criteria.

- (a) No applicant shall be issued a retail marijuana store license if, at the time of application for such license, such location is:

...

- (4) Within the boundaries of any RUL, UE, RF, RL, LMN, MMN, OT or HMN zone district;

- (5) In a residential unit;

...

Section 25. Section 15-641 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 15-641. - Definitions.

The following definitions shall apply to this Article:

. . .

Dwelling unit shall mean habitable floor space intended for the exclusive use of a single household with a single kitchen, or including a second kitchen pursuant to Land Use Code Section 5.3.6, located in a single-unit (attached or detached), two-unit (attached or detached), or multi-unit dwelling or building containing dwelling unit(s) and nonresidential use(s) as such terms are defined in the Land Use Code.

. . .

Short term primary rental shall mean a dwelling unit that is a primary residence of which a portion is leased to one (1) party at a time for periods of less than thirty (30) consecutive days. An accessory dwelling unit, as defined in the Land Use Code, that is not a primary residence is eligible to be a short term primary rental and may be licensed as a short term primary rental if it is located on a lot containing a primary residence. A dwelling unit of a two-unit dwelling, as defined in the Land Use Code, that is not a primary residence is eligible to be a short term primary rental and may be licensed as a short term primary rental if the connected dwelling unit is a primary residence and both dwelling units are located on the same lot. The term short term primary rental shall not include the rental of a dwelling unit to the former owner immediately following the transfer of ownership of such dwelling unit and prior to the former owner vacating the dwelling unit.

Section 26. Section 15-644 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 15-644. - Licensing requirements.

- (a) The following are the minimum requirements that must be satisfied by the applicant for the issuance of a short term primary rental license.

. . .

- (3) The dwelling unit must comply with all applicable federal, state, and local laws including, but not limited to, the Code of the City of Fort Collins and Land Use Code, and in particular, Land Use Code Section 5.9.1(K)(1)(m) which sets forth applicable parking requirements.

. . .

- (b) The following are the minimum requirements that must be satisfied by the applicant for the issuance of a short term non-primary rental license.

...

- (3) The dwelling unit must comply with all applicable federal, state, and local laws, including, but not limited to, the Code of the City of Fort Collins and Land Use Code, and in particular, Land Use Code Section 5.9.1(K)(1)(m) which sets forth applicable parking requirements.

...

Section 27. Section 15-646 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 15-646. - Licensing of short term primary and non-primary rentals existing prior to Land Use Code restrictions.

...

- (b) In addition to satisfying (a) above, the applicant must satisfy the requirements set forth in § 15-644 in order to be eligible for a license. License applications submitted pursuant to this Section on or before October 31, 2017, do not need to comply with the parking requirements in Land Use Code Section 5.9.1(K)(1)(m).

...

- (e) Should ownership of a dwelling unit licensed pursuant to § 15-646 be transferred, and such license was continuously valid until the transfer of ownership, the new owner is eligible for a license identical in scope to the previously issued license provided: (1) the new owner applies for a license within thirty (30) calendar days of the transfer of ownership; (2) the dwelling unit complies with the parking requirements in the Land Use Code Section 5.9.1(K)(1)(m); and (3) any license issued pursuant to § 15-646 is continuously maintained. Should a license issued to the new owner under this Section be revoked, not be renewed, or lapse for any period of time, the new owner shall no longer be eligible for a license for such dwelling unit pursuant to this Section.

...

Section 28. Section 15-648 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 15-648. - License regulations.

Upon issuance of a license pursuant to this Article, the following requirements must be met in order for the license to remain valid. Failure to comply with any of the following regulations may result in revocation, suspension, or non-renewal of the issued license pursuant to § 15-649:

...

- (3) The licensee shall comply with all applicable Code of the City of Fort Collins and Land Use Code provisions including, but not limited to, the Code of the City of Fort Collins Chapter 5, Buildings and Building Regulations, and the Code of the City of Fort Collins Chapter 20, Nuisances, Chapter 25, Taxation, and Land Use Code Section 5.9.1(K)(1)(m).

...

Section 29. Section 20-23 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 20-23. - Maximum permissible noise levels.

- (a) A noise measured or registered in the manner provided in § 20-24 from any source at a level which is in excess of the dB(A) established for the time period and zoning districts listed in this Section is hereby declared to be a noise disturbance and is unlawful. When a noise source can be identified and its noise measured in more than one (1) zoning district, the limits of the most restrictive zoning district shall apply.

Zoning Districts

Maximum Noise [dB(A)]

Areas zoned:

...

Old Town (OT)

...

Section 30. Section 20-42 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 20-42. - Weeds, unmowed grasses, refuse and rubbish nuisances prohibited.

...

- (g) Notwithstanding any other provision of this Section which may be construed to the contrary, the owner or occupant of any property that includes an area that has been established as a natural habitat or feature pursuant to Section 5.6.1 (D) of the Land Use Code, or a buffer zone for natural habitat or feature

pursuant to Section 5.6.1(E) of the Land Use Code, which area is managed and maintained in accordance with specific conditions established in a site-specific development plan or development agreement, shall not be required to mow said areas other than as required in such development plan or agreement.

...

Section 31. Section 20-111 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 20-111. Definitions.

Unless the context clearly requires otherwise, the following words, terms, and phrases, when used in this Article, shall have the meanings ascribed to them in this Section:

...

Nuisance activity means any of the following violations and nuisances occurring or existing on a property and committed by any person, including, without limitation, by an owner, lessee, agent, occupant, or trespasser:

...

- (8) Dwelling unit occupancy limits - Section 5.14.1 of the Fort Collins Land Use Code.

...

Section 32. Section 22-99 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 22-99. - Reallocation of assessments.

- (a) In the event that any parcel of land subject to assessment under this article undergoes subdivision, as defined in Article 7 of the Land Use Code, the owner(s) of all parcels constituting the original tract shall immediately propose in writing to the Financial Officer a reallocation of the assessment as to all such smaller parcels. Such proposal shall include the following information as to each parcel within the original tract:

...

Section 33. Section 23-83 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 23-83. Investigation of application information; fee; permit modification and revocation.

(a) The application shall be made to the City Manager. The City Manager shall make or cause to be made an investigation of the information contained in the application and prior to the issuance of a permit. In investigating the application, the City Manager may consult with such City departments as they deem necessary to determine whether the application should be approved. The City Manager may issue the permit for such duration and upon such other terms and conditions as the City Manager determines are necessary to protect the public welfare if the following criteria are met:

...

(4) In addition to satisfying the above three criteria, the following requirements apply to the following proposed encroachments:

...

b. As a condition of the issuance of any permit for the purpose of serving food and/or beverages as referenced in Subsection 23-82(b), the permittee shall:

...

4. In order for an application for an encroachment for a wireless communication facility (as defined in Article 7 of the Land Use Code) to be approved, the applicant must show to the satisfaction of the City Manager that the applicable criteria contained in Section 4.3.5 (H) of the Land Use Code have been met.

...

Section 34. Section 23-176 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 23-176. - Design standards.

...

(c) *Conditions.*

...

(5) Landscape requirements.

...

- d. No tree may be removed in siting a SCF, unless authorized by the City Forester. To obtain authorization the applicant shall show wireless services are not technically feasible without tree removal; the applicant's plan minimizes the total number of trees to be removed, avoids removal of any tree larger than four (4) inches at four and one-half (4 ½) feet high, and replaces any tree to be removed at a ratio of 2:1; and all new trees meet the replacement size standards in Section 5.10.1(D) of the Land Use Code.

...

Section 35. Section 24-1 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 24-1. - Signs on streets, sidewalks and public rights-of-way prohibited; removal; exceptions; permit.

Notwithstanding the provisions of § 17-42, the following signs shall be permitted on streets, sidewalks and other areas owned by the City:

- (1) Signs hanging above City sidewalks provided that such signs are solely connected to private property and provided that such signs are allowed under Division 5.16 of the City's Land Use Code.

...

Section 36. Section 24-42 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 24-42. - Maintenance.

...

- (c) It shall be the duty of any property owner whose property is adjacent to a pedestrian/bicycle path which was required by the City to be constructed pursuant to the provisions of the Land Use Code or, if applicable, the 2024 Transitional Land Use Regulations, to maintain the paved surface of said pedestrian/bicycle path so that the condition of the same does not endanger the public.

Section 37. Section 24-95 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 24-95. - Obligation for construction.

...

- (c) If the City has constructed such local portion of a public street adjacent to undeveloped property or property that may be redeveloped, the City may require, at or before the time of issuance of any building permit for new development or change of use, that the owner of any benefitted adjacent property repay to the City its cost in acquiring the necessary right-of-way and constructing such local portion of such street or other related improvements. For the purpose of this provision, benefit to the adjacent property may include, among other things, the construction of improvements that will allow the adjacent property to be developed in accordance with the requirements of Section 5.4.10 of the Land Use Code where, in the absence of the improvements, such development would not be allowed to proceed. The amount of reimbursement to be paid to the City under this Subsection shall be no less than the original cost of the right-of-way and improvements plus any mutually agreed-upon amount to reflect the effects of inflation, if any. These adjustments may be based on the construction cost index for Denver, Colorado, as published monthly by the Engineering News Record. (If said index shows deflation, the adjustment shall be made accordingly, but not below the original cost as submitted by the Installing Developer and approved by the City Engineer.) The *original cost of the right-of-way and improvements* shall mean the cost of right-of-way acquisition, financing, engineering, construction and any other costs actually incurred by the City which are directly attributable to the improvements.

Section 38. Section 26-94 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 26-94. - Individual service lines for each building required.

- (a) Each property shall be served by its own service line, and no connection with the water utility shall be made by extending the service line from one (1) property to another property. Each building shall be served by a separate service line; however, the Utilities Executive Director may require that a building be served by more than one (1) service line. Separate service lines and meters for irrigation purposes shall be required for all properties, except for: (1) single-family residences; (2) duplex residences; and (3) properties where the annual use for irrigation under the water budget chart under the Land Use Code Section 5.10.1(E)(3)(b) is less than 30,000 gallons per year. For purposes of this Section, the term *building* means a structure standing alone, excluding fences and covered walkways. A separate accessory structure is a separate building. To qualify as one (1) building, all portions, additions or extensions must be connected by an attachment that is an enclosed part of the building and usable by the occupants.
- (b) Notwithstanding the provisions of Subsection (a) of this Section, the Utilities Executive Director may, after review and approval of the related plans and

specifications, authorize the service of more than one (1) building by a single service line, provided that each of the following requirements is met:

...

(3) If the service is for residential use, only one (1) of the buildings may be used as a residential dwelling unless the buildings are located on a single platted lot and one (1) of the buildings is an accessory dwelling unit. For purposes of this Section, the term accessory dwelling unit shall have the same meaning as in the Land Use Code.

(4) Plant investment fees, water supply requirements and any other applicable charges required in connection with the additional building to which service is to be provided shall be remitted as provided in this Article. For an accessory dwelling unit, additional plant investment fees and water supply requirements, as well as monthly meter rates and any other water-related charges, shall be determined based on the addition of a new dwelling unit on the property; and

...

(c) Notwithstanding the provisions of Subsection (a) above, the Utilities Executive Director may, after review and approval of the related plans and specifications, authorize the service of more than one (1) property by a single, common, private water service line, provided that:

(1) The properties to be served by the line must be single-family attached dwellings on separate platted lots as the term lot is defined in the Land Use Code.

...

Section 39. Section 26-149 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 26-149. - Water supply requirement (WSR); nonresidential service.

...

(b) The minimum WSR shall be calculated using the table in this subsection. The Utilities Executive Director shall determine the type of use to be used based on all relevant information and the common meaning of the listed uses. If various portions of a property are used for separate uses, the WSR for the various portions of the property shall be calculated separately and aggregated to determine the WSR for the entire property. The WSR for any use not addressed by the table shall be calculated pursuant to Subsection (c).

Use	WSR Calculation
...	...
Irrigation	Pursuant to water budget chart, Land Use Code Section 5.10.1 (E)(3)(b)
...	...

...

Section 40. Section 26-256 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 26-256. - Individual service lines for each building required.

...

- (b) Notwithstanding the provisions of Subsection (a) of this Section, the Utilities Executive Director may, after review and approval of the related plans and specifications, authorize the service of more than one (1) building by a single service line, provided that each of the following requirements is met:

...

- (3) If the service is for residential use, only one (1) of the buildings may be used as a residential dwelling unless the buildings are located on a single platted lot and one (1) of the buildings is an accessory dwelling unit. For purposes of this Section, the term accessory dwelling unit shall have the same meaning as in the Land Use Code;
- (4) Plant investment fees and any other applicable charges required in connection with the additional building to which service is to be provided shall be remitted as provided in this Article. For an accessory dwelling unit, additional plant investment fees, as well as monthly meter rates and any other water-related charges, shall be determined based on the addition of a new dwelling unit on the property; and

...

- (c) Notwithstanding the provisions of Subsection (a) above, the Utilities Executive Director may, after review and approval of the related plans and specifications, authorize the service of more than one (1) property by a single, common, private sewer service line, provided that:

- (1) The properties to be served by the line must be single-family attached dwellings on separate platted lots as the term lot is defined in the Land Use Code.

...

Section 41. Section 26-464 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 26-464. - Residential energy service, schedule R.

...

- (b) *Applicability.* This schedule applies to residential customers for all domestic uses in single-family dwellings, individually metered apartments and home occupations as defined in Article 7 of the Land Use Code. This schedule may also be applied to existing master metered residential buildings served under this schedule prior to January 1, 1980. Master metering is not available for new or remodeled residential buildings with more than one (1) dwelling unit unless authorized by the Utilities Executive Director. This schedule does not apply to auxiliary or standby service.

...

Section 42. Section 26-465 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 26-465. - All-electric residential service, schedule RE.

...

- (b) *Applicability.* This schedule applies to residential customers qualifying under subsection (a) who opt not to receive services under schedule R, for all domestic uses in single-family private dwellings, individually metered apartments and home occupations as defined in Article 7 of the Land Use Code.

...

Section 43. Section 26-466 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 26-466. - General service, schedule GS.

...

(b) *Applicability.*

...

(2) This schedule does not apply to single-family, individually metered residential units unless:

...

b. The unit is not eligible for a Home Occupation License as specified in Article 4 of the Land Use Code.

...

Section 44. The changes in this Ordinance No. 056, 2024, shall not go into effect until the Land Use Code adopted by Ordinance No. 055, 2024, goes into effect. Should the Land Use Code go into effect and be subsequently repealed by City Council in connection with a referendum petition, this Ordinance shall be automatically repealed effective the same date as the ordinance repealing the Land Use Code.

Introduced, considered favorably on first reading on April 16, 2024, and approved on second reading for final passage on May 7, 2024.

Mayor Pro Tem

ATTEST:

Interim City Clerk

Effective Date: May 17, 2024

Approving Attorney: Brad Yatabe

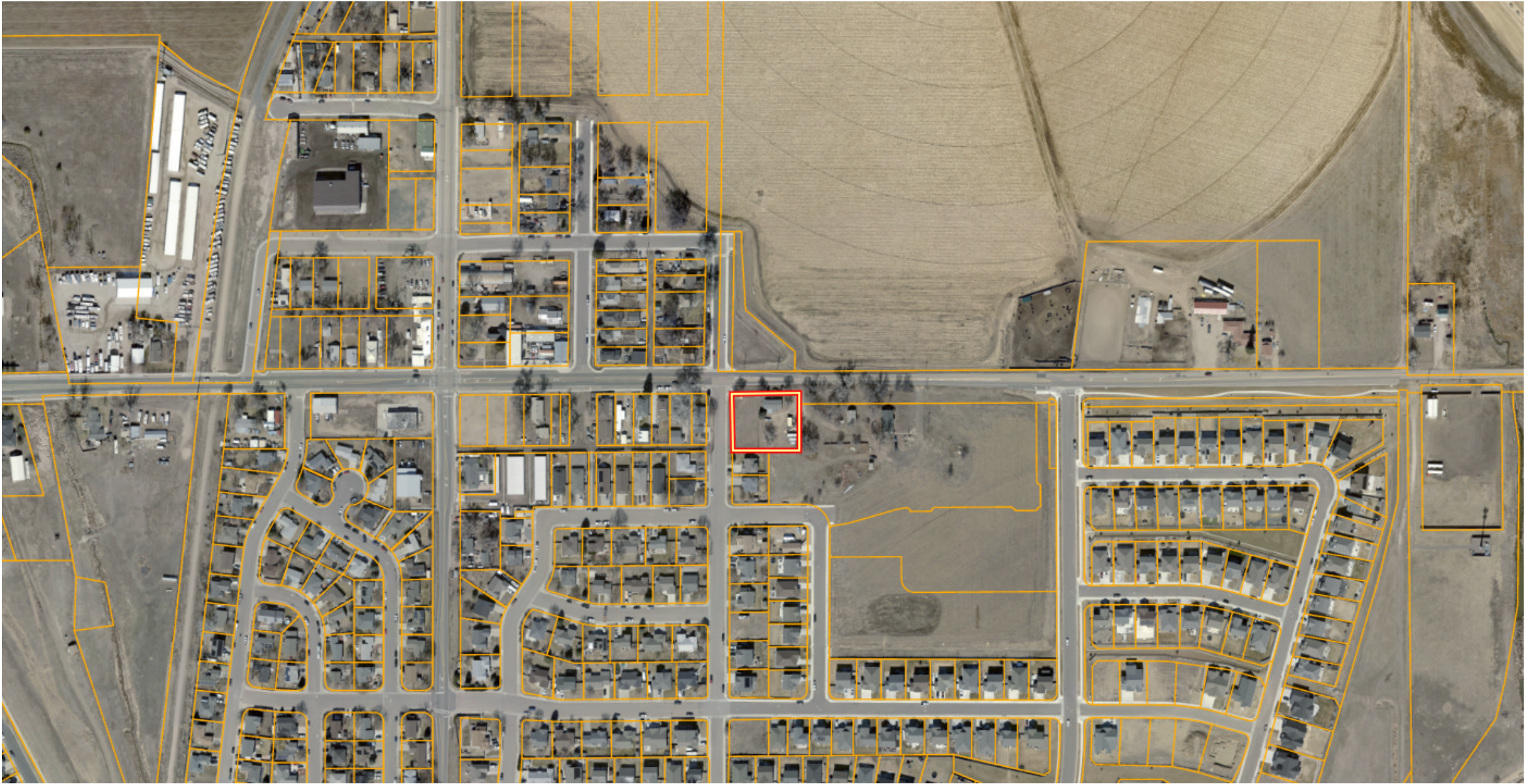


AGENDA ITEM SUMMARY

AGENDA ITEM	SUBMITTED BY	PRESENTED BY
Council Member Petition: Safe Passageways and Enclaves	Nicholas Wharton, Town Manager	Council Member Bruen
ACTION REQUESTED		
Management asks that the Citizen Advisory Board review and discuss the proposed Safe Passageways and Enclaves information and provide any comments or suggestions to Council Member Bruen they deem necessary.		<u>Discussion</u>
BRIEF SUMMARY		
This proposed agenda item was a council member petition by Council Member Bruen.		
PUBLIC SUPPORT/CONCERN		
None at this time.		
ANALYSIS AND RECOMMENDATION		
Management asks that the Citizen Advisory Board review and discuss the proposed Safe Passageways and Enclaves information and provide any comments or suggestions to Council Member Bruen they deem necessary.		
MATERIALS SUBMITTED		
The following materials were submitted and included in this packet: 1. Safe Passageways		

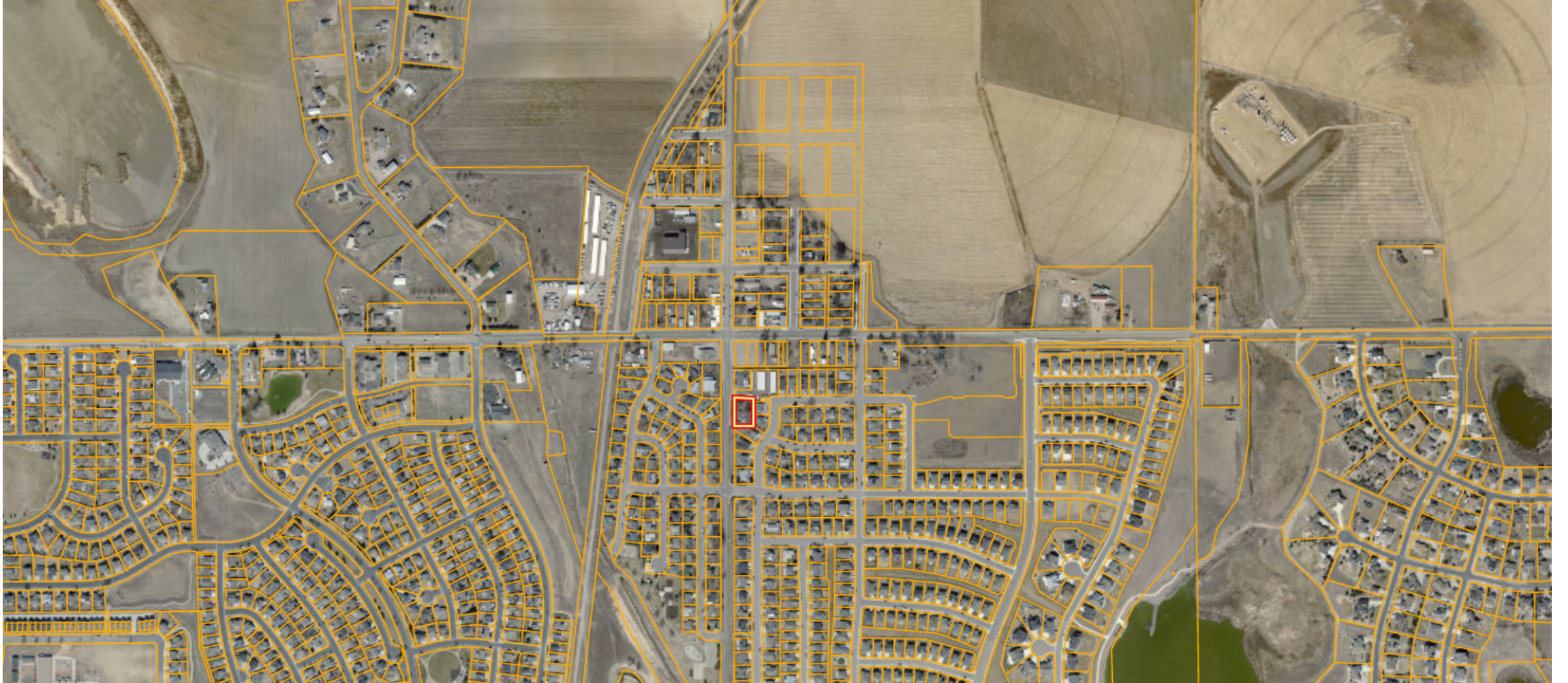
Safe Passageways and Enclaves



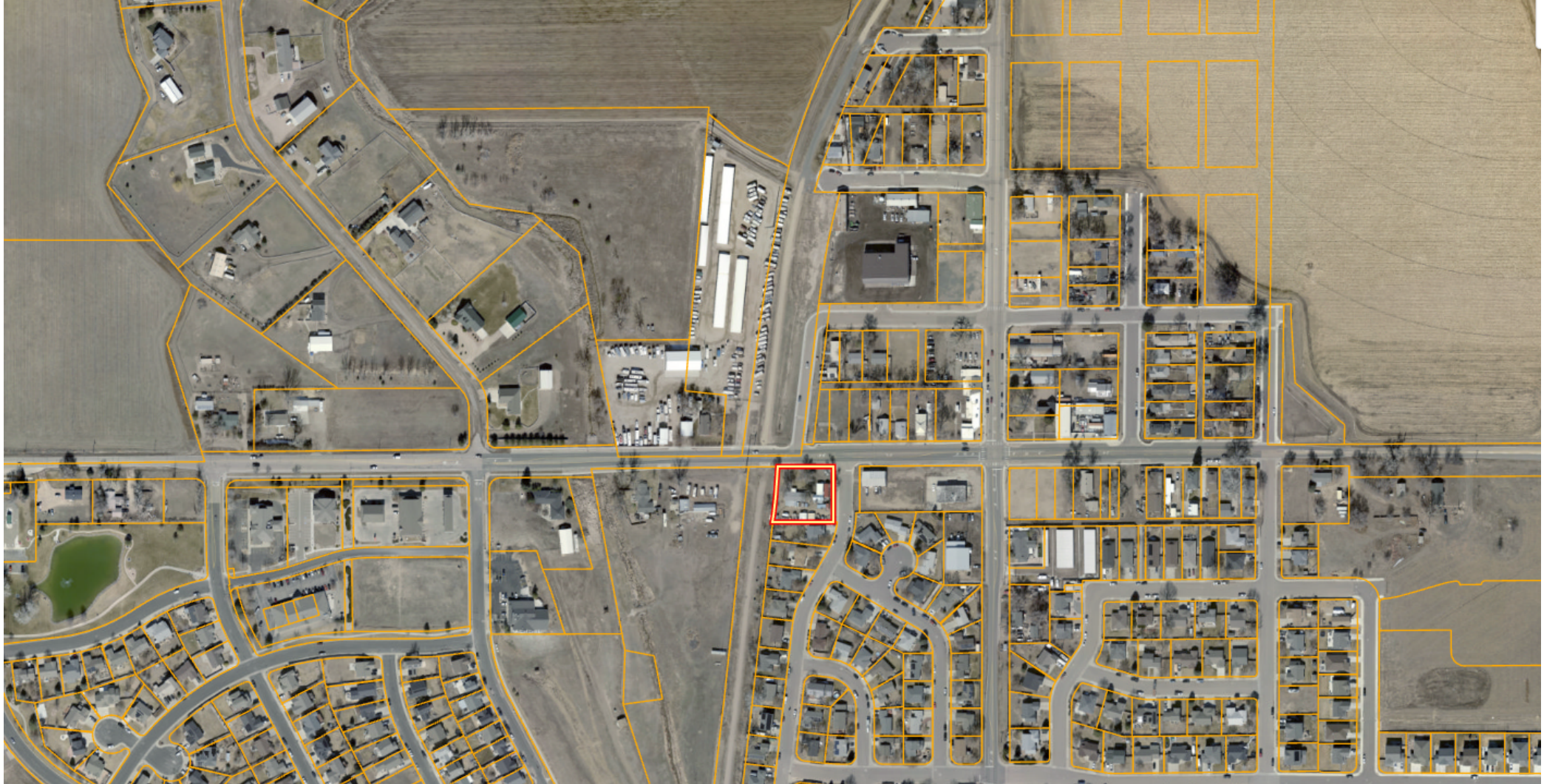
















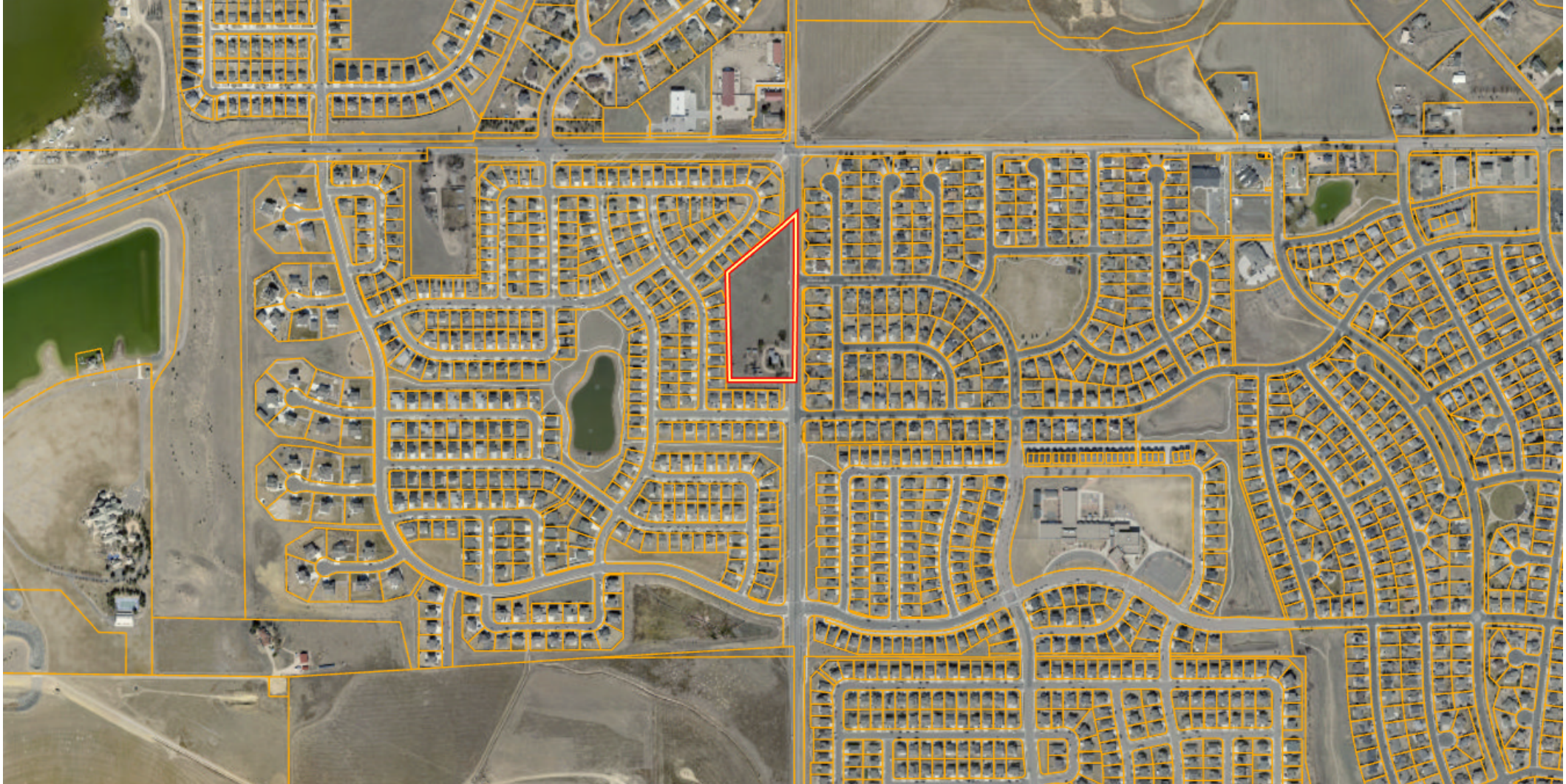












Questions or Comments



AGENDA ITEM SUMMARY

AGENDA ITEM	SUBMITTED BY	PRESENTED BY
Council Meeting Petition: Future Town Gathering Location(s)	Nicholas Wharton, Town Manager	Council Member Meyers
ACTION REQUESTED		
Management asks that the Citizen Advisory Board review and discuss the proposed information on future gathering locations in the Town of Severance and provide any comments or suggestions to Council Member Meyers they deem necessary.		<u>Discussion</u>
BRIEF SUMMARY		
This proposed agenda item was a council member petition by Council Member Meyers.		
PUBLIC SUPPORT/CONCERN		
None at this time.		
ANALYSIS AND RECOMMENDATION		
Management asks that the Citizen Advisory Board review and discuss the proposed information on future gathering locations in the Town of Severance and provide any comments or suggestions to Council Member Meyers they deem necessary.		
MATERIALS SUBMITTED		
The following materials were submitted and included in this packet: 1. Gathering place_CABmeeting_08072024		

Dan Meyers
Severance Town Council
Severance Town Hall
3 South Timber Ridge Parkway
Severance, CO 80546
Phone: 970-686-1218
Cell: 609-605-0357

To:
Citizens Advisory Board (CAB)
Severance, Colorado

Date:
28 July 2024

Dear Members of the Citizens Advisory Board (CAB)

Community Gathering (Community Center and or Recreation Center):

Citizens Advisory Board meeting – Aug. 7, 2024 – 6 pm

Issue: Community interest and commitment (financial) on a recreation center.

1. Form committee or utilize CAB (partial member participation?) to develop and analyze data from questionnaire on community interest in type of center.
2. Questions:
 - a. Location of center – Next to Fire Hall/ Old Town Hall, others?
 - b. Type of Building – e.g. = multi-use and which activities?
 - c. Size of Building – sq ft?
 - d. Cost of building and funding sources?
 - e. Timing?
3. When do we present to Council on how to proceed? Addition to Council retreat CIP agenda review?

Next steps: Increase size and functionality at new facility? Location to be determined.
Convert original center to Senior Center.

Sincerely,

