**Lessening Barriers to Housing Development - Lessons Learned from the Fort Collins Experience**

This year, the Colorado General Assembly may consider bills to combat rising home prices by potentially offering incentives to encourage transit-oriented development, make it easier to build accessory dwelling units, and remove other barriers imposed by local governments, such as minimum parking requirements. Governor Jared Polis, in his “State of the State” address, offered: “We have to break down government barriers, expand private property rights and reduce regulations to actually construct more housing to provide housing options at a lower cost so that all Coloradoans can thrive.”

Some municipalities have already attempted to address local housing issues. Take Fort Collins, for example. Over two years ago, the Baldridge Award-winning City of Fort Collins began a process to revise its 1997 Land Use Code. This effort leveraged the City’s Housing Strategic Plan, the Our Climate Future Pan, and the City Plan. The goals were laudable for a city with only 15 percent of its developable land remaining: increase overall housing capacity; enable more affordability through incentives and extension of deed restrictions; allow for more diverse housing choices; make the Code easier to use; and improve predictability of the development review process. Much as we are hearing from the Colorado General Assembly, the new “Land Development Code” permitted additional housing density in many zone areas, and especially along transit corridors. It also allowed accessory dwelling units in all residential zone districts. Moreover, it reduced parking requirements, especially for affordable housing developments.

The effort in Fort Collins did not take place behind closed doors. City staff conducted extensive community outreach, including four information sessions, three interactive input sessions, a series of virtual workshops, weekly office hours, regular updates in the city’s development newsletter, and presentations to more than a dozen advisory boards, commissions, and community groups. A working group of housing providers offered technical assistance. And the draft code was reviewed and tested by a consulting team. The Fort Collins City Council adopted the new Land Development Code upon final reading on November 1, 2022.

Soon after its adoption, the pushback began. A group of citizens in Fort Collins filed notice with the City Clerk that it intended to begin the process to refer the new Ordinance to the voters for approval or rejection, as permitted by the City’s Charter. (<https://www.fcgov.com/elections/referendum-effort-land-development-code>). The group’s fundamental argument was that the City made insufficient effort to gather public input, that the process had been rushed, and that the new Code would disproportionately affect the character of Fort Collins’s “Old Town” neighborhood. The group was well organized, quickly creating a website (<https://preservefortcollins.org/why-repeal>) and using multiple mechanisms to deliver its message, including private email lists, flyers, and the NextDoor website. (<https://www.vice.com/en/article/93ap98/nextdoor-housing-crisis-policy>)

In response, a group in support of the Code also formed to act as a “non-partisan, fact-based resource to educate the Fort Collins community about the benefits of the (recently passed) Land Development Code.” (<https://www.focoforward.org/#:~:text=FoCoForward%20is%20a%20non%2Dpartisan,have%20the%20opportunity%20to%20thrive>.) And the Board of Directors of the League of Women Voters of Larimer County went on record with its members:

As a Board, our majority supports the Land Development Code adopted by the Fort Collins City Council on November 1. *After a study of the pros and cons, we conclude that the city’s updated Land Development Code is in alignment with our League’s mission to educate and advocate for policies to provide a decent home and suitable living environment for our Fort Collins families. (excerpt from December 2, 2022, email sent by Jane Hamburger, President)*

In the end, the citizen group was able to successfully gather the necessary signatures, and at its meeting on January 17, 2023, the Fort Collins City Council chose to repeal and replace the Code, rather than bring the new Code to the voters. Over the next six-to-nine months, the City will work on a new version.

While textbook steps were taken by the City of Fort Collins to inform the public before City Council action, there were a few considerations that may well have influenced the ultimate outcome of the process:

* City Demographics: Understand the impact of city demographics. Fort Collins has a strong core of residents who have lived in the city for multiple decades and are unhappy with the growth they have seen over the years. These residents are well-connected and have a powerful influence.
* Communication Vehicles: The City relied heavily on websites, newsletters, local newspapers, and city-sponsored social media as broad-based communication vehicles. Not everyone has the time or interest in these sources.
* Reaching each Citizen: Many residents complained that they had not heard of the City’s effort to update the Code. The City may have well benefited from a postcard mailing to each resident, inviting the resident to an informational meeting. Paper mailings from a city, while expensive, are infrequent, thus creating the potential for greater interest and transparency.
* Tailored Meetings: Many of the City’s informational meetings covered the entire Code. These long meetings tended to be overwhelming for many. Informational sessions by zone district might well have been more effective, allowing residents to better understand the impact to their own neighborhoods.
* The Power of a Few Strong Voices: Citizens caught off-guard by the adoption of the new Land Development Code quickly mobilized as previously described, and at times, stating inaccurate or incomplete information. Nonetheless, the power of these voices overwhelmed the City’s ability to address the blowback, despite extensive Q&As on the City’s website and a town hall meeting.

The city will eventually find a path to a better Land Development Code. In the meantime, the lessons learned may well prove helpful to other cities considering land use code updates.