

ORDINANCE NO. 021, 2022
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING CHAPTER 5, ARTICLE II, DIVISION 2 OF THE
CODE OF THE CITY OF FORT COLLINS FOR THE PURPOSE OF
REPEALING THE 2018 INTERNATIONAL BUILDING CODE AND
ADOPTING THE 2021 INTERNATIONAL BUILDING CODE, WITH AMENDMENTS

WHEREAS, since 1924, the City has reviewed, amended and adopted the latest nationally recognized building standards available for the times; and

WHEREAS, upon recommendation of City staff, the City Council has determined that it is in the best interests of the City to align nine interconnected basic construction codes under one publication year; and

WHEREAS, the nine interconnected basic construction codes are the *International Building Code*, *International Residential Code*, *International Mechanical Code*, *International Fuel Gas Code*, *International Energy Conservation Code*, *International Property Maintenance Code*, *International Swimming Pool and Spa Code*, *International Existing Building Code*, and the *International Plumbing Code* to the extent adopted by the *Colorado Plumbing Code*; and

WHEREAS, the City Council has determined that the 2021 publication year of the nine interconnected basic construction codes should be adopted and that any counterpart *International* codes previously adopted should be repealed, both to align the publication years of the codes and because the 2021 publications contain improvements in construction code regulation; and

WHEREAS, City staff has conducted a significant public outreach program, working with the regulated construction industry and building professionals; and

WHEREAS, the adoption of the nine interconnected basic construction codes has been presented to community groups and feedback has been received from the Water Commission, Energy Board, Commission on Disability, Natural Resource Advisory Board, Poudre Fire Authority Board, Building Review Commission, Affordable Housing Board, and Air Quality Advisory Board; and

WHEREAS, the City Council has determined that it is in the best interests of the health, safety and welfare of the City and its residents that the *2021 International Building Code*, be adopted, with local amendments as set forth in this Ordinance; and

WHEREAS, pursuant to the City Charter Article II, Section 7, City Council may enact any ordinance which adopts a code by reference in whole or in part provided that before adoption of such ordinance the Council hold a public hearing thereon and that notice of the hearing shall be published twice in a newspaper of general circulation published in the City, with one of such publications occurring at least eight (8) days preceding the hearing and the other publication occurring at least fifteen (15) days preceding the hearing; and

WHEREAS, in compliance with City Charter, Article II, Section 7, the City Clerk published in the Fort Collins *Coloradoan* such notice of hearing concerning adoption of the 2021 International Codes on January 30, 2022, and February 6, 2022; and

WHEREAS, attached as Exhibit “A” and incorporated herein by reference is the Notice of Public Hearing dated January 24, 2022, that was so published and which the Council hereby finds meets the requirements of Article II, Section 7 of the City Charter.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. The City Council hereby repeals the 2018 *International Building Code* (“IBC”) and hereby adopts 2021 IBC as amended by this Ordinance.

Section 3. That Section 5-26(a) of the Code of the City of Fort Collins is hereby amended to read as follows:

(a) Pursuant to the power and authority conferred on the City Council by C.R.S. § 31-16-202 and Article II, Section 7 of the Charter, the City Council has adopted the *2021 International Building Code (2021 IBC)* published by the International Code Council, as amended by the City, which shall have the same force and effect as though set forth in full herein. The subject matter of the codes adopted herein includes comprehensive provisions and standards regulating the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of buildings and structures exclusive of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three (3) stories above grade and their accessory structures, for the purpose of protecting the public health, safety and general welfare. As provided in the *2021 International Building Code*, Appendices are not adopted except as expressly set forth in § 5-27.

Section 4. That Section 5-27 of the Code of the City of Fort Collins is hereby repealed and reenacted 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:

1. **Section 101. Title** is hereby amended to read as follows:

101.1. Title. These regulations shall be known as the *Building Code* of the City of Fort Collins, hereinafter referred to as “this code.”

2. **Sections 101.4.1 through 101.4.7 Referenced codes**, are hereby deleted in their entirety and replaced with the following:

[A] 101.4 Referenced codes. The other codes specified in Sections 101.4.1 through 101.4.11 and referenced elsewhere in this code shall be considered to be part of the requirements of this code to the prescribed extent of each such reference.

101.4.1 Gas. All references to the *International Fuel Gas Code* shall mean the fuel gas code currently in effect as enacted by the City.

101.4.2 Mechanical. All references to the *International Mechanical Code* shall mean the mechanical code currently in effect as enacted by the City.

101.4.3 Plumbing. All references to the *International Plumbing Code* shall mean the *International Plumbing Code* to the extent adopted by the *Colorado Plumbing Code* currently in effect as enacted by the City.

101.4.4 Property Maintenance. All references to the *International Property Maintenance Code* shall mean the property maintenance code currently in effect as enacted by the City.

101.4.5 Fire Prevention. All references to the *International Fire Code* shall mean the fire code currently in effect as enacted by the City.

101.4.6 Energy. All references to the *International Energy Conservation Code* shall mean the energy code currently in effect as enacted by the City.

101.4.7 Existing buildings. All references to existing *buildings* shall be regulated pursuant to the adopted *International Property Maintenance Code* or the *International Existing Building Code* currently in effect as enacted by the City.

101.4.8 Residential. All references to the *International Residential Code* shall mean the residential code currently in effect as enacted by the City.

101.4.9 Areas prone to flooding. All references to “flood hazard” and “areas prone to flooding” in this code and appendices adopted therewith subject to applicable regulations and requirements set forth in the City Code, “Chapter 10, Flood Prevention and Protection.”

101.4.10 Electrical. All references to the City of Fort Collins *Electrical Code* shall mean the National Electrical Code currently in effect as enacted by the City.

101.4.11 Pool and Spa. All references to the *Pool and Spa Code* shall mean the *International Swimming Pool and Spa Code* currently in effect as enacted by the City.

3. **Section 103 CODE COMPLIANCE AGENCY** is hereby deleted in its entirety and replaced with the following:

SECTION 103 CODE ADMINISTRATION

103.1 Entity charged with code administration. The Community Development and Neighborhood Services Department (CDNS) is charged with the administration and enforcement of this code.

The *building official*, appointed by the City Manager, is charged with the direct overall administration and enforcement of this code and, in the performance of said duties, may delegate the necessary authority to the appropriate technical, administrative, and compliance staff under the supervision the *building official*.

4. **Section 105.2 Work exempt from permit, Building**, is hereby amended to read as follows; however, the subsections for **Electrical, Gas, Mechanical and Plumbing** are retained in their entirety:

105.2 Work exempt from permit. Exemptions from *permit* requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this *jurisdiction*. *Permits* shall not be required for the following:

Building:

1. One-story, detached, accessory structures used for lawn and garden equipment storage, tool storage and similar uses, including arbors, pergolas, and similar structures, provided that the floor area is not greater than 120 square feet (11 m²) nor greater than 8 feet (2.438 m) in height measured from grade, the structures do not house flammable liquids in quantities exceeding 10 gallons (38 L) per *building*, and the structures are located at least 3 feet (0.914 m) from an adjoining property line.
2. Fences not over 6 feet (1829 mm) high.
3. Oil derricks
4. Retaining walls that are not over 4 feet (1219 mm) in height measured from the low side grade to the top of the wall, unless supporting a surcharge provided the horizontal distance to the next uphill retaining wall shall be at least equal to the total height of the lower retaining wall.
5. Water tanks supported directly upon grade if the capacity is not greater than 5,000 gallons (18,927 L) and the ratio of height to diameter or width is not greater than 2:1.

6. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade, and not over any *basement* or *story* below and are not part of an *accessible route*.
7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
8. Temporary motion picture, television and theater stage sets and scenery.
9. Prefabricated *swimming pools* accessory to a Group R-3 occupancy that are less than 24 inches (610 mm) deep, are not greater than 5,000 gallons (18 925 L) and are installed entirely above ground.
10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems. Hoop houses constructed with a flexible frame such as PVC tubing used for starting plants.
11. Swings and other playground equipment or play structures accessory to detached one- and two-family *dwelling*s provided that the floor area is not greater than 120 square feet (11.15 m²) nor greater than 8 feet (2.438 m) in height measured from grade, including no more than one elevated playhouse or play structure per lot designed, and said equipment or structure is used exclusively for play. Elevated play houses or play structures shall not exceed 64 square feet (5.9 m²) of floor area nor 6 feet (1.82 m) in height as measured from the floor to the highest point of such structure.
12. Window awnings supported by an *exterior wall* that do not project more than 54 inches (1372 mm) from the *exterior wall* and do not require additional support. Storm windows, storm doors, and rain gutter installation except that, for structures fifty years of age or older, historic review pursuant to Chapter 14 of the City Code first must be completed.
13. Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1753 mm) in height.
14. Decks not exceeding 200 square feet (18.58 m²) in area that are not more than 30 inches (762 mm) above *grade*, are not attached to a *building*, and do not serve an exit door required by Chapter 10.
15. Roofing repair or replacement work not exceeding one square (100 square feet) of covering per *building*.
16. Replacement of nonstructural siding that is not part of a fire-rated assembly when the removal of siding is performed in accordance with State laws regarding asbestos and lead paint except that, for structures fifty years of age or older, historic review pursuant to Chapter 14 of the City Code first must be completed.

5. A new **Section 105.2.1.1 Emergency disaster no-fee permit** is hereby added to read as follows:

105.2.1.1 Emergency disaster no-fee permit. When the *building official* determines there is an emergency/disaster event that has caused substantial damage to structures within the City, the *building official* can issue a no-fee *permit* to make temporary repairs to a structure to address damages caused by the emergency/disaster event to make the structure safe and/or allow occupancy. A temporary *permit* will expire after 180 days, at which time a regular building *permit* will need to be obtained to otherwise bring the structure into compliance with this code. The *building official* can extend a temporary permit under this section for good cause.

6. **Section 105.3.2 Time limitation of application** is hereby amended to read as follows:

105.3.2 Time limitation of application. An application for a *permit* for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a *permit* has been issued; except that the *building official* is authorized to grant one or more extensions of time for additional periods not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. Applications that have expired for 30 days or more may be considered void.

7. **Section 105.5 Expiration** is hereby amended to read as follows:

105.5 Expiration. Every *permit* issued shall become invalid unless the work on the site authorized by such *permit* is commenced within 180 days after its issuance, or if the work authorized on the site by such *permit* is suspended or abandoned for a period of 180 days after the time the work is commenced. The *building official* is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

Both prior to and subsequent to the effective date of this code, any work authorized by a *permit* regulated by this code or any other building construction code administered by the *building official* that involves the construction or alteration of an exterior building component, assembly or finish material, such as the foundation, wall and roof framing, sheathing, siding, fenestration, and roof covering, shall be fully finished for permanent outdoor exposure within 24 months of the date of the issuance of such *permit*.

8. A new **Section 105.8 Transfer of permits** is hereby added to read as follows:

105.8 Transfer of permits. A current valid building *permit* may be transferred from one party to another upon written application to the *building official* with consent of both parties. When any changes are made to the original plans and specifications that substantially differ from the plans submitted with the permit, as determined by the

building official, a new plan review fee shall be paid as calculated in accordance with Section 109. A fee of \$50 shall be paid to cover administrative costs for all building *permit* transfers. No change shall be made to the expiration date of the original *permit*.

9. **SECTION 106 FLOOR AND ROOF DESIGN LOADS** is hereby deleted in its entirety.
10. **Section 107.3.1 Approval of construction documents** is hereby amended to read as follows:

107.3.1 Approval of construction documents. When the *building official* issues a *permit*, the *construction documents* shall be *approved*, in writing or by stamp indicating the approved *permit* number. One set of *construction documents* so reviewed shall be retained by the *building official*. The other set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the *building official* or a duly authorized representative.

11. **SECTION 109 FEES** is hereby deleted in its entirety and replaced with the following:

SECTION 109 FEES

109.1 Payment of fees. No *permit* shall be valid until applicable fees prescribed by Chapter 7.5 of the City Code have been paid, except for emergency *permits* issued pursuant to Section 105.2.1.

109.2 Work commencing before permit issuance. In addition to the penalties set forth in Section 114.4, any person or firm who, before obtaining the necessary *permit(s)*, commences any construction of, or work on, a *building, structure*, electrical, gas, mechanical or plumbing system that is not otherwise exempt from obtaining a *permit*, may be subject to a stop work order and a work without a *permit* fee in addition to the required *permit* fee as established by the *building official*.

12. **Section 111.2 Certificate issued** is hereby amended to read as follows:

111.2 Certificate issued. After the *building official* inspects the building or structure and does not find violations of the provisions of this code or other laws that are enforced by CDNS, the *building official* shall issue a certificate of occupancy that may contain the following:

1. The *permit* number.
2. The address of the structure.
3. The name and address of the *owner* or the owner's authorized agent.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code.
6. The name of the *building official*.
7. The edition of the code under which the *permit* was issued.

8. The use and occupancy, in accordance with the provisions of Chapter 3.
 9. The type of construction as defined in Chapter 6.
 10. The design *occupant load*.
 11. Where an *automatic sprinkler system* is provided, whether the sprinkler system is required.
 12. Any special stipulations and conditions of the building *permit*.
13. **SECTION 113 MEANS OF APPEALS** is hereby deleted in its entirety and replaced with the following:

SECTION 113 MEANS OF APPEALS

113.1 General. The Building Review Commission (hereafter “Commission”) established in § 2-173 of the City Code is hereby empowered in accordance with the procedures set forth in this Section and as authorized under § 2-172 of the City Code to hear and decide appeals of orders, decisions, or determinations made by the *building official* relative to the application and interpretation of this code; to determine the suitability of alternative materials or alternative methods of construction; and to grant *permit* extensions and reinstatements as prescribed by Section 105.5. The *building official* shall serve as the Secretary of the Commission. The Commission shall adopt rules of procedure in accordance with § 2-172 of the City Code for conducting its business and shall render all decisions and findings in writing.

113.2 Applications/Hearings. When a building *permit* applicant or a holder of a building *permit* desires relief from any decision of the *building official* related to the enforcement of this code, except as is otherwise limited in Section 113.4, such building *permit* applicant, building *permit* holder, or representative thereof may appeal the decision of the *building official* to the Commission, stating that such decision by the *building official* was based on an erroneous interpretation of the building regulations or that an alternative design, alternative materials and/or the alternative methods of construction proposed by the appellant are equivalent to those prescribed by this code, considering structural strength, effectiveness, fire resistance, durability, safety and any other pertinent factors.

The Commission shall hear and decide all appeals made to it and shall have the authority to rule in favor of the appellant when the Commission determines that the interpretation of the building regulations of the City by the *building official* was erroneous, or when the Commission determines an alternative design, alternative materials and/or the alternative methods proposed by the appellant are equivalent to those prescribed by this code, considering structural strength, effectiveness, fire resistance, durability, safety and any other pertinent factors. The Commission shall require that sufficient evidence be submitted to substantiate any claims made regarding the proposed alternative design, alternative materials and/or alternative methods of construction.

113.3 Fees and Notification. Persons desiring to appeal to the Commission any decision of the *building official* as provided in this Section shall, file a request on the form promulgated by the *building official* and pay the applicable fee at the time of filing. Written notice of hearings shall be given to the Appellant and, with respect to appeals concerning accessibility under Chapter 11 of this code, to the City staff liaison for the Disability Advisory Board, at least four days prior to the hearing by delivering the same to such party's last known email address.

113.4 Limitations. The Building Review Commission shall have no authority with respect to any of the following functions:

1. The administration of this code except as expressly provided otherwise;
2. Waiving requirements of this code, except as provided in this Section;
3. Modifying the applicable provisions of, or granting variances to, this code, or approving the use of alternative designs, alternative materials and/or alternative methods of construction except as provided for in this Section and based upon a specific appeal from a determination or decision of the *building official* on an individual case basis; and
4. Modifying, interpreting, or ruling on the applicability or intent of the zoning and land use regulations or other laws of the City except as expressly empowered otherwise.

14. **Section 114.4 Violation Penalties** is hereby amended to read as follows:

114.4 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the *approved construction documents* or directive of the *building official*, or of a *permit* or certificate issued under the provisions of this code, commits a civil infraction and is subject to the provisions contained in § 1-15(f) of the City Code. Each day that a violation continues shall be deemed a separate offense.

15. **SECTION 202 DEFINITIONS** is hereby amended to modify, or add, in alphabetical order, the following definitions:

SECTION 202 DEFINITIONS

COMMISSIONING. A process to verify and document that the selected *building* and systems have been designed, installed, and function in accordance with the *construction documents*, manufacturers' specifications, and minimum code requirements.

DWELLING. A *building* used exclusively for residential occupancy and for permitted accessory uses, including single-family dwellings, two-family dwellings and multi-family dwellings. The term *dwelling* shall not include hotels, motels, homeless shelters, seasonal overflow shelters, tents or other structures designed or used primarily for temporary occupancy. Any dwelling shall be deemed to be a principal *building*.

DWELLING UNIT. One or more rooms and a single kitchen and at least one bathroom, designed, occupied or intended for occupancy as separate quarters for the exclusive use of a single family for living, cooking and sanitary purposes, located in a single-family, two-family or multi-family dwelling or mixed-use *building*.

ROOM, SLEEPING (BEDROOM). A habitable room within a *dwelling* or other housing unit designed primarily for the purpose of sleeping. The presence of a bed, cot, mattress, convertible sofa or other similar furnishing used for sleeping purposes shall be prima facie evidence that such space or room is a sleeping room. The presence of closets or similar storage facilities shall not be considered relevant factors in determining whether or not a room is a sleeping room.

TOWNHOUSE. A single-family *dwelling unit* constructed as part of a group of two or more attached individual *dwelling units* each of which is separated from the other from the foundation to the roof and is located entirely on a separately recorded and platted parcel of land (site) bounded by property lines, which parcel is deeded exclusively for such single-family dwelling.

VOLATILE ORGANIC COMPOUND (VOC): Any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, which participates in atmospheric photochemical reactions. VOCs include a variety of chemicals, some of which may have short-and long-term adverse health effects emitted as gases from certain solids or liquids.

16. **Section 310.4.1 Care facilities within a dwelling** is hereby amended to read as follows:

310.4.1 Care facilities within a dwelling. Except as in provided in C.R.S. § 26-6-104.5 (concerning family child care homes), care facilities for five or fewer persons receiving care that are within a single-family dwelling are permitted to comply with the *International Residential Code*.

17. **Section 310.4.2 Lodging houses** is hereby amended to read as follows:

310.4.2 Lodging houses. Owner-occupied *lodging houses* with five or fewer *guest rooms* and 10 or fewer total occupants shall be permitted to be constructed in accordance with the *International Residential Code*.

18. A new **Section 502.2 Premises identification during construction** is hereby added to read as follows:

502.2 Premises identification during construction. The approved *permit* number and street address shall be displayed and be plainly visible and legible from the public street

or road fronting the property on which any *building* is being constructed or remodeled.

19. A new **Section 503.1.2.1 Common ownership** is hereby added to read as follows:

503.1.2.1 Common ownership. The fire separation distance and exterior wall/opening protection requirements of sections 705.5 and 705.8 do not apply for a structure built and located on or across a property line, provided that the property on both sides of the property line is held in common ownership and will remain so for the duration that said *building* is located across that property line. All other code requirements and fire separation distances to other property lines and assumed property lines set forth in section 705.3 shall apply.

20. **CHAPTER 9 FIRE PROTECTION AND LIFE SAFETY SYSTEMS** is hereby deleted in its entirety and replaced with the following:

CHAPTER 9 FIRE PROTECTION AND LIFE SAFETY SYSTEMS.

All Fire Protection and Life Safety Systems regulated by this chapter shall comply with the applicable provisions of the current *International Fire Code* as adopted by the City.

21. **Section 1010.1.4 Floor elevation** is hereby amended to read as follows:

1010.1.4 Floor elevation. There shall be a floor or landing on each side of a door. Such floor or landing shall be at the same elevation on each side of the door. Landings shall be level except for exterior landings, which are permitted to have a slope not to exceed 0.25 unit vertical in 12 units horizontal (2-percent slope). All exterior steps, slabs, walks, decks and patios serving as exterior door landings or exterior stairs shall be adequately and permanently secured in place by *approved* methods to prevent such landings or stairs from being undermined or subject to significant displacement due to improper placement of supporting backfill or due to inadequate anchoring methods.

Exceptions:

1. At doors serving individual dwelling units or sleeping units in Groups R-2 and R-3 : a door is permitted to open at the top step of an interior *flight* of stairs, provided that the door does not swing over the top step.
2. At exterior doors serving Groups F, H, R-2 and S and where such doors are not part of an accessible route, the landing at an exterior door shall not be more than 7 inches (178 mm) below the landing on the egress side of the door, provided that the door, other than an exterior storm or screen door, does not swing over the landing.
3. At exterior doors serving Group U and individual dwelling units and sleeping units in Groups R-2 and R-3, and where such units are not required to be Accessible units, Type A units or Type B units, the landing at an exterior doorway shall be not more than 7¾ inches (197 mm) below the landing on

the egress side of the door. Such doors, including storm or screen doors, shall be permitted to swing over either landing.

4. Variations in elevation due to differences in finish materials, but not more than 1/2 inch (12.7 mm).
5. Exterior decks, patios or balconies that are part of Type B *dwelling units* or sleeping units, that have impervious surfaces and that are not more than 4 inches (102 mm) below the finished floor level of the adjacent interior space of the *dwelling unit* or *sleeping unit*.
6. Doors serving equipment spaces not required to be *accessible* in accordance with Section 1103.2.9 and serving an *occupant load* of five or less shall be permitted to have a landing on one side to be not more than 7 inches (178 mm) above or below the landing on the egress side of the door.
7. Exterior doors serving individual *dwelling units*, other than the main entrance door to a *dwelling unit*, may open at one intervening exterior step that is equally spaced between the interior floor level above and exterior landing below, provided that the step has a minimum tread depth of 12 inches, a maximum riser height of 7 3/4 inches (19.68cm), and a minimum width equal to the door width, and further provided that the door does not swing over the step.

22. **Section 1011.11 Handrails** is hereby amended to read as follows:

1011.11 Handrails. *Flights of stairways* of more than 1 riser shall have *handrails* on each side and shall comply with Section 1014. Where glass is used to provide the *handrail*, the *handrail* shall also comply with Section 2407.

Exceptions:

1. *Flights of stairways* within *dwelling units* and *flights of spiral stairways* are permitted to have a *handrail* on one side only.
2. Decks, patios and walkways that have a single change in elevation where the landing depth on each side of the change of elevation is greater than what is required for a landing do not require *handrails*.
3. In Group R-3 occupancies, a change in elevation consisting of a single riser at an entrance or egress door does not require *handrails*.
4. Changes in room elevations of three or fewer risers within *dwelling units* and *sleeping units* in Groups R-2 and R-3 do not require *handrails*.
5. Where a platform lift is in a stationary position and the floor of the platform lift serves as the upper landing of a *stairway*, *handrails* shall not be required on the *stairway*, provided that all of the following criteria are met:
 - 5.1. The *stairway* contains not more than two risers.
 - 5.2. A handhold, positioned horizontally or vertically, is located on one side of the *stairway* adjacent to the top landing.
 - 5.3. The handhold is located not less than 34 inches (864 mm) and not more than 42 inches (1067 mm) above the bottom landing of the *stairway*.

- 5.4. The handhold gripping surface complies with Section 1014.3, and is not less than 4.5 inches (114 mm) in length.

23. **Section 1015.8 Window openings** is hereby amended to read as follows:

1015.8 Window openings. Windows in Group R-2 and R-3 buildings including *dwelling units*, where the bottom of the clear opening of an operable window opening is located less than 24 inches (610 mm) above the finished floor and more than 72 inches (1829 mm) above the finished grade or other surface below on the exterior of the building, shall comply with one of the following:

1. Operable windows where the top of the sill of the opening is located more than 75 feet (22 860 mm) above the finished grade or other surface below and that are provided with window fall prevention devices that comply with ASTM F2006.
2. Operable windows where the openings will not allow a 4-inch-diameter (102 mm) sphere to pass through the opening when the window is in its largest opened position.
3. Operable windows where the openings are provided with window fall prevention devices that comply with ASTM F2090.
4. Operable windows that are provided with window opening control devices that comply with Section 1015.8.1.

24. A new **Section 1015.9 Below grade openings** is hereby added to read as follows:

1015.9 Below grade openings. All area wells, stair wells, window wells and light wells attached to any *building* that are located less than 36 inches from the nearest intended walking surface and deeper than 30 inches below the surrounding ground level shall have guards or approved covers for fall protection.

25. **Section 1031.2 Where required** is hereby retained in its entirety with the following amendments to Exceptions 1 and 5:

...

Exceptions:

1. *Basements* with a ceiling height of less than 72 inches (1828.8 mm) and do not contain habitable space shall not be required to have *emergency escape and rescue openings*.

...

5. Within individual *dwelling* and *sleeping units* in Groups R-2 and R-3, where the building is equipped throughout with an *automatic sprinkler system* installed in accordance with Section 903.3.1.1 of the current *International Fire Code* as adopted by the City, *sleeping rooms* in

basements shall not be required to have *emergency escape and rescue openings* provided that the basement has one of the following:

- 5.1 One *means of egress* and one *emergency escape and rescue opening*.
- 5.2 Two *means of egress*.

26. A new **Section 1031.3.4 Minimum height from floor** is hereby added to read as follows:

1031.3.4 Minimum height from floor. Emergency escape and rescue window openings that are located more than 72 inches (1829 mm) above the finished grade shall have a sill height of not less than 24 inches (609 mm) measured from the finished interior side floor.

27. **Section 1031.5.3 Drainage** is hereby amended to add Exception 2 to read as follows:

1031.5.3 Drainage. Area wells shall be designed for proper drainage by connecting to the building's foundation drainage system required by Section 1805.

Exception:

- 1. A drainage system for area wells is not required where the foundation is on well-drained soil or sand-gravel mixture soils in accordance with the United Soil Classification System, Group I Soils, in accordance with Section 1803.5.1.
- 2. A drainage system is not required for new window wells on additions to existing dwellings where no foundation drainage system exists.

28. **Section 1102.1 Design** is hereby amended to read as follows:

1102.1 Design. Buildings and facilities shall be designed and constructed to be *accessible* in accordance with this code and the most recently published edition of ICC A117.1 as referenced by the *building official*.

29. **Section 1103.1 Where required** is hereby amended to read as follows:

1103.1 Where required. *Sites, buildings, structures, facilities, elements and spaces, temporary or permanent, shall be accessible to individuals with disabilities.*

When the Building Review Commission considers granting exceptions or variances either to this chapter pursuant to Section 113 of this code or to C.R.S. § 9-5-103, it shall require the applicant requesting the exception or variance to demonstrate that the application of a particular standard or specification relating to access for persons with disabilities would impose an extraordinary hardship on the subject property. For the purposes of this Section, an extraordinary hardship shall mean a substantial and unusual hardship that is the direct result of unique physical site conditions such as terrain, topography or geology, or that is the direct result of other unique or special conditions encountered on the subject property, but that are not typically encountered elsewhere

in the City. Constraints, complications or difficulties that may arise by complying with this chapter and/or with the statutory standards for *accessibility* but that do not constitute an extraordinary hardship shall not serve to justify the granting of an exception or variance. The granting of a variance under this Section does not relieve the applicant from its obligations under the Americans with Disabilities Act, or any other applicable law or regulation that addresses accessibility.

30. **Section 1107.2 Electrical vehicle charging stations** is hereby amended to read as follows:

1107.2 Electrical vehicle charging stations. Electrical vehicle charging stations shall comply with Sections 1107.2.1 and 1107.2.2.

31. **Section 1107.2.1 Number of accessible vehicle spaces** is hereby amended to read as follows:

Section 1107.2.1 Number of accessible vehicle spaces. Not less than 5 percent of vehicle spaces on the site served by electrical vehicle charging systems, but not fewer than one shall be accessible.

32. **Section 1108.2 Design** is hereby amended to read as follows:

1108.2 Design. *Dwelling units* and *sleeping units* that are required to be *Accessible units*, *Type A units* and *Type B units* shall comply with the applicable portions of Chapter 11 of ICC A117.1. Units required to be *Type A units* are permitted to be designed and constructed as *Accessible units*. Units required to be *Type B units* are permitted to be designed and constructed as *Accessible units* or as *Type A units*.

When any *building* or *buildings*, classified as Group R, Division 1 or Group R, Division 2 Occupancy, are constructed as a single building project (or any phase thereof) on any one site, and such building project (or phase) contains one or more *accessible* dwelling units as required by this chapter or Colorado law, said building project (or phase) shall be constructed such that all required *accessible* dwelling units in such building project (or phase) provide the same functional features as are provided in the non-*accessible* units in such building project (or phase). Furthermore, all such functional features except dwelling unit bedroom-types shall be provided in the same proportion as in the non-accessible units. Not less than 50 percent of the required *accessible* dwelling units shall be constructed with the distribution of *accessible* dwelling unit bedroom-types being proportionally the same as the distribution of non-accessible dwelling unit bedroom-types, provided that at least one of each dwelling unit bedroom-type constructed in the building project (or phase) shall be an *accessible* dwelling unit.

For purposes of this Section the following definitions shall apply: *Dwelling unit bedroom-type* shall mean the number of bedrooms within the dwelling unit. *Functional feature* shall mean a closet, garage, carport, patio, deck, additional room (such as a bedroom, bathroom, den, storeroom, laundry or similar room) or any other significant

feature built at the time of original construction that offers occupants improved convenience or comfort. Aesthetic or decorative features such as colors, architectural design elements, trim and finish materials, decorative heating appliances not providing the primary comfort heat source, lighting fixture style, cabinet and hardware style, plumbing fixture style, the type and location of windows and glazed lights, or any similar miscellaneous features shall not be construed as functional features.

33. **Table 1108.6.1.1 ACCESSIBLE DWELLING UNITS AND SLEEPING UNITS** is hereby amended to read as follows:

**TABLE 1108.6.1.1
ACCESSIBLE DWELLING UNITS AND SLEEPING UNITS**

TOTAL NUMBER OF UNITS PROVIDED	MINIMUM REQUIRED NUMBER OF ACCESSIBLE UNITS WITHOUT ROLL-IN SHOWERS	MINIMUM REQUIRED NUMBER OF ACCESSIBLE UNITS WITH ROLL-IN SHOWERS ^a	TOTAL NUMBER OF REQUIRED ACCESSIBLE UNITS
1 to 25	1	0	1
26 to 50	1	1	2
51 to 75	2	2	4
76 to 100	3	2	5
101 to 150	5	2	7
151 to 200	6	2	8
201 to 300	7	3	10
301 to 400	8	4	12
401 to 500	9	4	13
501 to 1000	2% of total	1% of total	3% of total
Over 1000	20, plus 1 for each 100, or fraction thereof, over 1000	10, plus 1 for each 100, or fraction thereof, over 1000	30, plus 1 for each 100, or fraction thereof, over 1000

^aRequired roll-in showers shall be a minimum of 36 inches (91 cm) by 60 inches (152 cm) interior dimension.

34. A new **Section 1108.6.2.1.1 R-2 accessible roll-in showers** is added to read as follows:

1108.6.2.1.1 R-2 accessible roll-in showers. All roll-in showers provided in R-2 *accessible*, *Type A*, or *Type B* units, shall provide a minimum interior dimension of 36 inches (91 cm) by 60 inches (152 cm).

35. A new **Section 1403.9.1 Vinyl siding quality control** is hereby added to read as follows:

1403.9.1 Vinyl siding quality control. Vinyl siding shall be certified and labeled as conforming to the requirements of ASTM D 3679 by an *approved* quality control agency.

36. A new **Section 1403.9.2 Vinyl siding on new buildings** is hereby added to read as follows:

1403.9.2 Vinyl siding on new buildings. Vinyl sidings on new *buildings* shall be installed over one-hour fire-rated assemblies listed for exterior fire exposure, in both the vertical and horizontal plane.

37. A new **Section 1403.12.1 Polypropylene siding on new buildings** is hereby added to read as follows:

1403.12.1 Polypropylene siding on new buildings. Polypropylene siding on new *buildings* shall be installed over one-hour fire-rated assemblies listed for exterior fire exposure, in both the vertical and horizontal plane.

38. Section 1502.1 General is hereby amended to read as follows:

1502.1 General. All *buildings* shall have a controlled method of water disposal from roofs that will collect and discharge roof drainage to the ground surface at least 5 feet (1524 mm) from foundation walls or to an *approved* drainage system. Design and installation of roof drainage systems shall comply with this Section, Section 1611 of this code and Chapter 11 of the *International Plumbing Code*.

39. A new **Section 1504.8.1 Impact resistance of asphalt shingles** is added to read as follows:

1504.8.1 Impact resistance of asphalt shingles. Asphalt shingles shall be Class 4 impact resistant, comply with UL 2218 and installed in accordance with the manufacturer's installation instructions.

Exceptions:

1. When existing asphalt shingles are less than Class 4 impact resistant, and the owner wishes to replace the existing asphalt shingles with tiles of a similar color or tile, and there are no Class 4 impact resistance shingles available that are similar color or style of the existing asphalt shingles, the *building official* may approve alternate materials that are less than Class 4 impact resistant; however, the *building official* will impose the highest class of impact resistance that are available that match the color or style of the existing asphalt shingles. If no impact resistant materials are available, the *building official* may approve non-impact resistant materials if the alternate materials meet all other applicable requirements of this Code.
 2. When the owner is repairing or adding to existing asphalt singles that are less than Class 4 impact resistant, the owner may use the same or similar materials as the current existing asphalt shingles, even if that same or similar material is not impact resistant.
40. **Section 1505.1 General** is hereby deleted in its entirety and replaced with the following:

1505.1 New Construction. The *roof assemblies* classification on any new structure regulated by this code shall be Class A.

Exceptions:

1. Noncombustible *roof coverings* as defined in Section 1507.3, 1507.4, 1507.5 may be applied in accordance with the manufacturer's specifications in place of a fire-retardant roofing assembly.
2. Any Class B or Class C *roof coverings* may be applied on any new construction that is added to an existing *building* classified as a Group R, Division 3 Occupancy, provided that the roof extremities of such existing *building* and new construction are located a minimum distance of 5 feet from the nearest adjacent property line and are a minimum distance of 10 feet from any other *building*.
3. Skylights and sloped glazing that comply with Chapter 24 or Section 2610 of this code.

41. **Table 1505.1 MINIMUM ROOF COVERING CLASSIFICATIONS FOR TYPES OF CONSTRUCTION** is hereby deleted in its entirety.

42. **Section 1507.2.1 Deck requirements** is hereby amended to read as follows:

1507.2.1 Deck Requirements. Asphalt shingles shall be fastened to solidly sheathed decks. Gaps in solidly-sheathed or plank decking shall not exceed 1/8 inch.

43. **Section 1512.1 General** is hereby amended to read as follows:

1512.1 General. Materials and methods of application used for recovering or replacing an existing *roof covering* shall comply with the requirements of Chapter 15. No portion of an existing nonrated *roof covering* may be permanently replaced or covered with more than one square of nonrated *roof covering*. Any existing *roof covering* system may be replaced with a *roof covering* of the same materials and classification, provided that the replacement *roof covering* has a minimum rating of Class C.

Exceptions:

1. *Roof replacement* or *roof recover* of existing low-slope *roof coverings* shall not be required to meet the minimum design slope requirement of 1/4 unit vertical in 12 units horizontal (2-percent slope) in Section 1507 for roofs that provide *positive roof drainage*.
2. Recovering or replacing an existing *roof covering* shall not be required to meet the requirement for secondary (emergency overflow) drains or *scuppers* in Section 1502.2 for roofs that provide for *positive roof drainage*. For the purposes of this exception, existing secondary drainage or *scupper* systems required in accordance with this code shall not be removed unless

they are replaced by secondary drains or *scuppers* designed and installed in accordance with Section 1502.2.

44. **Section 1608.2 Ground snow loads** is hereby deleted in its entirety and replaced with the following:

1608.2 Ground Snow Loads. The design ground snow *load* (P_g) shall be 35 psf for the City of Fort Collins per the Colorado Design Snow *Loads*, published by the Structural Engineers Association of Colorado (dated April 2016). The design roof snow *load* values shall be determined from Chapter 7, ASCE 7-16, including all applicable factors, and loading and drifting considerations. In no case shall the final design roof snow *load* be less than a uniformly distributed load of 30 psf.

45. **Section 1609.3 Basic design wind speed** is hereby deleted in its entirety and replaced with the following:

1609.3 Basic design wind speed. The basic design *wind speed*, V , in mph, for the determination of the wind *loads* shall be 140 miles per hour (Ultimate) for *Risk Category* II, 130 miles per hour (Ultimate) for *Risk Category* I, 150 miles per hour (Ultimate) for *Risk Category* III & IV, or shall comply with the Colorado Front Range Gust Map – ASCE 7-10 Compatible, published by the Structural Engineers Association of Colorado (dated November 18, 2013).

46. A new **Section 1804.4.1 Final Grading** is hereby added to read as follows:

1804.4.1 Final Grading. Final grading adjacent to the foundation and above utility trenches shall be compacted sufficiently and in such a manner that it is not undermined or subject to significant settlement or displacement due to improper placement of backfill.

47. A new **Section 1811 RADON-RESISTANT CONSTRUCTION** is hereby added to read as follows:

1811 RADON-RESISTANT CONSTRUCTION

1811.1 General. New R-2, R-3, R-4 Occupancies and new I-1 and I-2 nursing homes shall provide radon reduction systems complying with the 2021 *International Residential Code*, Appendix AF, as amended by the City of Fort Collins.

48. **Section 2406.4.7 Glazing adjacent to bottom stairway landing** is hereby amended to read as follows:

2406.4.7 Glazing adjacent to stair landings. Glazing adjacent to the stair landings where the glazing is less than 36 inches (914 mm) above the landing and within 60-inches (1524 mm) horizontally from the top or bottom tread shall be considered a hazardous location.

49. A new **Section 2902.1.4 Touch-free toilet facilities** is hereby added to read as follows:

2902.1.4 Touch-free toilet facilities. Toilet facilities installed for occupancies associated with food preparation or food service to the public shall be provided with:

1. Automatic touch-free water control valves on lavatories.
2. Automatic touch-free paper towel dispensers.
3. Toilet facilities exit doors that allow exiting without requiring touching by hand of any door hardware such as knobs, levers, sliding bolts, latches and similar devices.

Exception: Toilet facilities designed as a single occupant use may be provided with exit door locking hardware to afford privacy, doors may swing inward or outward.

50. **Section 2902.2 Separate facilities** is hereby deleted in its entirety and replaced with the following:

2902.2 Required restroom facilities. Restroom fixtures shall be provided in quantities per Table 2902.1, which shall be achieved by either gender-neutral single-user restrooms or by multi-user (multi-fixture) restrooms for each sex. Gender-neutral multi-user restrooms are allowed only where water closets and showers are each provided in compartments with walls or partitions and a door enclosing the fixtures to ensure privacy. Urinals must be located in an area visually separated from the remainder of the facility or each urinal must be located in a stall. The number of fixtures shall be calculated based on the average of the number of male/female fixtures in table 2902.1.

Exceptions:

1. For mercantile occupancies in which the maximum occupant load is 100 or fewer, one gender-neutral single-user restroom is allowed.
2. For buildings in which the maximum occupant load is 25 or fewer, one gender-neutral single-user restroom is allowed.

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

CHAPTER 36 SUSTAINABLE BUILDING CONSTRUCTION PRACTICES

Section 3601 General

3601.1 Scope. The provisions of this chapter shall govern sustainable building construction practices for new construction and additions and remodels over 5,000 square feet that require a building *permit*, unless otherwise noted.

Section 3602 Resource Efficiency

3602.1 Construction waste management. For remodels and additions over 2,500 square feet, and for all new *buildings*, a construction waste management plan acceptable to the *building official* is required at the time of application for a building *permit*. The construction waste management plan shall be implemented and conspicuously posted on the construction site. All concrete, asphalt, masonry, wood, metals and cardboard shall be recycled. All mixed construction and demolition materials (as defined in § 12-16 of the City Code) shall be delivered to any facility identified in and disposed of in accordance with § 12-22(c) of the City Code. Compliance shall be certified by inspection and documentation and signed final construction waste management plans. Substantive changes to the plan are subject to prior approval by the *building official*. All roofing permits are required to submit a final waste management plan and documentation.

3602.1.1 Building demolitions. *Buildings* or portions of *buildings* that are removed shall be processed in such a way as to safely remove all asbestos and lead paint contaminants. For all demolitions, excluding non-structural demolitions under 1000 square feet, a demolition waste management plan acceptable to the *building official* is required at the time of application for a demolition permit. All metals, asphalt, concrete and masonry that are free of asbestos and lead paint shall be recycled, and where possible, all remaining materials, such as doors, windows, cabinets, fixtures, and wood, shall be recycled. All mixed construction and demolition materials (as defined in § 12-16 of the City Code) shall be delivered to any facility identified in and disposed of in accordance with § 12-22(c) of the City Code. Compliance shall be certified by inspection, documentation, and signed final demolition waste management plans. Substantive changes to the plan are subject to prior approval by the *building official*.

3602.1.2 Recycle chutes. New *buildings* provided with trash chutes or existing *buildings* renovated that add a new trash chute shall provide an additional equivalent chute adjacent to the trash chute for the purpose of recycling. Separate bins shall be provided in the termination room to prevent recycled items from entering the trash bin. Chutes must be appropriately labeled “Landfill” and “Recycle.”

3603 Indoor Environmental Quality (IEQ)

3603.1 Indoor Air Quality (IAQ)

3603.1.1 Heating, Ventilating, and Air Conditioning Design. Prior to and during construction, reasonable efforts shall be made to minimize the release of

particulates and accumulation of debris, and the specific requirements of this Section shall apply.

3603.1.2 Air handling system access. The arrangement and location of air handling system components including, but not limited to, air handler units, fans, coils and condensate pans, shall allow access for cleaning and *repair* of the air handling surfaces of such components. Piping, conduits, and other building components shall not be located so as to obstruct the required access.

3603.1.3 Durability of air handling surfaces. Surfaces exposed to airflow within air handling systems shall be constructed of materials that are resistant to deterioration and will not break away, crack, peel, flake off, or show evidence of delamination or continued erosion when tested in accordance with the erosion test in UL 181.

3603.1.4 Airstream surfaces. Materials exposed to airflow within ducts, within air plenums, or on top of suspended ceilings, shall not break away, crack, peel, flake off, or show evidence of delamination or continued erosion when tested in accordance with the erosion test in UL 181.

3603.1.5 New building and first time completed tenant finish spaces pollutant flush-out. After all interior finishes are installed, the *building* or space shall be flushed out by ventilating at a minimum rate of 0.30 cfm per ft² of outside air or the design outdoor airflow rate determined from the *International Mechanical Code*, whichever is greater, for at least 14 days while maintaining an internal temperature of at least 60°F, and relative humidity not higher than 60 percent. Occupancy shall be permitted to start 1 day after start of the flush-out, provided that flush-out continues for the full 14 days. The *building* or space shall not be “baked out” by increasing the temperature of the space above the occupied set point.

Exception: All residential *buildings*.

3603.2 Acoustical control. Minimum requirements for exterior-to-interior sound transmission, interior sound transmission, and background sound levels in new construction and additions, except as noted hereunder, shall be provided as specified herein.

3603.2.1 Sound transmission. New *buildings* shall comply with the following sound transmission requirements:

3603.2.2 Exterior sound transmission. Where a Group A1, A3, E and I occupancy *building*, a Group B occupancy *building* used for educational purposes, or a Group R occupancy *building* is constructed at a location listed herein, the wall assemblies making up the *building thermal envelope* or professional analysis of effected walls shall have a composite sound transmission class (STC) rating of 39 or greater in the following locations:

1. Within 500 feet (152 m) of a multi-lane highway designed for high-speed travel by large numbers of vehicles, and having no traffic lights, stop signs, or other regulations requiring vehicles to stop; fire stations; heavy industrial or manufacturing areas or facilities; commercial storage facilities with back-up alarms; outdoor music amphitheaters; or sports arena or stadium;
2. Within 250 feet (76 m) of a roadway containing 4 or more traffic lanes; or
3. Within 1,000 feet (305 m) of an active railway.

3603.2.3 Interior sound transmission. Interior wall and floor/ceiling assemblies, separating interior rooms and spaces shall be designed in accordance with the following requirements:

1. Wall and floor-ceiling assemblies separating adjacent tenant spaces, tenant spaces and public places, hotel rooms, motel rooms, patient rooms in nursing homes and hospitals, and adjoining classrooms shall have a composite STC rating of 50 or greater.
2. Wall and floor-ceiling assemblies separating classrooms from rest rooms and showers shall have a composite STC rating of 53 or greater.
3. Wall and floor-ceiling assemblies separating classrooms from music rooms, mechanical rooms, cafeterias, gymnasiums, and indoor swimming pools shall have a composite STC rating of 60 or greater.

Exception: Residential Group R occupancies addressed in Section 1206 of this code.

Section 3604 Electrical vehicle charging.

3604.1 Scope: The provisions of this Section shall control the design and construction for Electric Vehicle Charging.

3604.2 Definitions applicable to this Chapter:

Affordable Housing: Residential occupancies that meet the criteria established in the Land Use Code Section 5.1.2 as affordable housing.

Electric Vehicle (EV): A vehicle registered for on-road use, primarily powered by an electric motor that draws current from a rechargeable storage source that is charged by being plugged into an electrical current source.

Electric Vehicle Supply Equipment (EVSE). The electrical conductors and associated equipment external to the *electric vehicle* that provide a connection

between the premises wiring and the *electric vehicle* to provide *electric vehicle* charging.

Electric Vehicle Fast Charger. *Electric vehicle supply equipment* with a minimum power output of 20 kW.

Electric Vehicle Load Management System. A system designed to allocate charging capacity among multiple *electric vehicle supply equipment* that complies with the current National Electric Code.

Electric Vehicle Capable Space. A designated parking space or spaces that are provided with conduit from the parking space to a *building* electrical room with sufficient physical space in the electrical room to accommodate the future installation of type 2 charging equipment (EVSE) to those parking spaces.

Electric Vehicle Ready Space. A parking space that is provided with one continuous 40-amp, 208/240-Volt dedicated branch circuit for *electric vehicle supply equipment* that is terminated at a receptacle or *electric vehicle supply equipment* within the parking space. If an Electric Vehicle Load Management System is specified, then the electrical requirements may be adjusted per the current National Electric Code.

Electric Vehicle Supply Equipment Installed Space. A parking space or spaces with minimum of level 2 *electric vehicle supply equipment* capable of supplying a minimum 40-amp dedicated branch circuit rated at 240 Volt from a *building* electrical panelboard. If an Electric Vehicle Load Management System is specified, then the electrical requirements may be adjusted per the current National Electric Code.

Permanent Supportive Housing. Land development projects (or portions thereof) that are subject to recorded covenants restricting the affordability for all residents of all dwelling units and which combine the housing with services that help people who face the most complex challenges to live with stability, autonomy, and dignity, such that the dwelling units may be classified as “permanent supportive housing.”

3604.3 Electric Vehicle Supply Equipment: All electric vehicle supply equipment shall be sized and installed in accordance with article 625 of the currently adopted National Electrical Code.

3604.4 Accessibility: All *Electric Vehicle Ready* and *Electric vehicle supply equipment installed spaces* shall meet all requirements in Chapter 11 of this code. The total amount of required accessible parking spaces shall be removed from the

total number of available spaces when calculating the required percentage of spaces for EV.

3604.5 New buildings. All new *buildings* or *buildings* undergoing a primary or partial change of occupancy or use in which more than 50% of the total building area is changing shall provide *electrical vehicle* parking spaces based on the minimum number of parking spaces as defined by the standards in the Land Use Code (LUC). A parking schedule shall be shown on the submitted plans that lists the required parking spaces and the provided EV spaces in accordance with the TABLE 3604.5.

Exceptions:

1. Type 2 Chargers can be reduced by up to five, provided that the *building* includes not less than one parking space equipped with an *electric vehicle fast charger* and not less than one *electric vehicle ready space*.
2. Parking spaces associated with *structures* and tenant spaces intended for quick transactions, including takeout, pickup, and drop-off shall be exempt.
3. All new and existing developments, where the *EV-capacity* requirements would require an upgrade of an existing transformer, are exempt.
4. All *affordable housing* development classified as *permanent supportive housing*.

TABLE 3604.5

City of Fort Collins Occupancy Classification for EV Charging Infrastructure	EVSE - installed	EV - Ready	EV – capable
Tier 1			
Residential	10%	20%	40%
Affordable housing	Minimum of 1 space	15%	20%
Tier 2			
Mercantile	5%	15%	20%
Assembly	5%	15%	20%
Institutional	5%	15%	20%
Business	5%	15%	20%
Educational	5%	15%	20%
Factory	5%	15%	20%
Tier 3			

High hazard	1%	5%	15%
Storage	1%	5%	15%
Utility and misc. group	1%	5%	15%

3604.6 Existing buildings. Existing *buildings* that provide on-site parking and undergo a renovation or alteration in which the scope of work is more than 50% of the total *building area* shall provide at least one EVSE-installed space.

52. **APPENDIX C GROUP U--AGRICULTURAL BUILDINGS** is adopted in its entirety.
53. **APPENDIX E SUPPLEMENTARY ACCESSIBILITY REQUIREMENTS** is adopted in its entirety.
54. **APPENDIX I PATIO COVERS** is adopted in its entirety.

Section 5. The City Attorney and the City Clerk are authorized to modify the formatting and to make such other amendments to this Ordinance as necessary to facilitate publication in the Fort Collins Municipal Code; provided, however, that such modifications and amendments shall not change the substance of the Code provisions.

Introduced, considered favorably on first reading, and ordered published this 15th day of February, A.D. 2022, and to be presented for final passage on the 5th day of April, A.D. 2022.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading on the 5th day of April, A.D. 2022.

Mayor

ATTEST:

City Clerk

