

ORDINANCE NO. 132, 2017
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING CHAPTER 7.5 OF THE CODE OF THE CITY OF FORT
COLLINS REGARDING THE IMPOSITION OF THE CAPITAL
EXPANSION FEES ADOPTED IN ORDINANCE NO. 049, 2017

WHEREAS, on June 6, 2017, Council adopted Ordinance No. 049, 2017; and

WHEREAS, Ordinance No. 049, 2017, addressed changes to the City Code provisions contained in Chapter 7.5, 8, and 24 regarding capital expansion fees; and

WHEREAS, the City Code changes to the capital expansion fee amounts set forth in Ordinance No. 049, 2017, became effective on October 1, 2017; and

WHEREAS, prior to October 1, 2017, City staff was informed by the developers of certain projects that had Project Development Plans ("PDP" or "PDPs") approved by the City prior to the adoption date of Ordinance No. 049, 2017, that the capital expansion fee changes would substantially increase such fees and significantly affect the financial feasibility of such projects; and

WHEREAS, in recognition of the reliance of developers of projects that had PDPs approved prior to the adoption date of Ordinance No. 049, 2017, on the capital expansion fee schedules in effect at the time of PDP approval for purposes of determining the financial feasibility of such projects, Council finds that it is in the best interest of the City and its citizens to allow such projects to pay the capital expansion fees in effect as of June 6, 2017.


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

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

Section 2. That Section 7.5-19 of the Code of the City of Fort Collins is amended by the addition of a new subsection (c) as follows:

(c) 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 Land Use Code, 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.

Introduced, considered favorably on first reading, and ordered published this 3rd day of October, A.D. 2017, and to be presented for final passage on the 17th day of October, A.D. 2017.



Mayor


ATTEST:



City Clerk

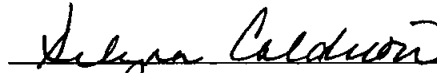


Passed and adopted on final reading on the 17th day of October, A.D. 2017.



Mayor

ATTEST:



City Clerk

