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MEMORANDUM

Date: February 13, 2014
To: Mayor and City Councilmembers
Through: Darin Atteberry, City Manager *DA*
Bruce Hendee, Chief Sustainability Officer *BH*
From: Lucinda Smith, Environmental Services Dept. Director *LRS*
Re: February 11, 2014 Work Session Summary – Greenhouse Gas Goals Review

Bruce Hendee, Lucinda Smith, and John Phelan presented a short summary of the information, and the full City Council was present.

There was strong support for the upcoming climate action planning to work towards a steeper rate of greenhouse gas (GHG) reduction, with a special emphasis on accomplishing reduction now and in the near-term, through upcoming budget cycles. Council wants to know more details about costs of strategies, and expressed support for enhanced partnerships, including with the university and academic institutions, Platte River Power Authority and its owner cities, and the private sector. Council members did not focus as much on which end point to choose, though several referenced ultimate net zero.

General Comments and Suggested Approaches:

- Use all tools necessary
- Seek strategies in the short term that provide the biggest bang for the buck and that set the stage for transformation
- Prepare BFO offers for this cycle, (e.g. full funding for the Integrated Recycling Facility) to advance GHG reduction
- Recognize economic benefit of climate action to our community and enhance support programs such as Climate Wise
- Build strong pragmatic near term plans
- Seek diversified energy portfolio of alternatives that go beyond photovoltaics
- Collaborate closely with Platte River Power Authority and other partners
- Consider lifecycle carbon footprint of all energy sources
- Frame GHG reduction in terms that are meaningful to people; clean water, air, etc. to help build success
- Work towards decreased consumption in our community
- The City of Fort Collins municipal organization should lead by example in GHG reduction
- Risk mitigation away from fossil fuels is very important
- Leadership can come through doing, and Fort Collins can be a global leader and model in achieving progress
- Seek integration of major systems (energy and transportation) to create a transformed built environment
- Take a holistic view of economic health projects and consider impact to community GHG emissions to demonstrate commitment to GHG goals

Next Steps:

Staff will work to develop a draft Energy Policy and Climate Action Plan that focuses on rapid reductions near term, looking towards a goal of 80% below 2005 by 2030, which is only 16 years from now, develop interim targets, develop underlying benefit and cost analyses, and return to City Council for a work session later this year.





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Memorandum

DT: February 12, 2014

TO: Mayor and City Councilmembers

TH: Darin Atteberry, City Manager 

FR: Ginny Sawyer, Project and Policy Manager 
MMB Staff Team

CC: Diane Jones, Deputy City Manager

RE: Work Session Summary-February 11, 2014: Amendment 64 and Local Implications

On February 11, 2014, City Council held a Work Session to discuss the implementation options provided for in Amendment 64. All Councilmembers were present. Staff members included Don Vagge, Bronwyn Scurlock, Wanda Nelson, Rita Harris, Peter Barnes, Steve Roy, and Ginny Sawyer.

Staff presented specific options related to the allowance of retail marijuana and personal growing and consumption. The discussion focused on moving forward with allowing retail businesses or extending the moratorium to allow more time for data collection and observing outcomes from other cities.

Council also discussed marijuana infused edible products, and whether such products are too attractive to youth and children.

The current moratorium expires on March 31, 2014 and Council action is needed prior to the expiration. Staff will be bringing regulations to the March 4, 2014 meeting. These regulations will include the following:

- An option allowing retail marijuana businesses which will address labeling and the sale of edible products
- An alternative option for a two-year extension on the temporary ban.
- Ordinances regulating personal growing and open and public consumption of marijuana.
- Ordinances regulating the display and transfer of marijuana on City owned property, including Parks, Natural Areas, streets and sidewalks.

Additional Action

- Staff will research and provide a memo addressing the possibility of regulating and registering personal growing.



- Staff will research funding options to support education and prevention related to legalized marijuana.

Please see below for clarification on the annexation of non-conforming uses (County retail marijuana stores) and taxation on products made here but sold elsewhere.

Annexation:

A use will become a 'legal, nonconforming use' if the use is legally operating in the county immediately before the property is annexed into the city and the use is then placed in a zone district in the city in which the use is not permitted. Such a use can continue to operate indefinitely, regardless of change of ownership, unless the use is abandoned for a period of at least 12 consecutive months. If such abandonment occurs, the property can be used only for a conforming use. During the time it remains a legal, nonconforming use, the LUC limits any expansion of the building to not more than 25% and places additional constraints on expanding hours of operation.

If and when the stores in the County are annexed the City would work with the businesses to ensure compliance with both City and State regulations.

Taxation:

While local manufacturers pay either a sales or use tax on their equipment and supplies, no tax is collected when wholesale sales are made to retailers. If an edible manufacturer created products in Fort Collins and then sold those products to retail marijuana stores outside our city-limits, no City of Fort Collins tax would be collected. This also applies if the products are sold to a retail store in the city limits of Fort Collins because sales tax will be collected when the retailer sells the product to the consumer.