

ORDINANCE NO. 138, 2019  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
AMENDING THE ZONING MAP OF THE CITY OF FORT COLLINS BY CHANGING  
THE ZONING CLASSIFICATION FOR THAT CERTAIN PROPERTY KNOWN  
AS THE HUGHES STADIUM REZONING AND APPROVING CORRESPONDING  
CHANGES TO THE RESIDENTIAL NEIGHBORHOOD SIGN DISTRICT MAP

WHEREAS, Division 1.3 of the Fort Collins Land Use Code (the "Land Use Code") establishes the Zoning Map and Zone Districts of the City; and

WHEREAS, Division 2.9 of the Land Use Code establishes procedures and criteria for reviewing the rezoning of land; and

WHEREAS, on October 16, 2018, City Council approved Ordinance No. 123, 2018, annexing the Hughes Stadium Annexation property (the "Property") consisting of approximately 164.56 acres into the City; and

WHEREAS, on October 16, 2018, City Council approved Ordinance No. 124, 2018, to place the Property into the Transition (T) zone district upon annexation; and

WHEREAS, on July 16, 2019, City Council adopted Resolution 2019-084 to initiate the rezoning of the Property and directed City staff to prepare a rezoning application on behalf of the City and make a recommendation to the Planning and Zoning Board and City Council regarding the appropriate zoning for the Property, all in accordance with Land Use Code Section 2.9.4; and

WHEREAS, City staff submitted an application for rezoning requesting that the Property be rezoned as "Low Density Mixed-Use Neighborhood (LMN) on the east half of the property and Residential Foothills (RF) on the west half of the property, with a condition that residential units be clustered and 50% of the area be retained in an 'open' condition" (the "Proposed Rezoning"); and

WHEREAS, on September 19, 2019, the Planning and Zoning Board on a 4-2 vote recommended that City Council not adopt the Proposed Rezoning and instead that Council rezone the Property entirely as Residential Foothills (R-F); and

WHEREAS, City staff is recommending that City Council implement the recommended condition by requiring that residential development on the Residential Foothills zone district portion of the Property meet the requirements for *Site Design for Residential Cluster Development* set forth in Land Use Code Section 4.3(E)(2); and

WHEREAS, after publishing public notice on Sunday, October 13, 2019, City Council held a public hearing on November 5, 2019, to consider the rezoning as set forth herein and at that hearing City staff and members of the public provided information and testimony.

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

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

Section 2. That City Council, after considering at the November 5, 2019, hearing the Planning and Zoning Board recommendation, the testimony of the public and City staff, and the information provided for the hearing, hereby finds that the Proposed Rezoning is:

- (1) Consistent with the City's Comprehensive Plan;
- (2) Is compatible with existing and proposed uses surrounding the Property and is the appropriate zoning for the Property;
- (3) The proposed zoning would not result in significantly adverse impacts on the natural environment;
- (4) Would result in a logical and orderly development pattern.

Section 3. That City Council hereby rezones the western half of the Property as Residential Foothills (R-F) zone district and the eastern half of the Property as Low Density Mixed-Use Neighborhood (LMN) as follows:

A north to south dividing line ("Dividing Line") shall be established on the Property with such line running parallel to and 1368.63 feet west of, as measured perpendicularly, the eastern line of the southeast quarter of Section 20, Township 7 North, Range 69 West of the Sixth Principal Meridian, City of Fort Collins, County of Larimer, State of Colorado. The portion of the Property located west of the dividing line shall be designated as Residential Foothills Zone District and the portion of the Property located east of the dividing line shall be designated as Low Density Mixed-Use Neighborhood District (L-M-N).

Section 4. That Council imposes the following condition of approval upon this rezoning pursuant to Land Use Code Section 2.9.4(I):

All residential development occurring on the portion of the Property zoned Residential Foothills (R-F) shall be residential cluster development in compliance with the version of Land Use Code Section 4.3(E)(2), *Site Design for Residential Cluster Development*, in effect on the effective date of this Ordinance and attached to this Ordinance as Exhibit "A". However, any Land Use Code section or defined term referenced within Land Use Code Section 4.3(E)(2) shall be to the version of such section or defined term in effect at the time such section or defined term is applied to any development application for any portion of the Property zoned Residential Foothills.

Section 5. That Council finds that the condition of approval imposed in above Section 4 is necessary to accomplish the purposes of the Land Use Code, specifically, Land Use Code Section 1.2.2(A), (C), (D), (I), and (N), and is consistent with City Plan.

Section 6. That Council finds that the rezoning and condition of approval adopted herein are in the best interests of the citizens of Fort Collins.

Section 7. That the Residential Neighborhood Sign District Map adopted pursuant to Section 3.8.7(E) of the Land Use Code be, and the same hereby is, changed and amended by showing that the above-described property is included in the Residential Neighborhood Sign District.

Section 8. The City Manager is hereby authorized and directed to amend said Zoning Map in accordance with this Ordinance.

Introduced, considered favorably on first reading, and ordered published this 5th day of November, A.D. 2019, and to be presented for final passage on the 19th day of May, A.D. 2020.

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Mayor

ATTEST:

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City Clerk

Passed and adopted on final reading on this 19th day of May, A.D. 2020.

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Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**Ordinance Defeated on Second Reading May 19, 2020.**