

RESOLUTION 84-176
OF THE COUNCIL OF THE CITY OF FORT COLLINS
WAIVING THE OFF-SITE STREET IMPROVEMENT REQUIREMENT
FOR DEVELOPMENT IN THE URBAN GROWTH AREA
(LOTS IN EAST MULBERRY SUBDIVISION)

WHEREAS, the UGA Agreement provides that in order for sites to develop within the UGA, certain phasing criteria need to be met; and

WHEREAS, the Larimer County Commissioners may waive phasing criteria for development in the UGA, provided that:

1. Such requested waiver is approved by the governing body of the adjoining municipality after said body has substantiated the required findings.
2. The waiver will not result in unplanned expense or provision of public services, improvement or facilities.
3. The waiver is consistent with the intent and purpose of the County and adjoining municipalities comprehensive plans and policies.
4. The waiver application contains material indicating approval may be granted without substantial detriment to the intent and purposes of the supplementary regulations applying to the area.
5. The waiver application contains material indicating there are exceptional circumstances applying to the specific piece of property which do not apply generally to the remaining property in the UGA.
6. The waiver application contains materials indicating approval would impair the public health and safety by creating undesirable traffic conditions, undesirable sanitary conditions, or adverse environmental influences in the area.

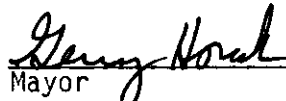
and;

WHEREAS, the request for several lots in the East Mulberry Subdivision meet the criteria set forth above for waivers.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS that an off-site street improvement waiver for the properties in the East Mulberry Subdivision, described in Exhibit A, attached hereto, be, and the same hereby is, granted subject to the following conditions.

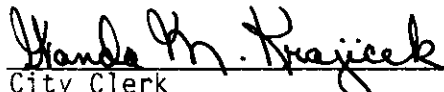
1. The expansion of existing uses be evaluated as to off-site street impacts.
2. A commitment be made to participate in future street improvement districts in the area.
3. The UGA street waiver fee be applied to any new development on these lots.

Passed and adopted at a regular meeting of the City Council held this 20th day of November, A.D. 1984.



Mayor

ATTEST:



City Clerk

EXHIBIT A

Legal Description of East Mulberry Subdivision Affected Properties:

The north 45 feet of Lot 7, and Lots 8 and 9, all in Block 1;
and the north 50 feet of Lot 8 and Lots 9, 10, 11, 12, 13 and 14,
all in Block 2 of the East Mulberry Subdivision.