

RESOLUTION 90-168  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
AUTHORIZING A WAIVER OF THE PUBLIC SEWER CAPACITY  
REQUIREMENT AND THE PUBLIC STREET CAPACITY REQUIREMENT TO  
CONSTRUCT OFF-SITE STREET IMPROVEMENTS FOR THE REPLAT OF  
HIGHLAND PLACE, AMENDED TRACT 32B

WHEREAS, Section II, Paragraph 5(b) of the Intergovernmental Agreement between the City of Fort Collins and Larimer County for the establishment of the Fort Collins Urban Growth Area provides that the City Council shall have the right to review and comment upon development proposals which propose waiver requests to the phasing criteria for development in the Fort Collins Urban Growth Area; and

WHEREAS, Larimer County has forwarded to the City Council for review and comment the waiver request for "Highland Place, Amended Tract 32B," whereby it has been requested that a wavier be granted with respect to the public sewer capacity requirement and the public street capacity requirement; and

WHEREAS, "Highland Place, Amended Tract 32B" is located within the Urban Growth Area and has been determined by the Council to qualify as "infill" development in accordance with the aforesaid Intergovernmental Agreement, and, therefore, is eligible for consideration of the waiver of the public sewer capacity and public street capacity requirements.

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

Section 1. That the Council hereby recommends to the Board of Commissioners of Larimer County that the requirements of the Intergovernmental Agreement for the establishment of the Fort Collins Urban Growth Area with respect to public sewer capacity and public street capacity development, as defined in the Larimer County Supplemental Regulations, be waived as those requirements are or may be applicable to "Highland Place, Amended Tract 32B."; and

Section 2. That the aforesaid requirements be waived only upon condition that:

1. The applicant, for himself and all future owners of the subject property, agree in writing to participate in the cost of the "local" portion of any future street improvements for Richard's Lake Road and Clyde Street which abut the subject property, and that such agreement be recorded with the Larimer County Clerk and Recorder.
2. An agreement between the applicant, the City, the sewer service district and the Larimer County Health Department be executed detailing the timing for providing public sewer services to the subject property; the method for allocating the cost of sewer service and the cost of connection; notification procedures for informing future property owners of the agreement; any requirements for on and

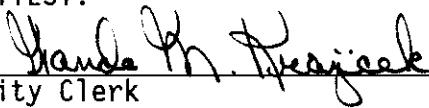
off-site interim improvements; and that such agreement be recorded with the Larimer County Clerk and Recorder.

3. The waiver fee of \$700 per additional lot be collected at the time of issuance of the building permit(s), and said fee shall be used to improve local, collector and arterial streets in the area impacted by the project.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins held this 20th day of November, A.D. 1990.

  
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Mayor

ATTEST:

  
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City Clerk