

RESOLUTION 94-169
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AUTHORIZING A WAIVER OF THE PUBLIC STREET CAPACITY
URBAN GROWTH AREA PHASING CRITERIA
FOR THE ROCKVIEW PUD

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 within the UGA boundary; and


WHEREAS, Larimer County has forwarded to the City of Fort Collins for review and comment the waiver request for the "Rockview PUD" whereby it has been requested that a waiver be granted with respect to the public street capacity requirement, as set forth in the aforesaid Intergovernmental Agreement; and

WHEREAS, the "Rockview PUD" is located within the Urban Growth Area and qualifies as "in-fill" development in accordance with the aforesaid Intergovernmental Agreement, and therefore, is eligible for consideration of a waiver of the phasing criteria requirement for public street capacity.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS that the Council hereby recommends to the Board of County Commissioners that the requirements of the Intergovernmental Agreement for the establishment of the Fort Collins Urban Growth Area with respect to the public street capacity requirement, as defined in the Larimer County Supplemental Regulations, be waived as that requirement is or may be applicable to the "Rockview PUD," with the following conditions:

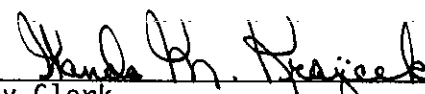
1. The applicant and all future property owners commit to proportionate financial participation in future street improvements for adjacent and off-site streets, on-site and off-site public sewer improvements in such manner and at such time as the governmental entity having jurisdiction may lawfully determine.
2. The waiver fee of Seven Hundred Dollars (\$700) per dwelling unit, for a total fee of Fourteen Thousand Dollars (\$14,000) to be collected at the time of building permit issuance.

Passed and adopted at a regular meeting of the City Council held this 18th day of October, A.D., 1994.



Mayor

ATTEST:



City Clerk