

RESOLUTION 95-167
OF THE COUNCIL OF THE CITY OF FORT COLLINS
RECOMMENDING DENIAL OF A WAIVER OF THE UGA PUBLIC STREET
CAPACITY PHASING CRITERIA REQUIREMENT FOR
THE OVERLAND VALLEY P.U.D.

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 Overland Valley 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.

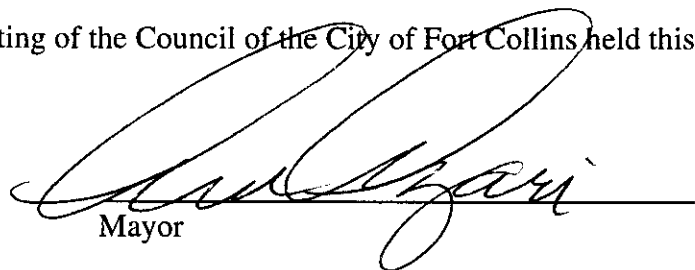
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS that the Council hereby recommends to the Board of County Commissioners that the requirements of the Intergovernmental Agreement for the establishment of the Fort Collins Urban Growth Area with respect to the public street capacity requirement as defined in the Larimer County Supplemental Regulations, not be waived as that requirement is or may be applicable to The Overland Valley PUD, for the following reason:

The proposed Overland Valley PUD is in violation of the density limits as established by the Intergovernmental Agreement with Larimer County for the Fort Collins Urban Growth Area. More particularly, the proposed density for The Overland Valley PUD is 1.08 dwelling units per acre and Section 2.4 of Exhibit A of the Intergovernmental Agreement with Larimer County for the Fort Collins Urban Growth Area provides that:

The gross density of projects in the foothills area should not exceed one (1) unit per two (2) acres.

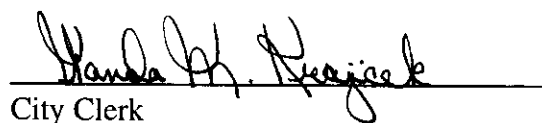
Accordingly, the City cannot recommend a waiver of the public street capacity phasing criteria requirement for a project which is in clear violation of the density requirements of said Intergovernmental Agreement.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins held this 5th day of December, A.D. 1995.



Mayor

ATTEST:



City Clerk