

SUBJECT

Items Relating to the McMurry Natural Area Annexation and Zoning.

- A. Second Reading of Ordinance No. 130, 2010, Annexing Property Known as the McMurry Natural Area Annexation to the City.
- B. Second Reading of Ordinance No. 131, 2010, Amending the Zoning Map of the City and Classifying for Zoning Purposes the Property Included in the McMurry Natural Area Annexation to the City.

EXECUTIVE SUMMARY

These Ordinances, unanimously adopted on First Reading on December 7, 2010, annex and zone the City-owned McMurry Natural Area. The parcel is 48.79 acres in size and located north of the Poudre River and east of North Shields Street. The recommended zoning is P-O-L, Public Open Lands.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

ATTACHMENTS

- 1. Copy of First Reading Agenda Item Summary - December 7, 2010
(w/o attachments)

DATE: December 7, 2010
STAFF: Ted Shepard

AGENDA ITEM SUMMARY
FORT COLLINS CITY COUNCIL

19

SUBJECT

Items Relating to the McMurry Natural Area Annexation and Zoning.

- A. First Reading of Ordinance No. 130, 2010, Annexing Property Known as the McMurry Natural Area Annexation to the City.
- B. Hearing and First Reading of Ordinance No. 131, 2010, Amending the Zoning Map of the City and Classifying for Zoning Purposes the Property Included in the McMurry Natural Area Annexation to the City.

EXECUTIVE SUMMARY

This is a request to annex and zone the City-owned McMurry Natural Area. The parcel is 48.79 acres in size and located north of the Poudre River and east of North Shields Street. Contiguity with the existing municipal boundary is gained along the east boundary which is shared with the North College Annexation and the south boundary which is shared with the original Town Plat. The recommended zoning is P-O-L, Public Open Lands. This is the same zone district as Lee Martinez Park, Soft Gold Park, Magpie Meander Natural Area and Salyer Natural Area. McMurry Natural Area would continue to be owned and managed by the City of Fort Collins Natural Areas Program. The annexation of this parcel does not create an enclave of any other parcel.

This annexation request is in conformance with the Colorado Revised Statutes, City of Fort Collins Comprehensive Plan, Land Use Code and the Intergovernmental Agreement between the City of Fort Collins and Larimer County. There are no known controversies associated with this annexation.

BACKGROUND / DISCUSSION

This is a 100% voluntary annexation of a property owned by the City of Fort Collins and located within the Growth Management Area (GMA). Of the total property perimeter, 21% is contiguous to the existing City boundary, thus satisfying the requirement that no less than one-sixth of the perimeter boundary be contiguous.

According to the policies and agreements between the City and Larimer County, the City will agree to consider annexation of property in the GMA when the property is eligible for annexation under State law.

The surrounding zoning and land uses are as follows:

N:	County – O	Large Lot Rural Residential
NE:	City – POL	Magpie Meander Natural Area Soft Gold Neighborhood Park
E:	City – RC	Large Lot Rural Residential
E:	City – POL	Salyer Natural Area
S:	County – O	Mobile Home Park
SW:	County – O	Equestrian Facility
W:	County – O	Large Lot Rural Residential

The requested zoning is P-O-L, Public Open Lands. The Land-Use Code describes this zone district as follows:

Purpose. The Public Open Lands District is for large publicly owned parks and open lands which have a community-wide emphasis or other characteristics which warrant inclusion under this separate designation rather than inclusion in an adjoining neighborhood or other District designation.

Since the City of Fort Collins owns and manages the parcel as a natural area, the P-O-L zone district is appropriate.

Findings:

1. The annexation of this parcel is consistent with the policies and agreements between Larimer County and the City of Fort Collins, as contained in the Amended Intergovernmental Agreement – Growth Management Area.
2. The parcel meets all criteria included in State law to qualify for a voluntary annexation to the City of Fort Collins.

The requested zone district, P-O-L, Public Open Lands, is in compliance with the City's Structure Plan Map.

FINANCIAL / ECONOMIC IMPACTS

COPY

The McMurry Natural Area is owned and managed by the City of Fort Collins Natural Resources Department, Natural Areas Program. The 48.79 acres are linked to the Salyer Natural Area, Legacy Park and Rivers Edge Natural Areas to the east and Lee Martinez Park to the south by a network of trails. This annexation will place all areas under one common jurisdiction enabling consistent enforcement and increased management efficiency.

ENVIRONMENTAL IMPACTS

The annexation will allow the Natural Areas Rangers to rely on City Police Services rather than the Larimer County Sheriff's Department in case assistance is needed due to an incident. This will lead to shorter response time and less vehicles mile traveled for a responding officer.

COPY

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinances on First Reading.

BOARD / COMMISSION RECOMMENDATION

At its regular meeting of November 18, 2010, as part of its Consent Agenda, the Planning and Zoning Board voted to recommend approval of the annexation and that the property be placed into the P-O-L, Public Open Lands zone district.

COPY

ATTACHMENTS

1. Vicinity Map
2. Zoning Map
3. Structure Plan Map

COPY

ORDINANCE NO. 130, 2010
OF THE COUNCIL OF THE CITY OF FORT COLLINS
ANNEXING PROPERTY KNOWN AS THE
MCMURRY NATURAL AREA ANNEXATION
TO THE CITY OF FORT COLLINS, COLORADO

WHEREAS, the area to be annexed is solely owned by the City and is not solely a public street or right-of-way; and

WHEREAS, the City Council does hereby find and determine that it is in the best interests of the City to annex said area to the City.

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

Section 1. That the following described property, to wit:

A tract of land located in the south half of Section 2, Township 7 North, Range 69 West of the Sixth Principal Meridian, Larimer County, Colorado, being more particularly described as follows;

Considering the west line of the Southwest Quarter of the said Section 2 as bearing South 00 degrees 39 minutes 49 seconds West between a 2.5" Aluminum Cap monument PLS 4502 at the West Quarter corner of Section 2 and a 3" Aluminum Cap monument PLS 20123 at the Southwest corner of Section 2, based upon GPS observation and the City of Fort Collins coordinate base, and with all bearings contained herein relative thereto;

Commencing at the said West Quarter corner of Section 2;

THENCE along the west line of the said Southwest quarter of Section 2, South 00 degrees 39 minutes 49 seconds West for a distance of 120.00 feet to the south line of that certain tract of land described in a Warranty Deed recorded September 17, 2004 at Reception No. 20040091973 records of the Clerk and Recorder of the said Larimer County;

THENCE along the said south line, South 89 degrees 19 minutes 41 seconds East for a distance of 30.00 feet to the east right of way of North Shields Street, and to the TRUE POINT OF BEGINNING OF THIS DESCRIPTION;

THENCE continuing along the said south line, South 89 degrees 19 minutes 41 seconds East for a distance of 420.00 feet to the east line of the said tract described at Reception No. 20040091973;

THENCE along the said east line, North 00 degrees 39 minutes 49 seconds East for a distance of 120.00 feet to the north line of the said southwest quarter of Section 2;

THENCE along the said north line, South 89 degrees 19 minutes 41 seconds East for a distance of 1466.41 feet to the easterly line of that certain tract of land described in a Warranty Deed recorded February 1, 1962 in Book 1163 at Page 552 records of the said Clerk and Recorder;

THENCE along the said easterly line the following ten (10) courses and distances,

- (1) South 10 degrees 00 minutes 19 seconds West for a distance of 241.70 feet;
- (2) South 34 degrees 02 minutes 41 seconds East for a distance of 148.78 feet;
- (3) South 60 degrees 23 minutes 41 seconds East for a distance of 232.97 feet;
- (4) South 89 degrees 19 minutes 41 seconds East for a distance of 473.50 feet to the east line of the said Southwest Quarter of Section 2;
- (5) along the said east line, South 00 degrees 26 minutes 45 seconds West for a distance of 94.30 feet;
- (6) leaving the said east line, South 89 degrees 21 minutes 26 seconds East for a distance of 104.40 feet;
- (7) South 09 degrees 31 minutes 41 seconds East for a distance of 81.68 feet;
- (8) South 27 degrees 03 minutes 41 seconds East for a distance of 267.53 feet;
- (9) South 33 degrees 13 minutes 19 seconds West for a distance of 239.84 feet;
- (10) South 47 degrees 36 minutes 19 seconds West for a distance of 153.11 feet to the said east line of the Southwest Quarter of Section 2;

THENCE along the said east line, South 00 degrees 26 minutes 45 seconds West for a distance of 102.25 feet to the southwesterly line of that certain tract of land described in a Warranty Deed recorded August 12, 1980 in Book 2061 at Page 621 records of the said Clerk and Recorder;

THENCE along the said southwesterly line, North 23 degrees 10 minutes 38 seconds West for a distance of 100.58 feet to the southerly line of that certain tract of land described in a Warranty Deed recorded November 8, 1979 in Book 2003 at Page 881 records of the said Clerk and Recorder;

THENCE along the said southerly line, North 52 degrees 53 minutes 59 seconds West for a distance of 134.49 feet to the southerly line of that certain tract of land described in a Warranty Deed recorded February 1, 1962 in Book 1163 at Page 554 records of the said Clerk and Recorder;

THENCE along the said southerly line as described in Book 1163 at Page 554, North 63 degrees 07 minutes 41 seconds West for a distance of 69.90 feet;

THENCE continuing along the said southerly line, North 68 degrees 57 minutes 41 seconds West for a distance of 46.95 feet returning to the said southerly line as described in Book 2003 at Page 881;

THENCE along the said southerly line as described in Book 2003 at Page 881 the following three (3) courses and distances, (1) South 84 degrees 50 minutes 25 seconds West for a distance of 185.62 feet;

- (2) South 69 degrees 17 minutes 06 seconds West for a distance of 192.35 feet;
- (3) North 76 degrees 55 minutes 09 seconds West for a distance of 6.29 feet returning to the said southerly line as described in Book 1163 at Page 554;

THENCE along the said southerly line as described in Book 1163 at Page 554, South 66 degrees 19 minutes 19 seconds West for a distance of 18.58 feet;

THENCE continuing along the said southerly line, North 65 degrees 13 minutes 41 seconds West for a distance of 54.88 feet returning to the said southerly line as described in Book 2003 at Page 881;

THENCE along the said southerly line as described in Book 2003 at Page 881 the following four (4) courses and distances, (1) North 76 degrees 55 minutes 09 seconds West for a distance of 98.15 feet;

(2) North 66 degrees 50 minutes 19 seconds West for a distance of 201.58 feet;

(3) North 83 degrees 44 minutes 02 seconds West for a distance of 208.68 feet;

(4) South 89 degrees 14 minutes 21 seconds West for a distance of 139.43 feet to the southerly line of certain tract of land described in a Warranty Deed recorded July 27, 1979 in Book 1973 at Page 059 records of the said Clerk and Recorder;

THENCE along the said southerly line as described in Book 1973 at Page 059 the following eight (8) courses and distances, (1) South 88 degrees 48 minutes 10 seconds West for a distance of 13.42 feet;

(2) South 84 degrees 05 minutes 19 seconds West for a distance of 126.74 feet;

(3) North 82 degrees 54 minutes 13 seconds West for a distance of 192.08 feet;

(4) North 62 degrees 04 minutes 03 seconds West for a distance of 187.02 feet;

(5) North 44 degrees 23 minutes 40 seconds West for a distance of 222.05 feet;

(6) North 38 degrees 01 minutes 50 seconds West for a distance of 330.57 feet;

(7) North 59 degrees 23 minutes 10 seconds West for a distance of 111.76 feet;

(8) North 70 degrees 32 minutes 16 seconds West for a distance of 352.40 feet to the said east right of way of North Shields Street;

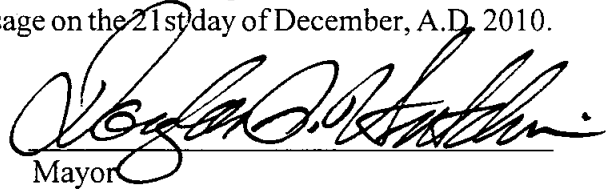
THENCE along the said east right of way, North 00 degrees 39 minutes 49 seconds East for a distance of 236.41 feet to the point of beginning (the above described tract contains 48.793 acres more or less)

is hereby annexed to the City of Fort Collins and made a part of said City, to be known as the McMurry Natural Area Annexation.

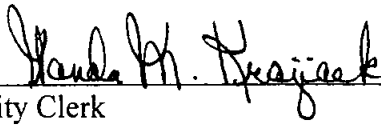
Section 2. That, in annexing said property to the City, the City does not assume any obligation respecting the construction of water mains, sewer lines, gas mains, electric service lines, streets or any other services or utilities in connection with the property hereby annexed except as may be provided by the ordinances of the City.

Section 3. That the City hereby consents, pursuant to Section 37-45-136(3.6), C.R.S., to the inclusion of said property into the Municipal Subdistrict, Northern Colorado Water Conservancy District.

Introduced, considered favorably on first reading, and ordered published this 7th day of December, A.D. 2010, and to be presented for final passage on the 21st day of December, A.D. 2010.


Mayor

ATTEST:


City Clerk

Passed and adopted on final reading on the 21st day of December, A.D. 2010.

Mayor

ATTEST:

City Clerk

ORDINANCE NO. 131, 2010
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING THE ZONING MAP OF THE CITY OF FORT COLLINS
AND CLASSIFYING FOR ZONING PURPOSES THE PROPERTY INCLUDED
IN THE MCMURRY NATURAL AREA ANNEXATION TO THE
CITY OF FORT COLLINS, COLORADO

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

WHEREAS, Division 2.9 of the Land Use Code of the City of Fort Collins establishes procedures and criteria for reviewing the zoning of land; and

WHEREAS, in accordance with the foregoing, the City Council has considered the zoning of the property which is the subject of this ordinance, and has determined that said property should be zoned as hereafter provided.

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

Section 1. That the Zoning Map of the City of Fort Collins adopted pursuant to Section 1.3.2 of the Land Use Code of the City of Fort Collins is hereby changed and amended by including the property known as the McMurry Natural Area Annexation to the City of Fort Collins, Colorado, in the Public Open Lands ("P-O-L") Zone District, which property is more particularly described as:

A tract of land located in the south half of Section 2, Township 7 North, Range 69 West of the Sixth Principal Meridian, Larimer County, Colorado, being more particularly described as follows;

Considering the west line of the Southwest Quarter of the said Section 2 as bearing South 00 degrees 39 minutes 49 seconds West between a 2.5" Aluminum Cap monument PLS 4502 at the West Quarter corner of Section 2 and a 3" Aluminum Cap monument PLS 20123 at the Southwest corner of Section 2, based upon GPS observation and the City of Fort Collins coordinate base, and with all bearings contained herein relative thereto;

Commencing at the said West Quarter corner of Section 2;

THENCE along the west line of the said Southwest quarter of Section 2, South 00 degrees 39 minutes 49 seconds West for a distance of 120.00 feet to the south line of that certain tract of land described in a Warranty Deed recorded September 17, 2004 at Reception No. 20040091973 records of the Clerk and Recorder of the said Larimer County;

THENCE along the said south line, South 89 degrees 19 minutes 41 seconds East for a distance of 30.00 feet to the east right of way of North Shields Street, and to the TRUE POINT OF BEGINNING OF THIS DESCRIPTION;

THENCE continuing along the said south line, South 89 degrees 19 minutes 41 seconds East for a distance of 420.00 feet to the east line of the said tract described at Reception No. 20040091973;

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THENCE along the said easterly line the following ten (10) courses and distances,

(1) South 10 degrees 00 minutes 19 seconds West for a distance of 241.70 feet;

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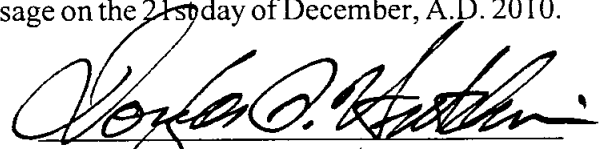
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THENCE along the said east right of way, North 00 degrees 39 minutes 49 seconds East for a distance of 236.41 feet to the point of beginning (the above described tract contains 48.793 acres more or less).

Section 2. That the Sign District Map adopted pursuant to Section 3.8.7(E) of the Land Use Code of the City of Fort Collins is hereby changed and amended by showing that the above-described property is included in the Residential Neighborhood Sign District.

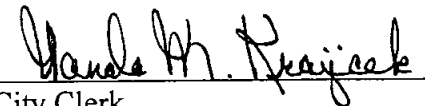
Section 3. That the City Manager is hereby authorized and directed to amend said Zoning Map in accordance with this Ordinance.

Introduced, considered favorably on first reading, and ordered published this 7th day of December, A.D. 2010, and to be presented for final passage on the 21st day of December, A.D. 2010.



Mayor

ATTEST:



City Clerk

Passed and adopted on final reading on the 21st day of December, A.D. 2010.

Mayor

ATTEST:

City Clerk