

SUBJECT

First Reading of Ordinance No. 061, 2013, Amending Section 2.2.10 of the Land Use Code by the Addition of a New Subparagraph (D) Pertaining to Parkway Landscaping Amendments.

EXECUTIVE SUMMARY

This Ordinance amends the City's Land Use Code to add a new administrative process for changes to parkway landscaping in approved development plans. This is a necessary follow-up to new Streetscape Standards adopted by City Council on February 26, 2013. It involves parkway landscaping in single family housing developments where approved development plans specify turfgrass in the parkways (the strips of land between street curbs and detached sidewalks). These residential parkways are part of the City-owned right-of-way, but abutting property owners are responsible for parkway landscaping. The new process makes it easier for homeowners to request changes to approved plans.

BACKGROUND / DISCUSSION

A number of neighborhoods have development plans that specify turfgrass in parkways. There have been instances of individual homeowners wanting to change the landscaping from turfgrass to xeriscape landscaping (mulched planting beds) to use less water than turfgrass and, perhaps, to reduce maintenance. The new Streetscape Standards clarify the City's approach to such requests, and this Land Use Code change creates the new process to be consistent with the new standards. The recently adopted process, called "Parkway Landscaping Amendment", fits the scope and nature of the issue.

Currently, for a homeowner to request a change to approved parkway landscaping, a "Minor Amendment" is required. The Minor Amendment process has a \$350 fee, which does not fit well with the scope of homeowner changes to parkways. The current Minor Amendment process accommodates a larger scale and scope of land use change requests.

Staff proposes to administer the new process with no fee, based on feedback from City Council and the Planning and Zoning Board. The process consists of administrative review of requests for consistency with applicable standards, and filing plan changes.

FINANCIAL / ECONOMIC IMPACTS

There are no direct or measurable financial impacts related to the Land Use Code change.

ENVIRONMENTAL IMPACTS

The change helps facilitate home owner requests to change from turfgrass to landscaping that uses less water.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

BOARD / COMMISSION RECOMMENDATION

The Planning and Zoning Board recommended approval of the Land Use Code change as part of its consent agenda on March 18, 2013.

PUBLIC OUTREACH

As a minor follow up item to the recently adopted streetscape standards, involving administrative matters, this item was prepared by staff with no further public process.

ORDINANCE NO. 061, 2013
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING SECTION 2.2.10 OF THE LAND USE CODE BY
THE ADDITION OF A NEW SUBPARAGRAPH (D)
PERTAINING TO PARKWAY LANDSCAPING AMENDMENTS

WHEREAS, as a part of the Streets and Stormwater Site Development Initiatives, the City Council has adopted certain amendments to the Streetscapes Standards as contained in the Larimer County Urban Area Street Standards; and

WHEREAS, a provision in the Streetscapes Standards amendments provides for the ability of an abutting lot owner to apply for a streetscape amendment regarding the parkway landscaping adjacent to a lot; and

WHEREAS, the Land Use Code presently does not contain a parkway landscaping amendment process and the Land Use Code should be amended to accommodate such parkway landscaping changes; and

WHEREAS, the City Council has determined that it is in the best interests of the City to amend the Land Use Code to provide a mechanism for parkway landscaping amendments.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS that Section 2.2.10 of the Land Use Code is hereby amended by the addition of a new subparagraph (D) which reads in its entirety as follows:

(D) Parkway Landscaping Amendments. Amendments to parkway landscaping in any approved development plan may be approved, approved with conditions, or denied administratively by the Director. No public hearing need be held on an application for a parkway landscaping amendment. Such amendments may be authorized by the Director as long as the development plan, as so amended, continues to comply with the Fort Collins Streetscape Standards, Appendix C, Section 6.1 in the Larimer County Urban Area Street Standards. Appeals of the decision of the Director regarding the approval, approval with conditions or denial of parkway landscaping amendments of any approved development plan shall be made in accordance with subsection A(4) of this Section.

Introduced, considered favorably on first reading, and ordered published this 16th day of April, A.D. 2013, and to be presented for final passage on the 7th day of May, A.D. 2013.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading on the 7th day of May, A.D. 2013.

Mayor

ATTEST:

City Clerk