

AGENDA ITEM SUMMARY
FORT COLLINS CITY COUNCIL

ITEM NUMBER: 8 A-B

DATE: December 2, 2003

STAFF: Troy Jones

SUBJECT

Postponement of Items Relating to the Streamside Annexation, until February 3, 2004.

RECOMMENDATION

Staff recommends postponement of the Ordinances on Second Reading, to February 3, 2004.

EXECUTIVE SUMMARY

- A. Postponement of Second Reading of Ordinance No. 053, 2003, Annexing Property Known as the Streamside Annexation to the City of Fort Collins, to February 3, 2004.
- B. Postponement of Second Reading of Ordinance No. 054, 2003, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Streamside Annexation, to February 3, 2004.

On April 1, 2003, Council unanimously adopted Resolution 2003-043, amending the Structure Plan for the property known as the Streamside Annexation, and Council also unanimously adopted Resolution 2003-044, setting forth findings of fact and determinations regarding the Streamside Annexation. This is a request for a 100% voluntary annexation of approximately 73.67 acres, located just over half a mile east of I-25 and south of Vine Drive. This requested zone district is Urban Estate.

On April 1, 2003, Council unanimously adopted Ordinance No. 053, 2003 and Ordinance No. 054, 2003, annexing and zoning the property included in the Streamside Annexation. Because there have been further delays in the final approval of this project, staff recommends postponing Second Reading of these Ordinances to February 3, 2004.

AGENDA ITEM SUMMARY

FORT COLLINS CITY COUNCIL

ITEM NUMBER: 16 A-D

DATE: April 1, 2003

FROM: Troy W. Jones

SUBJECT:

Items Relating to the Streamside Annexation and Zoning.

RECOMMENDATION:

Staff and the Planning and Zoning Board recommend adoption of the Resolutions and Ordinances on First Reading.

COPY

EXECUTIVE SUMMARY:

- A. Resolution 2003-043 Amending the Structure Plan for the Property Known as the Streamside Annexation.
- B. Resolution 2003-044 Setting Forth Findings of Fact and Determinations Regarding the Streamside Annexation.
- C. First Reading of Ordinance No. 053, 2003, Annexing Property Known as the Streamside Annexation to the City of Fort Collins.
- D. First Reading of Ordinance No. 054, 2003, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Streamside Annexation.

COPY

BACKGROUND:

This is a request for a 100% voluntary annexation of approximately 73.67 acres, located just over half a mile east of I-25 and south of Vile Drive. This requested zone district is Urban Estate. A Structure Plan amendment is also requested to change the designation of the property from Rural Open Lands/Stream Corridor to Urban Estate.

COPY

This property is eligible for annexation according to CRS, requiring 1/6 contiguity to the existing city limits. Streamside Annexation and Zoning complies with this standard since the property has 2869.70 feet of its total boundary of approximately 13,742.27 feet contiguous to the existing City limits. This meets the minimum 2290.38 feet required to achieve 1/6 contiguity. This contiguity occurs through a common boundary with the Peterson Annexation, which is under review and will be processed simultaneously with this Streamside Annexation.

The property is located within the Fort Collins Urban Growth Area (UGA). According to policies and agreements between the City of Fort Collins and Larimer County contained in the Intergovernmental Agreement for the Fort Collins Urban Growth Area, the City will agree to

consider annexation of property in the UGA when the property is eligible for annexation according to state law.

ZONING AND ANALYSIS:

The property is currently zoned FA1 - Farming in Larimer County. The requested zoning upon annexation is the Urban Estate District (UE). An assignment of UE zoning is consistent with the Streamside Planned Land Division (PLD), which is a County development application, currently under review, that encompasses the site. Part of the Streamside PLD application under review by the County is to rezone the property to PD - Planned Development. The County's PD zone functions similarly to the former PUD zone in the City, in that density and intensity restrictions were determined on a site specific basis. In the case of Streamside PLD, the gross density proposed is 1.82 dwelling units per acre and the net density proposed is 2.07 dwelling units per acre.

COPY

The annexation of this property will allow the building permits to be issued under the City's jurisdiction. During the review of the County development application for Streamside PLD, City staff worked closely with the applicant to ensure that the application would be developed in accordance with the City's floodplain regulations for the Boxelder Creek floodplain. Annexation of the Streamside PLD prior to the issuance of building permits gives the City the authority to enforce the County's development approval, in particular, the adherence to the applicable floodplain regulations.

COPY

For clarification, the difference in the residential density permitted within the County's FA1 - Farming zone district and the City's UE - Urban Estate zone district is as follows:

- FA1 - Farming (Existing County Zoning). Maximum density is limited to one lot per 100,000 square feet (2.3 acres). 100,000 square feet can cluster these lots in a "Conservation Development" configuration so long as the total number of lots does not exceed the total allowed by dividing the total developable area. "Conservation Development" lots on septic systems can be no smaller than 2 acres. "Conservation Development" lots on public water and sewer systems are not required to meet minimum lot size requirements (except for the purpose of calculating density).
- PD - Planned Development (County Zoning upon Streamside Final Plat Approval). This zone is intended to be used within Growth Management Areas and is intended to give the flexibility needed to accommodate urban level development consistent with the municipalities master plans. On a case by case basis, the County Commissioners determine minimum lot sizes, densities and intensities of use based on any applicable IGA.
- UE - Urban Estate (Requested City Zoning). Maximum density shall not exceed an overall average density of 2 dwelling units per acre. Lot sizes shall be 1/2 acre or larger unless they are clustered. Density within clustered portions of a development shall not exceed 5 units per acre. Cluster development shall set aside at least 50 percent of the total land area of the proposed development as private or public open space that is permanently preserved as open space.

COPY

I-25 SUB-AREA PLAN:**A. Regional I-25 Plan.**

The parcel is contained within the I-25 Sub Area Plan. This sub-area plan is a component of the I-25 Regional Communities Corridor Plan, which was adopted by the City Council in November of 2001.

B. City Plan's reference to the I-25 Sub Area Plan.

City Plan **Principle LU-4** states: "More specific subarea planning efforts will follow adoption of these City Plan Principles and Policies which tailor City Plan's city-wide perspective to individual neighborhoods, districts, corridors and edges."

City Plan **Policy LU-4.5** states: "The following areas have been identified as priority for future subarea planning:

- *I-25 Corridor*
- *Mountain Vista*
- *East Mulberry*
- *Fossil Creek Reservoir Area*"

C. U-E Zoning within the I-25 Sub Area.

The Final Draft of the I-25 Sub Area Plan calls for a mix of neighborhoods and densities. The Final Draft states: "The Urban Estate classification is intended to allow for choices of very low density and large-lot housing in the community, and to provide a physical transition between urban development and rural/open lands. Most of the undeveloped areas designated for residential development in the Subarea Plan are classified as Urban Estate areas that will have a maximum allowable density of two (2) dwelling units per acre. These areas provide for a transition between the higher intensity commercial and industrial uses located adjacent to the I-25 highway and a larger lot residential development (2 ½ acre lots) east of County Road 5."

Both Peterson and Streamside Annexations satisfy the language of the U-E land use classification quoted above. Industrial zoned property abuts the west side of the Peterson Annexation and rural and larger lot residential development exists east of the Streamside Annexation. Additionally, the Draft Land Use Plan for the I-25 Sub Area Plan identifies the property as Urban Estate. Therefore, the applicant has applied for U-E zoning in conformance with the Final Draft of the I-25 Sub Area Plan.

D. Status of the I-25 Sub Area Plan.

The I-25 Sub Area Plan has not been adopted at this time. The Planning and Zoning Board and City Council schedule the Plan for consideration in the Spring of 2003. The Structure Plan identified the need to do additional planning for the I-25 corridor by designating the area as the *I-25 Special Study Corridor*.

STRUCTURE PLAN AMENDMENT:

As mentioned, the Final Draft of the I-25 Sub Area Plan, which calls for U-E zoning, has not yet been considered by the Planning and Zoning Board nor adopted by the City Council. Since the Structure Plan Map indicates "Rural Open Lands/Stream Corridor and Employment," a Structure Plan amendment is part of this request. The Structure Plan Map also designates I-25 as a "Special Study Corridor" indicating that the 1997 version of the Structure Plan did not provide sufficient guidance for land use decision-making and that future land use considerations were anticipated.

A. Request

COPY

Section 2.9.4(E)(2)(a) allows a zoning request to be justified if the proposed request is consistent with the City's Comprehensive Plan. (The Structure Plan is a component of the Comprehensive Plan.) According to Council Resolution 2000-140, a Comprehensive Plan Amendment may be approved if the City Council makes specific findings that:

- The existing City Plan and/or any related element thereof is in need of the proposed amendment; and
- The proposed major plan amendment will promote the public welfare and will be consistent with the vision, goals, principles and policies of City and the elements thereof.

B. Staff Analysis of Structure Plan Amendment:

- (1) Staff finds that the Structure Plan is in need of Change because the final draft of the I-25 Sub Area Plan identifies that the property's designation should be changed from it's current designation of "Rural Open Lands / Stream Corridors" to a designation of "Urban Estate."
- (2) Staff finds that the proposed Structure Plan amendment will promote the public welfare by specifying a land use configuration at the edge of the community that will provide for a transition between the higher intensity industrial uses located adjacent to the I-25 highway and the larger lot rural residential development in the County located east of County Road 5.
- (3) Staff finds that the Structure Plan amendment will be consistent with the vision, goals, principles and policies of City Plan because the principle and policy statements within City Plan specify that the I-25 subarea planning efforts will tailor City Plan's city-wide perspective to individual neighborhoods, districts, corridors and edges.

THE PLANNING AND ZONING BOARD HEARING

The Planning and Zoning Board recommended approval of the requested Structure Plan amendment, annexation and zoning on January 16, 2003 by a vote of 5-0.

DATE: April 1, 2003

5

ITEM NUMBER: 16 A-D

INITIATING RESOLUTION

City Council recommended adoption of the Initiating Resolution for the Streamside Annexation on February 4, 2003 by a vote of 6-0.

COPY

COPY

COPY