

AGENDA ITEM SUMMARY
FORT COLLINS CITY COUNCIL

ITEM NUMBER: 21

DATE: April 19, 2005

STAFF: Steve Roy

SUBJECT

First Reading of Ordinance No. 043, 2005, Amending Section 2-353(4) of the City Code Pertaining to the Planning and Zoning Board.

RECOMMENDATION

Staff recommends adoption of this Ordinance on First Reading.

EXECUTIVE SUMMARY

Section 2-353(4) provides that "all" planning items shall be reviewed by the Planning and Zoning Board in accordance with the Code. The Land Use Code, which is a part of the City Code, provides that certain planning items are to be reviewed not by the Planning and Zoning Board, but by the Director in an administrative hearing. This Ordinance is necessary to bring Section 2-353(4) into harmony with the provisions of the Land Use Code and the established practices arising therefrom.

ORDINANCE NO. 043, 2005
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING SECTION 2-353(4) OF THE CODE OF THE CITY OF FORT COLLINS
PERTAINING TO THE PLANNING AND ZONING BOARD

WHEREAS, Section 2-353(4) provides that "all" planning items shall be reviewed by the Planning and Zoning Board in accordance with the Code of the City of Fort Collins; and

WHEREAS, the Land Use Code, which is a part of the City Code, provides that certain planning items are to be reviewed not by the Planning and Zoning Board, but by the Director in an administrative hearing; and

WHEREAS, in order to bring Section 2-353(4) into harmony with the provisions of the Land Use Code and established City practices, Council has determined that Section 2-353(4) should be amended by the deletion of the word "all" in the first sentence of said Section.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS that Section 2-353(4) of the Code of the City of Fort Collins is hereby amended to read as follows:

- (4) To take final action to approve, disapprove or approve with conditions ~~all~~ planning items in accordance with this Code and Charter subject to the appeal procedures contained in Article II, Division 3 of this Chapter. In taking such final action, the board shall have the authority to accept the dedication of streets, easements and other rights-of-way as laid out on plats presented to the board for approval or as otherwise described in deeds of dedication, whether on or off the site of a specific planning item, provided that such dedication is necessitated by reason of the approval of such planning item. The board shall also have the authority to vacate easements and other rights-of-way, but not to include streets and alleys, by resolution or by approval of replats containing notation of such vacation.

Introduced and considered favorably on first reading and ordered published this 19th day of April, A.D. 2005, and to be presented for final passage on the 3rd day of May, A.D. 2005.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading this 3rd day of May, A.D. 2005.

Mayor

ATTEST:

City Clerk