

AGENDA ITEM SUMMARY
FORT COLLINS CITY COUNCIL

ITEM NUMBER: 9

DATE: March 21, 2006

STAFF: Ted Shepard

SUBJECT

Second Reading of Ordinance No. 044, 2006 Amending Section 3.5.4(c)(3)(A) of The City of Fort Collins Land Use Code.

RECOMMENDATION

Staff recommends adoption of this Ordinance on Second Reading.

EXECUTIVE SUMMARY

This ordinance, adopted unanimously on First Reading on March 7, 2006, strengthens the existing standard for large retail establishments that requires multiple entrances and requires secondary entrances to be operational.

AGENDA ITEM SUMMARY

FORT COLLINS CITY COUNCIL

ITEM NUMBER: 33

DATE: March 7, 2006

STAFF: Ted Shepard

SUBJECT

First Reading of Ordinance No. 044, 2006 Amending Section 3.5.4(c)(3)(A) of The City of Fort Collins Land Use Code.

RECOMMENDATION

Staff recommends adoption of this Ordinance on First Reading.

EXECUTIVE SUMMARY

Staff has identified a revision to Section 3.5.4(C)(3)(a) that would strengthen the existing standard for large retail establishments that requires multiple entrances. The proposed revision would require secondary entrances to be operational. In addition, the change clarifies that such second side entrances may serve the anchor store or, instead, serve only attached small retail store(s) with individual entrance(s). The existing standard and revisions are intended to work in conjunction with the standard for distributed parking so that the impacts associated with large, single-use, single-entry retail stores are mitigated.

BACKGROUND

During the consideration of amending the Harmony Corridor Plan to allow a regional shopping center at the northwest corner of Harmony and Ziegler Roads, City Council directed staff to strengthen the existing standards governing large retail establishments. A key feature of the existing standard is to promote pedestrian connectivity and human scale by requiring a second entrance along a side elevation. Single-use retailers, however, are reluctant to provide such an entrance for reasons explained in the background report. The revised standard prioritizes a true second entrance into the big box but allows attaching independent liner store(s) in lieu of such an entrance. At the February 16, 2006 meeting of the Planning and Zoning Board, the Board voted 6 – 0 to recommend approval of the proposed revision.

ATTACHMENTS

1. Land Use Code Change Report
2. Summary of Citizen Input
3. Presentation Slides
4. Planning and Zoning Board minutes

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ORDINANCE NO. 044, 2006
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING SECTION 3.5.4(C)(3)(a) OF
THE CITY OF FORT COLLINS LAND USE CODE

WHEREAS, on March 18, 1997, by Ordinance No. 51, 1997, the Council of the City of Fort Collins adopted the Fort Collins Land Use Code (the "Land Use Code"); and

WHEREAS, at the time of the adoption of the Land Use Code, it was the understanding of staff and Council that the Land Use Code would most likely be subject to future amendments, not only for the purpose of clarification and correction of errors, but also for the purpose of ensuring that the Land Use Code remains a dynamic document capable of responding to issues identified by staff, other land use professionals and citizens of the City; and

WHEREAS, upon the request of the City Council the staff of the City and the Planning and Zoning Board have reviewed the Land Use Code and identified and explored potential amendments to Section 3.5.4(C)(3)(a) the Land Use Code regarding the design of and entrances to "large retail establishments" and have made recommendations to the Council regarding this issue; and

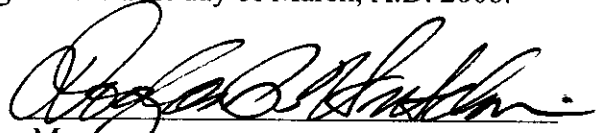
WHEREAS, the Council has determined that the Land Use Code amendments which have been proposed are in the best interest of the City and its citizens.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS that Section 3.5.4(C)(3)(a) of the Land Use Code is hereby amended as follows:

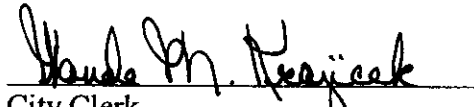
- (3) *Site Design and Relationship to Surrounding Community.*
 - (a) Entrances. At least two (2) sides of a large retail establishment shall feature operational customer entrances. The two (2) required sides shall be those that are planned to have the highest level of public pedestrian activity, one of which shall also be the side that most directly faces a street with pedestrian access. The other of the two (2) sides having an operational customer entrance may face a second street with pedestrian access, and/or a main parking lot area. If the large retail establishment does not include a second side entrance that is fully operational and open to the public, then this standard shall be met by attaching smaller retail store(s) ("liner stores") to the side of the large retail establishment which is expected to generate the most pedestrian activity or which faces a public street. Such liner store(s) shall, to the extent reasonably feasible, occupy no less than thirty three (33) percent of the building elevation on which they are located and shall feature distinctive store fronts and entrances that are significantly differentiated from the large retail establishment in order to create strong identifiable entrance features. Entrances to the liner

store(s) may, but need not, provide access into the large retail establishment and must be fully operational and open to customers at times that are generally equivalent to the store hours of the large retail establishment to which they are attached. All entrances, including those of the liner store(s), shall be architecturally prominent and clearly visible from the abutting public street. (See Figure 14.) Movie theaters are exempt from this requirement.

Introduced, considered favorably on first reading, and ordered published this 7th day of March, A.D. 2006, and to be presented for final passage on the 21st day of March, A.D. 2006.


Mayor

ATTEST:


City Clerk

Passed and adopted on final reading on the 21st day of March, A.D. 2006.

Mayor

ATTEST:

City Clerk