

RESOLUTION 2023-014
OF THE COUNCIL OF THE CITY OF FORT COLLINS
REFERRING ORDINANCE NO. 114, 2022, REPEALING AND REENACTING
SECTION 29-1 OF THE CODE OF THE CITY OF FORT COLLINS
TO ADOPT THE LAND DEVELOPMENT CODE AND
SEPARATELY CODIFYING THE 1997 LAND USE CODE
AS “2022 TRANSITIONAL LAND USE REGULATIONS”
TO A VOTE OF THE REGISTERED ELECTORS OF THE CITY
AT THE NEXT MUNICIPAL ELECTION

WHEREAS, on November 1, 2022, the City Council adopted on second reading Ordinance No. 114, 2022, Repealing and Reenacting Section 29-1 of the Code of the City of Fort Collins to Adopt the Land Development Code and Separately Codifying the 1997 Land Use Code as “2022 Transitional Land Use Regulations” (the “Ordinance”); and

WHEREAS, on November 11, 2022, a registered elector commenced referendum proceedings by filing with the City Clerk a notice of protest against the Ordinance; and

WHEREAS, on November 18, 2022, the City Clerk approved the form of the referendum petition relating to the Ordinance (the “Referendum Petition”); and

WHEREAS, on December 19, 2022, the petition representatives filed the Referendum Petition with the City Clerk; and

WHEREAS, on December 30, 2022, the City Clerk issued and provided to the City Council her certification that the Referendum Petition contained the requisite number of signatures (at least 4,228) to require further action by the City Council, and;

WHEREAS, under Article X, Section 2(e) of the City Charter, the presentation to the City Council of a petition certified by the City Clerk as sufficient for referendum automatically suspends the operation of the Ordinance pending repeal by the Council or final determination by the electors; and

WHEREAS, under Article X, Section 2(e) of the City Charter, if the Ordinance is not repealed, the Council must refer the same to a vote of the registered electors at the next regular or special city election, or, in the alternative, call a special election for that purpose; and

WHEREAS, the City Council has determined that the Ordinance should not be repealed by the Council but should instead be referred to the registered electors at the next City election.

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

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That the Council hereby directs the City Manager and City Attorney to present for Council consideration on February 7, 2023, a resolution setting the ballot title and submission clause to refer Ordinance No. 114, 2022, Repealing and Reenacting Section 29-1 of the Code of the City of Fort Collins to Adopt the Land Development Code and Separately Codifying the 1997 Land Use Code as “2022 Transitional Land Use Regulations”, to the registered electors of the City of Fort Collins at the next city election, in light of the Referendum Petition described above.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins this 17th day of January, 2023.

Mayor

ATTEST:

City Clerk