



# AGENDA ITEM SUMMARY

City Council

## STAFF

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## SUBJECT

**Public Hearing and First Reading of Ordinance No. 100, 2022, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Peakview Annexation No. 1 to the City of Fort Collins and Approving Corresponding Changes to the Residential Neighborhood Sign District Map and Lighting Context Area Map.**

## EXECUTIVE SUMMARY

The purpose of this item is to zone the property included in the Peakview Annexation No. 1 Annexation into the General Commercial (C-G), Neighborhood Commercial (N-C) and Medium Density Mixed Use Neighborhood (MMN) zone districts and placement into the LC1 and LC2 Lighting Context Areas.

*This item is a quasi-judicial matter and if it is considered on the discussion agenda it will be considered in accordance with the procedures described in Section 2(d) of the Council's Rules of Meeting Procedures most recently adopted in Resolution 2022-068.*

## STAFF RECOMMENDATION

Staff recommend adoption of the ordinance on First Reading.

## BACKGROUND / DISCUSSION

The requested zoning for this annexation is General Commercial (C-G), Neighborhood Commercial (N-C) and Medium Density Mixed Use Neighborhood (MMN) which conforms to the adjacent zoning of the Springer Fisher property which was annexed into the City in 2021.

### Context

The surrounding zoning and land uses are as follows:

Direction	Zone District	Existing Land Use
N	Low Density Mixed Use Neighborhood (LMN)	Agriculture
S	Commercial Corridor (Larimer County)	E Mulberry Street / Greenfields Court
E	Commercial Corridor (Larimer County)	Agriculture

Direction	Zone District	Existing Land Use
W	General Commercial (C-G) Neighborhood Commercial (NC) Medium Density Mixed-Use Neighborhood.	Agriculture

**City of Fort Collins Structure Plan**

The Structure Plan map shows the area within the Peakview property as a combination of Mixed Neighborhood, Suburban Mixed Use, and Neighborhood Mixed Use designations (see attached Structure Plan map). The Structure Plan future land use designations represent general citywide policy guidance. The Land Use Code does not include zoning to reflect these new designations in *City Plan* and specifically states that where there are conflicts with *City Plan* and an overlapping subarea plan, that the subarea plan shall prevail. In this case, the *East Mulberry Corridor Plan (EMCP)*, which is a subarea plan and is further discussed below, reflects more detailed and specific land use policy guidance than *City Plan*.

**East Mulberry Corridor Plan (EMCP)**

The EMCP includes four future land use designations within the Peakview property, including General Commercial (C-G), Neighborhood Commercial (N-C), Employment (E), and Medium Density Mixed-Use Neighborhood (M-M-N). These designations reflect the policy direction of the plan for a commercial mixed-use district and supporting higher-density mixed-use neighborhoods within walking distance to the commercial hub located northwest of the East Mulberry and Greenfields Court intersection (see attached EMCP map).

The proposed Peakview Annexation No. 1 proposes zoning consistent with the EMCP and matches that of the adjacent property that was annexed and zoned as part of the Springer Fisher Annexation.

**Residential Sign District**

Staff recommends that the portion of the property with the MMN zone district designation be placed in the Residential Neighborhood Sign District and that the portion of the property with the C-G and N-C zone district designations be placed in the Non-Residential Sign District. The Sign Districts are established for the purpose of regulating signs for non-residential uses in areas of the community where the predominant character of the neighborhood is residential.

**Lighting Context Area**

On March 26, 2021, the City of Fort Collins adopted new exterior lighting standards and established Lighting Context Areas that correspond to the City’s zone districts. The corresponding districts identified by Table 3.2.4-1 of the City’s lighting code are LC1 and LC2. As part of this item, staff recommends placement of the portion of the property to be zoned M-M-N into the LC1 Lighting Context Area and the portion of the property to be zoned N-C and C-G into the LC2 Lighting Context Areas as indicated by the attached Lighting District map. The following are how each respective district is described:

- LC1 - Low ambient lighting. The vision of human residents and users is adapted to low light levels. Lighting may be used for safety and convenience, but it is not necessarily uniform or continuous. Typical locations include low and medium density residential areas, commercial or industrial areas with limited nighttime activity, and the developed areas in parks and other natural setting.

- LC2 - Moderate ambient lighting. Areas of human activity where the vision of human residents and users is adapted to moderate light levels. Lighting may typically be used for safety and convenience, but it is not necessarily uniform or continuous. Typical locations include high density residential areas, shopping and commercial districts, industrial parks and districts, City playfields and major institutional uses, and mixed-use districts.

## **BOARD / COMMISSION / COMMITTEE RECOMMENDATION**

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At its August 18, 2022 regular meeting, the Planning and Zoning Commission voted 7-0 to recommend approval of the annexation. Further, the Commission recommended that the land be placed into the General Commercial, Neighborhood Commercial, and Low Density Mixed Use Neighborhood zone districts. This unanimous action was taken as part of the Commission's consent agenda; therefore, there are no minutes.

## **CITY FINANCIAL IMPACTS**

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There are no City financial impacts related to the zoning of the subject property.

## **PUBLIC OUTREACH**

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Given that the future use of the land area will be solely used for the purposes of constructing a street, there was no neighborhood meeting for this annexation and zoning. All applicable mailings and postings per Section 2.9 (Amending the Zoning Map) and 2.12 (Annexation of Land) of the Land Use Code have been followed.

## **ATTACHMENTS**

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1. Ordinance for Consideration
2. Vicinity Map
3. Structure Plan Map
4. East Mulberry Corridor Plan Framework Map
5. Existing Zoning Map
6. Lighting Context Area Map
7. Petition
8. Plat Map