

ORDINANCE NO. 026, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
DECLARING A PORTION OF CITY-OWNED PROPERTY AT
PELICAN MARSH NATURAL AREA AS PUBLIC RIGHT-OF-WAY

A. About one half mile south of Trilby Road, immediately east of Highway 287, the City owns the 156-acre Pelican Marsh Natural Area (the “Property”).

B. The City seeks to signalize the intersection at Highway 287 and Triangle Drive to address vehicle and pedestrian safety concerns (the “Project”). That intersection abuts the Property.

C. The Project will install a new traffic signal, as well as bicycle and pedestrian improvements using a sidepath to connect northeast towards the Lakeview on the Rise neighborhood. The improvements will meet accessibility requirements. On October 1, 2024, City Council authorized via Resolution 2024-120 the execution of an Intergovernmental Agreement between the City and the Colorado Department of Transportation for the Project. Subsequently on October 15, 2024, Council approved Ordinance No. 141, 2024, appropriating revenue to fund the Project.

D. The Project will use 0.073 acres of Pelican Marsh Natural Area as permanent right of way (the “ROW Parcel”). In addition, a notice of alignment is requested for related work to the Project – a 0.474-acre slope alignment. Total impacted area is 0.55 acres. The City’s Engineering Department, using Capital Project Fund monies, will pay the fees to the Natural Areas Department to support administrative costs and land conservation efforts as defined in the Natural Areas Easement Policy. Real Estate Services staff completed a Comparative Market Analysis to derive the value of the right-of-way declaration and slope notice of alignment fees. The fees total \$18,636.

E. In order to establish a public record that the ROW Parcel is intended for use by the City as right-of-way for a public roadway and related improvements, including public utilities, pedestrian, transit and bicycle access and improvements, landscaping, and such other related purposes as may now or in the future be determined appropriate, staff recommends that the City Council declare the ROW Parcel to be right-of-way.

F. Converting a piece of property owned by the City in fee simple to right-of-way constitutes a conveyance of an interest in the property, as doing so creates certain public rights in the property that would not otherwise exist on City-owned property.

G. Section 23-111(a) of the City Code authorizes the City Council to sell, convey or otherwise dispose of any interests in real property owned by the City, provided the City Council first finds, by ordinance, that such sale or other disposition is in the best interests of the City.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. The City Council hereby declares that the real property described on Exhibit "A" shall constitute right-of-way at the Highway 287/Triangle Drive intersection and may be used for related improvements, including for public utilities, pedestrian, transit and bicycle access and improvements, landscaping, and such other related purposes as may now or in the future be determined appropriate, and hereby finds that such declaration is in the best interests of the City.

Section 2. The City Clerk shall cause this Ordinance to be recorded in the real property records of the Larimer County Clerk and Recorder's office once the Ordinance becomes effective.

Introduced, considered favorably on first reading on March 4, 2025, and approved on second reading for final passage on March 18, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: March 28, 2025
Approving Attorney: Ted Hewitt