CITY OF LAFAYETTE

RESOLUTION NO. 2014-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAFAYETTE, COLORADO DETERMINING EXEMPT OR NON-EXEMPT STATUS UNDER GROWTH MANAGEMENT OF THE FOREST PARK SUBDIVISION, LOT 12, BLOCK 2, LIVE/WORK DEVELOPMENT

WHEREAS, the people of the City of Lafayette, Colorado amended Section 6.10 of the City of Lafayette home Rule Charter in the November 6, 2012 election; and

WHEREAS, the November 6, 2012, amendment provided that the total number of new dwelling units permitted between January 1, 2013, and January 1, 2019, shall not exceed one thousand two hundred (1,200), but exempting those developments that were assigned a priority classification and building permit allocation prior to November 6, 2012, as well as those properties that were eligible to be categorized as "otherwise entitled to priority" by reason of commitments made by the City that existed prior to May 23, 1995; and

WHEREAS, City Council adopted Ordinance No. 11-2013 on May 21, 2013, codifying the criteria to be used in allocating new non-exempt dwelling unit permits under Section 6.10 of the Charter; and

WHEREAS, Section 30-272(d)(1) of the Lafayette Code of Ordinances states "If such total allocation requirements can be fulfilled, the Planning Director will assign to the development in conjunction with the preliminary plan approval a proposed development's annual allocation and schedule for dwelling unit building permits in sufficient numbers to achieve the proposed build-out of the development. The proposed development annual allocation and schedule shall be subject to approval by City Council in conjunction with the development's final plan"; and

WHEREAS, a Preliminary PUD Plan Amendment for Lot 12, Block 2, Forest Park Subdivision, Live/Work development was heard by the Lafayette Planning Commission on April 24, 2013, which included a request for two residential dwelling units; and

WHEREAS, the Lafayette Planning Commission approved the amendment to the Preliminary PUD on April 24, 2013 with a condition that the subdivision have an allocation of two (2) units per year in 2014.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAFAYETTE, COLORADO, AS FOLLOWS:

1. The City Council hereby determines the Forest Park Subdivision, Lot 12, Block 2, Live/Work development, which includes two residential dwelling units, does not meet the definition of Exempt per by Section 30-270 of the Lafayette Code or Ordinances, and is hereby determined to be Non-Exempt.

2. The City Council hereby assigns an allocation for the Forest Park Subdivision, Lot 12, Block 2, Live/Work development of two (2) dwelling units in 2014 subject to Section 30-272 of the Lafayette Code of Ordinances. Exhibit A, attached, lists all non-exempt dwelling unit allocations for 2013 through 2018.

PASSED and RESOLVED the 6th day of May, 2014.

CITY OF LAFAYETTE, COLORADO

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Christine Berg, Mayor

ATTEST:

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Susan Barker, CMC
City Clerk

APPROVED AS TO FORM:

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Dave Williamson, City Attorney