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Column

Timnath infringes on city's boundary

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The situation with the town of Timnath has been a hot topic of conversation. You've likely heard the basic facts. At the request of Jay Stoner, Timnath is acting to annex the area on the southwest corner of Harmony and Interstate 25 where Stoner plans to build his Riverwalk project.

There's a fundamental problem: That area is inside Fort Collins' formal growth boundary.

We've recently met several times with Timnath's mayor and town manager to stress that this "gateway" development must remain in Fort Collins and to offer compromises.

On Sept. 19, Timnath formally proposed continuing to annex, but with revenue sharing - offering Fort Collins 20 percent of future tax revenue from the project. Unfortunately, the proposal would require that Fort Collins taxpayers fund millions of dollars in infrastructure improvements. We are considering Timnath's proposal and will respond on Tuesday evening. Our response will reiterate our strong belief that this gateway area should remain within Fort Collins' boundary.

Some have asked why Fort Collins denied Stoner's project. We didn't; it was never formally brought before City Council. In summer of 2007, the developers of Riverwalk approached Fort Collins about annexation and development. For nearly a year, city staff worked with the Riverwalk team, and the project was scheduled to come before City Council on June 3, 2008. In April, we learned the Riverwalk team was no longer interested and had started negotiating with Timnath.

We were surprised and frustrated at this turn of events.

For 28 years, Fort Collins and Larimer County have had a written agreement that includes the Riverwalk property in the Fort Collins Growth Management Area. In 2002 and 2003, Timnath, Fort Collins and Windsor participated in a joint land-use study, and all three supported creating geographic separation between our communities.

Based on that plan, and with Timnath's consent, Fort Collins Natural Areas program purchased properties on the east side of I-25 to help preserve that separation. The city also invested in the Harmony Transit Center, trail systems and helped fund major Harmony/I-25 interchange improvements. These investments in our gateway were made in good faith that the future city limits of Fort Collins would remain as agreed upon.

In recent years, Timnath's vision for the future changed. Timnath has dramatically expanded its comprehensive planning area, including proposals to incorporate areas that have been in Fort Collins' GMA since 1980. It's clearly within Timnath's right to change their vision, but we object to their approach, particularly when it is at Fort Collins' expense.

A fundamental principle of regional cooperation is that municipalities do not annex land inside each

other's growth boundaries. Colorado law requires cities or towns to notify adjoining property owners when proposing changes to its GMA; however, Timnath violated this law and did not notify Fort Collins of proposed changes to its comprehensive plan.

Since June 2007, we've spent many hours in dialogue and good-faith negotiations with Timnath. Despite these efforts, the City learned by accident (again, no notice was provided by the town) of Timnath's proposed annexation of Riverwalk.

We strongly believe that this annexation is not in the best interests of our city, Timnath or the region. Almost all of the property to be annexed borders Fort Collins, and is a major gateway to our city. This proposed annexation violates the most fundamental principles of regional planning.

The city will continue to negotiate with Timnath. It is our hope that they will reconsider and honor the formal agreements that have been in place for more than a quarter of a century.