

ORDINANCE NO. 34, Series 2018

INTRODUCED BY: COUNCILOR STEPHANIE WALTON

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAFAYETTE REZONING LOT 2 AND OUTLOT A, REPLAT OF TRACT "A" COAL CREEK MEADOWS FROM R1 (MEDIUM DENSITY RESIDENTIAL) TO R1/PUD (MEDIUM DENSITY RESIDENTIAL/PLANNED UNIT DEVELOPMENT) ZONE DISTRICT

WHEREAS, the City Council of the City of Lafayette, Colorado finds that a proper application for rezoning certain land within the Replat of Tract "A" Coal Creek Meadows as more fully described and depicted on Exhibit A, (the "Property") has been submitted by the applicant to the City; and

WHEREAS, the Planning Commission, after a Public Hearing on July 25, 2018 and careful consideration of all relevant facts, has recommended approval of the requested rezoning to the City Council; and

WHEREAS, the City Council has held a public hearing concerning the rezoning request in conformance with the Lafayette Code of Ordinance; and

WHEREAS, the City Council of the City of Lafayette finds that due to changed or changing conditions in the area of the land for which rezoning is requested, and to conform to the Comprehensive Plan, it is in the public interest and reasonably necessary to rezone the subject property to R1/PUD (Medium Density Residential/Planned Unit Development); and

WHEREAS, the City Council of the City of Lafayette finds and declares that all officers, boards, and the City Council have complied with all applicable provisions of the City Charter, City Ordinances and State Statutes.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAFAYETTE, COLORADO:

SECTION 1. That the land described and depicted on Exhibit A, shall be rezoned from R1 (Medium Density Residential) to R1/PUD (Medium Density Residential /Planned Unit Development).

SECTION 2. That the City Council certifies a change in the Zoning Map zoning the property described herein to City of Lafayette R1/PUD (Medium Density Residential/Planned Unit Development).

SECTION 3. That the City Council directs that a certified copy of this Ordinance be filed with the City Clerk and further, that the City Clerk index, file and make the Ordinance available to the public.

SECTION 4. If any article, section, paragraph, sentence, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it

would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

SECTION 5. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof is hereby repealed to the extent of such inconsistency or conflict.

SECTION 6. The repeal or modification of any provision of the Code of Ordinances of Lafayette, Colorado by this ordinance shall not release, extinguish, alter, modify or change in whole or in part any penalty, forfeiture or liability, either civil or criminal, which shall have been incurred under such provision. Each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings and prosecutions for enforcement of the penalty, forfeiture or liability, as well as for the purpose of sustaining any judgment, decree or order which can or may be rendered, entered or made in such actions, suits, proceedings or prosecutions.

SECTION 7. This ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

SECTION 8. This ordinance shall become effective upon the latter of the 10th day following enactment, or the day following final publication of the ordinance.

INTRODUCED, PASSED ON FIRST READING AND PUBLIC NOTICE ORDERED THIS 5TH DAY OF NOVEMBER, 2018.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED THIS 20TH DAY OF NOVEMBER, 2018.

ATTEST:

CITY OF LAFAYETTE, COLORADO

Susan Barker, CMC
Deputy City Clerk

Christine Berg, Mayor

APPROVED AS TO FORM:

David S. Williamson, City Attorney

EXHIBIT A

Lot 2 and Outlot A, Replat of Tract "A" Coal Creek Meadows

