

ORDINANCE NO. 02, Series 2019
INTRODUCED BY: COUNCILOR ALEXANDRA LYNCH

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAFAYETTE, COLORADO ZONING CERTAIN LAND, FULLY DESCRIBED HEREIN, KNOWN AS LOT 1A, FILING NO. 5, REPLAT A, SOLA SUBDIVISION FROM COMMUNITY SERVICE BUSINESS (B1) TO SENIOR AND SPECIAL RESIDENTIAL/PLANNED UNIT DEVELOPMENT (RSR/PUD) ZONE DISTRICT

WHEREAS, the City Council of the City of Lafayette, Colorado finds that a proper application for zoning certain land fully described and depicted on Exhibit A, has been submitted by the applicant to the City; and

WHEREAS, the Subject Property is currently zoned B1 (Community Service Business); and

WHEREAS, the Planning Commission, after a Public Hearing on November 28, 2018, and careful consideration of all relevant facts, has recommended approval of the zoning to the City Council, subject to City Council approval of the Planned Unit Development Amendment, Comprehensive Plan Amendment and Final Plan; and

WHEREAS, the City Council held a public hearing on January 15, 2019, concerning the zoning request in conformance with the Lafayette Code of Ordinances; 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 zoning is requested, in particular the approval of a development plan for the subject property, it is in the public interest and reasonably necessary to zone the subject property to encourage development; and

WHEREAS, the City Council of the City of Lafayette finds that the rezoning is necessary because the use was not anticipated at the time of the adoption of the Comprehensive Plan and the use promotes goals within said plan; 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. Upon approval by City Council of, and the recordation of, the Lot 1A, Filing No. 5, Replat A, SoLa Subdivision PUD Amendment and Comprehensive Plan Amendment within 90 days of the date of City Council approval thereof, the land described and depicted on Exhibit A, shall be zoned City of Lafayette RSR/PUD (Senior and Special Residential/Planned Unit Development) Zoning District.

SECTION 2. Upon timely compliance with all conditions in Section 1 above, the City Council certifies a change in the Zoning Map zoning the property described herein to City of Lafayette RSR/PUD Zoning District.

SECTION 3. 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 the conditions set forth in Section 1 above are not timely fulfilled by April 15, 2019, this ordinance shall be void and of no effect.

SECTION 5. 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 6. 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 7. 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 8. This ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

SECTION 9. 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 15TH DAY OF JANUARY, 2019.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED THIS 5TH DAY OF FEBRUARY, 2019.

ATTEST:

CITY OF LAFAYETTE, COLORADO

Susan Koster, CMC, City Clerk

APPROVED AS TO FORM:

David S. Williamson, City Attorney

EXHIBIT A
Traditions at SoLa Rezoning

LOT 1A, FILING NO. 5, REPLAT A, SOLA SUBDIVISION

CONTAINING 146,318 SQUARE FEET OR 3.359 ACRES, MORE OR LESS.

