

ORDINANCE NO. 08
(Series 2021)

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO APPROVING A MAJOR IMPACT REVIEW FOR A .46 ACRE PARCEL LOCATED AT THE SOUTHWEST CORNER OF HIGHWAY 291 AND WEST THIRD STREET, CURRENTLY ZONED COMMERCIAL (C-1), TO PLACE A PLANNED DEVELOPMENT OVERLAY ON THE PROPERTY AND APPROVE THE DEVELOPMENT PLAN FOR A FOUR-BUILDING MIXED-USE DEVELOPMENT (KNOWN AS “JANE’S PLACE”)

WHEREAS, the City of Salida Planning Commission conducted a duly noticed public hearing on the Planned Development application for the subject property on April 26, 2021, and forwarded to the City Council its recommendation that the subject property be approved, with conditions, as a Planned Development overlay pursuant to the attached development plan included as Exhibit A, and the attached Conditions of Approval, included as Exhibit B; and

WHEREAS, the project is consistent with the purpose, conditions and evaluation standards for Planned Development districts; and

WHEREAS, the City Council held a public hearing on the proposal on June 1st, 2021; and;

WHEREAS, the proposals for the subject property are consistent with the policies and goals of the City’s land use regulations and Comprehensive Plan, and will advance the public interest and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO as follows:

Section One

That the entirety of the property legally known as a Tract in the NW ¼ SW ¼ of Section 32 T50N R9E of the N.M.P.M., Chaffee County, Colorado to wit, the .46 acres, be and is hereby approved as a Planned Development Overlay with the development plan, attached as Exhibit A, and the Conditions of Approval, which are attached to this ordinance as Exhibit B.

Section Two

Upon approval by the City Council of the Final Development Plan for the Jane’s Place Planned Development, it shall be considered a site-specific development plan and granted a vested property right. The City Council is approving the vested property right subject to the terms and conditions contained in the development plan and this ordinance and failure to abide by such terms and conditions may, at the option of the City Council, after a public hearing, result in the forfeiture of vested property rights.

Section Three

Upon approval by the City Council, the applicant shall have one hundred eighty (180) days to submit a final Mylar of Exhibit A, and incorporating the conditions of approval attached as Exhibit B for the Mayor’s signature and recordation.

Section Four

The City Clerk is hereby directed to undertake the following actions upon the adoption of this Ordinance:

1. Publish this Ordinance in a newspaper of general circulation in the City of Salida.
2. Following recording of the Mylar, the Clerk shall promptly amend the official city zoning district map to incorporate and reflect the planned development overlay of the subject property.

Section Five

This Ordinance shall not have any effect on existing litigation and shall not operate as an abatement of any action or proceeding now pending under or by virtue of any ordinance repealed or amended as herein provided, and the same shall be construed and concluded under such prior ordinances.

Section Six

The provisions of this Ordinance are severable and the invalidity of any section, phrase, clause or portion of the Ordinance as determined by a court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of the Ordinance.

INTRODUCED ON FIRST READING, ADOPTED and ORDERED PUBLISHED IN FULL in a newspaper of general circulation in the City of Salida by the City Council on May 18th, 2021 and set for second reading and public hearing on the 1st day of June, 2021.

INTRODUCED ON SECOND READING, FINALLY ADOPTED and ORDERED PUBLISHED BY TITLE ONLY, by the City Council on the 1st day of June, 2021.

CITY OF SALIDA

By: _____
P.T. Wood, Mayor

ATTEST: _____ (SEAL)
City Clerk

PUBLISHED IN FULL in the Mountain Mail after First Reading on the _____, 2021 and **BY TITLE ONLY**, after Final Adoption on the _____, 2021.

By: _____
City Clerk