

ORDINANCE NO: Z-700-01-03-16

INTRODUCED BY: AMADOR, CARSON, DIAZ, ELLIOTT, FORD, MCELDOWNEY, TETER

AN ORDINANCE APPROVING THE SECOND AMENDMENT TO THE VILLAGES AT BUFFALO RUN EAST PUD ZONE DOCUMENT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COMMERCE CITY, COLORADO, AS FOLLOWS:

SECTION 1. The City Council of the City of Commerce City, Colorado, finds and declares that it has caused to be published in the Commerce City Sentinel/Express, a legal newspaper of general circulation in the City of Commerce City, Notice of Public Hearing by the Planning Commission of the City of Commerce City, held February 2, 2016 concerning a proposed Second Amendment to the Villages at Buffalo Run East PUD Zone Document ("Second Amendment"), attached hereto and incorporated herein by reference, and that said Notice was published January 26, 2016 and that said Hearing was conducted all in compliance with law.

SECTION 2. The City Council of the City of Commerce City, Colorado further finds and declares that it has caused to be published in the Commerce City Sentinel/Express, a legal newspaper of general circulation in the City of Commerce City, Notice of Public Hearing held on March 7, 2016 regarding the Second Amendment, and that said Notice was published February 23, 2016 and that said Hearing was conducted all in compliance with law.

SECTION 3. That the Second Amendment to the Villages at Buffalo Run East PUD Zone Document meets the criteria of the Land Development Code and is hereby approved subject to the following conditions:

1. A 20 foot landscape buffer is required along all residential development adjacent to an arterial roadway.
2. Additional park/open space amenities shall be provided with the residential development.

SECTION 4. Failure to comply with the aforementioned condition shall constitute basis for revocation of the Second Amendment and the reversion to the terms of the PUD Zone Document existing immediately prior to passage of this ordinance, it being expressly determined by this City Council that the approval of the Second Amendment herein granted is not proper in the absence of compliance with the condition herein contained. In the alternative, the City may proceed with legal action for injunctive relief to enforce the condition herein imposed or issue a summons and complaint in the Commerce City municipal court for violation of the aforesaid condition, and in the event a summons and complaint is issued in the Commerce City municipal court, and upon finding a violation of the condition set forth in this ordinance, the municipal court may impose any penalty authorized by the Land Development Code. The remedies herein provided for shall be considered cumulative and not mutually exclusive.

INTRODUCED, PASSED ON FIRST READING AND PUBLIC NOTICE ORDERED THIS  
7<sup>TH</sup> DAY OF MARCH 2016.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED THIS 4<sup>TH</sup>  
DAY OF APRIL 2016.

CITY OF COMMERCE CITY, COLORADO

BY \_\_\_\_\_  
Sean Ford, Mayor

ATTEST:

\_\_\_\_\_  
Laura J. Bauer, City Clerk

*Exhibit "A"*  
*(Second Amendment to the Villages at Buffalo Run East,*  
*PUD Zone Document)*  
*Case #Z-700-01-03-16*