

ORDINANCE NO. Z-964-21

INTRODUCED BY: _____

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO, BY ZONING THE PROPERTY ANNEXED AS THE CANAM ANNEXATION FROM ADCO (UNINCORPORATED ADAMS COUNTY) TO A PUD ZONE DISTRICT AND APPROVING A PUD ZONE DOCUMENT

WHEREAS, in conjunction with the related annexation case AN-259-21, the owner of the property generally known as the CanAm Annexation and described in CanAm PUD Zone Document attached to and incorporated in this ordinance as Exhibit A (“Property”), has submitted an application to zone the Property to a Planned Unit Development zone district, as set forth in Exhibit A, upon annexation to the City of Commerce City (“City”);

WHEREAS, in accordance with Section 21-3180 of the City’s Land Development Code, all required notices of public hearings before the Planning Commission of the City and the City regarding the requested zoning was given, including by: publication on August 24, 2021 and September 22, 2021 in the Denver Post, a legal newspaper of general circulation in the City of Commerce City; mailing on August 28, 2021, and September 17, 2021, through the United States Postal Service in the manner required by the Land Development Code; and posting placards on the property that is the subject of the application on August 27, 2021, and September 24, 2021, in the manner and for the duration required by the Land Development Code;

WHEREAS, following a public hearing conducted in compliance with law, the Planning Commission made findings and recommended that the City Council deny the requested zoning;

WHEREAS, the City Council has conduct a public hearing regarding the requested zoning;

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

SECTION 1. The foregoing recitals are incorporated into this ordinance as findings of fact. The City Council authorizes its action on the requested zoning outside of the period of time provided by Section 10.11 of the City Charter.

SECTION 2. The City Council of the City of Commerce City finds, consistent with the Commerce City Land Development Code, Section 21-3350(2)(b), that to the proposed rezoning of the property generally located at 9940 East 112th Avenue from ADCO to PUD Zone District as set forth in Exhibit A is the zoning classification most compatible with the City’s Comprehensive Plan designation for the Property.

SECTION 3. The City Council hereby overrules the recommendation of the Planning Commission regarding the requested zoning and approves the CanAm PUD Zone Document and the rezoning of the Property from Unincorporated ADCO to Commerce City PUD, as defined in

the Commerce City Land Development Code and Exhibit A. The zoning map of the City of Commerce City, Colorado, is hereby amended to reflect the rezoning approved by this ordinance.

SECTION 4. This ordinance shall be effective upon the effective date of the annexation of the Property through AN-259-21, as determined pursuant to C.R.S. 31-12-113(1)

INTRODUCED, PASSED ON FIRST READING AND PUBLIC NOTICE ORDERED THIS 4TH DAY OF OCTOBER 2021.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED THIS _____ DAY OF _____ 20____.

CITY OF COMMERCE CITY, COLORADO

Benjamin A. Huseman, Mayor

ATTEST

Dylan A. Gibson, City Clerk