

*August 25, 1991*  
*effective date*

ORDINANCE NO. 2-544-91

INTRODUCED BY BUSBY, CHRISTIANSEN, COLE, MITCHELL,  
RUSSELL, TATE, WILSON

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO, FOR REZONING FROM AGRICULTURE TO I-3 ZONE DISTRICT OF THE PROPERTY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF, LOCATED ON THE NORTHWEST CORNER OF 64TH AVENUE AND COLORADO BOULEVARD, COMMERCE CITY, COLORADO.

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 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 July 9, 1991, concerning land hereinafter described, and that said Notice was published July 1, 1991, 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 Express, a legal newspaper of general circulation in the City of Commerce City, Notice of Public Hearing to be held August 5, 1991, regarding rezoning of land hereinafter described, and that said Notice was published July 23, 1991, and that said Hearing was conducted all in compliance with law.

SECTION 3. That the property described in Exhibit "A" attached hereto and made a part hereof, now zoned Agriculture be rezoned I-3 Zone District as defined in the Commerce City Zoning Ordinance.

SECTION 4. That the rezoning is approved from Agriculture to I-3 , subject to the following conditions:

- A. Specific Development Plans for the subject property shall be reviewed by the Planning Commission and approved by the City Council prior to any of the following: site improvements of any kind; change in use; development of any kind; issuance of building permits, or subdivision. 1  
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- B. The requirements for Development Plan approval shall be recorded against the deed of the subject property in the form of a deed restriction, or covenant with the Adams County Clerk and Recorder. 8  
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- C. The applicant shall enter into a Development Agreement with the City for future public improvements. 13  
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- D. A specific Development Plan for the truck painting operation now located on the subject property shall be submitted by the applicant for review by the Planning Commission and approved by the City Council within ninety (90) days after the effective date of this ordinance, and failure to obtain such approval shall cause the truck painting operation to (1) terminate on the subject property and (2) not be located or placed on the property adjacent to the western boundary of the subject property. 16  
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SECTION 5. Failure to comply with any or all of the said conditions shall constitute basis for rezoning of the subject property to that zoning existing immediately prior to passage of this ordinance, it being expressly determined by this City Council that the rezoning herein granted is not proper zoning in the absence of compliance with the conditions herein contained. 27  
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INTRODUCED, PASSED ON FIRST READING AND PUBLIC NOTICE ORDERED this 5th day of August, 1991. 41  
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PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED this 19th day of August, 1991. 45  
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CITY OF COMMERCE CITY, COLORADO 49

BY David R. D. Busby  
David R. D. Busby, Mayor 50  
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ATTEST: 57  
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Betty J. Martin  
City Clerk