

**CITY OF CORTEZ  
ORDINANCE NO. 1314, SERIES 2023**

**AN ORDINANCE TO REZONE A .52 ACRE PARCEL LOCATED AT 1345 S. BROADWAY, CORTEZ, COLORADO, FROM R-1, RESIDENTIAL SINGLE-FAMILY DISTRICT, TO C, COMMERCIAL HIGHWAY DISTRICT**

WHEREAS, the owner/applicants, James L. and Jean M. Wootton (the "Applicants"), currently maintain a residence and operate the Yellow Car Country Wines as a home occupation on a .52-acre tract of land, located at 1345 S. Broadway, Cortez, Colorado, as more particularly described as follows (the "Property"):

Section: 34 Township: 36 Range: 16 TR INSE1/4NW1/4; 0.52 AC; B588 P 182, B612 P250.

WHEREAS, the Applicants have applied to rezone the Property from R-1, Residential Single-Family District, to C, Commercial Highway District; and

WHEREAS, the Cortez Planning and Zoning Commission (the "P&Z Commission") reviewed the application for rezoning in a public hearing at its regular meeting held on December 6, 2022; and

WHEREAS, based upon the evidence and testimony presented at the December 6, 2022 public hearing, the P&Z Commission recommended that the City Council approve the request for rezoning of the Property, as stated in P&Z Resolution No.13, Series 2022; and

WHEREAS, the authority and procedure for rezoning property is set forth in Chapter 6.02 of the Land Use Code of the City of Cortez; and

**NOW, THEREFORE, BE IT ORDAINED BY THE CORTEZ CITY COUNCIL:**

THAT all requirements of Chapter 6.02 of the Land Use Code of the City of Cortez for a zoning classification amendment have been met.

THAT the City of Cortez Official Zoning Map, adopted March 12, 1996, and effective June 1, 1996, and readopted December 11, 2001, shall be amended to change all that portion of the Property, as described above in this Ordinance, from the current zoning classification of R-1, Residential Single-Family District, to the C, Commercial Highway District zoning classification.

**REPEALER.** All orders, bylaws, ordinances, and resolutions of the City, or parts thereof, inconsistent or in conflict with this Ordinance, are hereby repealed to the extent only of such inconsistency or conflict.

**SEVERABILITY.** If any section, paragraph, clause, or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance, the intent being that the same are severable.

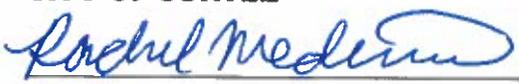
RECORDING AND AUTHENTICATION. Upon adoption hereof, this Ordinance shall be recorded in a book kept for that purpose and shall be authenticated by the signatures of the Mayor and the City Clerk.

EFFECTIVE DATE. This ordinance shall be effective upon publication after final passage of this ordinance on second reading.

FIRST READING: This ordinance shall be considered on first reading on January 24, 2023, at the hour of 7:30 p.m., in the City Council Chambers in City Hall, Cortez, Colorado, at which time the ordinance shall be introduced and authorized to be considered for approval at a public hearing on second and final reading at a later date.

PUBLIC HEARING: This Ordinance shall be considered for second and final reading on the 14<sup>th</sup> day of February 2023, at the hour of 7:30 p.m., in City Council Chambers in City Hall, 123 Roger Smith Ave, Cortez, Colorado 81321, at which time and place all persons may appear and be heard concerning the same.

PASSED, ADOPTED AND APPROVED ON FIRST READING THIS 24<sup>th</sup> DAY OF JANUARY, 2023.

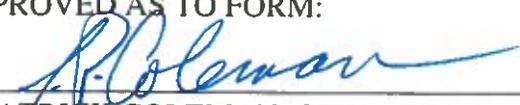
CITY OF CORTEZ  
  
RACHEL B. MEDINA, MAYOR

ATTEST:  
  
LINDA L. SMITH, CITY CLERK

PASSED, ADOPTED AND APPROVED ON SECOND AND FINAL READING THIS 14<sup>th</sup> DAY OF FEBRUARY 2023.

CITY OF CORTEZ  
  
RACHEL B. MEDINA, MAYOR

ATTEST:  
No Signature - Ordinance denied.  
LINDA L. SMITH, CITY CLERK

APPROVED AS TO FORM:  
  
J. PATRICK COLEMAN, CITY ATTORNEY

Ordinance was denied on second reading on February 14, 2023. Please see attached motion.