

CITY OF CORTEZ
ORDINANCE NO. 1319, SERIES 2023

AN ORDINANCE APPROVING OF A RIGHT OF WAY VACATION PLAT FOR
VACATION OF THE 16 FOOT WIDE ALLEY LOCATED ON BLOCK 2 OF THE VEACH
SUBDIVISION, A PORTION OF THE SW ¼ OF SECTION 25, T36N, R16W, NMPM
LOCATED IN THE COMMERCIAL HIGHWAY (C) ZONING DISTRICT

WHEREAS, the owner/applicant Quick N Clean CO-03 (the “Owner/applicant”) has applied for review of a ROW vacation plat to vacate the 16’ alley located in Block 2 of the Veach Subdivision located in the SW ¼ of Section 25, T36N R16W, N.M.P.M Colorado (the “Property”); and more particularly described as:

Block 2 of the Veach Subdivision located in the SW ¼ of Section 25, T36N R16W, N.M.P.M
Colorado

WHEREAS, the Owner/applicant has applied to the City for review of a vacation plat on the Property; and

WHEREAS, the Owner/applicant presented a plat and other submittal items for review by the City Planning and Zoning Commission at a regular meeting held on May 2, 2023; and

WHEREAS, Land Use Code Section 6.25, Vacation of rights-of-way and easements, indicates that the owner or developer of a property may request a vacation pursuant to all code requirements; and

WHEREAS, the Planning and Zoning Commission reviewed the right-of-way vacation plat for the Property and is recommended approval of the plat, as evidenced by the adoption of P&Z Resolution No. 6, Series 2023; and

WHEREAS, based on the evidence and testimony presented at its May 2, 2023 meeting, the Planning and Zoning Commission recommends certain conditions of approval for the requested right of way vacation; and

WHEREAS, it appears that all requirements of Chapters 4.00 and 6.00 of the City’s Land Use Code for subdivision of this site have been or can be met.

NOW, THEREFORE, THE CORTEZ CITY COUNCIL DOES HEREBY DECLARE:

THAT, the plat and full application for the Property are hereby approved, subject to the following conditions to ensure compliance with the standards in the Land Use Code for a preliminary plat:

1. All requirements of utility providers, City departments, CDOT and affected districts must be satisfied, as outlined in adopted City Codes and other regulatory documents.
2. The plat shall be recorded at the Montezuma County Clerk and Records Office within six (6) months of Council approval, in accordance with Land Use Code Section 6.05 (d)(2)a.
3. The proposed 16' utility easement shall be increased to the north to total 19' in width

AND THAT, the Owner/applicant shall coordinate with City staff to ensure that these conditions are fully met.

PUBLIC HEARING. This ordinance shall be considered for second and final reading on the May 23, 2023, at the hour of 7:30 p.m., in City Council Chambers in City Hall, 123 Roger Smith Avenue, Cortez, Colorado, at which time and place all persons interested may appear and be heard concerning the same.

MOVED AND APPROVED ON FIRST READING THIS MAY 9, 2023


Rachel B. Medina, Mayor

ATTEST:

Linda L. Smith, City Clerk

MOVED, SECONDED, AND ADOPTED ON FINAL READING THIS 23rd DAY OF MAY, 2023


Rachel B. Medina, Mayor

ATTEST:

Linda L. Smith, City Clerk

APPROVED AS TO FORM:


J. Patrick Coleman, City Attorney