

CITY OF CORTEZ
ORDINANCE NO. 1318, SERIES 2023

AN ORDINANCE APPROVING 20-30 WEST MAIN STREET FOR HISTORIC
DESIGNATION, AND TO INCLUDE THIS PROPERTY IN THE CITY REGISTER OF
HISTORIC SITES

WHEREAS, on March 12, 1996, the City Council (the "Council") of the City of Cortez, Colorado (the "City"), adopted Ordinance No. 814, Series 1996, implementing the *City of Cortez Land Use Code*, for the purpose of regulating land use, subdivision and development in the City of Cortez in accordance with the *Cortez Comprehensive Plan*; and

WHEREAS, Ordinance No. 830, Series 1997, established the City of Cortez Historic Preservation Board to enhance our community's local resources and to promote the public interest in historic preservation through the protection and preservation of the City's architectural, historic, and cultural heritage, as embodied in designated historic structures, sites, and districts, by appropriate regulations and incentives; the establishment of a City Register listing designated structures, sites, and districts; and to provide educational opportunities to increase public appreciation of Cortez's unique heritage; and

WHEREAS, the Cortez City Council finds and declares as a matter of public policy that the protection, preservation, and enhancement of the City's cultural, historical, archaeological, and architectural heritage is in the public interest, as established through the adoption of Ordinance No. 830, Series 1997; and

WHEREAS, Ordinance No. 1140, Series 2010, updated the regulations pertaining to historic preservation within the City of Cortez for compliance with the standards of the State Historic Preservation Office; and

WHEREAS, in 2010, the City of Cortez applied for, and was awarded, designation as a Certified Local Government (hereinafter "CLG") from History Colorado and the National Park Service; and

WHEREAS, the City of Cortez has been awarded nine CLG grants from History Colorado to conduct site surveys of structures located within the "Original Townsite of Cortez" and the "F.R. Coffins Addition;" and

WHEREAS, the property at 20-30 West Main Street was surveyed and found eligible for inclusion within the City of Cortez Register of Historic Structures, Sites, and Districts, and the property owner has applied for historic designation, and has properly requested that the City of Cortez designate the structure on said property to the City Register of Historic Structures, Sites, and Districts; and

WHEREAS, the Historic Preservation Board has reviewed Section 6.19 of the Land Use Code and has recommended these properties for historic designation; and

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WHEREAS, the properties recommended for historic designation are 20-30 West Main Street, more particularly described as:

Lot 5-8, Block 29
of the Cortez Original Townsite
County of Montezuma
State of Colorado

WHEREAS, due notice was given that Council would meet to hear and consider the merits for designation of said structures at a public hearing held on April 25, 2023, and Council reviewed the qualifications of said structure at said meeting and found that the structure is historically important and satisfies the criteria for historic designation as set forth in Land Use Code Section 6.19; and

WHEREAS, the Owner agrees to consult with the Cortez Historic Preservation Board before making any alterations or modifications to the structure that could affect the character of the historic resources relative to the criteria by which it was designated, understanding that any alterations or modifications could negate such designation.

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

THAT the structure existing on the property located at 20-30 West Main Street, Cortez, Colorado, shall be designated to the City Register of Historic Structures, Sites, and Districts as an individual structure having a special historical and architectural value.

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 second reading and final passage.

FIRST READING. This ordinance shall be considered first reading on the 25th day of April, 2023, at the hour of 7:30 p.m., in the City Council Chambers in City Hall, Cortez,

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Colorado, at which time this ordinance shall be read and the public hearing for the second or final reading of this ordinance shall be set.

PUBLIC HEARING. This ordinance shall be considered for second or final reading on the 9th day of May, 2023, at the hour of 7:30 p.m., in the City Council Chambers in City Hall, Cortez, Colorado, at which time and place all persons may appear and be heard concerning the same.

MOVED AND APPROVED ON FIRST READING THIS 25TH DAY OF APRIL, 2023.


Rachel B. Medina, Mayor

ATTEST:


Donna Murphy, Deputy City Clerk

MOVED, SECONDED, AND ADOPTED ON FINAL READING THIS 9TH DAY OF MAY, 2023.


Rachel B. Medina, Mayor

ATTEST:


Linda L. Smith, City Clerk

APPROVED AS TO FORM:


J. Patrick Coleman, City Attorney