

**ORDINANCE NO. 1326,
SERIES 2024**

**AN ORDINANCE AMENDING THE CITY OF CORTEZ ZONING MAP FOR A .66
ACRE PARCEL LOCATED AT TBD DRISCOLL STREET, ALSO KNOWN AS
CORNETTS SUBDIVISION AMENDED LOTS 1-5 BLOCK 6 & 15 FT. OF LOT 6,
LOTS 7-10 BLOCK 6, FROM R2, RESIDENTIAL MULTI FAMILY TO MH,
RESIDENTIAL MANUFACTURED HOME**

WHEREAS, the applicant, Casey Spitzer (the “Applicant”), with written permission from the owner, Housing Authority of Montezuma County, has applied for review of a rezoning from R2, Residential Multi Family to MH, Residential Manufactured Home of a .66 acre parcel described below as (the “Property”):

*Cornetts Subdivision Amended Lots 1-5 Block 6 & 15 ft. of Lot 6, Lots 7-10
Block 6: 6 B369 B454 P85*

WHEREAS, the Applicant, with written permission from the owners, presented a request and necessary submittal items for review of the application for a rezoning by the City Planning and Zoning Commission at its regular meeting held on March 5, 2024; and

WHEREAS, Land Use Code Section 6.02, Zoning Map and Land Use Code Amendments, indicates that the owner or developer of a property may request an amendment to the zoning classification of property; and

WHEREAS, the Planning and Zoning Commission reviewed the request for an amendment to the zoning classification from R2, Residential Multi Family to MH, Residential Manufactured Home, considered the evidence and testimony presented, and is recommending approval of the request on the Property, as evidenced in the adoption of this P&Z Resolution No. 3, Series 2024; and

WHEREAS, it appears that all requirements of Chapter 6.00 of the City’s Land Use Code for a zoning classification amendment have been met.

NOW, THEREFORE, BE IT ORDAINED BY THE CORTEZ CITY COUNCIL THAT THE CITY OF CORTEZ ZONING MAP IS AMENDED TO RECLASSIFY THE DESCRIBED PROPERTY FROM R2 MULTI FAMILY RESIDENTIAL TO MH RESIDENTIAL MANUFACTURED HOME SUBJECT TO THE FOLLOWING FINDINGS:

- a. The Property is adjacent to and accessed through neighborhoods developed and zoned MH.
- b. The community will benefit from use of the Property by the development of a currently vacant parcel within City limits.

- c. Adequate facilities are available to be extended to serve development for the type and scope suggested by the proposed zone.
- d. The proposal in conformance with the policies, intents and requirements of the Cortez comprehensive plan.

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 on second reading.

PUBLIC HEARING. This ordinance shall be considered for second or final reading on the 23RD DAY OF APRIL, 2024, 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.

PASSED, ADOPTED AND APPROVED ON FIRST READING THIS 26th DAY OF MARCH, 2024.

CITY OF CORTEZ

ATTEST:



LINDA L. SMITH, CITY CLERK

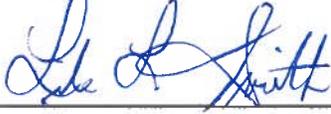


RACHEL B MEDINA, MAYOR

PASSED, ADOPTED AND APPROVED ON SECOND AND FINAL READING THIS
23RD DAY OF APRIL, 2024.

CITY OF CORTEZ

ATTEST

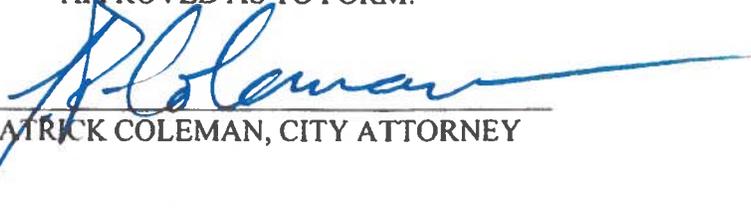


LINDA L. SMITH, CITY CLERK



RACHEL B. MEDINA, MAYOR

APPROVED AS TO FORM:



J. PATRICK COLEMAN, CITY ATTORNEY