

**CITY OF WHEAT RIDGE, COLORADO
INTRODUCED BY COUNCIL MEMBER HOPPE
COUNCIL BILL NO. 15
ORDINANCE NO. 1647
Series 2018**

TITLE: AN ORDINANCE AMENDING THE WHEAT RIDGE CODE OF LAWS TO INCLUDE AN ADDITIONAL CRITERION FOR REVIEW OF APPLICATIONS FOR SPECIAL USE PERMITS

WHEREAS, the City of Wheat Ridge is a home rule municipality having all powers conferred by Article XX of the Colorado Constitution; and

WHEREAS, pursuant to its home rule authority and C.R.S. § 31-23-101, the City, acting through its City Council (the "Council"), is authorized to adopt ordinances for the protection of the public health, safety or welfare; and

WHEREAS, in the exercise of this authority the City Council has previously enacted Section 26-114 of the Wheat Ridge Code of Laws, which provides for the approval of special uses of real property under specific conditions; and

WHEREAS, in the further exercise of this authority, the City has adopted a comprehensive master plan and several subarea plans to guide land use and development within the City; and

WHEREAS, the City Council finds that it is appropriate to include, within the criteria for review of special use applications under Section 26-114, an additional criterion concerning applicable planning documents.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHEAT RIDGE, COLORADO:

Section 1. Code of Laws amended.

Section 26-114.D of the Wheat Ridge Code of Laws is amended by the addition of a new criterion (9), to read:

D. Criteria for review. The community development director or city council shall base its decision in consideration of the extent to which the applicant demonstrates the following criteria have been met:

(1) . . .

(9) THE PROPOSED SPECIAL USE PROMOTES GOALS AND OUTCOMES FROM APPLICABLE PORTIONS OF THE CITY'S COMPREHENSIVE PLAN AND ANY SUBAREA PLAN APPLICABLE TO THE SUBJECT PROPERTY.

Section 2. Severability, Conflicting Ordinances Repealed. If any section, subsection or clause of this Ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected thereby. All other ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section 3. Effective Date. This Ordinance shall take effect fifteen (15) days after final publication, as provided by Section 5.11 of the Charter.

INTRODUCED, READ, AND ADOPTED on first reading by a vote of 6 to 0 on this 11th day of June, 2018, ordered published in full in a newspaper of general circulation in the City of Wheat Ridge, and Public Hearing and consideration on final passage set for June 25, 2018 at 7:00 p.m., in the Council Chambers, 7500 West 29th Avenue, Wheat Ridge, Colorado.

READ, ADOPTED AND ORDERED PUBLISHED on second and final reading by a vote of 7 to 0, this 25th day of June, 2018.

SIGNED by the Mayor on this 25th day of June, 2018.

Bud Starker, Mayor

ATTEST:

Janelle Shaver, City Clerk

Robin Eaton, Deputy City Clerk



Gerald E. Dahl, City Attorney

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