

CITY OF WHEAT RIDGE  
INTRODUCED BY COUNCIL MEMBER DEMOTT  
COUNCIL BILL NO. 03  
ORDINANCE NO. 1508  
Series of 2012

**TITLE:** AN ORDINANCE APPROVING THE REZONING OF PROPERTY LOCATED AT 11210 W. 45<sup>th</sup> AVENUE (LOT 2, PUMPKIN PATCH SUBDIVISION) FROM AGRICULTURAL-ONE (A-1) TO PUBLIC FACILITIES (PF) ZONE DISTRICT (CASE NO. WZ-12-01/WRMF)

**WHEREAS**, Chapter 26 of the Wheat Ridge Code of Laws establishes procedures for the City's review and approval of requests for land use cases; and,

**WHEREAS**, the Public Works Department on behalf of the City of Wheat Ridge has submitted a land use application for approval of a zone change to the Public Facilities district for property located at 11210 W. 45<sup>th</sup> Avenue; and,

**WHEREAS**, the Public Facilities zone district provides for property devoted to public and quasi-public buildings and facilities; and,

**WHEREAS**, the proposed zone change is supported by the City's Comprehensive Plan—*Envision Wheat Ridge*—and by the *Public Works/Parks Maintenance Master Plan*; and,

**WHEREAS**, the City of Wheat Ridge Planning Commission held a public hearing on March 15, 2012 and voted to recommend approval of rezoning the property to the Public Facilities zone district.

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

**Section 1.** Upon application by the City of Wheat Ridge for approval of a zone change ordinance from Agricultural-One (A-1) to Public Facilities (PF) zone district for property located at 11210 W. 45<sup>th</sup> Avenue, and pursuant to the findings made based on testimony and evidence presented at a public hearing before the Wheat Ridge City Council, a zone change is approved for the following described land:

LOT 2, PUMPKIN PATCH SUBDIVISION.

**Section 2. Vested Property Rights.** Approval of this zone change does not create a vested property right. Vested property rights may only arise and accrue pursuant to the provisions of Section 26-121 of the Code of Laws of the City of Wheat Ridge.

**Section 3. Safety Clause.** The City of Wheat Ridge hereby finds, determines, and declares that this ordinance is promulgated under the general police power of the City of Wheat Ridge, that it is promulgated for the health, safety, and welfare of the public and that this ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the ordinance bears a rational relation to the proper legislative object sought to be attained.


**Section 4. Severability; Conflicting Ordinance Repealed .** If any section, subsection or clause of the 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 5. Effective Date.** This Ordinance shall take effect 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 7 to 0 on this 26<sup>th</sup> day of March, 2012, ordered it published with Public Hearing and consideration on final passage set for **Monday, April 23, 2012 at 7:00 o'clock p.m.**, in the Council Chambers, 7500 West 29<sup>th</sup> Avenue, Wheat Ridge, Colorado, and that it takes effect 15 days after final publication.

**READ, ADOPTED AND ORDERED PUBLISHED** on second and final reading by a vote of 7 to 0, this 23rd day of April, 2012.

SIGNED by the Mayor on this 24th day of April, 2012.

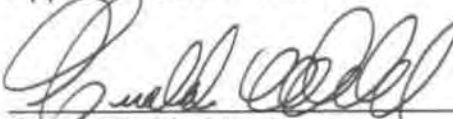
  
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Jerry DiTullio, Mayor

ATTEST:

  
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Janelle Shaver, City Clerk



Approved as to Form

  
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Gerald Dahl, City Attorney

1<sup>st</sup> publication: March 29, 2012

2<sup>nd</sup> publication: April 26, 2012

Wheat Ridge Transcript:

Effective Date: May 11, 2012