

ORDINANCE NO. 02
(Series 2006)

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO ZONING A 1.83 ACRE PARCEL OF LAND KNOWN AS THE CITY OF SALIDA SHOP ANNEXATION AS COMMERCIAL-1 (C-1)

WHEREAS, on or about December 4, 2005, the City of Salida received an application and petition for annexation, for the annexation to the City and requesting a Comercial-1 (C-1) zone district designation of that certain unincorporated territory. The property being described as follows:

A track of land located within the Southwest Quarter of the Northwest Quarter of Section 32, Township 50 North, Range 9 East of the NMPM, Chaffee County, Colorado described as follows:

Commencing at the West quarter corner (brass cap) of said Section 32; thence North 89°46' East along the Southerly boundary of the said SW ¼ NW ¼ a distance of 674.10 feet to the point of beginning of the tract herein described; thence proceeding around said tract North 09°42'09" East 279.72 feet; thence North 81°52' East 250.00 feet; thence South 01°46' West 245.30 feet to the Northerly right-of-way boundary of Colorado State Highway No. 291; thence South 88°08' East along said northerly right-of-way boundary a distance of 32.00 feet; thence South 01°46' West 63.60 feet to the said south boundary of the SW ¼ NW ¼; thence South 89°46' West along said south boundary of the SW ¼ NW ¼ a distance of 317.10 feet to the point of beginning. Containing 1.83 acres.

WHEREAS, the Planning Commission conducted a public hearing on the zoning for the subject territory on January 23, 2006, and forwarded to the City Council its recommendation that the subject territory be zoned Commercial-1 (C-1) pursuant to the City's zoning regulations; and

WHEREAS, Section 31-12-115, C. R. S., authorizes and empowers the City Council to make land subject to zoning while the annexation is under way or within 90 days of annexation; and

WHEREAS, the proposed zoning for the subject territory is consistent with the policies and goals of the City's land use regulations and Comprehensive Plan, and will advance the public interest and welfare; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO as follows:

Section One

That the entirety of the territory comprising the City of Salida Shop Annexation, to wit, the 1.83 acres, be and is hereby zoned Commercial-1 (C-1).

Section Two

The City Clerk is hereby directed to undertake the following actions upon the adoption of this Ordinance:

1. Publish this Ordinance in its entirety in a newspaper of general circulation in the City of Salida.
2. Promptly amend the official city zoning district map to incorporate and reflect the zoning of the subject property.

Section Three

This Ordinance shall not have any effect on existing litigation and shall not operate as an abatement of any action or proceeding now pending under or by virtue of any ordinance repealed or amended as herein provided, and the same shall be construed and concluded under such prior ordinances.

Section Four

The provisions of this Ordinance are severable and the invalidity of any section, phrase, clause or portion of the Ordinance as determined by a court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of the Ordinance.

INTRODUCED ON FIRST READING, ADOPTED and ORDERED PUBLISHED IN FULL in a newspaper of general circulation in the City of Salida by the City Council on the 6th day of February and set for second reading and public hearing on the 21st day of February, 2006.

INTRODUCED ON SECOND READING, FINALLY ADOPTED and ORDERED PUBLISHED BY TITLE ONLY, by the City Council on the 21st day of February, 2006.

CITY OF SALIDA

[SEAL]

By: Nancy C. McAninch
Mayor *prof teen*

ATTEST: Janelle A. Martiny
City Clerk

PUBLISHED IN FULL in the Mountain Mail after First Reading on the 10th day of February, 2005, and **BY TITLE ONLY**, after Final Adoption on the 24th day of February, 2006.

By: Janelle A. Martiny
City Clerk