

ORDINANCE NO. 03
(Series 2008)

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO ZONING A 10.7 ACRE AREA OF LAND KNOWN AS THE MIRA MONTE ANNEXATION AS A PLANNED DEVELOPMENT KNOWN AS THE MIRA MONTE PLANNED DEVELOPMENT DISTRICT OVERALL DEVELOPMENT PLAN

WHEREAS, on or about February 19, 2008, the City of Salida approved an application and petition for annexation, for the annexation to the City of that certain unincorporated territory known as the Mira Monte Annexation; and

WHEREAS, the Planning Commission conducted a public hearings on the zoning for the subject territory on November 26, 2007 and December 19, 2007 and forwarded to the City Council its recommendation that the subject territory be zoned as a planned development pursuant to the submitted application and recommended conditions of approval; 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 project is consistent with the purpose, conditions and evaluation standards for planned development districts; 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 Mira Monte Annexation, to wit, the 10.7 acres, be and is hereby zoned as a Planned Development with the Mira Monte Planned Development map which is attached to this ordinance.

Section Two

Upon approval by the City Council the applicant shall have one hundred eighty (180) days to submit a final Mylar of the Overall Development Plan for the Mayor's signature.

Section Three

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

1. Publish this Ordinance in a newspaper of general circulation in the City of Salida.
2. Following recording of the mylar the Clerk shall promptly amend the official city zoning district map to incorporate and reflect the zoning of the subject property.

Section Four

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and shall not operate as an abatement of any action or proceeding now pending under or by virtue of any ordinance repealed or amended as herein provided, and the same shall be construed and concluded under such prior ordinances.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

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 4th day of February, 2008 and set for second reading and public hearing on the 19th day of February, 2008.

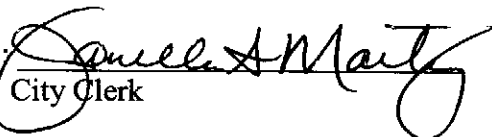
INTRODUCED ON SECOND READING, FINALLY ADOPTED and ORDERED PUBLISHED BY TITLE ONLY, by the City Council on the 19th day of February, 2008.

CITY OF SALIDA

By: 

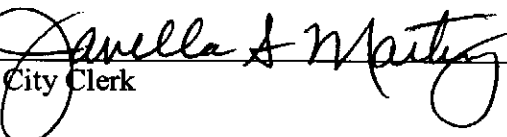
Mayor

[SEAL]

ATTEST: 

City Clerk

PUBLISHED IN FULL in the Mountain Mail after First Reading on the 7th day of February, 2008, and **BY TITLE ONLY**, after Final Adoption on the 28th day of February, 2008.

By: 

City Clerk