

**TOWN OF PARACHUTE  
ORDINANCE NO.784-2020**

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**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE,  
COLORADO, APPROVING A MINOR SUBDIVISION OF LOT 3 OF THE T&T AND  
ASSOCIATES MINOR SUBDIVISION**

**WHEREAS**, the Town of Parachute (“Parachute” or the “Town”) is a home-rule municipality organized under Article XX of the Colorado Constitution and with the authority of the Parachute Home Rule Charter;

**WHEREAS**, T&T and Associates (the “Applicant”) owns property described as:

Lot 3

T & T and Associates Minor Subdivision, according to the Plat thereof recorded in the public records of Garfield County, Colorado on June 2, 2017 at Reception No. 893154

(the “Property”);

**WHEREAS**, the Applicant submitted an application for a minor subdivision of the Property (the “Application”) pursuant to Section 15.03.230 of the Parachute Municipal Code (the “Code”);

**WHEREAS**, pursuant to Section 15.01.220 of the Code, applications for minor subdivision may be approved by the Town Manager; however, pursuant to Section 15.01.250.D.3 the Town Manager may refer an application to the Town Council for decision;

**WHEREAS**, further, pursuant to Section 15.03.280 of the Code, the Town Council may waive subdivision requirements if it determines such waiver to be in the best interests of the Town;

**WHEREAS**, the Applicant’s Application for a Minor Subdivision seeks to create two lots, but seeks waivers of certain requirements of Section 15.03.230 of the Code; and

**WHEREAS**, the Town Council wishes to approve the Application, subject to the conditions stated herein, and also grant waivers to certain requirements of Title 15, which it believes are in the best interests of the Town.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO THAT:**

Section 1.     **Recitals.** The foregoing recitals are incorporated herein as if set forth in full.

Section 2.     **Minor Subdivision.** The Town Council hereby approves the Application and the Amended Plat of Lots 2 & 3 of the T&T and Associates Minor Subdivision (the “Plat”),

as set forth in **Exhibit A**, subject to the following conditions:

1. The 60' access and utility easement dedicated on the Plat shall be a public easement and be the future location of water and sewer lines necessary to serve the end users of Lots 2, 3, and 4, as depicted on the Plat.
2. Prior to development of each lot created by the Plat, Applicant, or Applicant's successor-in-interest, shall enter a public improvement agreement with the Town to secure construction of all public improvements necessary for development of the Property.
3. Compliance with Development Standards (Ch. 15.04 of the Code), making required dedications or payment fees in lieu of dedication (e.g. Section 15.7.250), and payment of any impact fees will be evaluated at the time a site plan is submitted for each lot.
4. In addition to all requirements of the Code and any requirements imposed by operation of state or local law, no building permits shall be issued for the Property until Applicant submits a detailed Site Plan subject to review and conformance with Section 15.01.215 of the Code and Chapter 15.04 of the Code and otherwise complies with this Ordinance.
5. End uses will be evaluated through the site plan process to determine compliance with allowed uses in Schedule of Uses table in Section 15.02.230 of the Code.
6. Development of the property is subject to Developer obtaining all required access permits, if any.
7. All representations of the Applicant made in the Application and in statements during the public meeting before the Planning Commission and public hearing before Town Council, either in writing, orally, or reflected in the minutes, shall be considered conditions of approval with which the Applicant shall comply.
8. Applicant shall reimburse the Town for any and all fees, including consulting costs and attorney fees, incurred in the review of the Application.

Section 3. Waiver of Subdivision Requirements. For good cause shown, the Town Council waives the requirements of Sections 15.03.230.A.4 and Section 15.03.230.B of the Code, and finds that doing so is in the best interests of the Town.

Section 4. Miscellaneous.

1. The approvals and conditions contained herein shall be binding on and inure to the benefit of the heirs, successors and assigns of the Applicant and the owner of the Property.
2. This Ordinance, after fully executed, shall be recorded in public records of Garfield County, Colorado.

**PUBLIC NOTICE**

Public notice is hereby given that an Ordinance entitled:

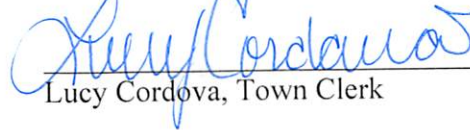
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was introduced before the Town Council on May 21, 2020; that a copy of said Ordinance is posted at Town Hall; and that the Ordinance was approved at a regular meeting of the Town Council held on May 21, 2020, and approved by the Mayor on May 21, 2020.

Copies of the adopted ordinance are available for inspection at the Town Hall, Parachute, Colorado and available on the internet at <http://www.parachutecolorado.com>.

Dated this 21 day of May, 2020.

**TOWN OF PARACHUTE**

  
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Lucy Cordova, Town Clerk

3. If any provision of this Ordinance is found to be unconstitutional or unlawful, such finding shall only invalidate that part of portion found to violate the law. All other provisions shall be deemed severable and shall continue in full force and effect.

**INTRODUCED, READ, PASSED, ADOPTED, AND ORDERED PUBLISHED BY TITLE ONLY** by a vote of 6 to 0 of the Town Council of the Town of Parachute, Colorado at a regular meeting held at Town Hall in the Town of Parachute, Colorado, on the 21 day of May, 2020 and approved by the Mayor on the 21 day of May, 2020.

**TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO**



Roy B. Mealy  
Roy McClung, Mayor

ATTEST:

Lucy Cordova  
Lucy Cordova, Town Clerk