

TOWN OF PARACHUTE, COLORADO
ORDINANCE NO. 789-2021

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, REZONING PROPERTY IDENTIFIED BY GARFIELD COUNTY PARCEL NO. 2409-121-00-011 IN THE TOWN OF PARACHUTE.

WHEREAS, pursuant to Section 15.02.245 of the Parachute Municipal Code (“PMC” or “Code”), JAZ Holdings, LLC (the “Applicant”) submitted an application to rezone real property (the “Application”) identified by Garfield County Parcel No. 2409-121-00-011, and legally described in **Exhibit A** (the “Property”);

WHEREAS, Parachute Management, LLC (the “Owner”) owns the Property and authorized the Application;

WHEREAS, the Applicant is under contract to purchase the Property from the Owner;

WHEREAS, the Property is zoned High Density Residential (HDR) District and the Application requests rezoning to the Service Commercial (SC) District;

WHEREAS, pursuant to the Review Procedures Chart (Table 1.1) at Section 15.01.220 of the Code, an application for rezoning is a two-step review process and the Planning Commission reviews an application and makes a recommendation to the Town Council;

WHEREAS, pursuant to Section 15.02.245.B of the Code, the Town Council may not determine that the zoning map should be amended (rezoning of property) unless the rezoning is consistent with the goals and policies of the comprehensive plan and promotes the general welfare of the community;

WHEREAS, pursuant to Section 15.02.245.C of the Code, the Planning Commission and Town Council may consider the following evaluation criteria for the analysis of rezoning applications: (1) the compatibility of the rezoning proposal with the surrounding zone districts and land uses in the vicinity of the site of the rezoning including the characteristics of the existing neighborhood, the applicable area and bulk requirements, and the suitability of the site for development in terms of on-site characteristics; (2) the impacts of the rezoning upon expected traffic generation and road safety, availability of onsite and off-site parking and the availability of adequate utility services and street access to the site; (3) the impacts of the land uses of the proposed rezoning upon expected environmental quality including air and water quality; (4) the community need for the proposed rezoning and the relationship of the proposed rezoning to the goal of overall community balance; and (5) compatibility with the comprehensive plan

WHEREAS, upon review, the Planning Commission found that Service Commercial (SC) District zoning is appropriate for the Property pursuant PMC Section 15.02.245 and recommended Town Council approve the Application and rezoning; and

WHEREAS, the Town Council wishes to approve the Application and zone the Service Commercial (SC) District and incorporate such zoning into the Official Zoning Map pursuant to PMC Section 15.02.105.

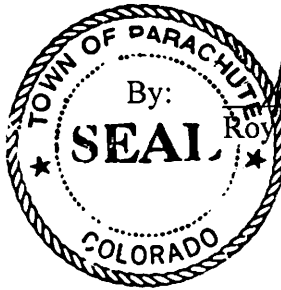
NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL, OF THE TOWN OF PARACHUTE, COLORADO THAT:

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

Section 2. Town Council hereby approves Applicant's Application and establishes the Property as part of the Service Commercial (SC) District and incorporate such zoning into the Official Zoning Map pursuant to PMC Section 15.02.105. The Town staff is further directed to comply with all provisions of the Parachute Land Use Regulations contained in Title 15 of the Parachute Municipal Code to implement the provisions of this Ordinance.

INTRODUCED, READ, PASSED, ADOPTED, AND ORDERED PUBLISHED BY TITLE ONLY by a vote of 4 to 0 of the 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 January 2021 and approved by the Mayor on the 21 day of January 2021.

TOWN OF PARACHUTE, COLORADO



Roy McClung

Roy McClung, Mayor

ATTEST:

Lucy Spalenka

Lucy Spalenka, Town Clerk

PUBLIC NOTICE

Public notice is hereby given that an Ordinance entitled:

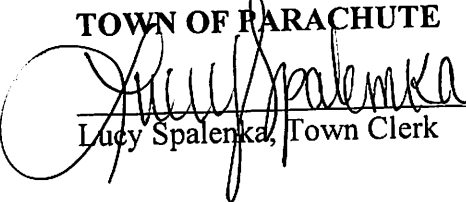
**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE,
COLORADO, REZONING PROPERTY LOCATED AT 3656 COUNTY ROAD 301 IN
THE TOWN OF PARACHUTE.**

was introduced before the Town Council on January 21, 2021; 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 January 21, 2021, and approved by the Mayor on January 21, 2021.

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 21st day of January, 2021.

TOWN OF PARACHUTE



Lucy Spalenka, Town Clerk

EXHIBIT A

A parcel of land situated in the NW¼NE¼ of Section 12, Township 7 South, Range 96 West of the Sixth Principal Meridian, Town of Parachute, County of Garfield, State of Colorado, said parcel being more particularly described as follows:

Commencing at the Southeast corner of said NW¼NE¼ whence the Northeast corner of said Section 12 bears North 43°00'48" East a distance of 1900.31 feet to the POINT OF BEGINNING; thence South 87°40'17" West along the Southerly boundary of said NW¼NE¼ a distance of 12.68 feet to a point on the Easterly boundary of a parcel as described in Reception No. 719794 of the Garfield County Clerk and Recorders office; thence along said Easterly boundary North 01°36'03" West a distance of 31.44 feet to the Northeasterly corner of said parcel; thence leaving said Easterly boundary South 88°35'57" West along the Northerly boundary of said parcel and the Northerly boundary of Lot 2, Bookcliff P.U.D. a distance of 671.98 feet to a point on the Southerly right of way of County Road No. 215 as described in Book 756 at Page 13 of the Garfield County Clerk and Recorders office; thence leaving said Northerly boundary along said Southerly right of way the following seven (7) courses:

- 1) along the arc of a curve to the left having a radius of 1482.39 feet and a central angle of 02°53'30", a distance of 74.81 feet (chord bears North 77°15'24" East a distance of 74.80 feet)
- 2) North 70°06'05" East a distance of 210.90 feet
- 3) along the arc of a curve to the left having a radius of 686.62 feet and a central angle of 13°24'01", a distance of 160.58 feet (chord bears North 56°06'45" East a distance of 160.22 feet)
- 4) North 43°28'26" East a distance of 207.63 feet
- 5) North 40°24'12" East a distance of 42.85 feet
- 6) North 43°00'45" East a distance of 132.88 feet
- 7) along the arc of a curve to the right having a radius of 450.00 feet and a central angle of 00°24'29", a distance of 3.20 feet (chord bears North 48°38'14" East a distance of 3.20 feet) to a point on the Easterly boundary of said NW¼NE¼; thence leaving said Southerly right of way South 02°05'46" East along the Easterly boundary of said NW¼NE¼ a distance of 475.00 feet to the Point of Beginning.