

**CITY OF RIFLE, COLORADO
ORDINANCE NO. 19
SERIES OF 2023**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO ZONING
CERTAIN REAL PROPERTY KNOWN AS THE HIGHWAY 6 AND
SWALLOW LANE ANNEXATION TOURIST COMMERCIAL PLANNED
UNIT DEVELOPMENT (TC-PUD) ZONE DISTRICT

WHEREAS, in February 2023, Caerus Piceance, LLC (“Petitioner”) filed with the City Clerk of the City of Rifle, Colorado, a petition and request that the City Council commence proceedings to annex to the City a certain unincorporated tract of land located in the County of Garfield, State of Colorado, known as the Highway 6 and Swallow Lane Annexation described on Exhibit A, attached hereto and incorporated herein by reference (hereinafter the “Property”); and

WHEREAS, by Ordinance No. 18, Series of 2023 the City of Rifle approved the annexation of the Property into the City; and

WHEREAS, Petitioner has filed an application to zone the Property Tourist Commercial Zone District and Rifle staff recommended that it be zoned Planned Unit Development (TC-PUD) Zone District to prohibit residential uses on the Property, and on July 25, 2023 the City of Rifle Planning Commission considered the zoning application for the Property and recommended that the City Council zone the Property TC-PUD Zone District prohibiting residential uses in the PUD; and

WHEREAS, as required by the Rifle Municipal Code, the public hearing on the zoning application for the Property was held on August 16, 2023, at a regularly scheduled meeting of the Rifle City Council.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIFLE, COLORADO, THAT:

1. The aforementioned recitals are hereby fully incorporated herein.
2. Upon annexation of the Property as provided in Ordinance No. 18, Series 2023, the Property described on Exhibit A shall hereby be zoned Tourist Commercial Planned Unit Development (TC-PUD) Zone District as set forth on Exhibit B. This Ordinance shall be recorded with the Garfield County Clerk and Recorder along with the documents listed in Section 2 of Ordinance No. 18, Series 2023.
3. Within thirty (30) days after the recording of the annexation map and this Ordinance with the Garfield County Clerk and Recorder, the City Clerk shall incorporate the terms of this Ordinance into the Geographical Information System described in RMC § 16-3-20, shall cause a printed copy of the amendment to the City Zone District Map to be made, which

shall be dated and signed by the Mayor and attested to by the City Clerk, and which shall bear the seal of the City. The amended map shall include the number of this Ordinance. The signed original printed copy of the Zoning Map shall be filed with the City Clerk. The City staff is further directed to comply with all provisions of the Rifle Land Use Regulations, RMC § 16-1-10, *et seq.*, to implement the provisions of this Ordinance.

INTRODUCED on August 16, 2023, read by title, passed on first reading, and ordered published by title as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the City of Rifle, Colorado held on September 6, 2023, passed without amendment, approved, and ordered published in full as required by the Charter.

Dated this ___ day of _____, 2023.

CITY OF RIFLE, COLORADO

BY _____
Mayor

ATTEST:

City Clerk

EXHIBIT A

A PORTION OF A TRACT OF LAND SITUATED IN THE SOUTH 1/2 OF THE NW 1/4 AND THE NORTH 1/2 OF THE SW 1/4 OF SECTION 13, TOWNSHIP 6 SOUTH, RANGE 94 WEST, 6TH P.M., DESCRIBED AS FOLLOWS: BEGINNING AT THE COMMON CORNER OF SAID SECTION 13 AND ADJACENT SECTIONS 14, 23 AND 24 OF SAID TOWNSHIP AND RANGE; THENCE NORTH 00°59'00" WEST 1050.30 FEET; THENCE NORTH 65°18'12" EAST 508.35 FEET, BEING THE TRUE POINT OF BEGINNING; THENCE NORTH 09°13'49" WEST 1111.23 FEET; THENCE NORTH 63°00'00" EAST 1252.91 FEET; THENCE SOUTH 27°56'43" EAST 1122.78 FEET; THENCE SOUTH 65°18'12" WEST 1611.75 FEET TO THE TRUE POINT OF BEGINNING CONTAINING APPROXIMATELY 35.952± ACRES.

ALSO KNOWN AS PARCEL A, AS RECORDED CAERUS EXEMPTION PLAT AT RECEPTION NO. 982842, GARFIELD COUNTY CLERK AND RECORDER'S OFFICE.

EXHIBIT B

Planned Unit Development Text

All provisions of Chapter 16 of the City of Rifle Municipal Code, as the same may be amended or recodified from time to time, applicable to the Tourist Commercial Zone District apply to the Property; provided, however that all types of dwellings and dwelling units, including accessory dwelling units, dwellings in the same building as a business, and live work units, as all of the foregoing terms are defined in Chapter 16 of the City of Rifle Municipal Code, are prohibited within the PUD.