

INTRODUCED BY COUNCIL MEMBER WOMBLE
Council Bill No. 10-2008
Ordinance No. 1414

**TITLE: COUNCIL BILL 10-2008 – AN ORDINANCE
AUTHORIZING THE APPROVAL OF A
CHANGE OF ZONING CONDITIONS ON
PROPERTY ZONED PLANNED
COMMERCIAL DEVELOPMENT AND FOR
APPROVAL OF AN AMENDED OUTLINE
DEVELOPMENT PLAN AT 6340 W. 38TH
AVENUE (CASE NO. WZ-08-02/SHAW SIGN
FOR HIGHLAND SOUTH AND WEST)**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHEAT
RIDGE, COLORADO THAT:**

Section 1. Upon application by Shaw Sign for United Presbyterian, approval of change of zoning conditions on property zoned Planned Residential Development approved pursuant to Case No. WZ-81-28 and for approval of an amended Outline Development Plan for property located at 6340 W. 38th Avenue and pursuant to the findings made based on testimony and evidence presented at a public hearing before the Wheat Ridge City Council, a change of zoning conditions and an amended Outline Development Plan are approved for the following described land:

LOT 1, BLOCK 1 AND LOT 2, BLOCK 2 OF HIGHLAND SOUTH SUBDIVISION,
CITY OF WHEAT RIDGE, COUNTY OF JEFFERSON, STATE OF COLORADO.

Section 2. **Vested Property Rights.** Approval of this change of zoning conditions and amended Outline Development Plan does not create a vested property right. Vested property rights may only arise and accrue pursuant to the provisions of Section 26-121 of the Code of Laws of the City of Wheat Ridge.

Section 3. **Safety Clause.** The City of Wheat Ridge hereby finds, determines, and declares that this ordinance is promulgated under the general police power of the City of Wheat Ridge, that it is promulgated for the health, safety, and welfare of the public and that this ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 4. **Severability.** If any clause, sentence, paragraph, or part of this Zoning Code or the application thereof to any person or circumstances shall for any reason be adjusted by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

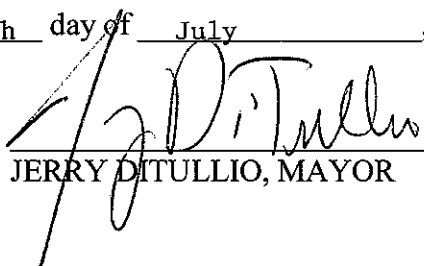
Section 5. Supersession Clause. If any provision, requirements or standard established by this Ordinance is found to conflict with similar provisions, requirements or standards found elsewhere in the Code of Laws of the City of Wheat Ridge, which are in existence as of the date of adoption of this Ordinance, the provisions, requirements and standards here shall supersede and prevail.

Section 6. This Ordinance shall take effect 15 days after final publication.

INTRODUCED, READ, AND ADOPTED on first reading by a vote of 7 to 0 this 23rd day of June 23, 2008, ordered published in full in a newspaper of general circulation in the City of Wheat Ridge and Public Hearing and consideration on final passage set for Monday, July 28, 2008, at 7:00 o'clock p.m., in the Council Chambers, 7500 West 29th Avenue, Wheat Ridge, Colorado.


READ, ADOPTED AND ORDERED PUBLISHED on second and final reading by a vote of 7 to 0, this 28th day of July, 2008.

SIGNED by the Mayor on this 28th day of July, 2008.



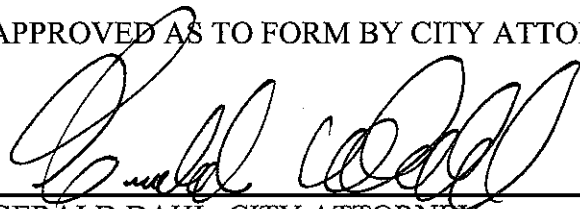
JERRY DITULLIO, MAYOR

ATTEST:



Christa Jones, Deputy
Michael Snow, City Clerk

APPROVED AS TO FORM BY CITY ATTORNEY



GERALD DAHL, CITY ATTORNEY

1st publication: June 26, 2008
2nd publication: July 31, 2008
Wheat Ridge Transcript
Effective Date: August 15, 2008