

**CITY OF RIFLE, COLORADO
ORDINANCE NO. 3
SERIES OF 2022**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, APPROVING A
FINAL SUBDIVISION PLAN AND FINAL SUBDIVISION PLAT FOR WAPITI
COMMONS.

WHEREAS, the Rifle Planning Department received an application for Final Plat approval for subdivision of property owned by Habitat for Humanity of the Roaring Fork Valley, Inc., a Colorado nonprofit corporation (hereinafter “Developer”), which property is known as Wapiti Commons, described as Lots 12 and 13 as shown on the Final Plat of Wapiti Park Subdivision recorded with the Garfield County Clerk and Recorder as Reception No. 689922 (hereinafter the “Property”); and

WHEREAS, Developer intends to construct 20 units on the Property in 7 separate buildings (5 duplex buildings, 1 four-unit building, and 1 six-unit building), which buildings shall be individually subdivided into separate units so that each unit may be conveyed separately by the filing of an amended plat, townhome plat, or condominium plat, as appropriate, showing the as-built construction of each unit and indicate general and limited common elements; and

WHEREAS, on December 14, 2021 after a duly-noticed public hearing, the City of Rifle Planning Commission approved a Sketch/Preliminary Plan for the Property; and

WHEREAS, on March 2, 2022 and March 16, 2022, the Rifle City Council reviewed the Final Subdivision Plan and the Final Subdivision Plat application for the Property and found these documents to be consistent with the approved Preliminary Plan, and that all conditions of Preliminary Plan approval have been met; and

WHEREAS, the City Council desires to approve the Final Subdivision Plan and Final Subdivision Plat for the Property, subject to all terms and conditions set forth in the Site-Specific Development Plan and Subdivision Improvements Agreement for the Property (“SIA”) which SIA is available for inspection at the City Clerk’s Office during business hours.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF RIFLE, COLORADO, ORDAINS THAT:

1. The City Council incorporates the foregoing recitals as findings by the City Council.

2. That certain Final Subdivision Plan and Final Subdivision Plat for Wapiti Commons is hereby approved creating 20 units in 7 separate buildings. Upon the completion of construction of each building, the building may be subdivided into said 20 units with general and limited common elements, and upon the City staff’s review and approval, an amended plat, townhome plat, or condominium plat, as appropriate, may be recorded.

3. Developer shall comply in full with the conditions of the Planning and Development Department's staff report presented to the City Council on even date herewith, which conditions must be satisfied prior to the recording of the Final Plat, amended plat, townhome plat, or condominium plat, as appropriate. Developer shall further comply with all of Developer's representations made in any applications and in statements during the public hearings before the Planning Commission and City Council and they shall be conditions of approval with which Developer shall comply unless specifically modified. Developer shall also comply in full with the requirements of the Rifle Municipal Code, including without limitation the requirements of the City of Rifle Public Works Manual and the SIA.

4. The Mayor of the City is hereby authorized to indicate the City Council's approval of the Final Subdivision Plan and Final Subdivision Plat and SIA for the Property by signing the Final Plat and SIA. A true and correct copy of the Final Plat and SIA for the Property shall be deposited with the City Clerk and shall be available for public inspection at the Clerk's office after being fully executed by the parties.

5. The City Clerk is hereby directed to file one (1) copy of the Final Plat and the original of this Ordinance in the Office of the City Clerk.

6. The City Clerk is hereby further directed to record this Ordinance, the Final Plat, the SIA and any other associated documents in the Office of the Clerk and Recorder of Garfield County, and to file one (1) certified copy of the Final Plat and this Ordinance with the Garfield County Assessor.

7. The City Council's approval of this Final Subdivision Plan and the Final Subdivision Plat creates a vested property right pursuant to the Rifle Municipal Code and Article 68 of Title 24, C.R.S., as amended, for a period of three (3) years from the effective date of this Ordinance. As a condition of the granting of such vested right, the Developer shall, at its expense, publish the vested rights notice required by C.R.S. §24-68-103(c) and the Rifle Municipal Code §16-11-10, *et. seq.*, and Developer shall comply with all other procedural requirements set forth therein.

INTRODUCED on March 2, 2022, read by title, passed on first reading, and ordered published as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the City of Rifle, Colorado, held on March 16, 2022, passed without amendment, approved, and ordered published in full as required by the Charter.

Dated this 16 of March, 2022.

CITY OF RIFLE, COLORADO

BY:

Mayor

ATTEST:

City Clerk

