



STATE OF COLORADO  
COUNTY OF GILPIN  
CITY OF BLACK HAWK

COUNCIL BILL NUMBER: CB-12

ORDINANCE NUMBER: 2020-12

**TITLE: A BILL FOR AN ORDINANCE REZONING LOT 1, BLOCK 1 OF MINERS MESA SUBDIVISION FILING NO. 4 FROM HILLSIDE DEVELOPMENT (HD) TO COMMERCIAL/BUSINESS SERVICES (C/BS) ZONING DISTRICT, AND AMENDING THE CITY'S ZONING MAP TO CONFORM THEREWITH**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLACK HAWK, GILPIN COUNTY:

Section 1. Findings of Fact.

a. An application was submitted for rezoning the property described in the attached **Exhibit A** (the "Property") from Hillside Development (HD) to Commercial/Business Services (C/BS) pursuant to the City of Black Hawk Zoning Ordinance.

b. Public notice has been given of such rezoning by one publication in a newspaper of general circulation within the City and the official newspaper of the City at least fifteen (15) days before the public hearing of such amendment.

c. Notice of such proposed hearing was posted on the Property for fifteen (15) consecutive days prior to said hearing.

d. A need exists for rezoning the Property pursuant to Section 16-361 of the City of Black Hawk Zoning Ordinance as follows:

i. A need does exist for the zoning, rezoning will implement the objectives of the City of Black Hawk Zoning Ordinance;

ii. The proposal for rezoning conforms with and is not inconsistent with the Comprehensive Plan;

iii. Additional growth opportunities and placemaking in the City of Black Hawk have changed and the proposal warrants new uses on the property;

iv. Adequate circulation exists in the area to support the rezoning, and infrastructure will be constructed and extended to accommodate full build-out of the proposed project; and

v. Any additional cost for municipal-related services resulting from the proposal will not be incurred by the City.

Section 2. The Property is hereby rezoned to Commercial/Business Services (C/BS).



Section 3. The Zoning Ordinance and Zoning Map are hereby amended to conform with the zoning changes.

Section 4. Safety Clause. The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Black Hawk, 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.

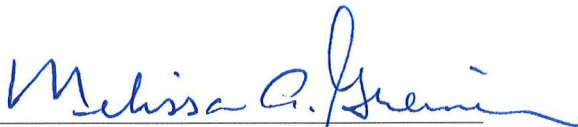
Section 5. Severability. If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 6. Effective Date. The City Clerk is directed to post the Ordinance as required by the Charter. This Ordinance shall become effective upon posting by the City Clerk

READ, PASSED AND ORDERED POSTED this 13<sup>th</sup> day of May, 2020.

  
David D. Spellman, Mayor

ATTEST:

  
Melissa A. Greiner, CMC, City Clerk



