

ORDINANCE NO. 2401  
INTRODUCED BY: Padilla

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE HISTORIC LANDMARK DESIGNATION FOR PIONEER CEMETERY, AN APPROXIMATELY 0.5 ACRE PROPERTY, GENERALLY LOCATED AT THE NORTHEAST CORNER OF WEST BROMLEY LANE AND EAST 148TH AVENUE IN A PORTION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 1 SOUTH, RANGE 67 WEST, OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO

WHEREAS, pursuant to the laws of the State of Colorado, there was presented to and filed with the City of Brighton, Colorado, an application for nomination (the “Application”), by the City of Brighton (the “Owner”), and its representative, Travis Haines, to designate, as a historic landmark, the Pioneer Cemetery, located at the northeast corner of West Bromley Lane and East 148th Avenue in the southwest quarter of the northeast quarter of Section 13, Township 1 South, Range 67 West of the 6th Principal Meridian, (the “Property”); and

WHEREAS, the Owner has provided consent to the requested nomination; and

WHEREAS, in accordance with the public notice requirements of the *Land Use & Development Code*, a public notice was published on the City’s website, and signs were posted on the Property, both for no less than fifteen (15) days prior to the City Council public hearing; and

WHEREAS, on September 8, 2022, the Historic Preservation Commission held a public hearing to consider the nomination of the Property for designation as a local historic landmark, and provided a recommendation of approval to the City Council; and

WHEREAS, on November 1, 2022, the City Council opened a public hearing where it conducted its review and considered the historic landmark designation pursuant to the applicable provisions set forth in the *Land Use & Development Code*; and

WHEREAS, the City Council finds that the Property is at least fifty (50) years old and satisfies at least one (1) criterion from one (1) of the Eligibility Categories, as delineated in Section 10.03 B., Eligibility for Designation, of the Land Use & Development Code; and

WHEREAS, the City Council finds that the headstones of the pioneers and founding members of Brighton are the defining features of the landmark and shall be preserved in order to retain the historic significance within the Eligibility Categories for designation as a local historic landmark; and

WHEREAS, the City Council has reviewed the Application and finds and declares that the proposed designation will not be detrimental to the future development of the area, or the health, safety, or welfare of the inhabitants of the City of Brighton; and

WHEREAS, the City Council finds that the designation of the Pioneer Cemetery as a local historic landmark will, through preservation and protection, enhance the use of this cultural resource and will contribute to the artistic, social, economic, political, architectural and historic heritage of the city for the benefit of the inhabitants of the City of Brighton.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Brighton, Colorado, as follows:

Section 1. The City Council finds and determines that the proposed historic landmark designation of the Property is in accordance with the guidelines for designation as a local historic landmark; that the proposed historic landmark designation of the Property is in accordance with the policy and intent of Land Use and Development Code Section 10.03; and that the proposed historic landmark designation of the Property is in accordance with the goals and objectives of the Comprehensive Plan and any other plan, policy or guidance adopted pursuant to that plan.

Section 2. The City Council hereby approves the Pioneer Cemetery Historic Landmark Designation.

INTRODUCED, PASSED ON FIRST READING, AND ORDERED PUBLISHED, THIS 1<sup>ST</sup> DAY OF NOVEMBER, 2022

PASSED ON SECOND AND FINAL READING AND ORDERED PUBLISHED BY TITLE ONLY ON THIS 15<sup>TH</sup> DAY OF NOVEMBER, 2022

CITY OF BRIGHTON, COLORADO

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GREGORY MILLS, Mayor

ATTEST:

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NATALIE HOEL, City Clerk

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APPROVED AS TO FORM:

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YASMINA SHAUSH, Assistant City Attorney