

TOWN OF MEAD, COLORADO
ORDINANCE NO. 844

AN ORDINANCE OF THE TOWN OF MEAD, COLORADO, AMENDING SECTION 16-3-150, OF THE *MEAD MUNICIPAL CODE* WITH REGARD TO THE ISSUANCE OF WAIVERS.

WHEREAS, the purpose of this amendment to the Land Use Code is to address an issue regarding the issuance of waivers that have arisen since the adoption of the 2009 Land Use Code; and

WHEREAS, the Board of Trustees desires to regulate land use in a manner that promotes the public health, safety and general welfare;

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Mead, Weld County, Colorado, that:

Section 1. Section 16-3-150 (f) of the *Mead Municipal Code* is hereby amended to read as follows:

“(f) Waiver criteria for approval. The condition(s) of any waiver authorized shall be included in the ordinance with justification set forth. The ordinance shall be recorded with the Weld County Clerk and Recorder. Waivers may be granted only if they meet the following criteria:

- (1) The waiver, if granted, will not alter the essential character of the neighborhood or district in which the property is located, or diminish the value, use, or enjoyment of adjacent property.
- (2) The waiver, if granted, is a minimum change that will afford relief and is the least modification possible of the zoning or subdivision ordinance provisions which are in question.
- (3) The waiver, if granted, will provide architectural or other enhancements to the use and enjoyment of the property by the property owner.”

Section 2. Effective Date. This ordinance shall be published and become effective as provided by law.

Section 3. Severability. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the Ordinance. The Board of Trustees hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more part, section, subsection, sentence, clause or phrase is declared invalid.

Section 4. Repealer. All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

Section 5. Certification. The Town Clerk shall certify to the passage of this ordinance and

make not less than one copy of the adopted Code available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 8th DAY OF May, 2017.

ATTEST:

By Melissa C Mata
Melissa Mata, Interim Town Clerk

TOWN OF MEAD
By Gary R. Shields
Gary R. Shields, Mayor

