

**TOWN OF MEAD, COLORADO
ORDINANCE NO. 928**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO,
APPROVING THE INITIAL ZONING OF PROPERTY KNOWN AS THE
GOPHER RV PARK AND CAMPGROUND ANNEXATION AND
AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF MEAD**

WHEREAS, a petition for annexation was filed with the Town Clerk (the “Petition”) requesting the annexation of certain property commonly known as the Gopher RV Park and Campground Annexation, including certain rights-of-way as more particularly described in the Petition, and which property is described with particularity in the annexation map on file with the Town Clerk and in **Exhibit 1** attached hereto and incorporated herein by reference (the “Property”); and

WHEREAS, on Monday, February 24, 2020, following the conclusion of a duly noticed public hearing, the Board of Trustees of the Town of Mead adopted Ordinance No. 927 (the “Annexation Ordinance”) approving the annexation of the Property into the Town of Mead; and

WHEREAS, as required by C.R.S. § 31-12-115(2), property annexed to the Town must be zoned pursuant to the Town’s zoning regulations within ninety (90) days after the effective date of the Annexation Ordinance; and

WHEREAS, at the same public hearing held and concluded on February 24, 2020, the Board of Trustees considered establishing the initial zoning for the Property under Sections 16-3-160 and 16-8-120(b) of the *Mead Municipal Code* (“MMC”), specifically, the Board of Trustees considered rezoning the Property from Weld County Agricultural (A) to Highway Commercial (HC) under the Town’s Land Use Code as specifically shown in the Gopher RV Park and Campground Zoning Map attached hereto as **Exhibit 2** (the “Zoning Map”); and

WHEREAS, the Town’s Planning Commission (“Planning Commission”) considered the proposed annexation and initial zoning of the Property at a duly noticed public hearing held on Wednesday, February 19, 2020, and adopted Resolution 01-PC-2020 setting forth its favorable recommendation, which resolution has been forwarded to the Board of Trustees; and

WHEREAS, public notice has been properly given of the proposed initial zoning of the Property by publication, in the *Longmont Times-Call*, a newspaper of general circulation within the Town of Mead, by posting of the Property, and notice has been given in accordance with applicable requirements of the Land Use Code; and

WHEREAS, a public hearing on the proposed initial zoning of the Property was held before the Board of Trustees, at which time evidence and testimony were presented to the Board of Trustees concerning the proposed initial zoning of the Property, being Highway Commercial (HC); and

WHEREAS, the administrative record for this case includes, but is not limited to, the Town of Mead Comprehensive Plan and all other applicable ordinances, resolutions and regulations of the Town, together with all Town of Mead policies that relate to the subject matter of the public hearing, reports, studies and all other submittals of the property owner(s), any evidence or correspondence submitted by members of the public at the public hearing, the Zoning Map, the annexation map, and the staff files and reports of the Town's Planning Director or planning department pertaining to this application; and

WHEREAS, pursuant to Article 23 of Title 31, C.R.S., as amended, Board of Trustees has determined that the proposed zoning of the Property, subject to the conditions set forth herein, furthers the public health, safety, convenience and general welfare of the community; conforms with the Town's Comprehensive Plan, constituting the community's three-mile plan, as amended and updated; is compatible with surrounding uses; and otherwise meets the applicable criteria set forth in the Land Use Code.

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

Section 1. Recitals Incorporated. The recitals contained above are incorporated herein by reference and are adopted as findings and determinations of the Board of Trustees.

Section 2. Initial Zoning of Property Approved. The Board of Trustees hereby grants and approves establishing the initial zoning of the Property in the Town of Mead as Highway Commercial (HC) under the Town's Land Use Code, as specifically shown in the Zoning Map attached hereto as **Exhibit 2**.

Section 3. Direction to Town Staff. In accordance with Section 16-3-160(g) of the MMC, the Official Zoning Map of the Town of Mead shall be amended to conform to and reflect the Property's HC district zoning. Town Staff is directed to change the zoning of the Property on the Town's Official Zoning Map and to make any technical corrections to the Official Zoning Map necessitated by the initial zoning of the Property established by this Ordinance. The Town Clerk is instructed to record the Zoning Map for the Property in the real property records of Weld County, Colorado following the date on which the Planning Director and Town Engineer have made any technical corrections to the Zoning Map to conform the same to all applicable requirements of the Land Use Code or otherwise requested by the Planning Director and Town Engineer and the Applicant has fully paid any outstanding fees to the Town related to the Town's review and processing of the Zoning Map.

Section 4. Effective Date. This ordinance shall be published and become effective as provided by law.

Section 5. 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 6. 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 7. 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 24TH DAY OF FEBRUARY, 2020.

ATTEST:

By: _____

Mary E. Strutt, MMC, Town Clerk



TOWN OF MEAD:

By: _____

Colleen G. Whitlow, Mayor

Exhibit 1
Legal Description
Gopher RV Park and Campground Annexation

A PORTION OF LOT B, RECORDED EXEMPTION NO. 1207-21-3-AMRE-2787, AS DESCRIBED IN THE RECORDS OF WELD COUNTY ON JUNE 17, 2003, AT RECEPTION NO. 3073852, SUBDIVISION EXEMPTION NO. SE-960, AS DESCRIBED IN THE RECORDS OF WELD COUNTY ON JUNE 17, 2003, AT RECEPTION NO. 3073851, AND A PORTION OF COLORADO STATE HIGHWAY 66, PROJECT NO. S 0054(5), LOCATED IN THE SOUTHWEST 1/4 OF SECTION 21, TOWNSHIP 3 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE WEST LINE OF THE SOUTHWEST 1/4 OF SECTION 21 TO BEAR NORTH 00°18'27" WEST, A DISTANCE OF 2652.10 FEET BETWEEN A FOUND 1" PIPE WITH 2" BRASS CAP "S.E. SEC. 20 T3N R68W 6TH P.M. 1995 A. MICHAEL HASCALL LS 23500" IN CONCRETE MONUMENT BOX AT THE SOUTHWEST CORNER OF SECTION 21 AND A FOUND #6 REBAR WITH 2" ALUMINUM CAP MICHAEL HASCALL T3S R68W 1/4 S20 S21 1994 PLS 23500" IN MONUMENT BOX AT THE WEST 1/4 CORNER OF SECTION 21, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 21;

THENCE ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SECTION 21, NORTH 89°01'14" EAST, A DISTANCE OF 79.77 FEET TO A POINT ON THE EASTERLY LINE OF HALEY ANNEXATION NO. 2, AS DESCRIBED IN THE RECORDS OF WELD COUNTY ON OCTOBER 11, 2011, AT RECEPTION NO. 3797955, AND THE POINT OF BEGINNING;

THENCE ALONG SAID EASTERLY LINE, NORTH 00°54'15" WEST, A DISTANCE OF 87.62 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF COLORADO STATE HIGHWAY 66, PROJECT NO. S 0054(5);

THENCE DEPARTING SAID EASTERLY LINE AND ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, NORTH 89°04'24" EAST, A DISTANCE OF 273.39 FEET; THENCE DEPARTING SAID NORTHERLY RIGHT OF-WAY LINE, AND ALONG THE EASTERLY LINE OF A PARCEL OF LAND AS DESCRIBED IN THE RECORDS OF WELD COUNTY ON DECEMBER 5, 1924, IN BOOK 757, AT PAGE 362, NORTH 00°27'18" WEST, A DISTANCE OF 111.67 FEET TO THE NORTHEAST CORNER OF SAID PARCEL OF LAND;

THENCE ALONG THE NORTHERLY LINE OF SAID PARCEL OF LAND, SOUTH 89°00'40" WEST, A DISTANCE OF 321.96 FEET TO A POINT ON THE EASTERLY

RIGHT-OF-WAY LINE OF WELD COUNTY ROAD NO. 5, SAID LINE ALSO BEING AN EASTERLY LINE OF SAID HALEY ANNEXATION NO. 2;

THENCE ALONG SAID EASTERLY LINES, NORTH 00°18'27" WEST, A DISTANCE OF 1488.10 FEET;

THENCE DEPARTING SAID EASTERLY LINES, SOUTH 45°47'38" EAST, A DISTANCE OF 341.17 FEET;

THENCE SOUTH 43°50'09" EAST, A DISTANCE OF 936.98 FEET;

THENCE NORTH 89°05'03" EAST, A DISTANCE OF 1291.46 FEET TO A POINT ON AN EASTERLY LINE OF A PORTION OF SAID LOT B;

THENCE ALONG THE EASTERLY LINES OF SAID LOT B, THE FOLLOWING TWO (2) COURSES:

- 1) SOUTH 19°26'38" WEST, A DISTANCE OF 589.21 FEET;
- 2) THENCE SOUTH 00°15'23" EAST, A DISTANCE OF 118.66 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF COLORADO STATE HIGHWAY 66 PROJECT NO. S 0054(5);

THENCE SOUTH 00°54'47" EAST, A DISTANCE OF 149.99 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID COLORADO STATE HIGHWAY 66 PROJECT NO. S 0054(5);

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, THE FOLLOWING FIVE (5) COURSES:

- 1) SOUTH 89°05'13" WEST, A DISTANCE OF 226.01 FEET;
- 2) THENCE SOUTH 80°34'19" WEST, A DISTANCE OF 101.11 FEET;
- 3) THENCE SOUTH 89°05'14" WEST, A DISTANCE OF 600.00 FEET;
- 4) THENCE NORTH 82°22'46" WEST, A DISTANCE OF 101.10 FEET;
- 5) THENCE SOUTH 89°01'35" WEST, A DISTANCE OF 906.05 FEET TO A POINT ON THE EASTERLY LINE OF SAID HALEY ANNEXATION NO. 2;

THENCE DEPARTING SAID SOUTHERLY RIGHT-OF-WAY LINE AND ALONG SAID EASTERLY LINE, NORTH 00°54'15" WEST, A DISTANCE OF 62.83 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

THUS-DESCRIBED PARCEL CONTAINS 2,066,746 SQ. FT. or 47.45 ACRES, MORE OR LESS.

Total acreage (approximate): 47.45 acres, as more particularly shown in the annexation map(s) on file with the Town Clerk.

Exhibit 2
Gopher RV Park and Campground Zoning Map
(attached)

