

**TOWN OF MEAD, COLORADO
ORDINANCE NO. 979**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO, APPROVING
THE INITIAL ZONING OF PROPERTY KNOWN AS THE 16527 WCR 7
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 16527 WCR 7 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, November 29, 2021, following the conclusion of a duly noticed public hearing, the Board of Trustees of the Town of Mead adopted Ordinance No. 978 (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 November 29, 2021, 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 (AG) to Residential Single-Family (RSF-4) under the Town’s Land Use Code as specifically shown in the 16527 WCR 7 Zoning Map attached hereto as **Exhibit 2** (the “Zoning Amendment 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, November 17, 2021, and adopted Resolution 10-PC-2021 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; 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 Amendment Map, the annexation map, and the

staff files and reports of the Town's Community Development 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 Residential Single-Family (RSF-4) under the Town's Land Use Code, as specifically shown in the Zoning Amendment 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 Residential Single-Family (RSF-4) 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 Amendment Map for the Property in the real property records of Weld County, Colorado following the date on which the Community Development Director and Town Engineer have made any technical corrections to the Zoning Amendment Map to conform the same to all applicable requirements of the Land Use Code or otherwise requested by the Community Development 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 Amendment 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 ordinance available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 29TH DAY OF NOVEMBER, 2021.

ATTEST:

TOWN OF MEAD

By: 

Mary E. Strutt, MN



By: 

Colleen G. Whitlow, Mayor

Exhibit 1
Legal Description
16527 WCR 7 Annexation

CONSIDERING THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 9 TO BEAR NORTH 00°24'01" WEST, A DISTANCE OF 2635.51 FEET BETWEEN A FOUND #6 REBAR WITH 2" ALUMINUM CAP IN RANGE BOX, ILLEGIBLE AT THE EAST QUARTER CORNER OF SAID SECTION 9 AND A FOUND #6 REBAR WITH 2" ALUMINUM CAP IN RANGE BOX, ILLEGIBLE AT THE NORTHEAST CORNER OF SAID SECTION 9, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT SAID EAST QUARTER CORNER OF SECTION 9; THENCE SOUTH 88°59'02 " WEST, A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF WELD COUNTY ROAD (WCR) 34 1/2; THENCE ALONG SAID NORTH RIGHT- OF- WAY LINE, SOUTH 88°59'02" WEST, A DISTANCE OF 135.05 FEET TO THE SOUTHEAST CORNER OF LOT A, RECORDED EXEMPTION NO. 1207-9-1-RE973, RECORDED WITH WELD COUNTY ON JULY 20, 1987 AT RECEPTION NO. 02107615; THENCE ALONG SOUTHEASTERL Y LINE OF SAID LOT A THE FOLLOWING THREE (3) COURSES,

- 1) NORTH 00°07'23" WEST, A DISTANCE OF 212.27 FEET;
- 2) THENCE NORTH 83°28'00" EAST, A DISTANCE OF 134.77 FEET TO A POINT ON THE WEST RIGHT- OF- WAY LINE OF WELD COUNTY ROAD (WCR 7);
- 3) THENCE CONTINUING, NORTH 83°28'00" EAST, A DISTANCE OF 30.19 FEET TO A POINT ON SAID EAST LINE OF THE NORTHEAST QUARTER OF SECTION 9; THENCE ALONG SAID EAST LINE, SOUTH 00°24'01" EAST, A DISTANCE OF 228.11 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 36,222 SQ.FT. OR 0.83 ACRES, MORE OR LESS, TOGETHER WITH AND SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY EXISTING AND/OR OF PUBLIC RECORD.

Total acreage (approximate): .83 acres, as more particularly shown in the annexation map(s) on file with the Town Clerk.

Exhibit 2
16527 WCR 7 Zoning Map
(attached)

