

**TOWN OF MEAD, COLORADO
ORDINANCE NO. 1041**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO, APPROVING
THE INITIAL ZONING OF PROPERTY KNOWN AS THE BUFFALO
HIGHLANDS ANNEXATION NOS. 1-4 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 Buffalo Highlands Annexation Nos. 1-4, 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, June 12, 2023, following the conclusion of a duly noticed public hearing, the Board of Trustees of the Town of Mead adopted Ordinance No. 1040 (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 June 12, 2023, 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), Light Industrial (LI), and Agriculture (AG) zone districts under the Town’s Land Use Code as specifically shown on the Buffalo Highlands 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, May 17, 2023, and adopted Resolution 07-PC-2023 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 maps, 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), Light Industrial (LI), and Agriculture (AG) zone districts 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 12TH DAY OF JUNE 2023.

ATTEST:

TOWN OF MEAD:

By: 
Mary E. Strutt, MMC, Town Clerk


By: 
Colleen G. Whitlow, Mayor

Exhibit 1
Legal Description
Buffalo Highlands Annexation Nos. 1-4

Annexation #1 – Legal Description

A tract of land in the Southeast Quarter of Section 2 and the Northeast Quarter of Section 11 all in Township 3 North, Range 68 West of the 6th Principal Meridian, Weld County, Colorado, being more particularly described as follows:

Commencing at the Southwest corner of the Southeast Quarter of said Section 2;

Thence along the West line of said Southeast Quarter, North 00°24'16" West, a distance of 30.00 feet to the North right-of-way line of Weld County Road 36 as recorded in Book 86, at Page 273 and being opened by road petition in Book 2, at Page 325 in the Office of the Weld County Clerk and Recorder;

Thence along said North right-of-way line and parallel with the South line of said Southeast Quarter of Section 2, North 89°35'30" East, a distance of 190.46 feet to a Northeast corner of the Postle Annexation plat as recorded at Reception Number 4774032 in the Office of the Weld County Clerk and Recorder and also being the **POINT OF BEGINNING**;

Thence leaving said North right-of-way line, South 78°56'39" East, a distance of 150.94 feet to a point on the South line of said Southeast Quarter of Section 2;

Thence South 77°58'44" West, a distance of 149.03 feet to a point on the South line of the aforementioned right-of-way and also the East line of the Postle Annexation plat;

Thence along the East line of said plat, North 02°15'45" West, a distance of 60.03 feet to the **POINT OF BEGINNING**.

Said tract of land contains 4,408 Square Feet or 0.101 Acres of land, more or less.

Annexation #2 – Legal Description

A tract of land in the Southeast Quarter of Section 2 and the Northeast Quarter of Section 11 all in Township 3 North, Range 68 West of the 6th Principal Meridian, Weld County, Colorado, being more particularly described as follows:

Commencing at the Southwest corner of the Southeast Quarter of said Section 2;

Thence along the West line of said Southeast Quarter, North 00°24'16" West, a distance of 30.00 feet to the North right-of-way line of Weld County Road 36 as recorded in Book 86, at Page 273 and being opened by road petition in Book 2, at Page 325 in the Office of the Weld County Clerk and Recorder;

Thence along said North right-of-way line and parallel with the South line of said Southeast Quarter of Section 2, North 89°35'30" East, a distance of 190.46 feet to a Northeast corner of the Postle Annexation plat as recorded at Reception Number 4774032 in the Office of the Weld County Clerk and Recorder, also being the Northwestern most corner of Buffalo Highlands Annexation No. 1 and also being the **POINT OF BEGINNING**;

Thence leaving said North right-of-way line, South 88°07'07" East, a distance of 750.87 feet to a point on the South line of said Southeast Quarter of Section 2;

Thence South 87°17'46" West, a distance of 748.92 feet to a point on the South line of the aforementioned right-of-way, also being the Southwest corner of Buffalo Highlands Annexation No. 1 and also the East line of the Postle Annexation plat;

Thence along the Southern line of Buffalo Highlands Annexation No. 1, North 77°58'44" East, a distance of 149.03 feet to a point on the South line of said Southeast Quarter of Section 2;

Thence along the Northern line of Buffalo Highlands Annexation No. 1, North 78°56'39" West, a distance of 150.94 feet to the **POINT OF BEGINNING**.

Said tract of land contains 18,070 Square Feet or 0.415 Acres of land, more or less.

Annexation #3 – Legal Description

A tract of land in the Southeast Quarter of Section 2 and the Northeast Quarter of Section 11 all in Township 3 North, Range 68 West of the 6th Principal Meridian, Weld County, Colorado, being more particularly described as follows:

Commencing at the Southwest corner of the Southeast Quarter of said Section 2;

Thence along the West line of said Southeast Quarter, North 00°24'16" West, a distance of 30.00 feet to the North right-of-way line of Weld County Road 36 as recorded in Book 86, at Page 273 and being opened by road petition in Book 2, at Page 325 in the Office of the Weld County Clerk and Recorder;

Thence along said North right-of-way line and parallel with the South line of said Southeast Quarter of Section 2, North 89°35'30" East, a distance of 190.46 feet to a Northeast corner of the Postle Annexation plat as recorded at Reception Number 4774032 in the Office of the Weld County Clerk and Recorder, also being the Northwestern most corner of Buffalo Highlands Annexation No. 1 and No. 2 and also being the **POINT OF BEGINNING**;

Thence leaving said North right-of-way line, South 89°25'36" East, a distance of 1750.97 feet to a point on the South line of said Southeast Quarter of Section 2;

Thence South 88°36'32" West, a distance of 1749.03 feet to a point on the South line of the aforementioned right-of-way, also being the Southwest corner of Buffalo Highlands Annexation No. 1 and No. 2 and also the East line of the Postle Annexation plat;

Thence along the Southern line of Buffalo Highlands Annexation No. 2, North 87°17'46" East, a distance of 748.92 feet to a point on the South line of said Southeast Quarter of Section 2;

Thence along the North line of Buffalo Highlands Annexation No. 2, North 88°07'07" West, a distance of 750.87 feet to the **POINT OF BEGINNING**.

Said tract of land contains 30,013 Square Feet or 0.689 Acres of land, more or less.

Annexation #4 – Legal Description

A tract of land in the Southeast Quarter and the Northeast Quarter of Section 2, and the Northeast Quarter of Section 11, and the West Half of Section 1 all in Township 3 North, Range 68 West of the 6th Principal Meridian, and the Southeast Quarter of Section 35 in Township 4 North, Range, 68 West of the 6th Principal Meridian, all in Weld County, Colorado, being more particularly described as follows:

Commencing at the Southwest corner of the Southeast Quarter of said Section 2;

Thence along the West line of said Southeast Quarter, North 00°24'16" West, a distance of 30.00 feet to the North right-of-way line of Weld County Road 36 as recorded in Book 86, at Page 273 and being opened by road petition in Book 2, at Page 325 in the Office of the Weld County Clerk and Recorder;

Thence along said North right-of-way line and parallel with the South line of said Southeast Quarter of Section 2, North 89°35'30" East, a distance of 190.46 feet to a Northeast corner of the Postle Annexation plat as recorded at Reception Number 4774032 in the Office of the Weld County Clerk and Recorder and also being the **POINT OF BEGINNING**;

Thence continuing along said right-of-way line, North 89°35'30" East, a distance of 39.54 feet to a point on the West line of Lot B of Recorded Exemption No. 1207-2-4-RE871 as recorded at Reception Number 02054589 in the Office of the Weld County Clerk and Recorder;

Thence along said West line North 00°24'16" West, a distance of 916.88 feet to a corner of said Lot B;

Thence along a Southerly line of said Lot B South 89°35'30" West, a distance of 230.00 feet to the West line of said Lot B, also being the West line of the Southeast Quarter of Section 2;

Thence along said West line North 00°24'16" West, a distance of 1694.52 feet (1694.67 feet platted) to the Northwest corner said Lot B, also being the Northwest corner of said Southeast Quarter of Section 2;

Thence along the North line of said Southeast Quarter of Section 2, North 89°14'08" East, a distance of 990.00 feet to a corner of said Lot B;

Thence leaving said North line of said Southeast Quarter and along a western line of said Lot B and extended line of Lot B North 00°24'05" West, a distance of 2702.02 feet to the South right-of-way line of Weld County Road 38 as recorded in Book 86, at Page 273 and being opened by road petition in Book 2, at Page 325 in the Office of the Weld County Clerk and Recorder;

Thence along said South right-of-way and 30.00 feet South of and parallel to the North line of the Northeast Quarter of said Section 2, South 88°51'05" West, a distance of 22.12 feet to a Southeastern corner of the High Point at Mead Annexation Map as recorded at Reception Number 3907750 in the Office of the Weld County Clerk and Recorder;

Thence along the East line of said Annexation Map, North 00°17'15" West, a distance of 60.01 feet to the North right-of-way line of said Weld County Road 38;

Thence along said right-of-way line and 30.00 feet North of and parallel to the North line the Northeast Quarter of said Section 2, North 88°51'05" East, a distance of 1,709.02 feet;

Thence leaving said right-of-way line, South 00°09'38" East, a distance of 30.00 feet to the Northeast corner of the Northeast Quarter of said Section 2;

Thence along the East line of said Northeast Quarter, South 00°09'38" East, a distance of 1714.79 feet to the Southwest corner of a tract of land described and recorded at Reception Number 4753423 in the Office of the Weld County Clerk and Recorder;

Thence leaving said East line and along the Southerly line of said tract South 46°07'42" East, a distance of 720.43 feet to the Southeast corner of said tract of land, also being the Southwest corner of a tract of land described and recorded at Reception Number 4366040 in the Office of the Weld County Clerk and Recorder;

Thence along the Southerly line of said tract, South 46°07'42" East, a distance of 34.86 feet;

Thence continuing along said Southerly line South 39°57'58" East, a distance of 430.88 feet;

Thence continuing along said Southerly line South 29°07'51" East, a distance of 60.90 feet (60.84 feet record) to the Southeast corner of said tract, also being the Westerly right of way line of a railroad as described and recorded in Book 212 at Page 329 in the Office of the Weld County Clerk and Recorder;

Thence along said Westerly right-of-way line, South 29°00'38" West, a distance of 3,218.71 feet to a point on the South right-of-way line of aforementioned Weld County Road 36;

Thence along said South right-of-way line and 30.00 feet South of and parallel to the South line of the Southeast Quarter of said Section 2, South 89°35'30" West, a distance of 1740.84 feet to the East line of the aforementioned Postle Annexation plat, also being the Southwest corner of Buffalo Highlands Annexation No. 1, 2, and 3;

Thence along the Southern line of Buffalo Highlands Annexation No. 3, North 88°36'32" East, a distance of 1749.03 feet;

Thence along the Northern line of Buffalo Highlands Annexation No. 3, North 89°25'36" West, a distance of 1750.97 feet to the **POINT OF BEGINNING**.

Said tract of land contains 12,098,658 Square Feet or 277.747 acres of land, more or less.

Said property contains approximately 278.952 acres, together with and subject to all easements and rights-of-way existing and/or of public record, as more particularly shown in the annexation map(s) on file with the Town Clerk.

Exhibit 2
Buffalo Highlands Zoning Map
(attached)