

**TOWN OF TIMNATH, COLORADO**

**ORDINANCE NO. 6, SERIES 2013**

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF TIMNATH FOR THE PURPOSE OF ZONING CERTAIN REAL PROPERTY TO INCLUDE A PLANNED DEVELOPMENT OVERLAY (PD OVERLAY) DISTRICT FOR TIMNATH RANCH SUBDIVISION, FIRST FILING, GENERALLY LOCATED NORTH OF AND ADJACENT TO RIVER PASS ROAD (CR 36), EAST OF AND ADJACENT TO THREE BELLS PARKWAY (CR3)**

**WHEREAS**, Village Homes has submitted a request for rezoning of real property within the Town of Timnath to include a Planned Development Overlay Zoning District over the entire R-2 zoning district, more particularly described in **Exhibit A** and attached hereto and incorporated herein by this reference; and

**WHEREAS**, the Town Council finds the location of the zoning to be appropriate and in conformance with the Town Comprehensive Plan; and

**WHEREAS**, the PD Overlay Zoning district was recommended for approval by the Town of Timnath Planning Commission on Wednesday, April 24, 2013.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH, COLORADO:**

**Section 1. Property Zoned**

That Article 3 of the Timnath Land Use Codes and the map referred to therein as the "Official Zoning Map of the Town of Timnath", said map being part of said Zoning Code and showing the boundaries of the districts specified, shall be and the same is hereby amended in the following particulars, to wit:

R-2 Zone District with a PD Overlay - See, attached **Exhibit A**

**Section 2. Public Hearing**

The Town Council held a public hearing on July 9, 2013 regarding the Rezoning of the property.

**Section 3. Severability**

If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one or parts be declared unconstitutional or invalid.

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Please Return to:  
Town of Timnath  
4800 Goodman Street  
Timnath, CO 80547

**Section 4. Effective Date**

This Ordinance shall take effect upon adoption at second reading, as provided by Section 3.5.5 of the Charter. 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, MOVED, AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH ON FIRST READING, ON MAY 14, 2013, AND SET FOR PUBLIC HEARING, AND SECOND READING AT 6:00 P.M. ON MAY 28, 2013 AT THE TIMNATH ADMINISTRATION BUILDING, 4800 GOODMAN STREET, TIMNATH COLORADO AND ORDERED PUBLISHED BY TITLE THIS 9 DAY OF JULY, 2013.

MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON JULY 9, 2013.

**TOWN OF TIMNATH, COLORADO**

  
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Jill Grossman-Belisle, Mayor

**ATTEST:**

  
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Milissa Peters, Town Clerk



**EXHIBIT A**

**Legal Description of Property Proposed for Rezoning**

**Zone R-2 with a Planned Development Overlay (PD Overlay)**

**DESCRIPTION:**

A tract of land being a portion of Section 1, Township 6 North, Range 68 West of the Sixth Principal Meridian, Town of Timnath, County of Larimer, State of Colorado being more particularly described as follows:

Considering the South line of the Southwest Quarter Corner of Section 1 as bearing South 88°01'30" East, and with all bearings contained herein relative thereto:

**Beginning** at the Southwest Corner of said Section 1; thence along the West line of said Section 1, North 01°07'35" West, 2,648.29 feet to the West Quarter Corner of said Section 1; thence continuing along the West line of said Section 1, North 01°13'26" West, 265.25 to a point on the Southwesterly Right-of-Way line Great Western Railroad; thence along said Southwesterly line, South 50°23'30" East, 4,682.72 feet to a point on the North Right-of-Way line of Larimer County Road No. 36; thence, South 50°23'30" East, 81.89 feet to a point on the South line of said Section 1; thence along said South line, North 88°01'18" West, 1,005.99 feet to the Southwest Quarter Corner of Section 1; thence continuing along said South line, North 88°01'30" West, 395.41 feet; thence departing said South line, North 01°58'30" East, 50.00 feet to a point on the Northern Right-of-Way line of Larimer County Road No. 36; thence, North 46°58'26" East, 21.26 feet; thence, North 01°58'24" East, 65.43 feet; thence along a tangent curve concave to the East having a central angle of 14°29'55", a radius of 192.00 feet, an arc length of 48.59 feet and the chord of which bears North 09°13'21" East, 48.46 feet; thence, North 16°28'19" East, 24.66 feet; thence, North 88°01'23" West, 363.21 feet; thence, South 01°58'35" West, 202.42 feet to a point on the South line of said Section 1; thence along said South line, North 88°01'30" West, 1,877.88 feet to the POINT OF BEGINNING.

The above described tract contains 119.09 acres more or less and is subject to all easement and rights-of-way now on record or existing.