TOWN OF TIMNATH, COLORADO

ORDINANCE NO. 122, SERIES 2011

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF TIMNATH FOR THE PURPOSE OF ZONING CERTAIN REAL PROPERTY TO BE KNOWN AS TIMNATH RANCH SUBDIVISION, FIFTH FILING, GENERALLY LOCATED SOUTH OF AND ADJACENT TO HARMONY ROAD, EAST OF THREE BELLS PARKWAY (CR3)

WHEREAS, Hillside Commercial Group has submitted a request for rezoning of real property within the Town of Timnath 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 zone change was recommended for approval to R-4, MU, and C-2 all with a PD Overlay, by the Town of Timnath Planning Commission on Wednesday, December 14, 2011 pursuant to Section 16.3.4.N.8.

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-4 with PD Overlay - See, attached Exhibit A
- MU with PD Overlay - See, attached Exhibit A
- C-2 with PD Overlay - See, attached Exhibit A

Section 2. Public Hearing

The Town Council held a public hearing on Tuesday, January 10, 2012 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.

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 DECEMBER 20, 2011, AND SET FOR PUBLIC HEARING AND SECOND READING AT 7:00 P.M. ON JANUARY 10, 2012 AT THE TIMNATH ADMINISTRATION BUILDING, 4800 GOODMAN STREET, TIMNATH COLORADO AND ORDERED PUBLISHED BY TITLE THIS 20TH DAY OF DECEMBER, 2011.

MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON JANUARY 10, 2012.

TOWN OF TIMNATH, COLORADO

Jill Grossman-Belisle, Mayor

ATTEST:

Milissa Peters, Town Clerk
EXHIBIT A

Legal Description of Property Proposed for Rezoning

[attached]