TOWN OF TIMNATH, COLORADO
ORDINANCE NO. 20, SERIES 2017

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF TIMNATH FOR THE PURPOSE OF ZONING CERTAIN REAL PROPERTY

WHEREAS, The Town of Timnath adopted a Land Use Code Update on December 8, 2015 that repealed and re-enacted the Land Use Code and thereby modified the official zoning designations in the Town; and

WHEREAS, the following zoning designations were removed from the land use code: C-1 (Neighborhood Commercial), C-2 (Community Commercial), and MU (Mixed-Use); and

WHEREAS, the following zoning designations were added to the land use code: RC (Regional Commercial), CC (Community Commercial), NC (Neighborhood Commercial), RMU (Residential Mixed-Use), and CMU (Commercial Mixed-Use); and

WHEREAS, those certain properties as depicted on the official zoning map for the Town (Exhibit A) designated as C-2 and MU shall be rezoned to the appropriate zoning designation within the current Land Use Code in compliance with the Town of Timnath Comprehensive Plan and as depicted on the proposed amended zoning map (Exhibit B); and

WHEREAS, the amendment to the official zoning map was recommended for approval as depicted in Exhibit B at a public hearing held by the Town of Timnath Planning Commission on Tuesday, April 18, 2017; and

WHEREAS, a properly noticed public hearing with the Town Council was held on September 26, 2017 and upon hearing the statements of staff, the applicant(s) and giving consideration to the recommendations, the Town Council determines as provided below.

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

ARTICLE 1 - The Town Council hereby approves the Amendment to the Official Zoning Map of the Town of Timnath for the purpose of zoning certain real property in the Town of Timnath.

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 district specified, shall be and the same is hereby amended in the following particulars, to wit:

Exhibit B (zoning map)

ARTICLE 2 – SEVERABILITY
If any part or provision of this Ordinance, or its application to any person or circumstance, is adjudged to be invalid or unenforceable, the invalidity or unenforceability of such part,
provision, or application shall not affect any of the remaining parts, provisions or applications of this Ordinance that can be given effect without the invalid provision, part or application, and to this end the provisions and parts of this Ordinance are declared to be severable.

ARTICLE 4 – EFFECTIVE DATE
This Ordinance shall take effect upon adoption at second reading, as provided by Section 3.5.5 of the Charter.

INTRODUCED, MOVED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH ON FIRST READING ON SEPTEMBER 6, 2017, SET FOR PUBLIC HEARING AND SECOND READING AT 6:00 P.M. ON SEPTEMBER 26, 2017 AT THE TIMNATH ADMINISTRATION BUILDING, 4800 GOODMAN STREET, TIMNATH, COLORADO AND ORDERED PUBLISHED BY TITLE THIS 26TH DAY OF SEPTEMBER, 2017.

MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON THE 26TH DAY OF SEPTEMBER, 2017.

TOWN OF TIMNATH, COLORADO

[Signature]
Bryan Voronin, Mayor Pro Tem

ATTEST:

[Signature]
Milissa Peters, CMC
Town Clerk
EXHIBIT A

Official Zoning Map
(dated January 1, 2016)

[attached]
EXHIBIT B

Proposed Zoning Map

[attached]