

**TOWN OF TIMNATH, COLORADO
ORDINANCE NO. 1, SERIES 2025**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF TIMNATH
APPROVING THE PLANNED DEVELOPMENT OVERLAY AMENDMENT FOR THE
LADERA SUBDIVISION, GENERALLY LOCATED SOUTH OF AND ADJACENT TO
SWETSVILLE ZOO ROAD, AND WEST OF COUNTY ROAD-5**

WHEREAS, Connell, LLC (the “Developer”) has submitted a Planned Development Overlay Amendment for the Ladera Subdivision, more particularly described in **Exhibit A** (legal description) and **Exhibit B** (Planned Development Overlay) and attached hereto and incorporated herein by this reference (the “Property”); and

WHEREAS, a properly noticed public hearing was held on December 3, 2024, and the above described Planned Development Overlay Amendment was recommended for approval to the Town Council by the Town of Timnath Planning Commission; and

WHEREAS, a properly noticed public hearing with the Town Council was held on January 14, 2025 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:**

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

The proposed RC zoning is amended with the addition of a Planned Development Overlay – See attached **Exhibits A&B**

Section 2. Conditions

Allow staff to continue to work with applicant to address all unresolved non-substantive technical comments to the satisfaction of Town Staff and Referral Agencies.

Section 3. Public Hearing

The Town Council held a public hearing on Tuesday, January 14, 2025 regarding the zoning of the property.

Section 4. 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.

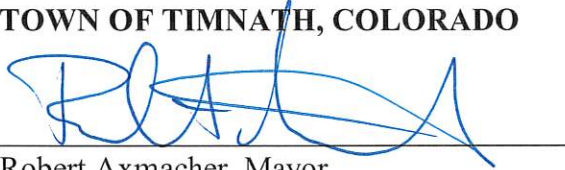
Section 5. Effective Date

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 10, 2024, AND SET FOR PUBLIC HEARING, AND SECOND READING AT 6:00 P.M. ON JANUARY 14, 2025 AT THE TIMNATH TOWN CENTER, 4750 SIGNAL TREE DRIVE, TIMNATH COLORADO AND ORDERED PUBLISHED BY TITLE THIS 10TH DAY OF DECEMBER, 2024.

MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON JANUARY 14, 2025.

TOWN OF TIMNATH, COLORADO



Robert Axmacher, Mayor

ATTEST:


Milissa Peters-Garcia, CMC
Town Clerk



EXHIBIT A

Legal Description of Property Proposed for Amended Planned Development Overlay

KNOW ALL PEOPLE BY THESE PRESENTS THAT THE UNDERSIGNED WARRANT THEY ARE THE OWNERS OF LAND BEING LOT 1, BLOCK 2, TRACT B, TRACT C AND PART OF TRACT A, LADERA SUBDIVISION RECORDED AT RECEPTION NO. 20220009456 AND LOT 1B, AMENDED PLAT OF TRACT A, JOHN W. SWETS FARM CORP. EXEMPTION PLAT AND CWH PROPERTIES LLC BOUNDARY LINE ADJUSTMENT—FILE # 21—LAND4085, RECORDED AT RECEPTION NO. 20210098821 ALL RECORDED IN THE LARIMER COUNTY CLERK AND RECORDER'S OFFICE, LOCATED IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 6 NORTH, RANGE 68 WEST OF THE 6TH P.M., TOWN OF TIMNATH, LARIMER COUNTY, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID TRACT B;

THENCE N02°04'13"W, A DISTANCE OF 1119.42 FEET ON THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 3 TO THE SOUTH LINE OF GATEWAY TIMNATH SOUTH SUBDIVISION RECORDED AT RECEPTION NO. 20140010830 IN THE LARIMER COUNTY CLERK AND RECORDER'S OFFICE;

THENCE N89°30'43"E, A DISTANCE OF 310.97 FEET ON SAID SOUTH LINE;

THENCE S01°16'05"E, A DISTANCE OF 59.94 FEET TO THE NORTHWEST CORNER OF LOT 1, BLOCK 1, LADERA SUBDIVISION;

THENCE ON THE WEST, SOUTH AND NORTH LINES OF SAID LOT 1, BLOCK 1 FOR THE FOLLOWING SEVEN (7) COURSES;

1. S01°16'05"E, A DISTANCE OF 566.79 FEET;
2. ON A CURVE TO THE LEFT, HAVING A RADIUS OF 300.00 FEET, A CENTRAL ANGLE OF 04°17'44", A DISTANCE OF 22.49 FEET, A CHORD BEARING OF S03°24'57"E WITH A CHORD DISTANCE OF 22.49 FEET;
3. N88°43'55"E, A DISTANCE OF 591.23 FEET;
4. N01°16'05"W, A DISTANCE OF 530.85 FEET TO A NON-TANGENT CURVE;
5. ON SAID NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 57.50 FEET, A CENTRAL ANGLE OF 76°12'11", A DISTANCE OF 76.47 FEET, A CHORD BEARING OF N52°22'52"W WITH A CHORD DISTANCE OF 70.96 FEET;
6. THENCE S89°31'02"W, A DISTANCE OF 140.60 FEET;
7. THENCE N88°15'05"W, A DISTANCE OF 166.95 FEET TO THE NORTH LINE OF SAID LADERA SUBDIVISION;

THENCE ON THE NORTH, WEST AND EAST LINES OF SAID LADERA SUBDIVISION FOR THE FOLLOWING SIX (6) COURSES;

1. THENCE N89°31'02"E, A DISTANCE OF 506.70 FEET;
2. THENCE N00°29'50"W, A DISTANCE OF 60.00 FEET;
3. THENCE S89°30'43"W, A DISTANCE OF 34.92 FEET;
4. THENCE N01°16'05"W, A DISTANCE OF 247.88 FEET;
5. THENCE N89°31'11"E, A DISTANCE OF 1038.31 FEET;
6. THENCE S01°16'05"E, A DISTANCE OF 1339.12 FEET;

THENCE S88°43'55"W, A DISTANCE OF 2035.55 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 2,127,601 SQUARE FEET OR 48.843 ACRES, MORE OR LESS.

EXHIBIT B

Amended Planned Development Overlay

[attached]

PLANNED DEVELOPMENT OVERLAY FOR:
LADERA SUBDIVISION AMENDMENT NO. 2
 LOCATED IN THE EAST HALF OF SECTION 3, TOWNSHIP 6 NORTH, RANGE 68
 WEST OF THE 6TH P.M. COUNTY OF LARIMER, STATE OF COLORADO

NOVEMBER, 2024



VICINITY MAP
 N.T.S.

SHEET INDEX

- 1 COVER SHEET
- 2 PLANNED DEVELOPMENT OVERLAY
- 3 SITE DESIGN GUIDELINES
- 4 AREA PLAN

COMMITMENT
 THE CLIENT HAS BEEN ADVISED OF THE
 LIMITATIONS OF THE INFORMATION
 PROVIDED AND HAS AGREED TO ACCEPT
 THE INFORMATION AS PROVIDED. THE
 INFORMATION IS NOT TO BE USED FOR
 ANY OTHER PURPOSES WITHOUT THE
 WRITTEN PERMISSION OF THE
 ENGINEER AND ARCHITECT.



LADERA SUBDIVISION AMENDMENT NO. 2
 PLANNED DEVELOPMENT OVERLAY
 TIMNATH, CO

#	Draw	Issue / Description	Date

PLANNING COMMISSION CERTIFICATE
 APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF LARIMER, COLORADO, ON _____ DAY OF _____, 20____, AT THE TIME PLANNING COMMISSION MET AT _____
 COMMISSIONER _____
 TOWN COUNCIL CERTIFICATE
 APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF LARIMER, COLORADO, ON _____ DAY OF _____, 20____, AT THE TIME THE COUNCIL MET AT _____
 COUNTY BOARD SECRETARY _____
 TOWN CLERK _____



Date Board Description

Project No. CD1900101
Date By: P.A.S.
Drawn By: J.P.H.
Scale: 1"=200'
Sheet: 1222201A
PLANNED DEVELOPMENT
OVERLAY



PD OVERLAY DESCRIPTION
THE LADERA SUBDIVISION IS A PROJECT AS SHOWN ON THE PLANNED DEVELOPMENT AMENDMENT NO. 2. THE LADERA SUBDIVISION IS A PROJECT AS SHOWN ON THE PLANNED DEVELOPMENT AMENDMENT NO. 2. THE LADERA SUBDIVISION IS A PROJECT AS SHOWN ON THE PLANNED DEVELOPMENT AMENDMENT NO. 2.

ADDITIONAL PD OVERLAY GUIDELINES
1. THE PROJECT SHALL BE IN ACCORDANCE WITH THE LADERA SUBDIVISION PLANNED DEVELOPMENT AMENDMENT NO. 2.
2. THE PROJECT SHALL BE IN ACCORDANCE WITH THE LADERA SUBDIVISION PLANNED DEVELOPMENT AMENDMENT NO. 2.
3. THE PROJECT SHALL BE IN ACCORDANCE WITH THE LADERA SUBDIVISION PLANNED DEVELOPMENT AMENDMENT NO. 2.

SITE AREA

LOT #	AREA (AC)	USE AREA (AC)	MAX. COVER (SQ. FT.)	MAX. LOT AREA (AC)
LOT 1	1,177 AC	1,177 AC	1,177 AC	1,177 AC
LOT 2	1,529 AC	1,529 AC	1,529 AC	1,529 AC
LOT 3	1,529 AC	1,529 AC	1,529 AC	1,529 AC
LOT 4	1,529 AC	1,529 AC	1,529 AC	1,529 AC
LOT 5	1,529 AC	1,529 AC	1,529 AC	1,529 AC
LOT 6	1,529 AC	1,529 AC	1,529 AC	1,529 AC
LOT 7	1,529 AC	1,529 AC	1,529 AC	1,529 AC
LOT 8	1,529 AC	1,529 AC	1,529 AC	1,529 AC
LOT 9	1,529 AC	1,529 AC	1,529 AC	1,529 AC
LOT 10	1,529 AC	1,529 AC	1,529 AC	1,529 AC
LOT 11	1,529 AC	1,529 AC	1,529 AC	1,529 AC
LOT 12	1,529 AC	1,529 AC	1,529 AC	1,529 AC
LOT 13	1,529 AC	1,529 AC	1,529 AC	1,529 AC
LOT 14	1,529 AC	1,529 AC	1,529 AC	1,529 AC
LOT 15	1,529 AC	1,529 AC	1,529 AC	1,529 AC
LOT 16	1,529 AC	1,529 AC	1,529 AC	1,529 AC
LOT 17	1,529 AC	1,529 AC	1,529 AC	1,529 AC
LOT 18	1,529 AC	1,529 AC	1,529 AC	1,529 AC
LOT 19	1,529 AC	1,529 AC	1,529 AC	1,529 AC
LOT 20	1,529 AC	1,529 AC	1,529 AC	1,529 AC
LOT 21	1,529 AC	1,529 AC	1,529 AC	1,529 AC
LOT 22	1,529 AC	1,529 AC	1,529 AC	1,529 AC
LOT 23	1,529 AC	1,529 AC	1,529 AC	1,529 AC
LOT 24	1,529 AC	1,529 AC	1,529 AC	1,529 AC
LOT 25	1,529 AC	1,529 AC	1,529 AC	1,529 AC
LOT 26	1,529 AC	1,529 AC	1,529 AC	1,529 AC
LOT 27	1,529 AC	1,529 AC	1,529 AC	1,529 AC
LOT 28	1,529 AC	1,529 AC	1,529 AC	1,529 AC
LOT 29	1,529 AC	1,529 AC	1,529 AC	1,529 AC
LOT 30	1,529 AC	1,529 AC	1,529 AC	1,529 AC
LOT 31	1,529 AC	1,529 AC	1,529 AC	1,529 AC
LOT 32	1,529 AC	1,529 AC	1,529 AC	1,529 AC
LOT 33	1,529 AC	1,529 AC	1,529 AC	1,529 AC
LOT 34	1,529 AC	1,529 AC	1,529 AC	1,529 AC
LOT 35	1,529 AC	1,529 AC	1,529 AC	1,529 AC
LOT 36	1,529 AC	1,529 AC	1,529 AC	1,529 AC
LOT 37	1,529 AC	1,529 AC	1,529 AC	1,529 AC
LOT 38	1,529 AC	1,529 AC	1,529 AC	1,529 AC
LOT 39	1,529 AC	1,529 AC	1,529 AC	1,529 AC
LOT 40	1,529 AC	1,529 AC	1,529 AC	1,529 AC
LOT 41	1,529 AC	1,529 AC	1,529 AC	1,529 AC
LOT 42	1,529 AC	1,529 AC	1,529 AC	1,529 AC
LOT 43	1,529 AC	1,529 AC	1,529 AC	1,529 AC
LOT 44	1,529 AC	1,529 AC	1,529 AC	1,529 AC
LOT 45	1,529 AC	1,529 AC	1,529 AC	1,529 AC
LOT 46	1,529 AC	1,529 AC	1,529 AC	1,529 AC
LOT 47	1,529 AC	1,529 AC	1,529 AC	1,529 AC
LOT 48	1,529 AC	1,529 AC	1,529 AC	1,529 AC
LOT 49	1,529 AC	1,529 AC	1,529 AC	1,529 AC
LOT 50	1,529 AC	1,529 AC	1,529 AC	1,529 AC

LEGAL DESCRIPTION
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SURVEYOR'S CERTIFICATE
I, THE UNDERSIGNED, A LICENSED SURVEYOR IN THE STATE OF GEORGIA, HAVE SURVEYED THE ABOVE DESCRIBED LAND AND HAVE FOUND THAT THE SAME IS ACCURATELY DESCRIBED BY THE ABOVE LEGAL DESCRIPTION AND THAT THE SAME IS ACCURATELY DESCRIBED BY THE ABOVE LEGAL DESCRIPTION AND THAT THE SAME IS ACCURATELY DESCRIBED BY THE ABOVE LEGAL DESCRIPTION.



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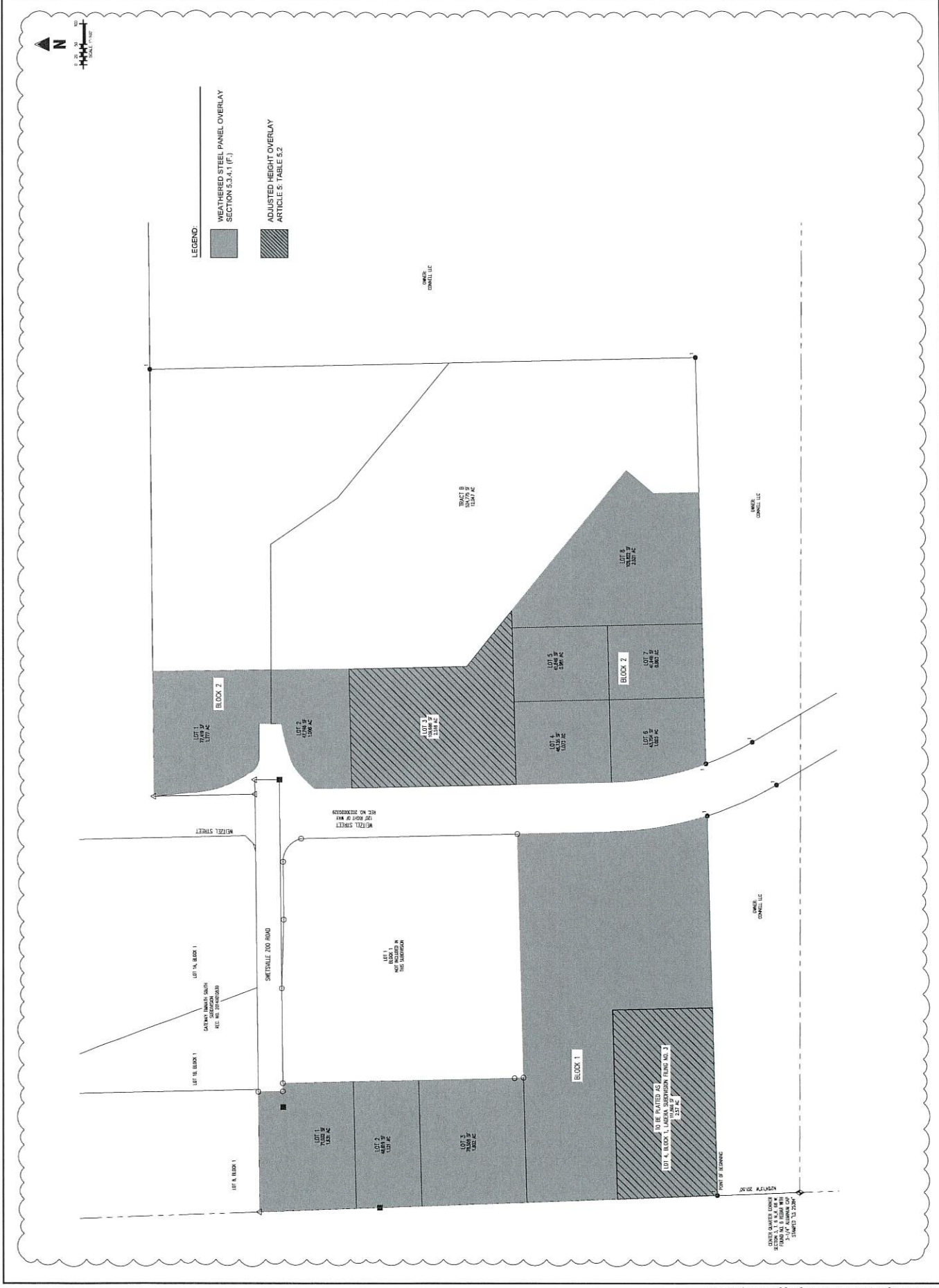
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PLANNED DEVELOPMENT
OVERLAY



#	Date	Revised / Description	Initials

Project No:	0204260030
Drawn By:	AJS
Checked By:	JRF
Date:	11-22-2018
AREA PLAN	



OWNER CONSENT TO BE PLATTED AS
 LOT 10, BLOCK 1, LADERA SUBDIVISION (IMP. NO. 2)
 TO BE PART OF THE SAME AS PERMITTED BY SECTION 5.3.4.1 (F.)
 OF THE SUBDIVISION MAP ACT, CHAPTER 127, ARTICLE 5, SECTION 5.3.4.1 (F.)