

**TOWN OF TIMNATH, COLORADO
ORDINANCE NO. 5, SERIES 2025**

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF
TIMNATH FOR THE PURPOSE OF ZONING CERTAIN REAL PROPERTY KNOWN
AS THE POUDRE SCHOOL DISTRICT TIMNATH 50
TO THE TOWN OF TIMNATH, COLORADO, LOCATED AT THE SOUTHEAST
CORNER OF MAIN STREET AND BUSS GROVE ROAD**

WHEREAS, The Poudre School District has submitted a request for zoning 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 CMU – Commercial Mixed Use at a public hearing held by the Town of Timnath Planning Commission on Tuesday, January 7, 2025.

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:

CMU – Commercial Mixed-Use – See attached **Exhibit A** (legal description) and **Exhibit B** (zoning map)

Section 2. Public Hearing

The Town Council held a public hearing on Tuesday, January 28, 2025 regarding the zoning 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 JANUARY 14, 2025, SET FOR PUBLIC HEARING AND SECOND READING AT 6:00 P.M. ON JANUARY 28, 2025, AT THE TIMNATH TOWN CENTER, 4750 SIGNAL TREE DRIVE, TIMNATH, COLORADO AND ORDERED PUBLISHED BY TITLE THIS 14TH DAY OF JANUARY, 2025.

MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON THE 28TH DAY OF JANUARY, 2025.

TOWN OF TIMNATH, COLORADO



Robert Axmacher, Mayor

ATTEST:



Milissa Peters-Garcia, CMC
Town Clerk



EXHIBIT A

Legal Description of Property Proposed for Zoning

A parcel of land being portions of the Southwest Quarter of Section Twenty-six (26) and the Northwest Quarter of Section Thirty-five (35), all in Township Seven North (T.7N.), Range Sixty-eight West (R.68W.) of the Sixth Principal Meridian (6th P.M.), County of Larimer, State of Colorado, and being more particularly described as follows:

COMMENCING at the Northwest Corner of said Section 35 and assuming the North line of the Northwest Quarter of said Section 35 as bearing South 89°48'53" East a distance of 2645.95 feet with all other bearings contained herein relative thereto:

THENCE South 89°48'53" East along the North line of the Northwest Quarter of said Section 35 a distance of 30.00 feet to an East line of the Smith-Bassett Annexation No. 1 to the Town of Timnath recorded August 11, 2005 as Reception No. 2005-0067350 of the Records of Larimer County and to the **POINT OF BEGINNING**;

THENCE South 89°48'53" East continuing along said North line of the Northwest Quarter a distance of 20.00 feet to the most Easterly line of said Smith-Bassett Annexation No. 1;

THENCE North 00°11'50" East along the Easterly line of said Smith-Bassett Annexation No. 1 a distance of 30.00 feet to the North Right of Way line of Larimer County Road 40, said North Right of Way line being parallel with and 30.00 feet North of the North line of the Northwest Quarter of said Section 35;

THENCE South 89°48'53" East along the North Right of Way line of Larimer County Road 40 a distance of 1379.49 feet to the West line of the North Timnath Farms Annexation recorded August 22, 2008 as Reception No. 20080054097 of the Records of Larimer County;

THENCE South 00°02'22" West along said West line a distance of 1551.53 feet to the most Westerly North line of said North Timnath Farms Annexation;

THENCE North 89°57'43" West along said most Westerly North line a distance of 1399.57 feet to the East line of said Smith-Bassett Annexation No. 1;

THENCE North 00°02'22" East along said East line a distance of 1525.13 feet to the **POINT OF BEGINNING**;

Said parcel of land contains 49.89 acres, more or less.

TOTAL ANNEXED AREA for the Poudre School District Timnath 50 Annexation is 2,173,387 square feet or 49.89 acres, more or less (±).

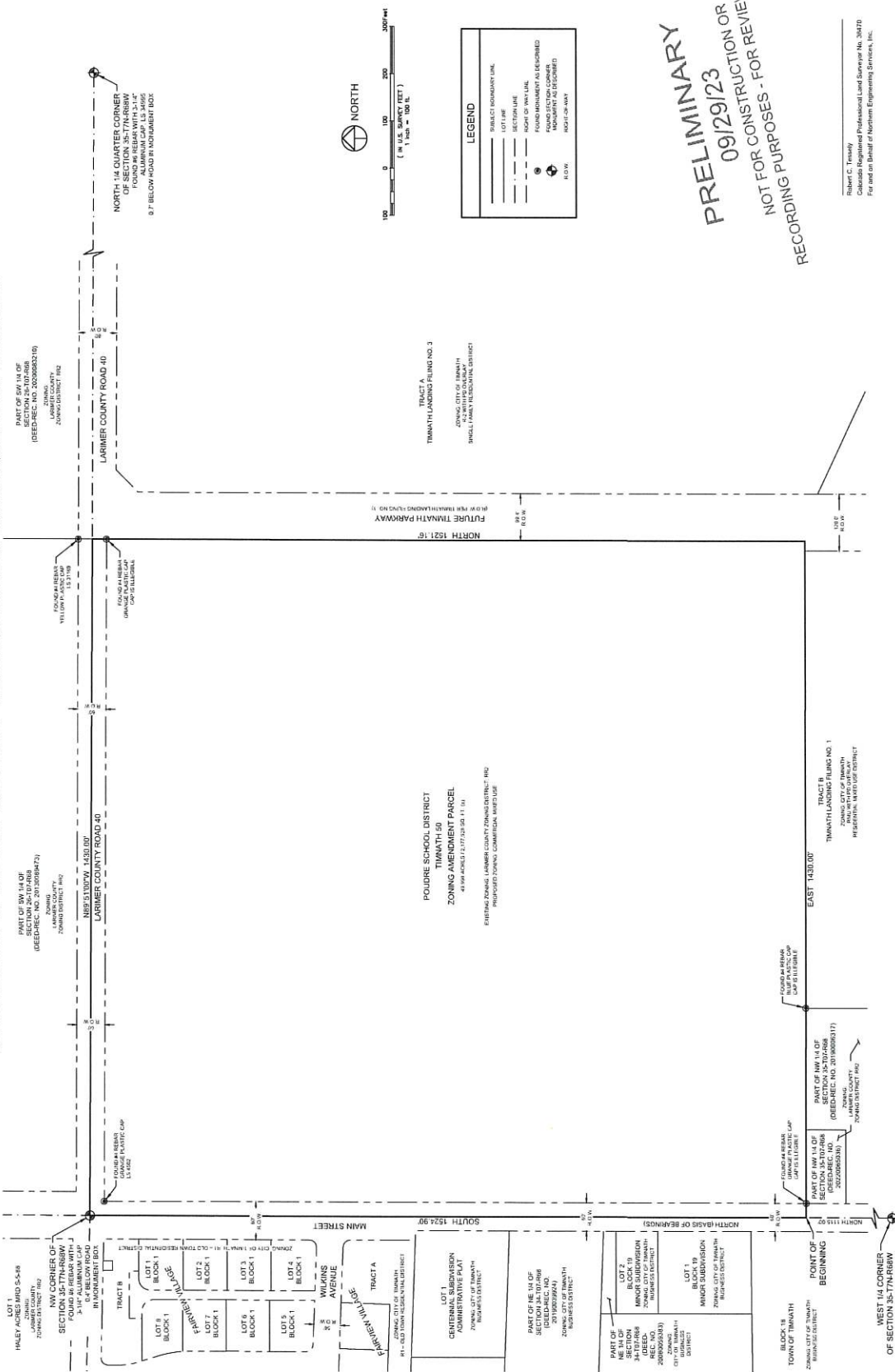
EXHIBIT B

Zoning Map

[attached]

POUDRE SCHOOL DISTRICT TIMNATH 50
ZONING AMENDMENT MAP

A PARCEL OF LAND BEING A PORTION OF THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 7 NORTH,
RANGE 68 WEST OF THE 6TH P.M. TOWN OF TIMNATH, COUNTY OF LARIMER, STATE OF COLORADO



PRELIMINARY
09/29/23
NOT FOR CONSTRUCTION OR
RECORDING PURPOSES - FOR REVIEW ONLY

Robert C. Tessaly
Colorado Registered Professional Land Surveyor No. 36470
For and on Behalf of Northern Engineering Services, Inc.

Of 2 Sheets

POUDRE SCHOOL DISTRICT TIMNATH 50 ZONING AMENDMENT MAP

ZONING AMENDMENT MAP
POUDRE SCHOOL DISTRICT TIMNATH 50
TOWN OF TIMNATH, LARIMER COUNTY, COLORADO

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CONCLUSION

PLATE	606 W. OF THE 6TH FLY
TONS	7 N
20 W 30	

**NORTHERN
ENGINEERING
LAND DEVELOPMENT**



203-004	09/28/2023	CLIENT: PSD SCHOOLS	SCALE: 1" = 100'	DRAWN BY: L. SMITH	REVIEWED BY: B. FESSLEY
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