

**TOWN OF TIMNATH, COLORADO
ORDINANCE NO. 10, SERIES 2025**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF TIMNATH
APPROVING THE PLANNED DEVELOPMENT OVERLAY AMENDMENT FOR THE
TIMNATH LANDING SUBDIVISION, GENERALLY LOCATED EAST OF AND
ADJACENT TO MAIN STREET, AND NORTH OF AND ADJACENT TO HARMONY
ROAD**

WHEREAS, CAC Timnath, LLC (the “Developer”) has submitted a Planned Development Overlay Amendment for the Timnath Landing 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 June 17, 2025, 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 July 8, 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 existing R-2, R-3, RMU, CMU and CC zoning is amended with the addition of a
Planned Development Overlay – See attached **Exhibits A&B**

Section 2. Conditions

1. Allow staff to continue to work with the applicant to address all unresolved non-substantive technical comments to the satisfaction of Town Staff and Referral Agencies.
2. Future platting of development under the modified dimensional standards established by this overlay shall not exceed the permitted density outlined in Timnath Landing Sketch Plan Amendment No. 1, which establishes a maximum of 764 dwelling units.

Section 3. Public Hearing

The Town Council held a public hearing on Tuesday, July 8, 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 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 JUNE 24, 2025, AND SET FOR PUBLIC HEARING, AND SECOND READING AT 6:00 P.M. ON JULY 8, 2025, AT THE TIMNATH TOWN CENTER, 4750 SIGNAL TREE DRIVE, TIMNATH COLORADO AND ORDERED PUBLISHED BY TITLE THIS 24TH DAY OF JUNE 2025.

MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON JULY 8, 2025.

TOWN OF TIMNATH, COLORADO



Luke Wagner, Mayor Pro Tem

ATTEST:



Milissa Peters-Garcia, MMC
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 TWO PARCELS OF LAND LYING IN SECTION 35, TOWNSHIP 7 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF LARIMER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 35, AND CONSIDERING THE SOUTH LINE OF SAID SOUTHEAST QUARTER TO BEAR S89°40'50"E; THENCE ALONG SAID SOUTH LINE S89°40'50"E, A DISTANCE OF 121.26 FEET TO NORTHEAST RIGHT-OF-WAY LINE OF THE COLORADO AND SOUTHERN RAILROAD AS RECORDED AT BOOK T, PAGE 346 OF THE LARIMER COUNTY RECORDS AND THE POINT OF BEGINNING;

THENCE ALONG SAID NORTHEAST RIGHT-OF-WAY LINE N50°24'42"W, A DISTANCE OF 2,963.37 FEET;
THENCE N00°14'31"E, A DISTANCE OF 384.30 FEET;
THENCE S89°45'29"E, A DISTANCE OF 30.00 FEET;
THENCE N00°14'31"E, A DISTANCE OF 380.15 FEET TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 35;
THENCE ALONG SAID NORTH LINE S89°46'32"E, A DISTANCE OF 905.61 FEET;
THENCE N00°13'28"E, A DISTANCE OF 300.00 FEET;
THENCE N00°05'50"E, A DISTANCE OF 282.85 FEET;
THENCE N89°54'10"W, A DISTANCE OF 906.87 FEET;
THENCE ALONG SAID EAST RIGHT-OF-WAY LINE N00°02'16"E, A DISTANCE OF 70.79 FEET;
THENCE N89°57'44"W, A DISTANCE OF 60.00 FEET;
THENCE N00°02'16"E, A DISTANCE OF 465.00 FEET TO THE SOUTH LINE OF THAT PARCEL OF LAND DESCRIBED AT RECEPTION NO. 99073702 OF THE LARIMER COUNTY RECORDS;
THENCE ALONG SAID SOUTH LINE S89°57'44"E, A DISTANCE OF 987.48 FEET;
THENCE ALONG THE EAST LINE OF SAID PARCEL N00°02'16"E, A DISTANCE OF 1,521.58 FEET TO THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 35;
THENCE ALONG SAID NORTH LINE S89°48'54"E, A DISTANCE OF 1,216.33 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 35;
THENCE ALONG SAID NORTH LINE S89°54'07"E, A DISTANCE OF 788.31 FEET TO THE SOUTHWESTERLY LINE OF A 75 FOOT WIDE RIGHT-OF-WAY AS DESCRIBED AT BOOK 186, PAGE 60 OF THE LARIMER COUNTY RECORDS;
THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING TEN (10) COURSES:
1. S40°54'07"E, A DISTANCE OF 117.85 FEET;
2. S08°54'07"E, A DISTANCE OF 85.80 FEET;
3. S01°35'53"W, A DISTANCE OF 103.76 FEET;
4. S20°09'07"E, A DISTANCE OF 114.07 FEET;
5. S40°54'07"E, A DISTANCE OF 108.07 FEET;
6. S44°34'07"E, A DISTANCE OF 111.10 FEET;
7. S74°09'07"E, A DISTANCE OF 113.93 FEET;
8. S86°24'07"E, A DISTANCE OF 108.63 FEET;
9. N79°35'53"E, A DISTANCE OF 107.72 FEET;
10. N70°05'53"E, A DISTANCE OF 101.07 FEET;
THENCE S00°00'00"E, A DISTANCE OF 723.05 FEET;
THENCE S53°14'54"E, A DISTANCE OF 1,443.05 FEET TO THE EAST LINE OF SAID NORTHEAST QUARTER;
THENCE ALONG SAID EAST LINE S00°06'35"W, A DISTANCE OF 535.02 FEET TO THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER;
THENCE ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER S00°06'32"W, A DISTANCE OF 2648.14 FEET TO THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER;
THENCE ALONG SAID SOUTH LINE OF THE SOUTHEAST QUARTER N89°40'50"W, A DISTANCE OF 2,528.14 FEET TO THE POINT OF BEGINNING, CONTAINING 19,039,866 SQUARE FEET OR 437.095 ACRES, MORE OR LESS.

PARCEL 2

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 35, AND CONSIDERING THE SOUTH LINE OF SAID SOUTHEAST QUARTER TO BEAR S89°40'50"E; THENCE ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 35 N89°39'13"W, A DISTANCE OF 36.75 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID SOUTH LINE N89°39'13"W, 2,605.65 FEET TO THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER;
THENCE ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER N00°14'31"E, A DISTANCE OF 780.70 FEET;
THENCE S89°45'29"E, A DISTANCE OF 42.00 FEET;
THENCE N00°14'31"E, A DISTANCE OF 910.58 FEET;
THENCE S89°39'28"E, A DISTANCE OF 335.84 FEET;
THENCE N00°11'20"E, A DISTANCE OF 131.11 FEET TO THE SOUTHWEST LINE OF THE COLORADO AND SOUTHERN RAILROAD RIGHT-OF-WAY AS RECORDED AT BOOK T, PAGE 346 OF THE LARIMER COUNTY RECORDS;
THENCE ALONG SAID SOUTHWEST LINE S50°24'42"E, A DISTANCE OF 2,880.96 FEET TO THE POINT OF BEGINNING, CONTAINING 2,630,795 SQUARE FEET OR 60.395 ACRES, MORE OR LESS.

PARCELS 1 AND 2 TOGETHER CONTAIN 21,670,661 SQUARE FEET OR 497.490 ACRES, MORE OR LESS.

EXHIBIT B

Amended Planned Development Overlay

[attached]

Prepared For:
 CAC TIMMATH
 2000 POWELL ST., SUITE 500
 BLENHEIM, CA 94926

is Land Planning
 O&O
 providing spaces

EMK
 ENGINEERING
 7006 S. Alton Way, Building F
 Englewood, Colorado 80112
 (303) 694-1520
 (303) 694-1617 (fax)

Timmath Landing
 Zoning Amendment Map
 Timmath, Colorado

Drawn by:
 Checked by:
 Issue Date: 01.18.23
 Revisions:

Sheet Name:
 PD
 OVERLAY

Sheet Number:
 RZ-2

TIMMATH LANDING ZONING AMENDMENT MAP
 AN UNINCORPORATED PARCEL OF LAND WITHIN THE COUNTY OF TOWNSHIP 17 NORTH, RANGE 65 WEST OF THE 10TH PRINCIPAL
 MERIDIAN, COUNTY OF LARIMER, STATE OF COLORADO
 PD OVERLAY AMENDMENT 2 - SHEET 3 OF 4

LEGEND

-  APPROVED PD OVERLAY BOUNDARIES
-  EXISTING ZONING BOUNDARIES (SUBJECT TO THIS PD OVERLAY AMENDMENT)
-  TRANSITION OVERLAY (SEE DIMENSIONAL STANDARDS ON COVER)



