

**TOWN OF ERIE
RESOLUTION NO. 20-____**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF
ERIE APPROVING A SPECIAL REVIEW USE FOR TEMPORARY
AGRICULTURAL USES**

WHEREAS, Keith and Nicole Lafferty and Vickie Newman ("Applicants") own the real property more particularly described as the North 1/2 of the Southwest 1/4 of Section 13, Township 1 North, Range 69 West of the 6th P.M. (the "Property");

WHEREAS, on March 26, 2020, Applicant filed an application (the "Application") for approval of a Special Review Use to allow temporary agricultural uses on the Property until the Property develops;

WHEREAS, on June 17, 2020, the Planning Commission held a properly-noticed public hearing on the Application and, by Resolution No. P20-12 recommended approval of the Application; and

WHEREAS, on July 14, 2020, the Board of Trustees held a properly-noticed public hearing on the Application.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE
TOWN OF ERIE, COLORADO, THAT:**

Section 1. Findings. Upon consideration of the Application and supporting documentation, hearing the statements of Town staff and the public, considering the recommendation of the Planning Commission, and giving due consideration to the matter, the Board of Trustees finds and determines as follows:

- a. The Application meets the criteria set forth in Section 7.7.C.9 of Title 10 of the Erie Municipal Code (the "UDC");
- b. The Special Review Use is consistent with the Comprehensive Plan and all applicable provisions of the UDC and applicable law;
- c. The Special Review Use is consistent with the purpose and intent of the zone district in which it is located;
- d. The Special Review Use is consistent with any applicable use-specific standards set forth in Section 3.2 of the UDC;
- e. The Special Review Use is compatible with adjacent uses in terms of scale, site design, and operating characteristics (hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts);
- f. Any significant adverse impacts anticipated to result from the Special Review Use will be mitigated or offset to the maximum extent practicable;

g. Facilities and services (including sewage and waste disposal, water, gas, election, police and fire protection, and roads and transportation, as applicable) will be available to serve the Property while maintaining adequate levels of service for existing development; and

h. Adequate assurances of continuing maintenance have been provided.

Section 2. Decision. Based on the foregoing findings, the Board of Trustees hereby approves the Special Review Use as described in the Application, subject to the following conditions:

a. The Special Review Use shall only be approved upon the annexation of the Property to the Town.

b. The Special Review Use shall expire automatically and without further action by the Town upon recordation of the first final plat for development on the Property.

c. The Special Review Use is limited to the number and types of animals and the processes permitted on the Property as detailed in the Application.

d. Except for the approved Special Review Use, Applicants shall comply with all generally applicable Town ordinances and regulations, including without limitation business license requirements.

ADOPTED this 14th day of July, 2020.

Jennifer Carroll, Mayor

ATTEST:

Heidi Leatherwood, Town Clerk