

**Town of Erie
Ordinance No. 002-2023**

**An Ordinance of the Board of Trustees of the Town of Erie
Rezoning the Property known as Erie Air Park from Airport (AP) to
Planned Development (PD)**

Whereas, Real Investments, LLC (the "Applicant") owns the real property more particularly described as Lot 1 of the Erie Air Park Replat D (the "Property");

Whereas, on November 25 2019, the Applicant filed an application (the "Application") to rezone the Property from Airport (AP) to Planned Development (PD);

Whereas, on February 15, 2023, the Planning Commission held a properly-noticed public hearing on the Application and recommended that the Board of Trustees approve the Application; and

Whereas, on May 23, 2023, the Board of Trustees held a properly-noticed public hearing on the Application.

Now Therefore be it Ordained 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, and giving due consideration to the matter, the Board of Trustees finds and determines as follows:

- a. The Application meets the applicable criteria set forth in Title 10 of the Erie Municipal Code (the "UDC"); and
- b. The Application is consistent with the Comprehensive Plan.

Section 2. Decision. Based on the foregoing findings, the Board of Trustees hereby approves the Application and rezones the Property to Planned Development (PD), in accordance with the Planned Development Plan attached hereto as **Exhibit A**.

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 Board of Trustees hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one, or part, or parts be declared unconstitutional or invalid.

Section 4. Safety. The Board of Trustees finds that the adoption of this Ordinance is necessary for the protection of the public health, safety and welfare.

Section 5. Effective Date. This Ordinance shall take effect 30 days after publication following adoption.

Introduced, Read, Passed and Ordered Published this 23rd day of May, 2023.

Justin Brooks, Mayor

Attest:

Debbie Stamp, Town Clerk

[illegible]

