

**TOWN OF ERIE**  
**ORDINANCE NO. \_\_\_\_-2020**

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF  
ERIE ZONING CERTAIN RECENTLY ANNEXED PROPERTY TO LOW  
DENSITY RESIDENTIAL (LAFFERTY ANNEXATION)**

**WHEREAS**, a petition for annexation was filed with the Town Clerk requesting the annexation of certain unincorporated territory located in Boulder County and described in **Exhibit A**, attached hereto and incorporated herein by this reference, also known as 12166 Jay Road (the "Property");

**WHEREAS**, on July 14, 2020, the Board of Trustees conducted a properly-noticed public hearing on the annexation and annexed the Property to the Town; and

**WHEREAS**, also on July 14, 2020, the Board of Trustees conducted a properly-noticed public hearing on the proposed zoning of the Property.

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

Section 1.      Findings of Fact.

a.      Public notice has been given as required by Section 10.7.2(F) of Title 10 of the Erie Municipal Code (the "UDC").

b.      A need exists for zoning the Property to Low Density Residential (LR) and doing so will meet the following criteria in Section 10.7.4(B) of the UDC:

- i.      The zoning will promote the public health, safety, and general welfare;
- ii.     The zoning is consistent with the Town's Comprehensive Plan and the purposes of the UDC;
- iii.    The zoning is consistent with the stated purpose of the LR zoning district;
- iv.     Adequate facilities and services (including streets and transportation, water, gas, electric, police and fire protection, and sewage and waste disposal, as applicable) will be available to serve the Property while maintaining adequate levels of service to existing development;
- v.      The zoning is not likely to result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated;
- vi.     The zoning is not likely to result in significant adverse impacts upon other property in the vicinity of the Property;

vii. Future uses on the Property will be compatible in scale with uses on the other properties in the vicinity of the Property; and

viii. The zoning is generally consistent with the Town's economic development goals and objectives in bringing positive growth and sustainable revenues to the Town.

Section 2. Based on the foregoing findings, the Property is hereby zoned Low Density Residential (LR), and the Town's Zoning Map is hereby amended accordingly.

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 14<sup>th</sup> day of July, 2020.**

\_\_\_\_\_  
Jennifer Carroll, Mayor

**ATTEST:**

\_\_\_\_\_  
Heidi Leatherwood, Town Clerk

## Exhibit A

