

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

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF  
ERIE APPROVING WITH CONDITIONS THE PARKDALE P.U.D.  
OVERLAY MAP, AMENDMENT NO. 2**

**WHEREAS**, OEO, LLC, ("Applicant") owns the real property more particularly described as a Portion of Section 36, Township 1 North, Range 69 West of the 6<sup>th</sup> P.M., County of Boulder, State of Colorado (the "Property");

**WHEREAS**, on February 26, 2019, the Applicant submitted an application for a Planned Unit Development Amendment ("PUD") for the Property;

**WHEREAS**, on April 15, 2020, the Planning Commission conducted a properly-noticed public hearing on the PUD and recommended that the Board of Trustees approve the PUD with conditions; and

**WHEREAS**, on May 12, 2020, the Board of Trustees conducted a properly-noticed public hearing on the PUD.

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

Section 1. Findings of Fact. The Board of Trustees, upon reviewing the recommendation of the Planning Commission, hearing the statements of staff and the public, and giving due consideration to the matter, finds and determines as follows:

- a. The PUD complies with Title 10 of the Erie Municipal Code (the "UDC") and other applicable law, and is consistent with the Town's Comprehensive Plan.
- b. The proposed uses on the Property will be compatible in scale with uses on other properties in the vicinity of the Property;
- c. The PUD will not result in significant adverse impacts on the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated.
- d. The PUD will not result in significant adverse impacts on adjacent properties, or such impacts will be substantially mitigated.
- e. The PUD will not result in significant adverse impacts on significant scenic and historic features, or such impacts will be substantially mitigated.

Section 2. Decision. Based on the foregoing findings of fact, the PUD is hereby approved with the following condition:

a. Applicant shall make technical corrections to the Parkdale P.U.D. Overlay Map, Amendment No. 2 as directed by Town staff prior to recordation of the Map.

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.

**ADOPTED this 12<sup>th</sup> day of May 2020.**

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Jennifer Carroll, Mayor

**ATTEST:**

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Heidi Leatherwood, Town Clerk