

**Town of Erie  
Ordinance No. 14-2021**

**An Ordinance of the Board of Trustees of the Town of Erie Zoning  
Certain Recently Annexed Property (the Hammer Annexation) as  
Heavy Industrial**

**Now Therefore be it Resolved by the Board of Trustees of the Town of Erie, Colorado, that:**

**Section 1.** Findings of Fact.

a. The Town desires to zone certain property recently annexed to the Town and more particularly described in **Exhibit A**, attached hereto and incorporated herein by this reference (the "Property"), to Heavy Industrial (HI).

b. Public notice has been given as follows and as required by Section 10.7.2(F) of the Unified Development Code (the "UDC"):

i. One publication in a newspaper of general circulation within the Town at least 15 days before the public hearing of such rezoning;

ii. Written notice of such hearing on the proposed rezoning was sent by first class mail at least 15 days prior to the hearing to owners of property within 500 feet of the Property; and

iii. Notice of such hearing was posted on the Property.

c. A need exists for zoning the Property to Heavy Industrial (HI) 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 HI 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 Heavy Industrial (HI), 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 22<sup>nd</sup> day of June, 2021.**

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Jennifer Carroll, Mayor

**Attest:**

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Heidi Leatherwood, Town Clerk

## **Exhibit A**

A portion of the West One-half (W1/2) of the Southwest One-quarter (SW1/4) of Section 3, T1N, R68W, Weld County, Colorado, being more particularly described as follows:

Commencing at the Southwest corner of said Section 3 and proceeding N44°48'29"E, 42.46 feet to the East right-of-way line of Weld County Road 7 and the Point of Beginning; Thence along said East right-of-way line, N00°08'31"W, 269.95 feet; Thence departing said East right-of-way line, N89°42'54"E, 180.02 feet; Thence N00°10'55"W, 120.10 feet; Thence S89°43'03"W, 179.94 feet to a point on said East-right-of way line; Thence along said East right-of-way line, N00°08'31"W, 1321.38 feet; Thence departing said East right-of-way line, N89°51'29"E, 797.55 feet; Thence S00°00'00"E, 329.97 feet; Thence N90°00'00"E, 451.88 feet; Thence S00°08'03"E, 1378.18 feet to a point on the North right-of-way line of Weld County Road 12; Thence along said North right-of-way line, S89°45'30"W, 1248.42 feet to the Point of Beginning.

Said parcel contains 45.10 acres (1,964,590 sq. ft.), more or less.