

**Town of Erie  
Ordinance No. 34-2021**

**An Ordinance of the Board of Trustees of the Town of Erie  
Rezoning Portions of the Westerly Property from Low Density  
Residential to Agricultural/Open Space, and from  
Agricultural/Open Space to Low Density Residential, as shown on  
the Westerly Zoning Map Amendment No. 2**

**Whereas**, Erie Land Company, LLC (the "Applicant") own the real property more particularly described as a portion of the West Half of Section 21, Township 1 North, Range 68 West, 6<sup>th</sup> P.M., Town of Erie, County of Weld, State of Colorado (the "Property");

**Whereas**, on September 29, 2020, the Applicant filed an application (the "Application") to rezone portions of the Property from Low Density Residential to Agricultural/Open Space, and from Agricultural/Open Space to Low Density Residential;

**Whereas**, the application for Rezoning is detailed on the zoning map titled Erie Westerly Zoning Map Amendment No. 2, attached hereto as **Exhibit A** and incorporated herein by this reference (the "Zoning Map");

**Whereas**, on October 6, 2021, the Planning Commission held a properly-noticed public hearing on the Application and recommended that the Board of Trustees approve the rezoning, with conditions; and

**Whereas**, on November 9, 2021, 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 criteria set forth in Section 10.7.5 of the Erie Municipal Code (the "UDC"); and
- b. The Application is consistent with the Comprehensive Plan and all applicable provisions of the UDC and applicable law.

Section 2. Decision. The Board of Trustees hereby rezones the Property in accordance with the Zoning 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.

**Introduced, read, passed and ordered published this 9<sup>th</sup> day of November, 2021.**

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Jennifer Carroll, Mayor

**Attest:**

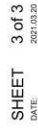
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Heidi Leatherwood, Town Clerk





**WESTERLY - ZONING MAP - AMENDMENT NO. 2**  
A PORTION OF THE WEST HALF OF SECTION 21, TOWNSHIP 1 NORTH,  
RANGE 68 WEST, 6TH PRINCIPAL MERIDIAN  
TOWN OF ERIE, COUNTY OF WELD, STATE OF COLORADO  
276.27 ACRES  
RZ-001199-2020



DEVELOPER

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