

TOWN OF GREEN MOUNTAIN FALLS ORDINANCE NO. 2025-01

AN ORDINANCE REVISING THE TOWN'S OFFICIAL ZONING MAP BY REZONING CERTAIN AREAS IN THE TOWN IN ACCORDANCE WITH THE TOWN'S RECENTLY ADOPTED LAND USE CODE

WHEREAS, the Board of Trustees approved Ordinance No. 2022-03 on December 13, 2022, which amended the Green Mountain Falls Land Use Code (the "LUC") including the Town's zoning districts;

WHEREAS, in accordance with §12-55(d) of the LUC, the Town desires to update the Town's Official Zoning Map, as attached in **Exhibit A**, by rezoning portions of the Town to align with the LUC;

WHEREAS, the Town has published notice of the rezoning in accordance with Sections 12-55(d) and 12-52(h) of the LUC;

WHEREAS, at a properly-noticed public meeting on January 14, 2025, the Planning Commission considered the rezoning and recommended approval;

WHEREAS, at a properly-noticed public meeting on February 4, 2025, which was continued from the originally notice public hearing scheduled for November 19, 2024, the Board of Trustees considered the rezoning request including the Planning Commission's recommendation and the approval criteria in the LUC;

WHEREAS, no protests were received by the Town pursuant to C.R.S. § 31-23-305; and

WHEREAS, the rezoning that results from the adoption of the revised Official Zoning Map is consistent with the Town's Comprehensive Plan and LUC.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF GREEN MOUNTAIN FALLS, COLORADO:

- <u>Section 1</u>. <u>Findings.</u> Upon consideration of the proposed rezoning and supporting documentation, hearing the statements of Town staff, the public, and the Planning Commission, and giving due consideration to the matter, the Board of Trustees finds and determines that the proposed rezoning meets the criteria set forth in Section 12-55(a) of the LUC.
- <u>Section 2</u>. <u>Rezoning</u>. The rezoning is hereby approved, and the Official Zoning Map shall be updated as attached hereto in **Exhibit A**.
- Section 3. Repeal. Any and all existing ordinances or parts of ordinances of the Town of Green Mountain Falls covering the same matters as embraced in this Ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance

are hereby repealed; provided, however, that such repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this Ordinance.

Section 4. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town of Green Mountain Falls hereby declares that it would have adopted this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases thereof be declared invalid or unconstitutional.

<u>Section 5</u>. <u>Effective date.</u> This Ordinance shall take effect thirty (30) days after passage, adoption and publication thereof as provided by law.

Section 6. Publication. This Ordinance shall be published by title only.

ADOPTED AND ORDERED PUBLISHED the 4th day of February, 2025, at the Green Mountain Falls Town Hall, 10615 Green Mountain Falls Road, Green Mountain Falls, Colorado 80819.

Todd Dixon, Mayor

Bo Ayad, Town Clerk and Treasurer

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