

TOWN OF GREEN MOUNTAIN FALLS

ORDINANCE NO. 2021-03

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF GREEN MOUNTAIN FALLS ZONING CERTAIN RECENTLY ANNEXED PROPERTY TO BUSINESS DISTRICT (JOYLAND CHURCH PARCEL ANNEXATION)

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

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 Business District (B).

b. Public notice has been given as follows and as required by C.R.S. § 31-23-304 and Green Mountain Falls Code Sec. 16-711:

- i. One publication in a newspaper of general circulation within the Town at least 15 days before the public hearing of such rezoning; and
- ii. Notice of such hearing was posted on the Property.

c. A need exists for zoning the Property to Business District (B) and doing so will meet the following criteria in Green Mountain Falls Code Sec. 16-711:

- i. The zoning will promote the public health, safety, and general welfare;
- ii. The zoning furthers the goals and policies of the Comprehensive Plan; and
- iii. The rezoning is consistent with the purpose statement of the Business District (B) zoning district, which is to:
 - (1) Encourage the development of and the continued use of the land for retail, service, office and associated business and commercial uses that can be aggregated at low densities without inducing undue hazards to public health and safety;
 - (2) Permit a concentrated intensive development of the permitted uses while maintaining an adequate relationship between the intensity of land uses and the capacity of supporting utilities and transportation networks; and
 - (3) Encourage the aesthetic development of buildings and storefronts through construction, landscaping and proper maintenance that is compatible with the historical character of the Town.

Section 2. Based on the foregoing findings, the Property is hereby zoned Business District (B), 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.

ADOPTED AND ORDERED PUBLISHED the 19th day of January, 2021, at the Green Mountain Falls Town Hall, 10615 Green Mountain Falls Road, Green Mountain Falls, Colorado 80819.



Jane Newberry
Jane Newberry (Jan 21, 2021 12:31 MST)

Jane Newberry, Mayor

ATTEST:

Matthew Gordon
Matthew Gordon (Jan 21, 2021 15:30 MST)

Matthew Gordon, Town Clerk/Treasurer

Published in the Pike Peaks Courier, December 23 and December 30, 2020.

EXHIBIT A
Property

Bearing are based on the record bearing of the West line of the East Half of the Northeast Quarter of Section 8, Township 13 South, Range 68 West of the 6th P.M., N 01°05'40" E, Monumented as shown on the survey.

That portion of the East Half of the Northeast Quarter of Section 8, Township 13 South, Range 68 West of the 6th P.M., El Paso County, Colorado, described as follows:

Beginning at the Northeast corner of The Green Mountain Falls Fire Station Subdivision, according to the Plat thereof recorded at Reception No. 217713991 of the records of said County; Thence S51°40'39"E along the South Line of U.S. Highway 24, 10.64'; Thence S40°57'20"E continuing along said South line, according to that deed recorded in Book 2468 at Page 82, 85.08'; Thence S01°05'40"W, 667.24'; Thence S89°32'00"W, 65.46'; Thence N01°05'40"E along the West line of said East Half of the Northeast Quarter of Section 8, 767.59' to the Point of Beginning, and containing 1.058 acres.