ORDINANCE NO. 1275

AN ORDINANCE AMENDING THE ZONING MAP OF THE TOWN OF BERTHOUD TO REZONE A PORTION OF PROPERTY KNOWN AS "HERON LAKES" FROM SINGLE FAMILY TO LIMITED MULTI-FAMILY RESIDENTIAL (R-2); MULTI-FAMILY RESIDENTIAL (R-3); MIXED USE DISTRICT (R-4); SINGLE FAMILY (R-1) TO LIMITED MULTI-FAMILY (R-2); AND MULTI-FAMILY RESIDENTIAL (R-3) to LIMITED MULTIFAMILY (R-2).

WHEREAS, certain property known as "Heron Lakes" has heretofore been zoned by the Town of Berthoud as Single Family (R-1) for 38.865 acres, 24.342 acres, 8.055 acres, Multi-family (R-3) for 22.964 acres, 14.179 acres, and 21.581acres, and

WHEREAS, the Planning Commission at its August 8th, 2019 meeting, has considered the rezoning request of the current owners and, after proper notice and hearing, has recommended that such property be rezoned from Agricultural (AG) to Limited Multi-family Residential (R-2); Multi-family Residential (R-3); Mixed-use District (R-4): and Multi-family Residential (R-3) to Limited Multifamily (R2);

WHEREAS, notice was properly posted in the manner required by law and a public hearing was conducted on August 8, 2019, before the Berthoud Planning Commission and a public hearing was conducted on September 11, 2019 before the Board of Trustees as required by law; and

WHEREAS, after the public hearing, the Berthoud Planning Commission, on a six to zero vote, recommended approval of the zoning change sought by the applicant from Agricultural (AG) to Limited Multi-family Residential (R-2); Multi-family Residential (R-3); Mixed-use District (R-4): and Multi-family Residential (R-3) to Limited Multifamily (R2);

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD:

Section 1, Map Revision: The official zoning map of the Town of Berthoud shall be amended hereinafter and which property is commonly known as "Heron Lakes" as described in Exhibit A shall be rezoned from Multi-family (R-3) to Limited Multi-family (R-2) for 22.964 acres more or less;

Section 2, Map Revision: The official zoning map of the Town of Berthoud shall be amended hereinafter and which property is commonly known as "Heron Lakes" as described in Exhibit A shall be rezoned from Multi-family (R-3) to Mixed-Use (R-4) for 14.179 acres more or less;

Section 3 Map Revision: The official zoning map of the Town of Berthoud shall be amended hereinafter and which property is commonly known as "Heron Lakes" as described in Exhibit A shall be rezoned from Single Family (R-1) to Mixed Use (R-4) for 38.865 acres more or less;

Section 4 Map Revision: The official zoning map of the Town of Berthoud shall be amended hereinafter and which property is commonly known as "Heron Lakes" as described in Exhibit A shall be rezoned from Single Family (R-1) to Limited Multi-Family (R-2) for 24.342 acres more or less;

Section 5 Map Revision: The official zoning map of the Town of Berthoud shall be amended hereinafter and which property is commonly known as "Heron Lakes" as described in Exhibit A shall be rezoned from Single Family (R-1) to Multi-Family (R-3) for 8.055 acres more or less;

Section 6 Map Revision: The official zoning map of the Town of Berthoud shall be amended hereinafter and which property is commonly known as "Heron Lakes" as described in Exhibit A shall be rezoned from Multi-Family (R-3) to Mixed Use (R-4): 21.581 acres

Interpretation: This Ordinance shall be so interpreted and construed to effectuate its general purpose.

Publication: The Town Clerk shall certify to the passage of this Ordinance and cause its contents to be published and shall cause the appropriate change to be made to the official Berthoud Zoning District Map.

Effective Date: This Ordinance shall take effect and be in force thirty (30) days after its publication as required by law.

PASSED, ADOPTED, SIGNED AND APPROVED on this the 11th day of September, 2019.

TOWN OF BERTHOUD

By _William Karspeck_

William Karspeck, Mayor

ATTEST:

By: _Christian Samora, Town Clerk_

Christian Samora, Town Clerk

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