

**ORDINANCE NO. 1221**

**AN ORDINANCE AMENDING THE ZONING MAP OF THE TOWN OF BERTHOUD TO REZONE A PORTION OF PROPERTY KNOWN AS "HERON LAKES FOURTH FILING", PARCEL 1 CONSISTING OF 12.418 ACRES FROM SINGLE-FAMILY RESIDENTIAL (R-1) TO MULTI-FAMILY RESIDENTIAL (R-3); PARCEL 2 CONSISTING OF 26.098 ACRES FROM AGRICULTURAL (AG) AND SINGLE-FAMILY RESIDENTIAL (R-1) TO AGRICULTURAL (AG); PARCEL 3 CONSISTING OF A 2.541 PARCEL FROM AGRICULTURAL (AG) AND SINGLE-FAMILY RESIDENTIAL (R-1) TO MIXED-USE (R-4); AND PARCEL 4 CONSISTING OF 8.222 ACRES FROM AGRICULTURAL (AG) AND NEIGHBORHOOD COMMERCIAL (C-1) TO NEIGHBORHOOD COMMERCIAL (C-1)**

**WHEREAS**, certain property known as "HERON LAKES" has heretofore been zoned by the Town of Berthoud as Agricultural (AG), Single Family (R-1), and Neighborhood Commercial (C-1); and

**WHEREAS**, the Planning Commission has considered the rezoning request of the current owners and, after proper notice and hearing, has recommended that the following Parcels be rezoned: Parcel 1 consisting of 12.418 acres from Single-family Residential (R-1) to Multi-family Residential (R-3); Parcel 2 consisting of 26.098 acres from Agricultural (AG) and Single-family Residential (R-1) to Agricultural (AG); Parcel 3 Consisting of a 2.541 parcel from Agricultural (AG) and Single-family Residential (R-1) to Mixed-use (R-4); and Parcel 4 consisting of 8.222 acres from Agricultural (AG) and Neighborhood Commercial (C-1) to Neighborhood Commercial (C-1); and

**WHEREAS**, notice was properly posted in the manner required by law and a public hearing was conducted on July 14, 2016, before the Berthoud Planning Commission and a public hearing was conducted on July 26, 2016 before the Board of Trustees as required by law; and

**WHEREAS**, after the public hearing, the Berthoud Planning Commission, on a 7-0 vote, recommended approval of the zoning change sought by the applicant.

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

**SECTION 1: Map Revision Parcel 1:** The official zoning map of the Town of Berthoud shall be amended hereinafter and which property is commonly known as "Parcel 1 of Heron Lakes Fourth Filing" shall be rezoned from Single-Family (R-1) to Multi-family residential (R-3) as depicted on the Rezoning Map attached as an amendment.

The property is more fully described in the rezoning plat and description attached hereto as Exhibit "A" and made part of this Ordinance by this reference.

**SECTION 2: Map Revision Parcel 2:** The official zoning map of the Town of Berthoud shall be amended hereinafter and which property is commonly known as "Parcel 2 of Heron Lakes Fourth Filing" shall be rezoned from Agricultural (AG) and Single-family Residential (R-1) to Agricultural (AG).

The property is more fully described in the rezoning plat and description attached hereto as Exhibit "A" and made part of this Ordinance by this reference.



**SECTION 3: Map Revision Parcel 3:** The official zoning map of the Town of Berthoud shall be amended hereinafter and which property is commonly known as "Parcel 3 of Heron Lakes Fourth Filing", from Agricultural (AG) and Single-family Residential (R-1) to Mixed-use (R-4).

The property is more fully described in the rezoning plat and description attached hereto as Exhibit "A" and made part of this Ordinance by this reference.

**SECTION 4: Map Revision:** The official zoning map of the Town of Berthoud shall be amended hereinafter and which property is commonly known as "Parcel 3 of Heron Lakes Fourth Filing" from Agricultural (AG) and Neighborhood Commercial (C-1) to Neighborhood Commercial (C-1).

The property is more fully described in the rezoning plat and description attached hereto as Exhibit "A" and made part of this Ordinance by this reference.

**Section 5: Interpretation:** This Ordinance shall be so interpreted and construed to effectuate its general purpose.

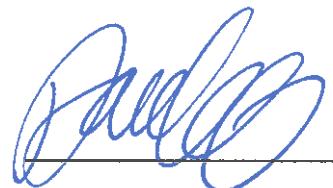
**Section 6: Publication:** The Town Clerk shall certify to the passage of this Ordinance, and cause its contents to be published and shall cause the appropriate change to be made to the official Berthoud Zoning District Map.

**Section 7: 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 26nd day of July, 2016.

**TOWN OF BERTHOUD**

By



David Gregg, Mayor

**ATTEST:**

By: Alisa B Darrow

Alisa Darrow, Town Clerk