

ORDINANCE NO. 724

AN ORDINANCE REZONING 1300 W JEFFERSON AVENUE, AS DESCRIBED ON EXHIBIT A ATTACHED HERETO, FROM OPEN (O) ZONE DISTRICT TO COMMERCIAL (C) ZONE DISTRICT

RECITALS

1. The owners of 1300 W Jefferson Avenue, located within the municipal limits of the Town of Hayden have filed applications requesting a zone district change of the parcel described in Exhibit A from Open (O) to Commercial (C) (the "Zoning Change"); and
2. The Town staff has provided information on the proposed Zoning Change for review by the community and Planning Commission; and
3. A Public Hearing was conducted by the Hayden Planning Commission, according to the regulations of the Town of Hayden, on November 10, 2022 and the Hayden Planning Commission recommended approval of the proposed Zoning Change to the Hayden Town Council subject to conditions that the rezoning is authorized and approved by an ordinance of the Hayden Town Council and such ordinance is recorded in the records of the Routt County Clerk and Recorder and The current property owners, Samuel and Holley Barnes, and their heirs, may continue to use the parcel for agricultural activity until the property changes ownership outside of their family or development commences; and
4. A Public Hearing was conducted on the Zone Change by the Hayden Town Council, according to the regulations of the Town of Hayden, on December 1st, 2022 and no public comment on the proposed Zoning Change was received; and
5. Upon conclusion of the Public Hearing, the Hayden Town Council, unanimously, approved the Zoning Change.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF HAYDEN, COLORADO, THE FOLLOWING:

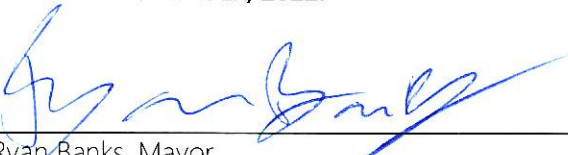
Section 1. That 1300 W Jefferson Avenue, as more particularly described on Exhibit A attached hereto is hereby rezoned to Commercial (C).

Section 2. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 3. Effective Date. This Ordinance, immediately on final passing and adoption, shall be published in accordance with Section 3-3h of the Home Rule Charter and recorded in the Town Book of Ordinances kept for that purpose, authenticated by the signatures of the Mayor and Town Clerk. This Ordinance shall be in full force and effect immediately after its publication in accordance with Section 3-3h of the Hayden Home Rule Charter.

Section 4. Public Hearing. A public hearing on this Ordinance will be held on the 1st day of December, 2022, at the regular meeting of the Hayden Town Council beginning at 7:30 p.m. at the Hayden Town Hall, 178 West Jefferson Ave, Hayden, Colorado.

INTRODUCED, READ, AND ORDERED PUBLISHED PURSUANT TO SUBSECTION 3-3(d) OF THE HAYDEN HOME RULE CHARTER, BY THE TOWN COUNCIL OF THE TOWN OF HAYDEN, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF HAYDEN, ON THE 17TH DAY OF NOVEMBER, 2022.




Ryan Banks, Mayor

ATTEST



Sharon Johnson, Town Clerk

FINALLY ADOPTED, PASSED, APPROVED, AND ORDERED PUBLISHED PURSUANT TO SUBSECTIONS 3-3 (e) through (h) OF THE HAYDEN HOME RULE CHARTER, BY THE TOWN COUNCIL OF THE TOWN OF HAYDEN, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF HAYDEN, ON THE 1ST DAY OF DECEMBER, 2022.



Ryan Banks, Mayor

ATTEST



Sharon Johnson, Town Clerk



EXHIBIT A

PROPERTY DESCRIPTION:

THAT PART OF THE SW ¼ NW ¼ LYING SOUTH OF US HIGHWAY #40 AND THE NORTH 240 FEET OF THE NW ¼ SW ¼ OF SECTION 9, TOWNSHIP 6 NORTH, RANGE 88 WEST OF THE 6TH P.M., COUNTY OF ROUTT, STATE OF COLORADO, EXCEPT A TRACT

OF LAND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 9 WHENCE THE SOUTHWEST CORNER OF SAID SECTION 9 BEARS

S 01°02'11" W, A DISTANCE OF 2589.97 FEET;

THENCE N 01°02'11" E ALONG THE WESTERLY LINE OF THE NORTHWEST QUARTER OF SAID SECTION 9, A DISTANCE OF 526.71

FEET TO THE POINT OF BEGINNING;

1) THENCE N 01°02'11" E ALONG SAID WESTERLY LINE, A DISTANCE OF 20.01 FEET;

2) THENCE S 88°26'18" E ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY NO. 40 (JULY 1990), A DISTANCE OF 1329.23 FEET;

3) THENCE S 01°10'24" W ALONG THE WESTERLY LINE OF A PARCEL OF LAND DESCRIBED IN BOOK 522 PAGE 350 RECORDED IN THE ROUTT COUNTY CLERK AND RECORDER'S OFFICE, A DISTANCE OF 19.60 FEET;

4) THENCE N 88°27'20" W, A DISTANCE OF 1329.18 FEET, MORE OR LESS, TO THE WESTERLY LINE OF SAID SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 9, BEING THE POINT OF BEGINNING.

BASIS OF BEARINGS: S 01°02'11" W ALONG THE LINE FROM THE WEST QUARTER CORNER OF SAID SECTION 9, TOWNSHIP 6

NORTH, RANGE 88 WEST, 6TH P.M. (A SET 2 3/8" X 30" ALUMI. PIPE WITH MAG. ALUMIN. CAP LS 13155) TO THE SOUTHWEST

CORNER OF SAID SECTION 9 (A GLO CAP).

COUNTY OF ROUTT, STATE OF COLORADO.