

**TOWN OF SILT  
ORDINANCE NO. 5  
SERIES OF 2022**

**AN ORDINANCE OF THE TOWN OF SILT, COLORADO, ZONING AS PUBLIC UTILITY DISTRICT, A TWO-ACRE ENCLAVE LOCATED WEST OF CAMARIO SUBDIVISION, NORTH OF GRAND AVENUE AND EAST OF KIM DRIVE WITHIN THE TOWN OF SILT, COLORADO**

**WHEREAS**, the Board of Trustees of the Town of Silt ("Board") has authority over land use administration as provided in Section 13-8 of the Town of Silt's ("Town's") Charter and the Board may adopt land use ordinances pursuant to such authority; and

**WHEREAS**, Section 31-12-115(2), C.R.S. provides that any area annexed by a municipality shall be brought under the municipality's zoning ordinance within ninety days after the effective date of the annexation ordinance; and

**WHEREAS**, on January 10, 2022, the Board adopted Ordinance No. 5, Series of 2021, annexing the two-acre enclave that is the subject of this ordinance, legally described in **Exhibit A** (the "Property"), pursuant to Section 31-12-106(1), C.R.S. by Ordinance No. 5, Series of 2021; and

**WHEREAS**, Silt Municipal Code Section 17.88.020 provides the procedures for changing the zoning classification of any particular parcel. Pursuant to Section 17.88.020(c)(2), following a public hearing, the Planning and Zoning Commission shall make a recommendation to the Board. Pursuant to Section 17.88.020(c)(3) the Board shall review the proposed zoning classification following a public hearing and may approve the zoning if the criteria in Section 17.88.020(c)(3)(b) have been met; and

**WHEREAS**, The Board finds that the amendments to the Town's zoning map proposed in this ordinance will promote the public health, safety and general welfare; are consistent with the comprehensive plan and the purposes stated in the unified development code; are consistent with the stated purposes of the proposed zone districts; will not likely result in significant adverse effects upon the natural environment, including air, water, noise, storm water management, wildlife and vegetation, or such impacts will be substantially mitigated; will not likely result in material adverse negative impacts to other properties adjacent to or in the vicinity of the subject property; and facilities and services including roads/transportation, water, gas, electricity, and police and fire protection, will be available to serve the subject property after development; and

**WHEREAS**, the Town gave proper and timely published and/or posted notice of the dates and times of the public hearings at which the Planning and Zoning Commission and the Board considered this ordinance; and

**WHEREAS**, on the date of the first reading, the Board considered zoning the northern two-thirds of the property R-3 and the southern portion Public Utility, but at second reading the Board voted to zone the entire property as Public Utility; and

**WHEREAS**, after considering the location of the property and the Town's Comprehensive Plan, the Board finds that the adoption of this ordinance is necessary and proper to provide for the safety, health and prosperity and order of the Town.

**NOW, THEREFORE, THE BOARD OF TRUSTEES OF THE TOWN OF SILT, COLORADO, ORDAINS AS FOLLOWS:**

Section I. The Property, shall be zoned in its entirety the Public Utility District as depicted on the zoning map attached as **Exhibit B**.

Section II. The Zoning Map of the Town of Silt Colorado is amended consistent with **Exhibit B** upon adoption of this ordinance.

**INTRODUCED, READ AND APPROVED ON FIRST READING, a public hearing,** this 28<sup>th</sup> day of February, 2022, at 7:00 p.m. in the Municipal Building of the Town of Silt Colorado.

**PASSED, APPROVED ON SECOND READING, following a continued public hearing, ADOPTED AND ORDERED PUBLISHED,** this 14<sup>th</sup> day of March, 2022.

TOWN OF SILT



Mayor Keith B. Richel

ATTEST:

  
Town Clerk Sheila M. McIntyre, CMC

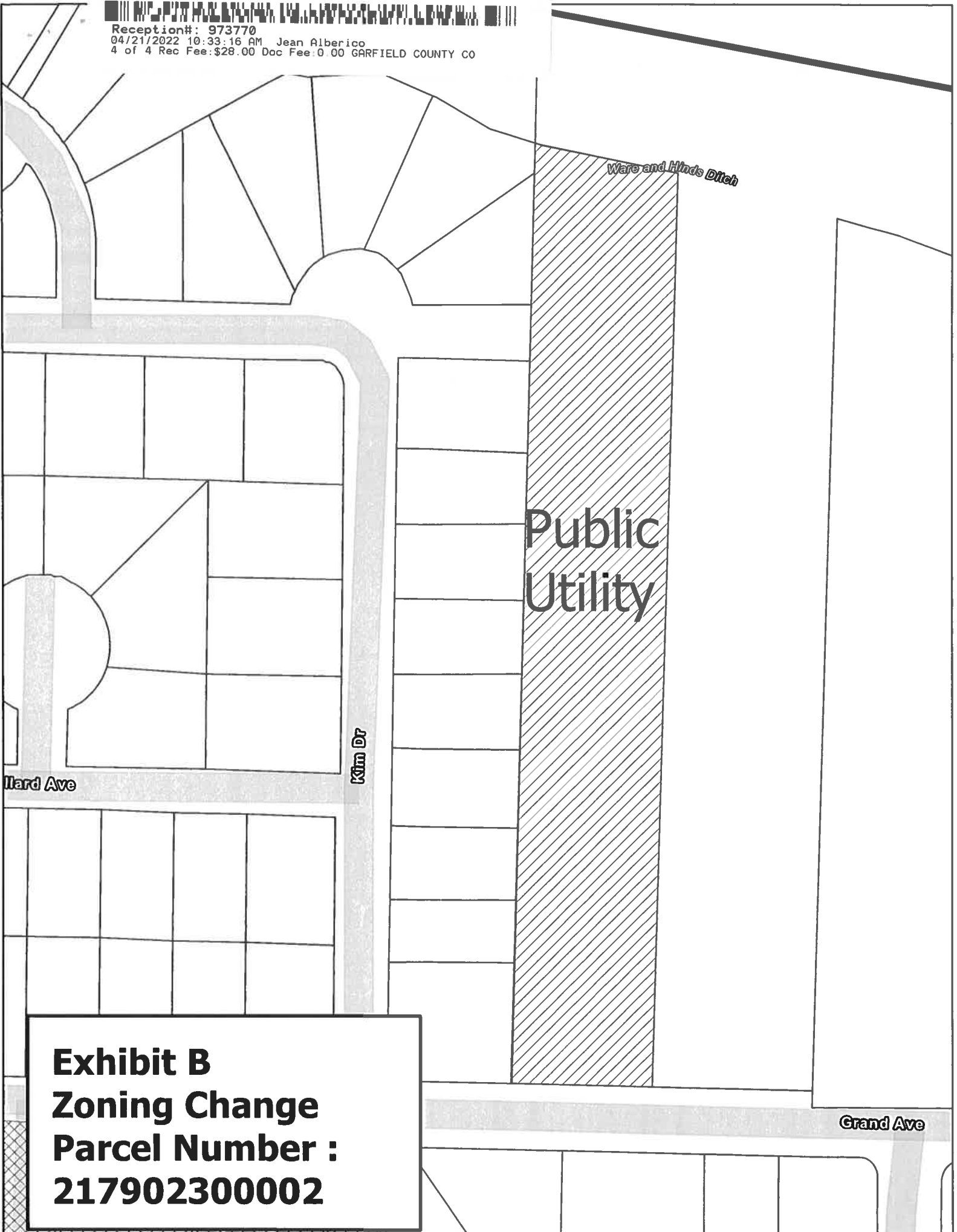
**EXHIBIT A**

**Legal Description:**

A TRACT OF LAND SITUATED IN THE SW1/4SW1/4 OF SECTION 2, TOWNSHIP 6 SOUTH, RANGE 92 WEST OF THE SIXTH PRINCIPAL MERIDIAN, LYING NORTHERLY OF COUNTY ROAD AS CONSTRUCTED AND IN PLACE AND SOUTHERLY OF THE WARE & HINES DITCH AS CONSTRUCTED AND IN PLACE, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF SAID ROAD, WHENCE THE REESTABLISHED SECTION CORNER COMMON TO SECTIONS 2, 3, 10 AND 11 IN SAID TOWNSHIP AND RANGE BEARS: SOUTH 87° 56'45" WEST 96.33 FEET;  
THENCE NORTH 773.55 FEET;  
THENCE SOUTH 80° 08'13" EAST 116.16 FEET;  
THENCE SOUTH 751.69 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF SAID ROAD;  
THENCE SOUTH 89° 01'00" WEST 114.46 FEET ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID ROAD TO THE POINT OF BEGINNING:  
EXCEPT ANY PORTION OF THE ABOVE DESCRIBED PROPERTY, IF ANY, LYING WITHIN FLYING EAGLE SUBDIVISION.

COUNTY OF GARFIELD  
STATE OF COLORADO



**Exhibit B**  
**Zoning Change**  
**Parcel Number :**  
**217902300002**