

**TOWN OF LOCHBUIE
COUNTIES OF WELD AND ADAMS, COLORADO**

ORDINANCE NO. 2023-680

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF
LOCHBUIE, COLORADO, REZONING CERTAIN PROPERTY
LOCATED AT THE NORTHEAST CORNER OF BONANZA
BOULEVARD AND EAST 168TH AVENUE FROM PLANNED UNIT
DEVELOPMENT TO COMMERCIAL DISTRICT UNDER THE
LOCHBUIE LAND USE REGULATIONS AND AMENDING THE
OFFICIAL ZONING DISTRICT MAP OF THE TOWN OF LOCHBUIE,
COLORADO**

WHEREAS, QuikTrip Corporation (“Owner”) initiated the rezoning of the property at the northeast corner of Bonanza Boulevard and East 168th Avenue (the “Property”) from Planned Unit Development to Commercial District under the Lochbuie Land Use Regulations (the “Code”); and

WHEREAS, the Property is legally described as Outlots G through N, Highplains Filing No. 1, Town of Lochbuie, County of Weld, Colorado; and

WHEREAS, public notice has been properly given of the proposed rezoning of the Property by publication in *The Brighton Blade*, a newspaper of general circulation within the Town, by posting of said Property, and by mail notification of adjacent property owners in accordance with the applicable provisions of the Code; and

WHEREAS, in accordance with the Code, a public hearing was held before the Board of Trustee at the Lochbuie Town Hall, 703 Weld County Road 37, Lochbuie, Colorado at which time evidence and testimony were presented to the Board concerning said rezoning proposal and the public was provided an opportunity to comment; and

WHEREAS, the administrative record for this case includes, but is not limited to, the Code, the Lochbuie Comprehensive Plan, and all other applicable ordinances, resolutions and regulations, together with all Town of Lochbuie land use application processing policies that relate to the subject matter of the proposed rezoning, reports, studies and all other submittals of the Owner, or Owner’s designated representative(s), as applicable, any evidence or correspondence submitted by members of the public at the public hearing, and the staff files and reports pertaining to this rezoning; and

WHEREAS, pursuant to Article 23 of Title 31, C.R.S., as amended, the Board of Trustees has determined that the proposed zoning of the Property, subject to any conditions set forth herein, furthers the public health, safety, convenience and general welfare of the community; generally conforms with the Lochbuie Comprehensive Plan, as amended and updated; is compatible with surrounding uses; and otherwise meets the applicable criteria set forth in the Code.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF LOCHBUIE, WELD AND ADAMS COUNTIES, COLORADO, AS FOLLOWS:

Section 1. Recitals Incorporated. The recitals contained above are incorporated herein by reference and are adopted as findings and determinations of the Board of Trustees.

Section 2. Zoning of Property Approved. The Board of Trustees hereby grants and approves rezoning of the Property from Planned Unit Development to Commercial District under the Code. Following the effective date of this Ordinance, the Property shall be zoned Commercial District under the Code.

Section 3. Amendment of Zoning Map. The Official Zoning District Map of the Town of Lochbuie shall forthwith be amended following the effective date of this Ordinance to conform to and reflect the Property's Commercial District zone district classification. The Community Development Department is instructed to record this rezoning in the real property records of Weld County, Colorado

Section 4. Severability. Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

Section 5. Repeal. Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this Ordinance.

Section 6. Effective Date. Except as otherwise expressly provided herein, the provisions of this Ordinance shall become effective thirty (30) days after publication following final passage.

ADOPTED by a vote of 7 in favor, 0 against and 0 abstaining, AND ORDERED PUBLISHED by title only this 7th day of February, 2023.

TOWN OF LOCHBUIE, COLORADO


Michael Mahoney, Mayor

I hereby certify that the above Ordinance was adopted by the Board of Trustees of the Town of Lochbuie at its meeting of February 7, 2023, and ordered published by title only one time by *The Brighton Blade* newspaper on February 16, 2023.



Heather Meierkort
Heather Meierkort, Town Clerk