

ORDINANCE NO. 1262

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF FORT MORGAN, COLORADO, CHANGING THE ZONING DESIGNATION OF SPECIFIED LANDS WITHIN THE CITY, KNOWN AS 709 E. RIVERVIEW AVENUE, FROM “R-2: MEDIUM DENSITY RESIDENTIAL” TO “B-1: MIXED USE BUSINESS” AND AMENDING THE ZONING CODE AND THE OFFICIAL ZONING DISTRICT MAP TO THAT EFFECT

WHEREAS, the City of Fort Morgan, Colorado (the “City”) has been duly organized and is validly existing as a home rule city under Article XX, Section 6 of the Colorado Constitution and the City Charter;

WHEREAS, Morgan County School District Re-3 (“Applicant”) is owner of a certain tract of land located within the City, at 709 E. Riverview Avenue, Fort Morgan, located in the southeast quarter of the southeast quarter of Section 31, Township 4, Range 57 West 6th principal meridian (the “Property”);

WHEREAS, pursuant to section 20-3-60 of the Fort Morgan Municipal Code (“Code”), Applicant has filed an application to re-zone the Property from Medium Density Residential (R-2) to Mixed Use Business (B-1);

WHEREAS, Applicant desires said change in zoning to allow a Salud Family Health Center to operate in one of the buildings on the same parcel the High School is located, to not only serve high school students, but for all district students and personnel to benefit from their services, which would include medical, behavioral health and dental;

WHEREAS, the Planning Commission has reviewed the application and the relevant criteria in Code section 20-3-60, and recommended approval of the zoning changes hereinafter set forth after a public hearing held on February 14, 2022;

WHEREAS, a public hearing was held in front of City Council on March 15, 2022; and

WHEREAS, the City Council finds it desirable and appropriate, and in the best interest of the general health, safety, and welfare of its residents to change the zoning designation of specified lands within the City from Medium Density Residential (R-2) to Mixed Use Business (B-1).

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO, AS FOLLOWS:

Section 1. The foregoing recitals are hereby incorporated as conclusions, facts, determinations, and findings by the City Council.

Section 2. The Property is hereby zoned B-1: Mixed Use Business.

Section 3. The Zoning Code of the City of Fort Morgan and the Official Zoning District Map of the following described land in the City of Fort Morgan, Colorado, shall be amended to change the zoning designation of said Property from Medium Density Residential (R-2) to Mixed Use Business (B-1): 709 E. Riverview Avenue, Fort Morgan, located in the southeast quarter of the southeast quarter of Section 31, Township 4, Range 57 West 6th principal meridian.

Section 4. *Severability.* The provisions of this ordinance are severable and the invalidity of any section, phrase, clause, or portion of the ordinance as determined by a court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of the ordinance.


INTRODUCED, READ, AND ADOPTED ON FIRST READING AND ORDERED
PUBLISHED ON THE 1st DAY OF MARCH, 2022.



THE CITY COUNCIL OF THE CITY OF FORT
MORGAN, COLORADO


Lyn Deal, Mayor


ATTEST:


John Brennan, City Clerk

PASSED, APPROVED, AND ADOPTED ON THE SECOND AND FINAL READING AND
ORDERED PUBLISHED THIS 15th DAY OF MARCH, 2022.



THE CITY COUNCIL OF THE CITY OF
FORT MORGAN, COLORADO


Lyn Deal, Mayor

ATTEST:


John Brennan, City Clerk

STATE OF COLORADO)
COUNTY OF MORGAN)ss. **CERTIFICATE**
CITY OF FORT MORGAN)

I, John Brennan, the duly appointed, qualified Clerk of the City of Fort Morgan, Colorado, do hereby certify that the foregoing Ordinance No. 1262 was, as a proposed Ordinance, duly and legally presented to the City Council of the City of Fort Morgan, Colorado, on the 1st day of March, 2022. Said ordinance, as proposed, was duly read at length at said meeting, and thereafter the same was, on the 4th day of March, 2022, published in *The Fort Morgan Times*, a daily newspaper of general circulation published and printed in the City of Fort Morgan, Morgan County, Colorado. Said proposed ordinance was again taken up and read a second time, duly and legally, passed, approved and adopted at a regular meeting of the City Council held on the 15th day of March, 2022. Within five (5) days after its final passage, said Ordinance No. 1262 was published in *The Fort Morgan Times*, a daily newspaper of general circulation published and printed in the City of Fort Morgan, Morgan County, Colorado.



John Brennan, City Clerk