

ORDINANCE NO. 1283

AN ORDINANCE OF THE CITY OF FORT MORGAN, COLORADO, ZONING CERTAIN REAL PROPERTY KNOWN AS THE SHIVAM ANNEXATION AS GENERAL BUSINESS (B-2) ZONE DISTRICT

WHEREAS, on February 17, 2023, Shivam Enterprises LLC through Kamalesh Patel (the "Owner") filed a Land Use Application (the "Petition") to commence proceedings to annex to the City of Fort Morgan (the "City") a certain unincorporated tract of land located at 17906 County Road 20, Fort Morgan, in the County of Morgan, State of Colorado, and being more particularly described with a legal description of the northwest quarter of Section 04, Township 3, Range 57 West and southwest quarter of Section 33, Township 4 West, Range 57 West of the 6th principal meridian, and depicted on Exhibit A, attached hereto and incorporated herein (the "Property"); and

WHEREAS, by Ordinance No. 1282, the City of Fort Morgan annexed the Property, also known as Shivam Annexation, to the City; and

WHEREAS, Petitioner filed an application to zone the Property as General Business (B-2), and on April 10, 2023, the City of Fort Morgan Planning Commission considered the zoning application for the Property at a duly noticed public hearing and recommended that the City Council zone it as General Business (B-2); and

WHEREAS, the City Council finds that the applicant will be best served by the flexibility of a General Business (B-2) designation and further finds it in the best interests, desires, needs and general welfare of the City of Fort Morgan to zone the property as General Business (B-2).

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

1. The aforementioned recitals are hereby fully incorporated herein.
2. The Property located with an address of 17906 County Road 20, Fort Morgan, in the County of Morgan, State of Colorado, and being more particularly described with a legal description of: the northwest quarter of Section 04, Township 3, Range 57 West and southwest quarter of Section 33, Township 4 West, Range 57 West of the 6th principal meridian, and depicted on Exhibit A, attached hereto and incorporated herein hereby zoned General Business (B-2).
3. Promptly following the adoption of this Ordinance, the City Manager shall cause the terms of this Ordinance to be incorporated into the Official Zoning Map of the City pursuant to Section 20-4-20 of the Fort Morgan Municipal Code. The signed original copy of the Zoning Map shall be filed with the City Clerk. The Clerk shall also record a certified copy of this Ordinance with the Morgan County Clerk and Recorder. The City

staff is further directed to comply with all provisions of the Fort Morgan Land Use Code, §20-1-10, et seq., to implement the provisions of this Ordinance.

INTRODUCED, READ, AND ADOPTED ON FIRST READING AND ORDERED
PUBLISHED ON THE 2nd DAY OF MAY, 2023.



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 16th DAY OF MAY, 2023.



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.
CITY OF FORT MORGAN)

CERTIFICATE

I, John Brennan, the duly appointed, qualified Clerk of the City of Fort Morgan, Colorado, do hereby certify that the foregoing Ordinance No. 1283 was, as a proposed Ordinance, duly and legally presented to the City Council of the City of Fort Morgan, Colorado, on the 2nd day of May, 2023. Said ordinance, as proposed, was duly read at length at said meeting, and thereafter the same was, on the 5th day of May, 2023, 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 16th day of May, 2023. Within five (5) days after its final passage, said Ordinance No. 1283 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

Exhibit A