

ORDINANCE NO. 15-2018

AN ORDINANCE RELATING TO CONDITIONAL USE APPROVAL OF A BOYS AND GIRLS CLUB FACILITY LOCATED AT 8445 THIRD STREET IN THE TOWN OF WELLINGTON, COUNTY OF LARIMER, STATE OF COLORADO.

WHEREAS, Boys and Girls Club of Larimer County, 103 Smokey Street, Fort Collins, CO 80525 is requesting Conditional Use approval to allow a Boys and Girls Club facility at 8445 Third Street; and

WHEREAS, the property is zoned R-2 Residential District, Single-Family Medium Density; and

WHEREAS, Child care centers, community facilities and limited outdoor recreation areas require conditional use approval within the R-2 Residential District; and

WHEREAS, the notices have been given and the public hearings required by the Wellington Municipal Code have been held; and

WHEREAS, the Planning Commission by motion and vote on November 5, 2018 recommended approval of the conditional use for the Boys and Girls Club facility; and

WHEREAS, the Board of Trustees of the Town of Wellington has found the application to be in substantial compliance with the requirements of the Wellington Municipal Code.

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

SECTION 1: The conditional use of the property at 8445 Third Street for use as a Boys and Girls Club facility is hereby approved with the following conditions:

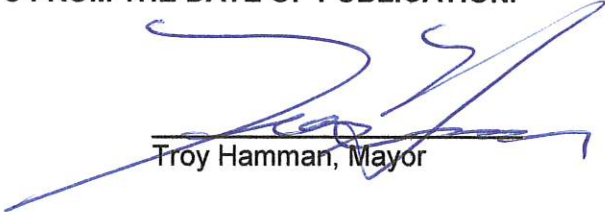
- a) The site and improvements shall comply with applicable building codes and permitting requirements, including the Americans with Disabilities Act (ADA) and posting of occupant loads for the facility and existing church;
- b) Physical separation shall be required between the south addition and the original church, the design of which is to be reviewed and approved by the Town and Wellington Fire Protection District;
- c) Outdoor activities shall be limited to daytime hours;
- d) The conditional use approval shall terminate if the use is abandoned for a period of twelve (12) months; and
- e) The conditional use approval shall terminate upon change in ownership of the property.

SECTION 2: Validity. The Board of Trustees hereby declares that should any section, paragraph, sentence, word or other portion of this ordinance or the rules and regulations adopted herein be declared invalid for any reason, such invalidity shall not affect any other portion of this ordinance or said rules and regulations, and the Board of Trustees hereby declares that it would have passed all other portions of this ordinance and adopted all other portions of said rules and regulations, independent of the elimination here from of any such portion which may be declared invalid.

SECTION 3: Necessity. In the opinion of the Board of Trustees of the Town of Wellington, this ordinance is necessary for the preservation and protection of the health, safety, welfare and property of the inhabitants and owners of property in the Town of Wellington.

SECTION 4: Certification. The Town Clerk shall certify to the passage of this ordinance and make not less than three copies of the adopted Code available for inspection by the public during regular business hours. Furthermore, the Mayor's signature shall be affixed to the plat and attested by the Town Clerk.

PASSED AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF WELLINGTON AND ORDERED TO BECOME PUBLISHED THIS 27 DAY OF NOVEMBER 2018 AND ORDERED TO BECOME EFFECTIVE 30 DAYS FROM THE DATE OF PUBLICATION.



Troy Hamman, Mayor

ATTEST:



Ed Cannon, Town Administrator/Clerk

PUBLISHED BY TITLE THIS 29 DAY OF November, 2018 IN "THE COLORADOAN."

APPROVED AS TO FORM

J. Brad March, Town Attorney