

RESOLUTION NO. 2022-08  
BOARD OF COUNTY COMMISSIONERS  
OF RIO BLANCO COUNTY,  
COLORADO

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF  
RIO BLANCO COUNTY, COLORADO, APPROVING THIRD AMENDMENT OF ELK CREEK  
RANCH PUD-REZONE PRZ-0002-21 IN RIO BLANCO COUNTY, COLORADO**

WHEREAS, Elk Creek Ranch Owners Association (“Applicant”) is requesting a Rezoning of a parcel of land located at 7302 County Road 8, Meeker Colorado, owned by Elk Creek Ranch Owners Association in Rio Blanco County, Colorado to be included in Elk Creek Ranch PUD; and

WHEREAS, subject property is located Within SE ¼ of Section 10 and NE ¼ of Section 15, T1S, R93W of the 6<sup>th</sup> PM., specifically PIN # 162310400138; and

WHEREAS, the Applicant has proposed to Rezone one (1) lot from Agricultural (A) to Planned Unit Development (PUD); and

WHEREAS, the Planning Commission, at their January 27, 2022 meeting, voted 4 in favor / 0 opposed to recommend to the Board of County Commissioners of Rio Blanco County, Colorado (Board) approval of the THIRD AMENDMENT OF ELK CREEK RANCH PUD-REZONE PRZ-0002-21; and

WHEREAS, the Board has reviewed applicable Colorado Statutes, the Rio Blanco County Master Plan, the Rio Blanco County Land Use Regulation (LUR), the materials submitted on behalf of Elk Creek Ranch Owners Association Applicants, the materials submitted by members of the public at the hearing, the Planning Commission recommendations, and upon notice duly given conducted its own hearing on the Application in Meeker, Colorado on February 22, 2022;

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF RIO BLANCO COUNTY, COLORADO FINDS AS FOLLOWS:

- A. The application is complete;
- B. The public hearing before the Board of County Commissioners was extensive and complete, pertinent facts, matters, and issues were submitted, and any interested parties were given an opportunity to be heard at the hearing;
- C. The record is complete;
- D. The proposed Rezoning and Amendment are in the best interests of the health, safety, morals, convenience, order, prosperity and welfare of the citizens of Rio Blanco County.

THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF RIO BLANCO COUNTY, COLORADO:

- A. THIRD AMENDMENT OF ELK CREEK RANCH PUD-REZONE PRZ-0002-21, is hereby approved subject the following conditions.
  - i. The Amendment of the Planned Unit Development Agreement with Rio Blanco County must be reviewed, approved and signed by the Rio Blanco County Attorney and the BOCC

ii. Amended PUD Final Plat must be signed and submitted to Rio Blanco County Planning Department for recordation with the Clerk and Recorder's Office

B. If any section, subsection, sentence, clause, phrase or portion of this Resolution is, for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution. The Board of County Commissioners of Rio Blanco County, Colorado declares that it would have adopted this Resolution and each section, subsection, sentence, clause, phrase, or portion herein, despite the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions would be declared invalid or unconstitutional.

D. Approval of this Rezoning and Amendment constitutes approval of a site specific development plan which establishes a vested property right, as provided by §24-68-101 C.R.S., et.seq. This vested right is valid for a period of 3 years from the date of publication of this approval. The Planning Department of Rio Blanco County, Colorado, will publish notice of this approval and vested right in the Meeker Herald as soon as possible.

DULY MOVED, SECONDED, AND PASSED ON A VOTE OF  2  FOR AND  0  AGAINST, THIS 22nd DAY OF FEBRUARY, 2022.

THE BOARD OF COUNTY COMMISSIONERS OF  
RIO BLANCO COUNTY, COLORADO

ATTEST:



  
Boots Campbell  
Clerk to the Board

By:

  
Ty Gates, Chairman

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Jeff Rector, Commissioner

  
Gary Moyer, Commissioner