

**TOWN OF MEAD, COLORADO
ORDINANCE NO. 1064**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO, APPROVING CERTAIN
AMENDMENTS TO THE *MEAD MUNICIPAL CODE* ESTABLISHING DEVELOPMENT
STANDARDS FOR
RENEWABLE ENERGY FACILITIES**

WHEREAS, Section 16-3-160(d) of the Town of Mead Municipal Code ("MMC") sets forth that any amendments to the text of Chapter 16 of the MMC ("Land Use Code") may be initiated by the Board of Trustees, the Planning Commission, Town Staff, or the written application of any property owner or resident of the Town, and certain of such text amendments shall be reviewed and considered by the Planning Commission, prior to consideration by the Board of Trustees for enactment by ordinance; and

WHEREAS, the Board of Trustees established a one (1) year moratorium on development applications for renewable energy facilities on July 31, 2023, by and through adoption of Ordinance No. 1043; and

WHEREAS, the Board of Trustees directed Town staff to draft proposed regulations in order to establish development standards for renewable energy facilities in the Town; and

WHEREAS, Town Staff has prepared amendments to Chapter 16 of the MMC, including the addition of Article XV – Development Standards for Renewable Energy Facilities, as detailed in **Exhibits A-C**, attached to this Ordinance and incorporated herein (together, the "Amendments"), to establish development standards for renewable energy facilities in the Town of Mead; and

WHEREAS, the criteria by which text amendments to the Land Use Code are evaluated are set forth in Section 16-3-160(f) of the MMC; and

WHEREAS, the Planning Commission conducted the duly noticed public hearing regarding the Amendments on June 26, 2024, which hearing was continued to July 17, 2024; and

WHEREAS, following the conclusion of the public hearing, the Planning Commission adopted Resolution 03-PC-2024 recommending approval of the Amendments to the Board of Trustees; and

WHEREAS, in accordance with applicable requirements of the MMC, the Town Clerk has caused a notice of the Board of Trustees public hearing on the Amendments to be published no later than fifteen (15) days prior to the hearing in a newspaper of general circulation; and

WHEREAS, the Board of Trustees conducted the duly noticed public hearing on July 29, 2024, which hearing was continued to August 12, 2024 at 6:00 p.m. at Town Hall; and

WHEREAS, the August 12, 2024 public hearing was subsequently opened and continued to September 30, 2024, at 6:00 p.m. at Town Hall, so that staff could make certain revisions to the Amendments, as directed by the Board of Trustees; and

WHEREAS, based upon evidence set forth in the Agenda Item Summary that was presented to the Board of Trustees and other evidence offered and accepted at the public hearing conducted on August 12 and September 30, 2024, the Board of Trustees has determined that the Amendments satisfy the approval criterion set forth in Sec. 16-3-160(f)(2), (3) and (4) of the MMC,

NOW, THEREFORE, BE IT ORDAINED, by the Board of Trustees of the Town of Mead, Colorado, that:

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. Findings. The Board of Trustees finds and determines that it reviewed the Amendments in accordance with the procedure set forth in Sec. 16-3-160 of the MMC and that the public hearing on the Amendments was held, conducted, and concluded in accordance with Sec. 16-3-160 of the MMC.

Section 3. The MMC is hereby amended as reflected in **Exhibits A-C** attached hereto.

Section 4. Effective Date. This Ordinance shall be published and become effective as provided by law.

Section 5. Remaining provisions. Except as specifically amended hereby, all other provisions of the MMC shall continue in full force and effect.

Section 6. Codification Amendments. The codifier of the Mead Municipal Code (MMC) is hereby authorized to make such numerical, technical and formatting changes as may be necessary to incorporate the provisions of this ordinance within the MMC.

Section 7. Severability. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the ordinance. The Board of Trustees hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more part, section, subsection, sentence, clause or phrase is declared invalid.

Section 8. Repealer. All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

Section 9. Certification. The Town Clerk shall certify to the passage of this ordinance and make not less than one copy of the adopted ordinance available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 30TH DAY OF SEPTEMBER, 2024.

ATTEST:

TOWN OF MEAD:

By: _____
Mary E. Strutt, MMC, Town Clerk

By: _____
Colleen G. Whitlow, Mayor

EXHIBIT A

Amendments to Mead Municipal Code
Section 16-3-40 – Use regulations.

[To begin on the next page. Additions are shown underlined.]