

TOWN OF TIMNATH, COLORADO

ORDINANCE NO. 103, SERIES 2010

AN ORDINANCE AMENDING CHAPTER 16, LAND USE,
ARTICLE 2, DESIGN PRINCIPLES AND DEVELOPMENT STANDARDS, SECTION
12 PARKS AND OPEN SPACE, SUBSECTION D.3.b, COMMERCIAL AND
INDUSTRIAL DEVELOPMENTS OF THE TIMNATH MUNICIPAL CODE

WHEREAS, the Town Council of the Town of Timnath ("Town") pursuant to C.R.S. § 31-15-103 has the power to make and publish Ordinances; and

WHEREAS, pursuant to that power, the Town Council has previously enacted Chapter 16, Article 2 of the Timnath Municipal Code ("Code"); and

WHEREAS, in order to ensure Chapter 16, Article 2 reflects the desires of the Town and includes provisions which are fair to all in enforcement and applicability, the Town Council desires to amend certain provisions of that Article.

NOW, THEREFORE, THE COUNCIL OF THE TOWN OF TIMNATH, COLORADO, ORDAINS:

Section 1. Amendments

Chapter 16 Land Use Code, Article 2 Design Principles and Development Standards, Section 12, Parks and Open Space, Subsection D.3.b, Commercial and industrial developments, is amended to read as follows:

- b. *Commercial and Industrial developments.* There are 3 levels of dedication required depending upon the size of the development. **IN ASSOCIATION WITH A SITE PLAN SUBMITTAL**, the developer shall provide:
 - i. For regional commercial, office and industrial developments generally corresponding to the uses listed in the C-2: Community Commercial zone district: A minimum of 25% of the gross land being subdivided as functional open space which may include: plazas, trails, landscaped areas, natural areas and other public/civic areas; and
 - ii. For neighborhood commercial, office and industrial developments generally corresponding to the uses listed in the C-1: Neighborhood Commercial, **THE I-1: BUSINESS / LIGHT INDUSTRIAL, OR I-2**

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INDUSTRIAL zone districtS: A minimum of 15% of the gross land being subdivided as functional open space which may include: plazas, trails, landscaped areas, natural areas and other public/civic areas; and

Section 2. Severability

If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one or parts be declared unconstitutional or invalid.

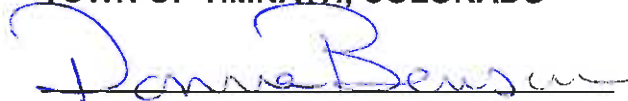
Section 3. Effective Date

This Ordinance shall take effect upon adoption at second reading, as provided by Section 3.5.5 of the Charter. The Town Clerk shall certify to the passage of this ordinance and make not less than one copy of the adopted Code available for inspection by the public during regular business hours.

INTRODUCED, MOVED, AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH ON FIRST READING, ON JUNE 16, 2010 AND SET FOR PUBLIC HEARING AND SECOND READING AT 7:00 P.M. ON JULY 21, 2010 AT THE TIMNATH TOWN HALL, 4100 MAIN STREET, TIMNATH COLORADO AND ORDERED PUBLISHED BY TITLE THIS 16TH DAY OF JUNE, 2010.

MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON JULY 21, 2010.

TOWN OF TIMNATH, COLORADO



Donna Benson, Mayor

ATTEST:



Milissa McGuire, Town Clerk

