

**TOWN OF TIMNATH, COLORADO**

**ORDINANCE NO. 13, SERIES 2013**

**AN ORDINANCE AMENDING THE TOWN OF TIMNATH LAND USE  
CODE SECTION 16.3.4.N**

**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 3 – Zoning Regulations of the Timnath Land Use Code ("Code"); and

**WHEREAS**, in order to ensure Chapter 16 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; and

**WHEREAS**, the Town of Timnath maintains at least one (1) copy of the Town of Timnath Land Use Code and the amendments thereto, on file in the office of the Town Clerk and may be inspected by any interested person between regular business hours.

**Section 1.**

**The Town of Timnath Land Use Code, Chapter 16, Article 3, Section 4.N.1, is amended to read as follows:**

Intent. The (PD) Overlay District is intended to be used as an overlay zone district that supplements the underlying standard zone district. The intent and purpose of this district is to permit and encourage innovative design and high quality, master-planned developments ~~on large parcels of land~~. This district is created to allow and encourage compatible uses to be developed in accordance with a unified development plan in harmony with the environment and surrounding neighborhood. The PD Overlay District is intended to permit greater flexibility in the application of zoning and development standards and greater freedom in providing a mix of land uses in the development of a balanced community. PD's are expected to preserve critical environmental resources, provide above-average open space and recreational amenities, include exceptional design, and provide greater efficiency in the layout and provision of roads, utilities and other infrastructure.

**The Town of Timnath Land Use Code, Chapter 16, Article 3, Section 4.N.3.(a), is amended to read as follows:**

RECEPTION#: 20140004191, 01/24/2014 at  
04:03:57 PM, 1 OF 3, R \$21.00 TD Pgs: 0  
Angela Myers, Clerk & Recorder, Larimer  
County, CO

✓  
Please Return to:  
Town of Timnath  
4800 Goodman Street  
Timnath, CO 80547

All PD applications shall include a gross land area of not less than eighty (80) acres. This requirement may be reduced at the discretion of Council when all other requirements of the PD Overlay District are met.

## **Section 2. Code Revision**

Minor changes such as the format and other changes to unify the revised Code may be necessary. The Town Clerk is hereby authorized to make such changes, provided that neither the intent nor substantive content will be altered by such changes.

## **Section 3. 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 4. Repeal.**

Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this Ordinance.

## **Section 5. 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 NOVEMBER 12, 2013, AND SET FOR PUBLIC HEARING AND SECOND READING AT 6:00 P.M. ON NOVEMBER 26, 2013 AT THE TIMNATH ADMINISTRATION BUILDING, 4800 GOODMAN STREET, TIMNATH COLORADO AND ORDERED PUBLISHED BY TITLE THIS 26<sup>TH</sup> DAY OF NOVEMBER, 2013.


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MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON NOVEMBER 26, 2013.

**TOWN OF TIMNATH, COLORADO**

  
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Jill Grossman-Belisle, Mayor

**ATTEST:**

  
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Milissa Peters, Town Clerk

