

TOWN OF TIMNATH, COLORADO

ORDINANCE NO. 94, SERIES 2010

**AN ORDINANCE AMENDING CHAPTER 16, LAND USE,
 ARTICLE 3, ZONING, SECTION 6 DENSITY AND DIMENSIONAL STANDARDS,
 SUBSECTION A, RESIDENTIAL – DENSITY AND DIMENSIONAL STANDARDS
 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 3 of the Timnath Municipal Code ("Code"); and

WHEREAS, in order to ensure Chapter 16, Article 3 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 3 Zoning, Section 6 Density and Dimensional Standards, Subsection A Residential – Density and Dimensional Standards, Table 3-B, is amended to read as follows:

| TABLE 3-B | | | | | | | | |
|---|--------|--|-------|---------------------------|-------|---|-------|----------------------------------|
| Zone District | R-E | | R-1 | R-2 | R-3 | R-4 | MH | MU |
| Minimum lot area per dwelling (square feet, unless otherwise noted) | 1 acre | | 8,000 | 5,000 6,000 | 1,800 | 1,800 for townhomes; 6,250 per building for apartments or condos | 4,000 | 4,500 (SFD) 1,800 (SFA, MF) |
| Minimum lot width (total in feet, unless otherwise noted) | 140 | | 50 | 40 54 | 20 | 20 for townhomes; 60 for apartments and condos | 50 | Subject to each residential type |

Town of Timnath
 4800 Goodman St
 Timnath CO 80547

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| | | | | | | | | |
|----------------------------------|----|--|----------|--------------------|------------------------|------------------------|-----|---------------------------|
| Maximum Lot Coverage | 20 | | 35 | 40 50 ¹ | N/A | N/A | N/A | N/A |
| Minimum side yard setback (feet) | 20 | | 5 access | 5 7 | 8 (at end of each row) | 8 (at end of each row) | 10 | Per each residential type |

1 – Maximum lot coverage may be utilized by all existing R-2 Zoned lots.

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 MAY 5, 2010 AND SET FOR PUBLIC HEARING AND SECOND READING AT 7:00 P.M. ON MAY 19, 2010 AT THE TIMNATH TOWN HALL, 4100 MAIN STREET, TIMNATH COLORADO AND ORDERED PUBLISHED BY TITLE THIS 5TH DAY OF MAY, 2010.

MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON JUNE 2, 2010.

TOWN OF TIMNATH, COLORADO

Donna Benson, Mayor

ATTEST:

Milissa McGuire, Town Clerk