TOWN OF TIMNATH, COLORADO
ORDINANCE NO. 14, SERIES 2017

AN ORDINANCE ADOPTING BY REFERENCE AMENDMENTS OF THE LAND USE
ORDINANCES OF THE TOWN OF A GENERAL AND PERMANENT NATURE,
ENTITLED THE “TIMNATH LAND USE CODE, 2015 EDITION”

WHEREAS, The Town of Timnath (the "Town") is a home rule municipality operating under the
Timnath Home Rule Charter (the “Charter”) adopted on November 7, 2006 and the Town’s
Municipal Code (the “Code”). Pursuant to the Charter, the Code and the authority given home
rule municipalities, the Town may adopt and amend ordinances; and

WHEREAS, The Timnath Planning Commission held a regularly scheduled meeting on June 6,
2017 and recommended approval to Town Council unanimously by 5-0 vote; and

WHEREAS, The Timnath Town Council held a regularly scheduled meeting on June 13, 2017
and upon hearing the statements of staff, the applicant(s) and giving consideration to the
recommendations, to the Town Council determines as provided below; and

WHEREAS, The Town Council hereby finds, determines, and declares that this Ordinance is
promulgated under the general police power of the Town, that it is promulgated for the preservation
of public health, welfare, peace, safety and property and that this Ordinance is necessary for the
protection of public convenience and welfare.

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

SECTION 1 – AMENDMENTS

1. Set forth as Exhibit A

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 – 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extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any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or code heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution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repealed prior to the effective date of this Ordinance.

Please Return to:

✓ Town of Timnath
4800 Goodman Street
Timnath, CO 80547
ARTICLE 4 – EFFECTIVE DATE
This Ordinance shall take effect upon adoption at second reading, as provided by Section 3.5.5 of the Charter.


MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON JUNE 27, 2017.

TOWN OF TIMNATH, COLORADO

Jill Grossman-Belisle, Mayor

ATTEST:

Milissa Peters, CMC
Town Clerk
EXHIBIT A
Land Use Code Amendments
Table 5.5  Buffer Yard Requirements

<table>
<thead>
<tr>
<th>Zones</th>
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Table 4.1  Business/Commercial/Retail Uses

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<th>Uses</th>
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<th>R1</th>
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4.4.10.1  Clubs and Lodges:
4.4.10.1 – Hours of operation shall be no earlier than 6:00 a.m. and no later than midnight when this use abuts a lot containing a legal, conforming residential use or a residentially zoned lot.

4.4.12.1  Food Truck Vendor:
4.4.12.1 – Requires a food truck vendor permit application.
4.4.12.2 – May vend only on lots in non-neighborhood zone districts or on streets in locations in non-residential zone districts where parallel parking is allowed.
4.4.12.3 – Vending may occur in a residentially zoned lot if it is apart of a Special Events permit or if the vendor is exclusively selling novelty items such as ice cream, snow cones, or frozen treats, or if there is a site with an active building permit.
4.4.12.4 – May not vend within 200 feet from the property line of a public or private school for students from pre-school through 12th grade.
4.4.12.5 – May vend only food and non-alcoholic beverages.
4.4.12.6 – Logos or signage must be permanently attached to the mobile food truck with no banners or signs put up on adjacent trees’ buildings, or light poles.
4.4.12.7 – Hours of operation when on a lot or street that abuts a existing residentially zoned lot shall be limited from 10 a.m. to 8 p.m.
4.4.12.8 – The food truck shall utilize power from an adjacent building as best as possible, if power is not available a generator can be used given it does not exceed 80 decibels.

4.4.28  Wireless Telecommunications Facility. Upon submittal of an application for a Wireless Telecommunications Facility it will be determined by the Town Planner if it will be an administrative approval based on the level of impact or if it will require Planning Commission and Town Council approval. The following requirements shall govern the location of telecommunications towers and
associated accessories which, when installed, will exceed 21 feet in height above existing grade. The height limitations applicable to buildings and non-tower structures shall not apply to towers, antennas and associated accessories.

| 4.4.29 | Veterinary Facilities, Small Animal:  
4.4.29.1 – There shall be no exterior dog run or kenneling  
4.4.29.2 – Animals that stay overnight must be kept inside the building. |
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| 5.8.18 | Electric Vehicle Parking & Charging Requirements  
5.8.18.1 All new commercial, mixed-use, business and industrial developments exceeding 75 parking spaces shall provide designated parking spaces and wiring to provide for the charging of electric vehicles. There are three different levels of charging: Level 1 – 120V charging, provides 2-5 miles of range per hour of charging. Level 2 – 240V or 208V charging provides 10-20 miles of range per hour of charging. Level 3 – Also known as “DC Fast Charging” 208/480V AC three-phase input charging provides 50-70 miles of range per 20 minutes of charging.  
A. Level 1 and 2 charging stations shall be permitted in the R-E, R-1, R-2, R-3, R-4, B, NC, CC, RC, RMU, CMU, and I zoning districts. Level 3 charging stations shall only be permitted in the CC, RC, CMU, and I zoning districts.  
B. Any master planned commercial, mixed-use, and industrial development shall provide 1 charging station per every 75 parking spaces.  
C. Any existing commercial, mixed-use, business, and industrial developments wishing to convert parking spaces to electric vehicle charging stations can do so.  
D. Parking stalls shall be signed and striped as a designated parking space for the exclusive use of charging electric vehicles. No person shall park in that space any nonelectric vehicle, or electric vehicle that is not connected to the electric vehicle charging station, electric vehicle that is not charging, or electric vehicle that has been charging for more than four hours. |

| Food Truck Vendor Definition | A person whether as owner, agent, or employee who sells or attempts to sell food or beverage to the public from motorized wheeled vehicle, or towed wheeled vehicle designed and equipped to serve food. The food is either cooked and prepared on site or where food is prepared off site and packaged to be sold on site. |