TOWN OF TIMNATH, COLORADO
ORDINANCE NO. 22, 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 October
17, 2017 and recommended approval to Town Council unanimously by 5-0 vote; and

WHEREAS, The Timnath Town Council held a regularly scheduled meeting on December 22,
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
constitutioality 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extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any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or code heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution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repealed prior to the effective date of this Ordinance.
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 DECEMBER 12, 2017.

TOWN OF TIMNATH, COLORADO

Jill Grossman-Belisle, Mayor

ATTEST:

Milissa Peters, CMC
Town Clerk
EXHIBIT A
Land Use Code Amendments
### Table 4.1

<table>
<thead>
<tr>
<th>Section</th>
<th>Recommended amendment (Deletion, Addition, Modification):</th>
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<tbody>
<tr>
<td>Residential Uses and Structures</td>
<td>A</td>
</tr>
<tr>
<td>Dwelling, attached single-family</td>
<td>*</td>
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<tr>
<td>Dwelling, single-family detached</td>
<td>P</td>
</tr>
<tr>
<td>Short Term Rental</td>
<td>*</td>
</tr>
<tr>
<td>Business/Commercial/Retail Uses</td>
<td>A</td>
</tr>
<tr>
<td>Car Wash</td>
<td>*</td>
</tr>
<tr>
<td>Equipment Rental establishments without outdoor storage</td>
<td>*</td>
</tr>
<tr>
<td>Home Occupations</td>
<td>PC</td>
</tr>
<tr>
<td>Motor vehicle repair, minor</td>
<td>*</td>
</tr>
<tr>
<td>Plant nurseries &amp; greenhouses</td>
<td>P</td>
</tr>
<tr>
<td>Restaurants with drive-through service</td>
<td>*</td>
</tr>
<tr>
<td>Retail fuel stations</td>
<td>*</td>
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<tr>
<td>Mini-warehouses and self-storage facilities</td>
<td>*</td>
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</tbody>
</table>

### 4.4.26. Short Term Rentals:

4.4.26.1 — A Short Term Rental Application must be submitted and approved by the Community Development Director.

4.4.26.2 — Each Short Term Rental must obtain a Short Term Rental Business license with the Town and post the license number on every listed advertisement and on site.

   a. Initial Licensing fee = $150
   b. Annual renewal = $100

4.4.26.3 — Short Term Rentals are subject to lodging, sales, or other applicable taxes.

4.4.26.4 — Short Term Rentals utilizing an accessory dwelling must meet Town Regulations for accessory dwellings per section 4.4.1.6 of the Land Use Code.

4.4.26.5 — Rooms being rented on an individual basis and not as an entire home shall not have separate individual entrances.

4.4.26.6 — Rooms that are being rented must meet Town Building Code.

4.4.26.7 — Short Term Rentals must be inspected at time of initial licensing and on an annual basis accompanying the annual renewal to ensure compliance with the Building Code.

4.4.26.8 — The maximum number of people staying per night shall not exceed 6 persons.

4.4.26.9 — The maximum number of nights per month shall not exceed 15 or the maximum number of unique reservations per month shall not exceed 3.

4.4.26.10 — All parking must be in a garage or on the driveway. No on-street parking allowed.

4.4.26.11 — There shall be no motor homes or travel trailers parked outside the residence.
4.4.26.12 – There shall be no change in the outside appearance of the building or premises or other visible evidence of the conduct of such short term rental, and shall not disrupt the neighborhood character.

4.4.26.13 – Any non compliance of these regulations will result in revocation of the Short Term Rental business license. License may be reinstated one year from date of revocation with approval from the Community Development Director and satisfactorily complying with these regulations.

| Short Term Rental Definition | Short Term Rental shall mean a dwelling that under one ownership is leased in its entirety or as a portion at a time for periods of less than 30 consecutive days (i.e. Vacation Rental by Owner – VRBO or AirBnB). |