

**TOWN OF TIMNATH, COLORADO
ORDINANCE NO. 6, SERIES 2025**

**AN ORDINANCE ADOPTING AMENDMENTS TO THE “TIMNATH LAND USE
CODE, 2015 EDITION”, WHICH HAS BEEN ADOPTED BY REFERENCE INTO THE
TOWN OF TIMNATH MUNICIPAL CODE**

WHEREAS, the Town of Timnath (the “Town”) is a home rule municipality operating under the Timnath Home Rule Charter adopted on November 7, 2006, as amended in 2015, 2022, 2023 and 2024, (the “Charter”) 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, section 16-1-10 of the Code states that the Town has adopted by reference the Land Use Code of the Town of Timnath, Colorado (the “Land Use Code”), which is fully incorporated into the Code as fully set forth therein; and

WHEREAS, the Land Use Code was restated and reenacted in Ordinance 15, Series 2015 and has been amended sixteen times since its reenactment; and

WHEREAS, the Town planners have proposed additional amendments to the Land Use Code, as set forth in the attachment hereto; and

WHEREAS, the Timnath Planning Commission held a regularly scheduled meeting and Public Hearing on January 21, 2025 and recommended approval of the Land Use Code Amendment No. 17 to Town Council by an unanimous vote; and

WHEREAS, the Timnath Town Council held a regularly scheduled meeting and Public Hearing on February 11, 2025 and upon hearing the statements of staff and the public, and giving consideration to the recommendations wishes to adopt amendment to the Land Use Code; 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. The Town Council hereby adopts the amendments to the Land Use Code 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.

ARTICLE 4 – EFFECTIVE DATE

This Ordinance shall take effect upon adoption at second reading, as provided by Section 3.5.5 of the Charter.

INTRODUCED, MOVED, ADOPTED AND ORDERED PUBLISHED BY TITLE BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH ON FIRST READING, ON JANUARY 28, 2025, AND SET FOR PUBLIC HEARING AND SECOND READING AT 6:00 P.M. ON FEBRUARY 11, 2025 AT THE TIMNATH ADMINISTRATION BUILDING, 4750 SIGNAL TREE DRIVE, TIMNATH COLORADO.

MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON FEBRUARY 11, 2025.

TOWN OF TIMNATH, COLORADO



Robert Axmacher, Mayor

ATTEST:


Milissa Peters-Garcia, MMC
Town Clerk



EXHIBIT A
Land Use Code Amendments
(see attached)



Land Use Code Amendment 17

(All page and section numbers are subject to change with the inclusion of these amendments)

Existing

5.6 Table of Parking Requirements

Use	
Residential Uses:	
Assisted Living Facilities	1 per 1,000 sf
Rehabilitation Centers, Palliative Care and Hospice Care	1.5 per 1,000 sf
Public facilities:	
Rehabilitation Centers, Nursing Care, Assisted Living, Congregate Care, Palliative Care, and Hospice Care	1.5 per 1,000 and 1 per 8 beds

Proposed

5.6 Table of Parking Requirements

Use	
Residential Uses:	
Assisted Living Facilities	1 per 1,000 sf
Rehabilitation Centers, Palliative Care and Hospice Care	1.5 per 1,000 sf
Institutional/Civic/Public Uses:	
Rehabilitation Centers, Nursing Care, Assisted Living, Congregate Care, Palliative Care, and Hospice Care	1 per 3 beds + 1 per employee on the largest shift
Public facilities:	
Rehabilitation Centers, Nursing Care, Assisted Living, Congregate Care, Palliative Care, and Hospice Care	1.5 per 1,000 and 1 per 8 beds