

**TOWN OF TIMNATH, COLORADO  
ORDINANCE NO. 18, 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 eighteen 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 regularly scheduled meetings and Public Hearings on June 3, 2025 and recommended approval of Land Use Code Amendment No. 19 to Town Council by an unanimous vote; and

**WHEREAS**, the Timnath Town Council held a regularly scheduled meeting and Public Hearing on October 28, 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 OCTOBER 14, 2025, AND SET FOR PUBLIC HEARING AND SECOND READING AT 6:00 P.M. ON OCTOBER 28, 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 OCTOBER 28, 2025.**

**TOWN OF TIMNATH, COLORADO**



Robert Axmacher, Mayor

**ATTEST:**



Milissa Peters-Garcia, MMC  
Town Clerk

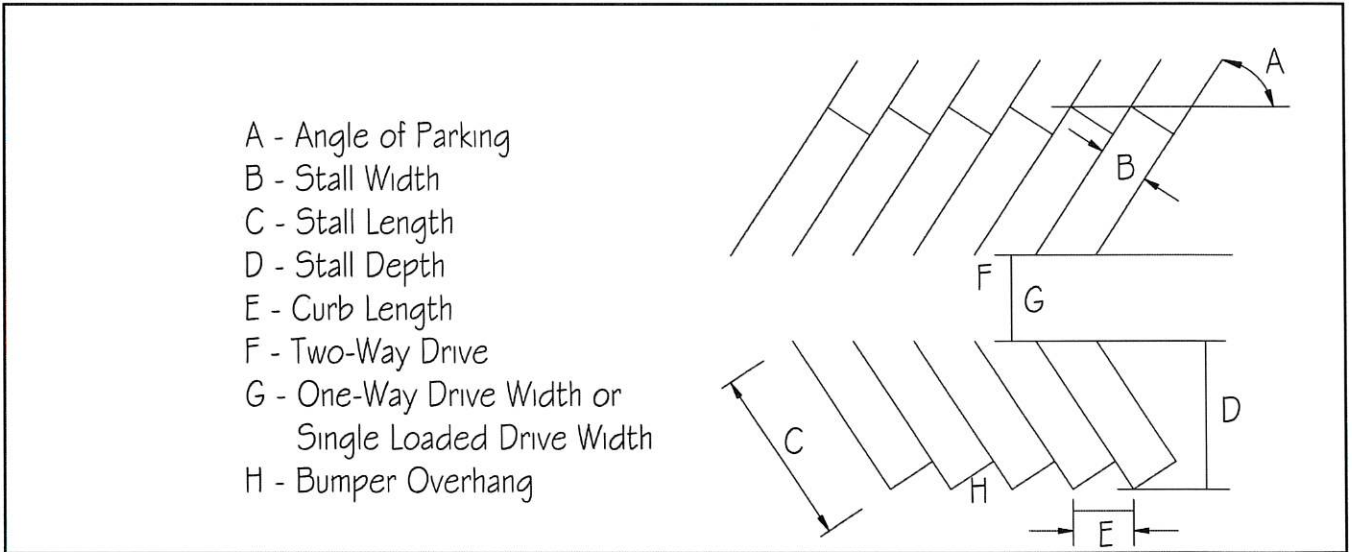


**EXHIBIT A**  
Land Use Code Amendments  
(see attached)

## 2. Off Street Parking Stall Dimensions.

Add new subsection 5.8.19 as shown in red below.

5.8.19 Dimensions of Parking Spaces. Off-street parking areas for automobiles shall meet the following minimum standards for long- and short-term parking of standard and compact vehicles, using the following dimensions:



Parking Figure 1

### 5.8.19.1 Standard Spaces.

		STANDARD VEHICLE Dimension in feet							
		A	B <sup>1</sup>	C	D	E	F*	G*	H
Parallel	0°	8	23	8	23	20	12	n/a	
	30°	8.5	20	17.4	17	20	15	1.5	
	45°	8.5	20	20.2	12	20	15	1.5	
Head-In	60°	9	19	21	10.4	24	20	2	
	90°	9	19	19	9	24	20	2	

<sup>1</sup> For handicap spaces, width shall be 13' with ramp access to walks.

\* These minimum dimensions may be varied by up to 10% with the approval of the Town Planner.

Parking Table A.

(note that Staff recommends 5.8.12.2 on compact parking, however Planning Commission recommends not to add this section on compact parking in its entirety)

**5.8.19.2 Compact Vehicle Spaces.** Up to twenty (20) percent of parking spaces within parking lots that qualify as long\_term.parking may be supplied with compact car stalls using the compact vehicle dimensions set forth in Table B. No compact spaces shall be designated as handicap parking spaces. Long\_term.parking shall mean parking which has limited turnover during a normal working weekday. Long-term parking includes employee-type parking or residential-type parking.

		COMPACT VEHICLE Dimension in feet							
		A	B	C	D	E	F*	G*	H
Parallel	0°	7.5	19	7.5	19	20	12	n/a	
	30°	7.5	16.5	14.8	15	20	15	1.5	
	45°	7.5	16.5	17	10.6	20	15	1.5	
	60°	8	16	17.9	9.2	24	20	2	
Head-In	90°	8	15	15	8	24	20	2	

\* These minimum dimensions may be varied by up to 10% with the approval of the Town Planner.

**Parking Table B.**

### 3. Planned Development Overlay Districts

Table 2.1 Hearing Process and Notice Requirements

	Applicable	Pre-Application Conference	Completeness	Neighborhood Meeting	Public Hearing	Recommendation	Decision	Notice			Additional Requirements
								Posted	Mailed	Published	
BOA	Board of Adjustment										
PC	Planning Commission										
TC	Town Council										
TP	Town Planner										
2.9.14	Planned Development <u>Overlay District (PDO)</u>	v	v	<u>v*</u>	PC/TC	PC	TC	v	v	v	<u>*A neighborhood meeting is required for all new Planned Development Overlay District applications. The Community Development Director may also require a neighborhood meeting for amendments to existing PDOs if the proposed amendment is determined to constitute a substantial change to the approved plan.</u>

2.9.14 Planned Development Overlay District (PDO). This is a discretionary approval process for unified developments permitting greater flexibility in the application of standards and mix of uses within the development. The process results in the approval of a new zoning district with specific regulations. Planned Development Overlay Districts provide flexibility in the development standards by modifying specified standards contained in the underlying base zoning, based on a detailed plan for a site or project. Planned Development Overlay Districts allow for unique or innovative design or development concepts, better coordination of the project either internally or with surrounding areas, or otherwise offer public or community benefits beyond what can be achieved under the general standards. Design excellence and the provision of outstanding public amenities shall be considered when establishing modified development standards. Planned Development Districts shall meet the following thresholds:

1. A minimum of five acres. Applications for smaller areas may be considered when the proposed PDO includes a mix of uses that are not otherwise accounted for by one or a combination of the base zoning districts of the code and the PDO clearly provides exceptional public benefits.
2. Planned Development Overlay Districts shall be initiated by the fee owners of all property within the plan boundaries, other than public streets and rights-of-way.
3. PDO Plans shall propose development that could not occur under the general district standards, or with a variance or waiver approval under this code.

2.9.14.1 Pre-application conference. See Section 2.9.3.1.

2.9.14.2 Planned Development Overlay District application submittal. ~~The applicant shall submit a complete application package to the Town Clerk.~~ Planned Development Overlay District application packages shall include:

- A. Land Use application form and application fee.
- B. Planned Development District – Technical Criteria Form (from Workbook); Fee Agreement.

C. Fee agreement. Title commitment or proof of ownership.

~~D. Title commitment or proof of ownership.~~ PDO Plan. The plan outlines the parameters for a particular project, setting forth the underlying base zone district and all modifications to development standards of the underlying base zone district. In addition, the PDO Plan shall include the following, particularly where they differ from generally applicable standards otherwise required by this code for the underlying base zone district:

1. Project narrative identifying conformance with the Comprehensive Plan; the purposes, intent, and design objectives of this Code; and the criteria for approval of a PDO.
2. List of permitted and conditional uses, including allowed intensity and density of specific uses or categories of uses. An applicant may use groups of uses permitted in a base zone district with additions or subtractions from that category specifically noted.
3. Minimum lot area, setbacks, height, and other district standards.
3. Access and circulation requirements, including coordination with streetscape designs, any internal streets, lanes, or passages, and other facilities for access via vehicles, transit, bicycles, and pedestrians.
4. Open space standards, including the type, size, general location, and design characteristics of common and civic spaces.
5. Building design and a description of architectural concepts, and particularly standards or guidelines for how the project will meet the design objectives in the design sections of this Code.
6. Parking standards, including location, size, required ratios, and landscape standards for the parking areas.
7. Landscape design for all other portions of the plan, and particularly standards or guidelines for how the project will meet the design objectives in the landscape design and open space design sections of this Code.
8. Easements and utility plans.

~~E. Written statement and any graphics necessary to describe the precise nature of the proposed use and its operating characteristics to illustrate how all the planned development review criteria have been satisfied.~~

~~F. A map showing the proposed development of the site, including topography, building locations, parking, traffic circulation, usable open space, landscaped area and utilities and drainage features, as applicable.~~

~~G. Preliminary building plans and elevations sufficient to indicate the dimensions, general appearance and scale of all buildings, if required by Town Planner.~~

~~H. E.~~ Such additional material as the Community Development Director may prescribe or the applicant may submit pertinent to the application.

~~I. F.~~ Surrounding and interested property ownership report.

~~J.~~ Public hearing notification envelopes.

~~KG.~~ All the requirements for subdivisions if the development will be subdivided. See Section 2.9.10.

2.9.14.3 Town Planning shall review for completeness. See Section 2.9.3.4.

2.9.14.4 Referrals. Referrals shall be sent to all affected agencies and local governments, and specific property owners, if applicable. Staff will then prepare a report identifying any issues of concern that the applicant shall address and forward it to the applicant.

2.9.14.5 Staff Report. Staff shall submit a report to the Planning Commission explaining how the application is or is not consistent with the Planned Development Overlay District application review criteria. The staff will also make a recommendation for approval, approval with conditions, or denial.

2.9.14.6 Notice of public hearing shall be provided pursuant to Section 2.9.4.

2.9.14.7 Planning Commission review of the Planned Development Overlay District application. The Planning Commission shall hold a meeting to review the application and determine if the application complies with the Planned Development Overlay District review criteria. The Planning Commission will then recommend to the Town Council approval, approval with conditions, or denial.

2.9.14.8 The Town Council hearing and action on the Planned Development Overlay District. The Council shall hold a public hearing on the Planned Development Overlay District application. Following the public hearing, the Council may approve, conditionally approve or deny the planned development district application based on the Planned Development District review criteria and the intent of this Code.

2.9.14.9 Planned Development Overlay District review criteria.

~~A. The proposed Planned Development District shall have a unified character throughout the district. The Planned Development District shall have no more adverse effects on health, safety, or welfare of the surrounding properties, or shall be no more injurious to property or improvements in the area than would any other use generally permitted in the same district. In making such a determination, consideration shall be given to:~~

- ~~1. The location, type, and height of buildings or structures;~~
- ~~2. The type and extent of landscaping and screening on the site; and~~
- ~~3. Whether the proposed use is consistent with any policy of the comprehensive plan that encourages mixed uses and/or densities.~~

~~B. Adequate utilities shall be provided~~

~~C. The proposed Planned Development District will not substantially impair the appropriate use or development of adjacent property.~~

~~D. No significant traffic issues are created.~~

~~E. The Planned Development District results in a more efficient development which may contain innovative and creative development.~~

A. Planned Development Overlay Districts are a specific type of rezoning to add an Overlay District onto the underlying base zoning to modify specified standards in the base zoning as set forth in the

PDO Plan. Review, recommendations, and decisions for PDO plans shall be based on the same criteria for a Zoning Map Amendment in Section 2.9.7.5, and the following additional criteria:

1. The PDO Plan better implements the Comprehensive Plan, beyond what could be accomplished under application of general zoning districts and development standards.
2. The deviations from the base district development standards result in development that equally or better meets the purposes, intent, and design objectives of this Code.
3. The PDO Plan reflects generally accepted and sound planning and urban design principles with respect to applying the goals and objectives of the Comprehensive Plan to the area, including diversification in the use of land, efficient use of infrastructure, and coordination with surrounding areas.
4. In return for flexibility in site design, the PDO must provide public benefits significantly greater than those typically achieved through the application of a standard zone district. The PDO Plan must demonstrate achievement of at least two of the following public benefits:
  - a. Innovation and Economic Development – employing creative approaches to design, construction, technology, sustainability, or community planning that advance Town goals, serve as a model for future development, or generate significant economic opportunities, job creation, or tax base enhancement for the community.
  - b. Superior Environmental Performance – demonstrating measurably better energy use, water efficiency, air quality, stormwater management, integration with natural systems, or other sustainable development practices that significantly exceed standard requirements and provide community-wide benefits.
  - c. Enhanced Transportation and Connectivity – providing improved multi-modal transportation options, enhanced access to transit or bicycle systems, walkable destinations, innovative transportation solutions, or superior circulation and connectivity both within and to surrounding areas.
  - d. Significant Community Amenities – providing substantial public facilities, spaces, services, or amenities that benefit the broader community and are commensurate with the scope and impact of the development, such as parks, trails, community centers, or other civic facilities.

2.9.14.10 A Planned Development District (PDO) approved under a prior ordinance and shown as a PDO on the zoning map adopted with this Land Use Code shall remain valid and subject to the expiration provisions that were in effect at the time of its original approval. If a PDO was approved but expired prior to the effective date of this Land Use Code, it shall not remain in effect. Any request to revive or amend such a PDO shall require a new application, public hearing, and approval in accordance with the procedures set forth in Table 2.1 of this Code.

2.9.14.11 If an existing, valid PDO is proposed for amendment:

- A. The amendment may be approved administratively by the Community Development Director if the amendment corrects and clarifies existing standards or is necessary to comply with applicable state law. The Community Development Director may, at their discretion, refer the proposed amendment to the Planning Commission for consideration.
- B. The amendment shall require a public hearing and approval by the Planning Commission if the amendment proposes substantive changes to existing standards.

C. The amendment shall require a public hearing and approval in accordance with Table 2.1 and the criteria in Section 2.9.14.9 of this Code if the amendment proposes new development standards in addition to those described in Subsections A and B above. Any such PDO shall comply with the development standards of this Land Use Code, except where specific development standards were expressly established in the originally approved PDO.

### 3.5 Zoning Districts Described; Purpose

3.5.14 ~~PD~~— Planned Development Overlay District. The ~~PD~~—Planned Development Overlay District is an overlay zone district intended to provide a place where larger scale high quality master-planned developments are permitted. The Town encourages innovative land use and building design that integrates well within the community and promotes a positive community image. In exchange for greater freedom of increased flexibility in design and intensity of development, the Town expects a ~~PD development to protect and conserve~~ demonstrable public benefits that advance community goals, as outlined in Section 2.9.14.9.A. ~~critical environmental resources, provide a significant amount of open space and recreational amenities, and integrate uses that are compatible both internally to the site as well as to adjacent developed areas.~~