

**TOWN OF TIMNATH, COLORADO
ORDINANCE NO. 4, SERIES 2026**

**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 and 2023, (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 multiple 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, related to Food Truck Vendors, outdoor lighting, Temporary Uses, bike lanes, and ADU Rear Setbacks; and

WHEREAS, The Timnath Planning Commission held a regularly scheduled meeting and Public Hearing on February 3, 2026 and recommended approval of the Land Use Code Amendments to Town Council unanimously by 4-0 vote; and

WHEREAS, The Timnath Town Council held a regularly scheduled meeting and Public Hearing on February 24, 2026 and upon hearing the statements of staff and the public, and giving consideration to the recommendations wishes to adopt the 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, effective immediately upon adoption.

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 FEBRUARY 10, 2026, AND SET FOR PUBLIC HEARING AND SECOND READING AT 6:00 P.M. ON FEBRUARY 24, 2026, AT THE TIMNATH ADMINISTRATION BUILDING, 4750 SIGNAL TREE DRIVE, TIMNATH COLORADO.

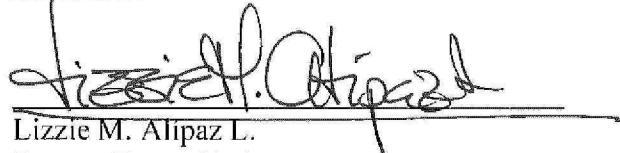
MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON FEBRUARY 24, 2026.

TOWN OF TIMNATH, COLORADO



Robert Axmacher, Mayor

ATTEST:



Lizzie M. Alipaz L.
Deputy Town Clerk



EXHIBIT A
Land Use Code Amendments
(see attached)

Exhibit A

Text in red is new language.

Strikethrough indicates existing language to be deleted.

Food Trucks

Table 4.1 Standard District Table of Permitted Uses

4.4.16 Food Truck Vendor

Food Truck Vendor	*PC	*PC	*PC	*PC	*PC	*PC	PC	PC	PC	PC	PC	PC	PC	PC
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4.4.16 Food Truck Vendor.

4.4.16.1 Requires a valid food truck vendor permit and/or business license and shall comply with the Food Truck Vendor permit and business license requirements and conditions application.

4.4.16.2 Vending may occur in any zone district with a valid permit and business license or as part of a Special Use permit. ~~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.~~

~~4.4.16.3 Vending may occur in a residentially zoned lot if it is a part 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.~~

~~4.4.16.4 May not vend within 200 feet from the property line of a public or private school for students from pre-school through 12th grade.~~

~~4.4.16.5 May vend only food and non-alcoholic beverages.~~

4.4.16.36 Logos or signage must be permanently attached to the mobile food truck with no banners or signs put up within the site/property on adjacent trees, buildings, or light poles. A single sandwich board or a-frame sign is permitted such that it does not block a sidewalk, curb ramps, or any ADA accessible route or pathway.

~~4.4.16.7 Hours of operation when on a lot or street that abuts an existing residentially zoned lot shall be limited from 10 a.m. to 8 p.m.~~

~~4.4.16.8 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.~~

Temporary Uses

4.4.45 *Temporary Uses.* The following requirements shall govern the location and operation of temporary uses permitted by the Town. Temporary uses must have an approved Temporary Use permit from the Town. Food Truck Vendor is not classified as a temporary use.

4.4.44.1 The sales period for temporary Christmas tree sales lots shall start no sooner than November 15.

4.4.44.2 No more than one trailer shall be used to store goods for sale. All sales structures shall meet the setback of the district in which they are located or as allowed as part of a Special Use permit.

4.4.44.3 The use may only be located on a vacant lot, on a lot occupied by a nonresidential use, or on the site of a bona fide farm operation, or as part of a Special Use permit.

4.4.44.4 Off-street parking may be provided behind or to the side of the established use, but not forward of the required front setback.

4.4.44.5 On-site parking may be provided on a low dust, pervious surface area and need not comply with additional paving requirements.

4.4.44.6 ~~Such uses shall not include flea markets or any sales of merchandise or products not related to the seasonal sale of agricultural produce.~~ Temporary use permit shall be limited in duration by the Town Planner and not exceed 30 days in duration, either consecutively or cumulatively, in any calendar year.

4.4.44.7 Local and regional Ffarm-type enterprises when considered as being part of bona fide farms such as plant nurseries, commercial greenhouses, fruit or vegetable packing sheds, retail sale of products grown on premises, hatcheries, ~~tobacco storage for sales;~~ and similar commercial and processing activities shall be permitted in the A district without zoning review unless new parking, driveways, or structures are required.

ARTICLE 11. DEFINITIONS

1.2 Definitions.

Food Truck Vendor: 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. (Note the definition is listed twice in two different locations. The first definition shall be deleted, and the second definition shall be revised as set forth above.)

Outdoor Lighting

5.3.3.3 Prohibited Lighting

Blinking, flashing, moving, revolving, flickering, and lighting with changing intensity, and ~~chase lighting~~, except lighting for seasonal displays, lighting for public safety or required for air traffic safety.

Low voltage, dimmable, programable, Eexposed linear lamps mounted on the primary structure below the roof edge, within the eave on the soffit or fascia, that include, without limitation, light emitting diode (LED), and ~~fluorescent lighting~~, primarily intended as an architectural highlight or as security lighting to attract attention or used as a means of identification or advertisement except as permitted by sign criteria of the land use code (remove the above from 5.3.3.3 Prohibited Lighting and move to 5.3.3.1 Lighting Design Standards)

Bicycle Lanes

6.6 Subdivision Standards

6.6.2 Circulation

C. Pedestrian and Bicycle Circulation

5. Arterial and collector streets shall include ~~eight foot wide~~ designated bike lanes on both sides per Larimer County Urban Area Street Standards (LCUASS).

Accessory Dwelling Rear Setbacks

4.4.1.6 Accessory dwellings.

A. Accessory dwellings may be permitted when associated with a single-family detached dwelling. An accessory dwelling may be attached, within, or separate from the principal dwelling.

B. The floor area of an accessory dwelling shall be a minimum of 400 square feet and limited to no more than the larger of:

1. 850 square feet in floor area for lots 10,000 square feet or less, if in a detached building or attached to the principal building.

2. 1,000 square feet in floor area for lots 10,001 square feet or more, if in a detached building or attached to the principal building.

3. Equal to the building footprint if internal to the principal building.

C. Only one accessory dwelling is permitted per single family detached lot in any zone district where accessory dwellings are permitted.

D. No additional parking space is required for an accessory dwelling. Where a parking space is provided, it shall be subject to all lot coverage and frontage design standards.

E. The accessory dwelling shall meet the development and dimensional standards for the lot outlined in Article 4 and Article 5, except as provided in subsection F.

F. The rear setback for any accessory dwelling, whether attached, internal, or detached, is the same as the rear setback for other accessory structures in the same zoning district.

FG. The accessory dwelling shall comply with the following standards:

1. The accessory dwelling shall be clearly subordinate to the principal dwelling through the location of access, building entrances, parking, and other design features that accommodate the accessory dwelling.

2. The accessory dwelling shall not be served by a driveway separate from that serving the principal dwelling unless the accessory dwelling is accessed from a rear alley and the principal dwelling is accessed from a street.

3. The accessory dwelling must have a separate entrance from the principal dwelling.

4. Prior to the occupancy of the accessory dwelling, all building and occupancy permits shall be approved, and inspections conducted demonstrating compliance with applicable building and fire safety codes.

GH. Accessory dwellings must be built to International Residential Code (IRC) standards, which excludes mobile homes, RVs, multipurpose trailers, and tiny homes on wheels. Manufactured homes are permitted if they meet the IRC and are placed on a permanent foundation.

HI. Section 4.4.1.6 supersedes any restriction in an approved Planned Development District that would restrict accessory dwellings in connection with single-family detached homes. Any future Planned Development Districts may not contain provisions that restrict

the construction or conversion of accessory dwellings in ways not permitted by this
Section.