

ORDINANCE #2007-4

AN ORDINANCE AMENDING THE TOWN OF PONCHA SPRINGS

LAND USE CODE:

**SECTION 2.7.3 PLANNED UNIT DEVELOPMENTS; SECTION 3.2.1
MINIMUM LOT SIZES FOR DUPLEX SUBDIVISIONS; SECTIONS 7.2 AND 2.3
CLUBS AND LODGES IN THE ETC ZONE; AND SECTION 5.5 APPLICATION
REQUIREMENTS**

WHEREAS, the Town of Poncha Springs Planning and Zoning Commission is charged with the duty of reviewing the Land Use Code and making recommendations to the Board of Trustees regarding any needed changes, and

WHEREAS, the Planning and Zoning Commission and the Board of Trustees have reviewed the following Land Use Code amendments and find that they are to the benefit of the community and promote a more concise understanding and administration of the Land Use Code, and

WHEREAS, the Planning and Zoning Commission and the Board of Trustees have determined that some of the wording in the Planned Unit Development regulations is contrary to the original purpose of Planned Unit Developments, that is to encourage a mix of land uses, and

WHEREAS, the Planning and Zoning Commission and the Board of Trustees have found that discrepancies exist in the regulation of the subdivision of duplex lots in the ER3 zone, and

WHEREAS, the Planning and Zoning Commission and the Board of Trustees have found that clarification is needed in the definition of lodges in the ETC zone, and

WHEREAS, The Planning and Zoning Commission and the Board of Trustees have found that more copies are needed of required application materials,

NOW THEREFORE BE IT ORDAINED the following sections of the Land Use Code are amended (deleted sections have a strike-through line, new sections are in bold):

2.7.3 VARIATION FROM ZONING PROVISIONS

To implement the purposes of a PUD, variation may be permitted in certain zone district requirements, including minimum lot sizes, height, setback, parking and open space requirements.

Variation shall not be permitted in ~~permitted uses~~ or in the overall density specified for the zone district.

In Developing Recreation zones, ~~area and bulk requirements~~ minimum lot area, rear, front and side setbacks, and height requirements shall be established by review through the planned unit development procedures.

3.2.1 MINOR SUBDIVISIONS INCLUDE SUBDIVISIONS WHICH ARE FOR THE PURPOSE OF:

(e) (ii) Lots are to be a minimum of ~~7,000~~ **10,000** square feet before the subdivision, with a minimum frontage of ~~70'~~ **100'**; and are to be located in the ER-3 residential zone.

(e) (iii) Utilities are available, and each of the dwelling units is served by its own separate utility service lines and meters **located on its own separate lot.**

7.2 Definitions

Hotel, Motel, Lodge. A building occupied as the more or less temporary abiding place of individuals who are lodged with or without meals for compensation, with rooms usually occupied singly, and no provision made for cooking in any individual room.

2.3 Permitted Uses

ETC	PERMITTED USES	SPECIAL REVIEW USES
Established Town Center	Retail sales, excluding those establishments requiring open storage and drive-up windows for liquor sales), grocery stores; financial institutions; convenience store; personal services; parks; clubs and lodges; assembly halls; eating and drinking establishments (excluding drive-ins); medical and dental clinics; public buildings; schools; theater; churches; offices; libraries; dwelling units accessory to permitted uses	Hotels, provided they include common area and amenities such as restaurants, lobbies and meeting space and that parking and landscaping are designed to integrate with adjacent uses; car wash; public utility facilities; residences subject to the requirement of Note ** below. Day Care Centers, accessory to permitted uses, subject to note **** below. (Ord. #2003-12); assembly halls; clubs and lodges provided they qualify as an IRS 501 (C) (3) entity (Ord. # 2007-04)

5.5 Application Requirements

5.5.1 STEP 1

~~Eighteen (18)~~ **Twenty (20)** copies (**Ord. #2007-04**) of all reports and maps shall be submitted unless exempted by the Planning Commission.

5.5.2 STEP 2

Twenty (20) copies (Ord. #2007-4) of all reports and maps shall be submitted unless exempted by the Planning Commission.

PASSED AND APPROVED THIS 25th DAY OF JUNE 2007, BY THE BOARD OF TRUSTEES OF THE TOWN OF PONCHA SPRINGS, COLORADO.

/s/ _____
Mark F. Thonhoff, Mayor

Attest:

/s/ _____
Diana K. Heeney
CMC/Treasurer