

**TOWN OF GRAND LAKE
BOARD OF TRUSTEES
ORDINANCE 05-2024**

**AN ORDINANCE TO AMEND TOWN CODE 12-2-27 REGARDING THE SUPPLEMENTAL
REGULATIONS FOR SETBACK, HEIGHT, AND AREA**

WHEREAS, the Board of Trustees (the “Board”) of the Town of Grand Lake, Colorado, pursuant to Colorado Statute is vested with the authority of administering the affairs of the Town of Grand Lake, Colorado; and

WHEREAS, the Planning Commission of the Town of Grand Lake (the “Commission”), pursuant to Colorado Revised Statutes and the Town of Grand Lake Municipal Code (“The Code”), is vested with the authority to perform such duties as are conferred upon them, including making recommendations to the Board; and,

WHEREAS, the Town of Grand Lake Municipal Code Title 12, Article 2 was adopted to establish regulations and restrictions in accordance with a land use plan to, among other things, provide comprehensive regulations restricting the erection, construction, reconstruction, alteration, repair and use of building, structures, and land within the Town of Grand Lake; and

WHEREAS, the Town Code Municipal Code Title 12, Article 2, Section 27 provides supplemental regulation for setback, height, and area in all zoning districts and land use; and

WHEREAS, the Planning Commission of the Town of Grand Lake has determined the additional height regulations have language that is either outdated, or is not applicable to the Town of Grand Lake design Code and does not exemplify the character of the Town of Grand Lake; and

WHEREAS, the Planning Commission of the Town of Grand Lake reviewed the language for the supplemental regulations for setback, height, and area, and unanimously approved Planning Commission Resolution 05-2023 at its regular meeting April 17, 2024, recommending revisions to the same; and

WHEREAS, the Board has determined that it is in the interest of the Town to amend Chapter 12, Article 2, Section 27 of the Code in conformance with the recommendations of the Planning Commission.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE, COLORADO AS FOLLOWS:

1. The Board of Trustees hereby amends Section 12-2-27 (A)(3)(b) of the Municipal Code of the Town of Grand Lake with the removal of the ~~strike through language~~ to read in its entirety as follows:

Chimneys, church steeples, cooling towers, elevator bulkheads, fire towers, monuments, stacks, stage towers or theatre scenery lofts, tanks, water towers, ~~ornamental towers, spires, grain elevators~~, or necessary mechanical appurtenances may exceed the maximum height regulations of

the zone district in which they are located provided the maximum height for the use under question is set by the procedures outlined in Section 12-2-27(B) Variance Request Procedure, but in no instance shall such use exceed sixty feet (60') in height.

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 of the remaining portions of this Ordinance. The Board of Trustees declares that it would have passed this Ordinance and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

3. Repeal: Existing Ordinances or parts of Ordinances covering the same matters as embraced in this Ordinance are hereby repealed and all Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed, except that 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 taking effect of this Ordinance.

INTRODUCED, PASSED AND ADOPTED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE, COLORADO, THIS 22ND DAY OF APRIL, 2024.

Votes Approving: _____
Votes Opposed: _____
Absent: _____
Abstained: _____

ATTEST:

TOWN OF GRAND LAKE

Alayna Carrell
Town Clerk

By: _____
Steve Kudron
Mayor