

**TOWN OF GRAND LAKE
ORDINANCE NO. 3-2007**

**AN ORDINANCE AMENDING CHAPTER 12, ARTICLE 2,
ZONING REGULATIONS, OF THE CODE OF THE
TOWN OF GRAND LAKE**

WHEREAS, amendments to the Zoning Regulations of the Town of Grand Lake Code are permitted following public notice and public meetings; and,

WHEREAS, the Town of Grand Lake Planning Commission held a public meeting, following public notification, on May 2, 2007 and June 6, 2007; and,

WHEREAS, following the public meeting, the Planning Commission recommended approval of the proposed amendments to the Zoning Regulations of the Town of Grand Lake Code to the Board of Trustees; and,

WHEREAS, the Board of Trustees held a public hearing, following public notification, on April 9, 2007 and May 14, 2007 and June 11, 2007; and,

WHEREAS, following the public hearing, the Board of Trustees agreed with the recommendation of the Planning Commission regarding the proposed amendments to the Zoning Regulations of the Town of Grand Lake Code,

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE THAT:

PART 1. Section 17 of Chapter 2 of Article 12 of the code of the Town of Grand Lake, Colorado is hereby amended to read as follows:

~~15. Multi family attached rental units, condominiums and townhouses are uses permitted by right except on the first story, as defined in this Chapter 12 Article 2. This regulation applies to projects for which a Building Permit has not been issued by the Grand County Building Department before the effective date of Ordinance 4-2004 and for projects which require the subdivision of the property and advancement to the Final Plat Review of the Grand Lake Planning Commission before the effective date of Ordinance 4-2004.~~

15. Residential units herein defined as: Multi-family attached rental units, condominiums, townhouses and condo/hotels are uses permitted by right with the following restrictions:

- (A) The first story area measured from the frontage to 50' into the lot or structure shall be dedicated to commercial space.

- (B) If any portion of the area described in (A) is used for a hallway, elevator, stairwell access, fire escape access or mechanical appurtenances, a minimum of 30% of the second story of the structure must be dedicated to commercial space. This area shall be located on the frontage side of the structure.
- (C) The commercial space aspect of any structure must be constructed prior to or in conjunction with the residential units. A Certificate of Occupancy must be issued to the commercial space prior to or in conjunction with the residential units.
- (D) The commercial space aspect of any structure must be the same width or greater as the residential units constructed.
- (E) One stairwell will be allowed to be placed in the commercial space without having to comply with section (B) if the following conditions are met:
 - 1. The structure is located only on one 50' x 100' lot or less.
 - 2. There are four or fewer residential units constructed in the structure.
 - 3. The stairway is no larger than 5' in width.

PART 2. Section 18 of Chapter 2 of Article 12 of the code of the Town of Grand Lake, Colorado is hereby amended to read as follows:

1. All uses provided for in the CT - Commercial Transitional District, except Single Family Residential. ~~Mixed Residential with permitted Commercial Use is a Use By Right provided not more than one-half of the total square footage of the building or buildings on the lot are to be used for residential purposes. Minimum floor area requirements apply. Time-share restrictions for the CT District also apply to the C - Commercial District except Single-Family Residential. Multi-family attached rental units, condominiums and townhouses are uses permitted by right except on the first story, as defined in this Chapter 12 Article 2. This regulation applies to projects for which a Building Permit has not been issued by the Grand County Building Department before the effective date of Ordinance 4-2004 and for projects which require the subdivision of the property and advancement to the Final Plat Review of the Grand Lake Planning Commission before the effective date of Ordinance 4-2004.~~
10. Residential units herein defined as: Multi-family attached rental units, condominiums, townhouses and condo/hotels are uses permitted by right with the following restrictions:
 - (A) The first story area measured from the frontage to 50' into the lot or structure shall be dedicated to commercial space.
 - (B) If any portion of the area described in (A) is used for a hallway, elevator, stairwell access, fire escape access or mechanical appurtenances, a minimum of 30% of the second story of the structure must be dedicated to commercial space. This area shall be located on the frontage side of the structure.

- (C) The commercial space aspect of any structure must be constructed prior to or in conjunction with the residential units. A Certificate of Occupancy must be issued to the commercial space prior to or in conjunction with the residential units.
- (D) The commercial space aspect of any structure must be the same width or greater as the residential units constructed.
- (E) One stairwell will be allowed to be placed in the commercial space without having to comply with section (B) if the following conditions are met:
 - 1. The structure is located only on one 50' x 100' lot or less.
 - 2. There are four or fewer residential units constructed in the structure.
 - 3. The stairway is no larger than 5' in width.

PART 3. Section 6 of Chapter 2 of Article 12 of the code of the Town of Grand Lake is hereby amended by adding the following definition:

Commercial Space – uses permitted by right in the Commercial District and the Commercial Transitional District excluding single family, multi-family attached rental units, condominiums, townhouses, condo/hotels and parking lots.

PART 4. Except as specifically amended herein, all other provisions of Chapter 12, Article 2 of the Grand Lake Town Code shall remain in full force and effect.

PART 5. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or unconstitutionality of the remaining portions of this ordinance. The Town of Grand Lake hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared invalid or unconstitutional.

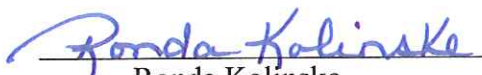
DULY MOVED, SECONDED AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE THIS 11TH DAY OF JUNE, 2007.

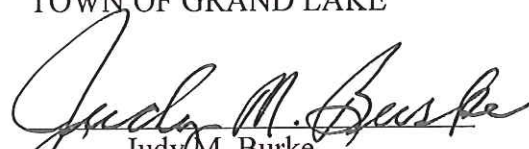
(S E A L)

Votes Approving:	6
Votes Opposing:	1
Votes Abstaining:	0
Absent:	0

ATTEST:

TOWN OF GRAND LAKE


Ronda Kolinske
Town Clerk


Judy M. Burke
Mayor

PROOF OF PUBLICATION



GRANBY, COLORADO

STATE OF COLORADO

COUNTY OF GRAND

I, Kimberly S. Burner, do solemnly swear that I am the publisher of the Sky-Hi News, that the same is a weekly newspaper printed, in whole or in part, and published in the County of Grand, State of Colorado, and has a general circulation therein; that said newspaper has been published continuously and uninterruptedly in said County of Grand for a period of more than fifty-two consecutive weeks next prior to the first publication of the annexed legal notice or advertisement, that said newspaper has been admitted to the United States mail as second-class matter under the provisions of the act of March 3, 1879, or any amendment thereof, and that said newspaper is a weekly newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado.

That the annexed legal notice of advertisement was published in the regular and entire issue of every number of said weekly

newspaper for the period of One

consecutive insertions; and that the first publication of said notice

was in the issue of said newspaper dated Aug.

16, A.D. 2007, and that the last

publication of said notice was in the issue of newspaper dated

Aug. 16, A.D. 2007

In witness whereof I have hereunto set my hand this 16

day of Aug, A.D. 2007

Kimberly S. Burner, Publisher.

Subscribed and sworn to before me, a notary public in and for the

County of Grand, State of Colorado this 16 day of

Aug

Jennifer Anderson

Notary Public

STATE OF COLORADO

My Commission Expires Sept. 28, 2008