

**TOWN OF GRAND LAKE
ORDINANCE NO. 21-2006**

**AN ORDINANCE AMENDING CHAPTER 12, ARTICLE 2, SECTION 17
COMMERCIAL TRANSITIONAL DISTRICT
OF THE TOWN OF GRAND LAKE ZONING REGULATIONS**

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 public meetings on May 3, 2006, May 17, 2006, June 7, 2006, July 17, 2006, July 19, 2006, August 2, 2006 & October 18, 2006 following public notification; and,

WHEREAS, the Planning Commission reviewed the proposed amendment to Section 12-2-17 Commercial Transitional District and was in favor of the proposed amendment to preserve future commercial space in the Town of Grand Lake while allowing for residential use; and,

WHEREAS, the Board of Trustees held public hearings on June 26, 2006, August 28, 2006, September 11, 2006 and October 23, 2006; and,

WHEREAS, following the public hearings, the Board of Trustees agreed with the recommendation of the Planning Commission regarding the proposed amendments.

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

THAT, Chapter 12 Article 2, Section 17 Commercial Transitional District of the Town of Grand Lake Zoning Regulations is hereby amended as attached.


DULY MOVED, SECONDED AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE, COLORADO THIS 23RD DAY OF OCTOBER, 2006.

(S E A L)

Votes Approving:	5
Votes Opposed:	2
Absent:	0
Abstained:	0

ATTEST:

TOWN OF GRAND LAKE


Ronda Kolinske,
Town Clerk


Judy M. Burke
Mayor

Section 12-2-17 Regulations for CT - Commercial Transitional District

The Regulations set forth in this Section, or set forth elsewhere in this Article, when referred to in this Section, are the District Regulations in the CT - Commercial Transitional District.

a. Uses Permitted by Right

1. Single Family Dwelling Units
2. Neighborhood Businesses
3. Day Nurseries or Child-Care Centers
4. ~~Commercial Parking Lots and~~ **Private and Publicly-owned Parking Lots**
5. Not-for-Profit Clubs and Service Organizations
6. Hotels, Motels, Condo/Hotels and Lodges
7. Group homes for the elderly **and indigent**, ~~limited to persons sixty years of age or older and further~~ limited to not more than eight persons per home.
8. Multi-family attached rental units
9. Bed and breakfast establishments
10. Condominiums and Townhouses - Timeshare and interval estate units of more than sixteen shares per unit are required to have a central reservation facility on site.
11. Mixed Residential with permitted Commercial Use within the same building or buildings on the lot.
12. Rental, repair, wholesaling, and storage in conjunction with any of the above non-residential uses, provided all such activity is clearly incidental and accessory to said uses, and further provided all such activity is conducted within a building.
13. Accessory buildings and uses normal and customary to the uses listed above.
14. **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.

b. Conditional Uses

1. Commercial establishments of the following and like nature: antiques; small appliances; ~~art supplies; retail bakeries; cameras; candies; tobacco;~~ furniture; gifts; hardware; sporting goods; stationery; and, variety shops;
2. Service establishments of the following and like nature: ~~financial institutions;~~ catering services; laundromats; medical clinics; ~~insurance offices; real estate offices;~~ funeral parlors and mortuaries;
3. Eating and drinking establishments; ~~when combined with hotels, motels, and condo/hotels;~~
4. Public utilities;
5. Water reservoirs, water storage tanks, water pumping stations, sewer lift stations and wireless towers.

c. Building Height Limit - Except as provided in Section 12-2-23, the height regulations are as follows:

1. No structure shall exceed thirty-five feet (35') in height.

d. Area Regulations - Except as provided in Section 12-2-23, the area regulations are as follows:

1. Minimum Floor Area - The minimum floor area for multi-family attached rental units, lodges, condominiums, townhouses, and condo/hotels is five hundred (500) square feet per each dwelling unit. The minimum floor area for hotels and motels is as is defined in the Definitions Section of this article. The minimum floor area for single family dwelling units is eight hundred (800) square feet.
2. Minimum Lot Area - Five Thousand Square Feet (5,000 sq. ft.) except in the case of townhouses where the provisions of Section 12-6-20 (m) shall apply.

3. Minimum Lot Frontage - Fifty Feet (50') except in the case of townhouses where the provisions of Section 12-6-20 (m) shall apply.
4. Minimum Front Yard – Measured from the front property line, every principal or accessory building shall have a front yard of not less than Five Feet (5') ~~Twenty Five (25') Feet~~ for all structures. Section 12-2-26 (c) #4 and #5 does not apply.
5. Minimum Rear Yard - Measured from the rear property line, every principal or accessory building shall have a rear yard of not less than Twenty Feet (20') ~~Ten Feet (10')~~. Section 12-2-26 (c) #4 and #5 does not apply.
6. Minimum Side Yard - Measured from the side property lines, there shall be side yards of not less than Five Feet (5') ~~Ten Feet (10')~~ on each side of the lot. Section 12-2-26 (c) #4 and #5 applies only for a distance of Two and a Half Feet (2 ½') into the side yard setback.
7. Density - Density shall not exceed twenty (20) dwelling units per acre of gross land area.
8. Open Space - Open Space requirements will be governed by the setback requirements. ~~or in the case of Mixed Use developments by the Open Space schedule contained in Section 12-2-23 (G) of these Regulations, whichever is greater.~~

Strikethrough = deletion

Bold underline = new text

parking problems at Mountain Food Market. Trustee Lewis seconded the motion and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION TO DIRECT THE TOWN MANAGER TO SEND A LETTER TO THE COUNTY REGARDING ENFORCEMENT OF SLASH BURNING RESTRICTIONS – Mayor Burke asked Town Manager Hale to present this matter to the Board. Hale explained that the County Commissioners asked the County Attorney to draft an ordinance with regard to banning fires. The ordinance that was drafted bans all fires and the Town was asked to submit comments. A total ban on fires is not what the Commissioners wanted, therefore, they are asking the County Attorney to re-draft the ordinance. Hale said that he was asking the Board to help him provide comment to the Commissioners but since the ordinance will be rewritten this matter should be tabled until the Board has reviewed the new draft.

Trustee Peterson moved to table this matter until the Board reviews the new draft ordinance. Trustee Rhone seconded the motion and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION OF ORDINANCE NO. 1-2007, AN ORDINANCE AMENDING THE TOWN OF GRAND LAKE ORDINANCE NO. 12-2001 AND ORDINANCE NO. 21-2006 – Mayor Burke asked Town Code Enforcement Officer Korkowski to present this matter to the Board. Korkowski explained that while he was updating the ordinances onto the computer, he found the following typographical errors which need to be corrected by the Board of Trustees:

- 1.) Ordinance 12-2001 had a typographical error on the numbering of the Section that the Ordinance was creating. The Section listed was 7-2-10 and it should have read 7-2-11 as 7-2-10 already existed and dealt with an entirely different issue.
- 2.) Ordinance 21-2006 also had a typographical error on the numbering of a Subsection that the Ordinance was adding to an existing Code. The Subsection was listed incorrectly on the Attachment as 12-2-17 (a) (14) and it should have read 12-2-17 (a) (15). The attachment also should have listed Subsection 14 as “Nightly Rental” which had previously been added by a different Ordinance.

Based upon this information, staff is requesting that Ordinance 12-2001 and Ordinance 21-2006 be amended, and Ordinance 1-2007 be adopted.

Trustee Weydert moved to adopt Ordinance No. 1-2007, an Ordinance Amending the Town of Grand Lake Ordinance No. 12-2001 and Ordinance No. 21-2006. Trustee Harrington seconded the motion and all Trustees voted aye.

PROOF OF PUBLICATION



GRANBY, COLORADO

STATE OF COLORADO

COUNTY OF GRAND

I, Patrick F. Brower, 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 Oct

20, A.D. 2006, and that the last

publication of said notice was in the issue of newspaper dated

Oct 20, A.D. 2006

In witness whereof I have hereunto set my hand this 20

day of Oct, A.D. 2006

Patrick F. Brower, Publisher.

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

County of Grand, State of Colorado this 20

Oct, A.D. 2006

Jennifer L. Anderson

My Commission Expires Sept. 28, 2008

