

ORDINANCE NO. 1
Series 1988

AN ORDINANCE OF THE TOWN OF LAKE CITY, COLORADO, ENACTING REVISED ZONING REGULATIONS AND MAP, REVISED CONSTRUCTION REGULATIONS FOR FACTORY BUILT STRUCTURES, REVISED REGULATIONS FOR TEMPORARY STRUCTURES AND REVISED REGULATIONS FOR KEEPING LIVESTOCK.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF LAKE CITY, COLORADO, as follows:

SECTION 1.

Ordinance No. 5 (Series 1979), as such, has been amended from time to time; Ordinance No. 7 (Series 1982); Ordinance No. 6 (Series 1983); Ordinance No. 9 (Series 1982); Ordinance No. 6 (Series 1975); Ordinance No. 2 (Series 1980); the Zoning Map dated November 7, 1977, and all amendments thereto; and the Zoning District Map of the Town of Lake City, dated the 22nd day of September, 1975 and all amendments thereto; are all hereby repealed in their entirety and a new Section 8 of Chapter 15 of the Lake City Municipal Code is enacted to read as follows:

CHAPTER 15

Section 8

ZONING REGULATIONS

SUBSECTION:

- 15.8-1: General Provisions
- 15.8-2: Definitions
- 15.8-3: Zoning Map
- 15.8-4: Residential Districts
- 15.8-5: "RE" Rural Estate District
- 15.8-6: "R-1" Medium Density District
- 15.8-7: "LM" Limited Multi-Family District
- 15.8-7.5: "T-2" Limited Tourist District
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- 15.8-9: Commercial Districts
- 15.8-10: "T" Tourist District
- 15.8-11: "CBD" Central Business District
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- 15.8-14: Dimensional Requirements
- 15.8-15: Sign Regulations
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- 15.8-17: Amendments and Additions to the Zoning Map and Zoning Regulations
- 15.8-18: Conditional Uses
- 15.8-19: Variances and Appeals
- 15.8-20: Review Procedure
- 15.8-21: Enforcement and Administration
- 15.8-22: Mobile Home Park and Travel Home Park Design Requirements

15.8-1: GENERAL PROVISIONS:

- (A) This Section, as amended from time to time, together with the Official Zoning Map (as adopted by Section 5 of Ordinance No. 1 (Series 1988), as amended from time to time, may be cited as the Town's Zoning Regulations or Zoning Ordinance.
- (B) The purpose of these Zoning Regulations is to promote the public health, safety and welfare.
- (C) Whenever there is any conflict between these Regulations and any other ordinance, regulation or law, the more restrictive or higher standard shall apply.
- (D) These regulations and the Official Zoning Map shall constitute a part of the Town's Comprehensive Master Plan.

15.8-2: DEFINITIONS:

The following words and terms shall be defined as follows for the purposes of these Zoning Regulations:

ACCESSORY USE: A use which is subordinate to, clearly incidental to, customarily in connection with, and ordinarily located on the same premises as the permitted use. Home occupations which meet the criteria set out in Subsection 15.8-13(A) shall be considered an accessory use to a residence in all districts.

BOARDING HOUSE: A residence at which the resident provides rooms and meals to unrelated persons for compensation.

BUILDING LINE: A line parallel to a property line beyond which no exposed portion of a building extends. Unroofed terraces or patios, cornices, sills, canopies, balconies, eaves, steps and other ornamental fixtures, and chimneys which extend four (4) feet or less from the building; open fire escapes which extend six (6) feet or less from the building; walls, rails or fences up to six (6) feet high; and temporary awnings; need not be considered in determining the building line.

DAY CARE CENTER: Any facility, including a residence, which provides daily care and supervision of children other than children of any family living there.

DUPLEX: A residence with two (2) dwelling units.

DWELLING UNIT: An area in a building containing cooking, living and sanitary facilities designed for use and used by a single family for residential purposes, including related accessory structures.

FACTORY BUILT HOUSING: Any structure, or component thereof designed primarily for residential occupancy, either permanent or temporary, including a mobile home or travel home, which is wholly or in substantial part made, fabricated, formed, or assembled in manufacturing facilities for installation, or assembly and installation, on the building site.

FAMILY: One or more individuals occupying a single dwelling unit and living as a single housekeeping unit with a maximum of eight (8) adults.

GAS STATION: Any building or lot having facilities for the sale of gasoline and other fuels for use by motor vehicles, and which may include incidental facilities for service and minor repair of motor vehicles.

GOVERNMENT BUILDINGS AND FACILITIES: Any building or facility owned and operated by the United States of America, the State of Colorado, the Town of Lake City, or any agency or political subdivision thereof.

HOME OCCUPATION: Any commercial activity, whether for profit or non-profit, conducted within a dwelling unit.

HOMEOWNERS ASSOCIATION: Any entity, whether a corporation, partnership, unincorporated association, or other entity existing for the purpose of maintaining commonly owned facilities or enforcing private protective covenants whose members or shareholders are the property owners involved.

MOBILE HOME: A movable or relocatable dwelling unit, with a living area of 500 sq. feet or greater, transportable on its running gear, but not required to have a license plate pursuant to C.R.S., Article 42-3, as amended, and installed either with or without a foundation designed for permanent use as a dwelling; provided however, that modular houses which meet the requirements of all Town building codes, including the Uniform Building Code, shall not be defined as a mobile home for purposes of this Section.

MOBILE HOME PARK: A single site, parcel or lot operated and used for the location of two (2) or more mobile homes intended for use as residences.

MULTIPLE FAMILY RESIDENCE: Any residence with three (3) or more dwelling units in a single building.

NON-CONFORMING USE: A use which does not comply with the use regulations, dimensional requirements or other regulations of these Zoning Regulations.

PUBLIC UTILITY SERVICE FACILITIES: Transmission and distribution facilities for natural gas, electricity,

water, sewer, drainage, telephone, and cable television as necessary to provide service to customers located in the various districts of the Town, such as pipes, lines, mains, wires, transformers, valves, and other related appurtenances, but not including buildings, offices, and production or generation facilities.

SET-BACK: The perpendicular distance between a property line and the building line.

TRAVEL HOME: Any movable or relocatable dwelling unit with a living area of less than 500 square feet or which is required to have a license plate.

TRAVEL HOME PARK: A park or campground for the temporary use of travel homes, including but not limited to campers, motorhomes, pick-up truck campers, trailers and trailer coaches.

USE: The activity or purpose for which property, a building or other structure is designed, arranged, intended, occupied or maintained.

USE-BY-RIGHT: A use which is permitted or allowed in the district involved, without specific review by the Planning Commission, and complies with the provisions of these Zoning Regulations and other applicable Town Ordinances and Regulations.

15.8-3: ZONING MAP:

- (A) The 1988 Revised Zoning Map of the Town, [as adopted by Section 5 of Ordinance No. 1 (Series 1988)], as such may be amended from time to time, may be known or cited as the "Official Zoning Map" of the Town.
- (B) Amendments to the Official Zoning Map may be made by an ordinance enacting a revised map or by an ordinance amending portions of the Official Zoning Map by specifying the description of the property to be rezoned. A copy of the Official Zoning Map, as amended from time to time, shall be maintained in the Town Clerk's office available for public inspection. Periodically, copies of the Official Zoning Map, as amended, may be reproduced and made available to the public.
- (C) The regulations for the various districts provided for in this Section shall apply within the boundaries of each such district as indicated on the Official Zoning Map. The district boundaries, as shown on the Official Zoning Map, shall be construed to follow the center lines of streets, to follow platted lot lines or the lines of undivided parcels of property, or to follow the Town limits, whenever a boundary is shown as

approximately in the vicinity of such lines. Distances may be determined by the scale of the map.

15.8-4: RESIDENTIAL DISTRICTS:

The residential districts described in Sections 15.8-5 thru 15.8-8 are established to promote stability in residential neighborhoods; to protect such property from incompatible land uses; to protect property values; and to encourage the appropriate use of such land and to promote the quality of life. Certain other uses are permitted which are compatible with residences. Dimensional requirements are set out in Section 15.8-14.

15.8-5: "RE" RURAL ESTATE DISTRICT:

- (A) Intent: The "RE" Rural Estate District is intended to provide a quiet, low density development for single family residences. Environmental protection is provided by the Design and Performance Standards of Subsection (D).
- (B) Uses by Right:
 - (1) Single family homes which are constructed on site in full compliance with Town building, plumbing and electrical codes, and the Design Standards of this Subsection.
 - (2) Public utility service facilities.
 - (3) Government building and facilities.
 - (4) Public parks, and parks and recreation facilities owned or operated by a homeowners' association.
 - (5) Churches, Sunday schools and day care centers.
 - (6) Accessory uses.
- (C) Conditional Uses: Factory built housing, which meets the Design and Performance Standards of Subsection (D).
- (D) Design and Performance Standards:
 - (1) Residences shall be anchored to a foundation constructed in full conformity with the Town Building Code.
 - (2) The residence shall qualify for a building permit pursuant to either Section 15.4 or Subsection 15.9-2 of the Lake City Municipal Code.
 - (3) The residence shall be a minimum of 21 feet wide with an average roof pitch of at least 4:12 and have a minimum eave overhang of 12 inches.

- (4) The roof shall be designed based upon a snow load of 60 lb. per square foot as referenced in Section 2305(d) and Table No. 23-C of the Town's Uniform Building Code.
- (5) The residence shall have brick, rock, stucco, wood, or cosmetically equivalent siding.

15.8-6: "R-1" MEDIUM DENSITY DISTRICT:

- (A) Intent: The "R-1" Medium Density District is intended to provide an area which is suitable for single family homes and duplexes. This district provides for other uses which are compatible with such uses. Environmental Protection is provided by Design and Performance Standards for such residences in Subsection (D).
- (B) Uses by Right:
 - (1) Duplexes and single family homes which are site built, factory built or moved onto the site and meet the Design and Performance Standards of Subsection (D).
 - (2) Public utility service facilities.
 - (3) Government buildings and facilities.
 - (4) Public parks and recreation facilities owned or operated by a homeowners' association.
 - (5) Churches, Sunday schools and day care centers.
 - (6) Accessory uses.
- (C) Conditional Uses:
 - (1) Multiple family residences of up to four dwelling units which meet the Design and Performance Standards of Subsection (D).
- (D) Design and Performance Standards:
 - (1) Residences shall be anchored to a foundation constructed in full conformity with the Town Building Code.
 - (2) The residence shall qualify for a building permit pursuant to either Section 15.4 or Subsection 15.9-2 of the Lake City Municipal Code.
 - (3) The residence shall be a minimum of 21 feet wide with an average roof pitch of at least 4:12 and have a minimum eave overhang of 12 inches.

- (4) The roof shall be designed based upon a snow load of 60 lb. per square foot as referenced in Section 2305(d) and Table No. 23-C of the Town's Uniform Building Code.
- (5) The residence shall have brick, rock, stucco, wood or cosmetically equivalent siding.

15.8-7: "LM" LIMITED MULTI-FAMILY DISTRICT:

- (A) Intent: The "LM" Limited Multi-Family District is intended to provide for variable densities in residential uses and some compatible business uses.
- (B) Uses by Right:
 - (1) Single family homes, duplexes, and multiple family residences (up to four dwelling units) which are "site built", factory built or moved onto the site, and meet the Design and Performance Standards of Subsection (D).
 - (2) Public utility service facilities.
 - (3) Government buildings and facilities.
 - (4) Public parks and parks and recreation facilities owned or operated by a homeowners' association.
 - (5) Churches, Sunday schools and day care centers.
 - (6) Accessory uses.
 - (7) Boarding houses with no more than fifteen boarders.
 - (8) Offices for lawyers, doctors, dentists, accountants, engineers and other professionals.
- (C) Conditional Uses: Multi-family residences of more than four units which meet the Design and Performance Standards of Subsection (D).
- (D) Design and Performance Standards:
 - (1) Residences shall be anchored to a foundation constructed in full conformity with the Town Building Code.
 - (2) The residence shall qualify for a building permit pursuant to either Section 15.4 or Subsection 15.9-2 of the Lake City Municipal Code.
 - (3) The residence shall be a minimum of 21 feet wide with an average roof pitch of at least 4:12 and have a minimum eave overhang of 12 inches.

- (4) The roof shall be designed based upon a snow load of 60 lb. per square foot as referenced in Section 2305(d) and Table No. 23-C of the Town's Uniform Building Code.
- (5) The residence shall have brick, rock, stucco, wood, or cosmetically equivalent siding.

15.8-7.5: "T-2" Limited Tourist District:

- (A) Intent: The "T-2" Limited Tourist District is intended to allow variable densities in residential uses, and some compatible business and commercial lodging uses.
- (B) Uses by Right:
 - (1) Single family homes, duplexes, and multiple family residences (up to four dwelling units) which are "site built", factory built or moved onto the site, and meet the Design and Performance Standards of Subsection (D).
 - (2) Public utility service facilities.
 - (3) Government buildings and facilities.
 - (4) Public parks and parks and recreation facilities owned or operated by a homeowners' association.
 - (5) Churches, Sunday schools and day care centers.
 - (6) Accessory uses.
 - (7) Boarding houses with no more than fifteen boarders.
 - (8) Offices for lawyers, doctors, dentists, accountants, engineers and other professionals.
- (C) Conditional Uses:
 - (1) Multi-family residences of more than four units which meets the design and performance standards of Subsection D.
 - (2) Hotels, lodges, boarding houses (with more than 15 boarders) and other operations providing lodging on a temporary basis, which meet the intent of Subsection (A) and the Design and Performance Standards of Subsection (D). Such lodging operation may include an accessory restaurant including those licensed for the consumption of alcoholic beverages.

(D) Design and Performance Standards:

- (1) Residences shall be anchored to a foundation constructed in full conformity with the Town Building Code.
- (2) The residence shall qualify for a building permit pursuant to either Section 15.4 or Subsection 15.9-2 of the Lake City Municipal Code.
- (3) The residence shall be a minimum of 21 feet wide with an average roof pitch of at least 4:12 and a minimum eave overhang of 12 inches.
- (4) The roof be designed based upon a snow load of 60 lbs. per square foot as referenced in Section 2305(d) and Table No. 23-C of the Town's Uniform Building Code.
- (5) The residence shall have brick, rock, stucco, wood, or cosmetically equivalent siding.
- (6) Exterior storage for businesses or lodging businesses is not allowed.
- (7) All commercial and lodging uses shall be designed to minimize traffic problems, shall have all buildings setback consistent with the setback of existing residential buildings in the area and be designed compatible with the historical character of the area.
- (8) No business or lodging uses shall be allowed which are likely to generate traffic in such volumes as to be inconsistent with the reasonable enjoyment of the residences in the neighborhood.

15.8-8

"MHR" MOBILE HOME-RESIDENTIAL DISTRICT:

- (A) Intent: This District is intended to provide a suitable environment for conventional residences, mobile homes and mobile home and travel home parks. It is designed to allow a variable density of residences and related uses.
- (B) Uses by Right:
 - (1) Uses-by-right as listed for the "LM" Limited Multi-Family District, which meet the Design and Performance Standards of Subsection 15.8-7(D).
 - (2) Mobile home parks.
 - (3) Travel home parks.

- (4) Factory built housing on single lots which qualify for a building permit pursuant to Subsection 15.9-2.
- (5) Public utility service facilities.
- (6) Government building and facilities.
- (7) Public parks, and parks and recreation facilities owned or operated by a homeowners' association.
- (8) Churches, Sunday schools and day care centers.
- (9) Accessory uses.

(C) Performance Standards:

- (1) Mobile home parks and travel home parks shall comply with the requirements of Subsection 15.8-22 of these Zoning Regulations.
- (2) Mobile homes or travel homes to be located in a Mobile Home Park must qualify for and obtain a Siting Permit pursuant to Subsection 15.9-2(D) of the Lake City Municipal Code. No travel homes may be located within a Mobile Home Park for more than 30 weeks in any calendar year.

15.8-9: COMMERCIAL DISTRICTS:

The Commercial Districts provided for in Subsections 15.8-10 thru 15.8-12 are established to provide a location for convenient exchange of goods and services and conduct of business in a reasonable and orderly manner. Dimensional requirements are set out in Subsection 15.8-14.

15.8-10: "T" TOURIST DISTRICT:

- (A) Intent: The "T" Tourist District is intended to act as a buffer between Residential and more intensive commercial uses.
- (B) Uses by Right:
 - (1) Single family homes, duplexes, and multiple family residences (up to four units) which are "site built", factory built or moved onto the site, and meet the Design and Performance Standards of Subsection (D).
 - (2) Public utility service facilities.
 - (3) Government building and facilities.

- (4) Public parks, and parks and recreation facilities owned or operated by a homeowners' association.
 - (5) Churches, Sunday schools and day care centers.
 - (6) Accessory uses.
 - (7) Hotels, lodges, boarding houses and other operations providing lodging on a temporary basis.
 - (8) Business devoted solely to the sale or production of arts and crafts items which are designed and made by an artist or craftsman using hand skill and which employ no more than two persons and utilize less than 600 square feet of floor space.
- (C) Conditional Uses:
- (1) Multiple family residences (of more than four units) which meet the Design and Performance Standards of Subsection (D).
 - (2) Restaurants or taverns including those licensed for the consumption of alcoholic beverages on the premises.
 - (3) Retail stores with less than 600 square feet of retail floor area which employ no more than two persons.
- (D) Design and Performance Standards:
- (1) Residences shall be anchored to a foundation constructed in full conformity with the Town Building Code.
 - (2) The residence shall qualify for a building permit pursuant to either Section 15.4 or Subsection 15.9-2 of the Lake City Municipal Code.
 - (3) The residence shall be a minimum of 21 feet wide with an average roof pitch of at least 4:12 and a minimum eave overhang of 12 inches.
 - (4) The roof be designed based upon a snow load of 60 lbs. per square foot as referenced in Section 2305(d) and Table No. 23-C of the Town's Uniform Building Code.
 - (5) The residence shall have brick, rock, stucco, wood, or cosmetically equivalent siding.
 - (6) Exterior storage for retail stores or businesses is not allowed.

15.8-11: "CBD" CENTRAL BUSINESS DISTRICT:

- (A) Intent: The "CBD" Central Business District recognizes the importance and special needs of a centralized business area. The intent of this district is to provide a compact and convenient area for downtown development.
- (B) Uses by Right:
- (1) Banks, savings and loan associations, real estate, insurance and professional offices.
 - (2) Personal service establishments and self-service laundromats, (excluding commercial laundries and dry cleaners).
 - (3) Restaurants and establishments licensed for consumption of alcoholic beverages on the premises (excluding drive-in eating places that serve customers in their automobiles and vehicles).
 - (4) Retail businesses and service establishments which cater to the general shopping public.
 - (5) Craft shops.
 - (6) Theatres, drama workshops and cinemas, (excluding drive-in theatres).
 - (7) Motels, cabins, hotels, lodges.
 - (8) The uses set out in paragraphs (B)(1) through (7) may have one dwelling unit that is incorporated and part of the building or structure containing said uses as an accessory use.
 - (9) Government buildings and facilities.
 - (10) Gasoline stations.
 - (11) Public parks, public playgrounds and public recreational areas.
 - (12) Contractors offices and buildings which do not have storage yards. All storage of goods, equipment tools, vehicles, and other items shall be completely within a building.
 - (13) Public utility offices without exterior storage or service yards.
- (C) Conditional Uses:
- (1) Amusement and recreation businesses.

- (2) Motor vehicle dealerships and rental agencies including those selling or renting automobiles, trucks, motorcycles, snow vehicles, all terrain vehicles or boats.
- (3) Wholesale businesses.
- (4) Constructions storage yards.
- (5) Warehouses.
- (6) Above ground fuel storage tanks.
- (7) Commercial laundries or dry cleaners
- (8) Other businesses and light industries which meet the performance standards of Subsection (D).

(D) Performance Standards:

- (1) No use shall be established, maintained or conducted in any Central Business District that will result in any public or private nuisance or which is incompatible with the retail shipping environment.
- (2) Screening in the form of a hedge, wall or fence at least six feet high shall be required for all exterior storage of equipment, inventory or goods except items displayed for sale.

15.8-12 "GBD" GENERAL BUSINESS DISTRICT:

- (A) Intent: "GBD" General Business District is intended to accommodate commercial uses not allowed in the Central Business District which met the performance standards.
- (B) Uses by Right:
 - (1) Any use by right or conditional use in the "CBD" District which meets the performance standards of Subsection (C).
 - (2) Building material and lumber yards.
 - (3) Car dealers.
 - (4) Utility company storage yards.
 - (5) Light industries.
 - (6) Drive-in theatres and drive-in restaurants.
 - (7) Wholesale businesses.

(C) Performance Standards:

- (1) No use shall be established, maintained or conducted in any General Business District that will result in any public or private nuisance.
- (2) Screening in the form of a hedge, wall or fence at least six feet high shall be required for all exterior storage of equipment, inventory or goods except items displayed for sale.

15.8-13: SUPPLEMENTARY REGULATIONS:

(A) Home Occupations - Home occupations may be conducted within a dwelling unit as an accessory use only if the following criteria are met:

- (1) County and State sales tax licenses must be obtained if taxable sales are made.
- (2) The occupational activity and storage may take place only within dwelling unit.
- (3) Only the residents of the dwelling unit may be engaged in the business.
- (4) The home occupation activity shall not utilize more than 20% of the dwelling unit floor space.
- (5) No unreasonable noise, dirt, odor, vibration or glare shall be observable off the premises.
- (6) At least four off-street parking spaces shall be supplied with minimum dimensions of 8 x 20 feet.

(B) Use and Location of Travel Homes

- (1) Travel homes may be parked, if unoccupied, for storage on property other than Town owned property, as long as they are located within all setbacks.
- (2) A Travel home may be located (and occupied if desired) within a mobile home park for no more than 30 weeks in any calendar year.
- (3) Travel homes may be parked temporarily, if unoccupied, up to 24 hours upon public streets if properly registered and licensed, and if lawfully parked at a location which does not create a nuisance or hazard.

(C) Horses, burros, donkeys and mules:

- (1) Horses, mules, donkeys and burros may be kept within the Town as an accessory use to a residence,

in the residential RE or R-1 districts if a permit is approved pursuant to this Subsection.

- (2) Applications for such a permit shall be submitted to the Town on forms supplied by the Town accompanied by an application fee of \$50, which forms may require all information appropriate to determine if requirements of this Subsection will be met, including a diagram of the premises.
 - (3) No more than one animal may be kept on the premises per five acres of contiguous available pasture. Contiguous pasture, both within or without the Town may be counted toward this requirement. The premises shall be adequately fenced and maintained so that no nuisance is created on account of manure, or other factors.
 - (4) The Board of Trustees shall grant or deny the application. The Board of Trustees may impose conditions on the permit as it deems necessary to protect the public health, safety and welfare and to prevent any nuisance.
 - (5) The Board of Trustees may revoke any such permit following reasonable notice and hearing if it determines that the criteria of this subsection are not met.
- (D) Fences:
- (1) No fence may exceed six feet in height, except in the General Business District where the maximum height is eight feet.
 - (2) No fence may exceed four feet in height within thirty feet of the intersection of the traveled portion of any streets.

15.8-14: DIMENSIONAL REQUIREMENTS:

(A) Tabulated requirements for uses by right: (All dimensions in feet or square feet unless otherwise noted).

Dist	Use	Minimum Lot		Minimum Setbacks			Max.** Bldg Ht.	Min.*** Floor Area
		Wdth at Bldg	Size	Front	Rear	Side		
RE	All	100	0.5 acre	15	5	7.5	30	-
R-1	single family	50	6250	15	5	7.5	30	-
	all others	50	lgr of 6250 or 3000/DU	15	5	7.5	30	250
LM,T, T-2,& MHR	single family duplexes	50 50	6250 6250	15 15	5 5	7.5 7.5	30 30	- -
	All others ex. MH and TH Parks*	50+25/DU over 1st DU	lgr of 6250 or 3000/DU	15	5	7.5	30	250
CBD	All	25	1250 3625	0	5	0	30	250
GBD	All	25	2500 3625	.25	0	0	30	250

lgr. = larger
DU = Dwelling Unit

* Dimensional requirements for mobile home and travel home parks are controlled by Subsection 15.8-22.

** Flagpoles, chimneys, spires, towers, stagehouses, lightning rods and antennas are not subject to the tabulated height limits.

*** For non-residential uses only.

- (B) The minimum floor area for any residential dwelling unit shall be 600 square feet, except for Travel Homes.
- (C) Not less than 50% of all lots in the "RE" and "R-1" Districts shall be open space with no building thereon.
- (D) Proper dimensional requirements for conditional uses shall be determined in accordance with Subsection 15.8-18. Provided, that as a general rule, they shall be no less strict than the dimensional requirements specified for uses-by-right in the district concerned or as specified for the use concerned in a zone in which it is a use-by-right whichever is more restrictive.
- (E) (1) The following off-street parking requirements shall apply unless otherwise indicated in all districts.
- | | |
|--|---|
| (a) Residences | 2 spaces/dwelling unit |
| (b) Medical offices and clinics | 3 spaces/examination room |
| (c) Hospitals | 1 space for each 3 beds |
| (d) Pharmacies | 1 space per 200 sq. ft. of customer floor space |
| (e) Bus stations | 1 space/400 sq. ft. floor area |
| (f) Funeral homes and mortuaries | 1 space for each 6 seats in main chapel |
| (g) Restaurants and lounges | 1 space/100 sq. ft. customer floor area |
| (h) Hotels and Motels | 1 space/guest room |
| (i) Drive-in and walk-up restaurants | 1 space/50 sq. ft. floor area |
| (j) Bowling alleys | 3 spaces per lane |
| (k) Gas stations | 4 spaces, plus 2 spaces for each enclosed automobile space |
| (l) Beauty Shops | 2 spaces for each chair |
| (m) Industrial uses | 1 parking space for every 2 employees on a shift plus an adequate amount of visitor parking |
| (n) Churches | 1 space for each 6 seats in main chapel |
| (o) Nursing homes | 1 space for each 3 beds |
| (p) All other uses: | |
| 0 - 300 sq ft. of customer floor area | 1 space |
| 301 - 500 sq. ft. of customer floor area | 2 spaces |

501 - 800 sq. ft. of customer floor area	3 spaces
801 - 1000 sq. ft. of customer floor area	4 spaces
1000 sq. ft. and over of customer floor area	1 space/200 sq. ft.

- (2) Parking spaces shall be sized and designed in accordance with standard Town specifications and shall be a minimum of 8 ft. x 20 ft. in size.
- (3) Maneuvering Area: Drive-in restaurants and convenience food stores shall provide sufficient off-street space to allow an automobile to enter, maneuver, and exit without backing onto any public right-of-way.

15.8-15: SIGN REGULATIONS:

(A) Definitions:

- (1) Sign: Any device, including any letters, figures or pictorial matter displayed for advertising purposes, whether placed on any natural object or upon any structure or building or upon any surface or freestanding, which would be visible from any public street or public right-of-way.
- (2) Sign Area: The total exterior surface of all faces of any sign.
- (3) Freestanding Sign: A sign erected upon its own support and not attached to a building.
- (4) Projecting Sign: Any sign supported by a building and projecting therefrom.
- (5) Wall Sign: Any sign painted on, incorporated in, or affixed to a building wall or window, or any sign consisting of cut-out letters or devices affixed to a building wall or window with no background defined on the building wall.

(B) General Limitations.

No signs of any nature shall be allowed, constructed, erected or maintained, except as herein specifically provided:

- (1) Official traffic control devices and other signs required under appropriate governmental regulations shall be exempt from this Subsection.

- (2) All signs shall conform to the setback requirements of the district in which they are located. Signs shall identify or advertise only the business or establishment on the lot upon which the sign is located, unless the Board of Adjustment grants a variance because it determines that an off-site sign is necessary and essential for the business or establishments of a use not occupying the same lot.
- (3) No sign shall be located so that it shall interfere with or detract from orderly traffic movement, obscure or impair the vision of the driver of any motor vehicle, or which is a hazard to traffic.
- (4) The color or format of a sign shall not resemble or conflict with traffic signs or signals.
- (5) All signs shall be constructed in a good and workmanlike manner, shall at all times be properly maintained and kept in good repair and condition and shall be of safe and permanent construction.
- (6) No flashing or animated signs, or signs with moving parts or intermittent lighting to create the visual effect of movement shall be permitted.
- (7) No banners, streamers or pennants calling attention to any business or any specific interest on a lot will be permitted. Temporary banners only welcoming hunters, tourists, etc. or mentioning community civic events may be allowed.
- (8) Nothing in these regulations shall be construed to prevent the erection of pennants, banners or light advertising of a special civic event, providing permission for such is obtained from the Building Inspector. Such displays may be erected two weeks prior to the opening of the event and shall be removed within two weeks after the activity is over.
- (9) No sign shall be erected or maintained or permitted to remain publicly displayed which is of a misleading, fraudulent, obscene, immoral, indecent, or unsightly character.
- (10) No sign may contain any radio, phonograph, whistle, bell or other sound or noise making or transmitting device or instrument.

(C) Non-conforming and Existing Signs.

Any sign that lawfully existed at the time of the adoption of this Subsection of any amendment thereto, or of annexation, but does not conform to the

provisions hereof, shall not be altered, or enlarged without making the entire sign conform with the provisions of this Subsection. This shall not be construed so as to prevent necessary maintenance of the sign to keep it in good repair.

(D) Structural Characteristics.

- (1) No lettering on any sign, including cut out letter signs shall exceed twelve (12) inches in height, except for the initial letter of each word which may be eighteen (18) inches in height.
- (2) Freestanding signs shall be limited to one sign per principal use, shall not be higher than the principal building and shall be contained completely within the setback requirements of the property upon which the principal building is located.
- (3) Projecting signs shall be limited to one sign per principal use, shall not be higher than the ridge line or parapet wall of the building to which it is attached and shall be a minimum of 8 feet above grade when located adjacent to or projecting over a pedestrian way. It shall not extend more than 4 feet from a building wall. No sign shall project into any portion of a street used for vehicular traffic, nor shall any overhead sign project from any building beyond the dividing line of the sidewalk and the vehicular portion of the street.
- (4) Wall signs shall be no higher than the roof or top of the cornice wall of the building and no sign part, including cut out letters, shall project more than six inches from the building wall.

(E) Sign Measurement.

- (1) The maximum permitted area of signs individually or in the aggregate, for any lot or permitted use thereon, shall be fifty (50) square feet.
- (2) The area allowance per lot shall include all signs allowed thereon, as herein defined, excluding only window decals of not to exceed a total of 120 square inches for all decals.
- (3) Cut out letter signs shall be considered wall signs if attached to a building and their aggregate area shall be credited toward allowable sign area at one-half of their measured surface area.

(F) Signs Permitted in Districts.

(1) "RE", "R-1" and "LM" Districts.

- (a) One Residential identification sign per dwelling unit, being a free standing sign, a wall sign or a projecting sign, to identify the occupants thereof or any home occupation pursued therein, not to exceed two (2) square feet.
- (b) One sign advertising the sale or rent of a property, not lighted or illuminated and not exceeding six square feet.
- (c) One sign announcing the construction or remodeling of a building, not illuminated or lighted, and not to exceed six (6) square feet.
- (d) An institutional identification sign, either projecting or wall on the face of any school, church or public building, not to exceed six (6) square feet of sign area.

(2) Commercial and "MHR" Districts.

- (a) All signs allowed under this Subsection.

(G) Permit Required.

No sign shall be erected, constructed, altered, remodeled, or changed until a permit therefor shall be granted after an application has been filed with the Building Inspector showing the plans and specifications, including dimensions, materials and details of construction of the proposed structure, which application shall be approved by the Building Inspector and the prescribed fee paid therefor. There shall be charged for such permit, the sum of \$10.00 plus \$1.00 per square foot of the surface area of any sign. Residential identification signs, signs advertising the sale or rental of property, signs advertising the construction or remodeling of a building and institutional identification signs shall not require a permit if they otherwise comply with the of this Subsection.

15.8-16: Non-conforming Uses:

- (A) Any use, building or structure which at the effective date of Ordinance No. 1 (Series, 1988) or any amendment thereto or at the time of annexation, if annexed subsequent to the effective date of said Ordinance, was lawfully existing and maintained in

accordance with the previously applicable County or Town Regulations and Ordinances but which does not conform or comply with all of the regulations provided for in these Zoning Regulations, as amended, may continue to be maintained and used as a lawful non-conforming use only in compliance with the provisions and limitations imposed by this Subsection. Uses, structures or buildings which were unlawful or illegal and not in compliance with previously applicable regulations shall remain unlawful, illegal, and subject to abatement or other enforcement action.

- (B) If a use, building or structure is lawfully non-conforming in that it is not a use by right, or an approved conditional use, or it does not comply with the applicable Design and Performance Standards, the following shall apply:
- (1) If any factory built housing is destroyed or damaged so that repair, replacement or reconstruction will cost more than seventy-five (75%) percent of the fair market value of the building or structure after repair, it shall no longer be lawful to use the structure except in compliance with the Use Regulations and Design and Performance Standards for the District within which it is located. If other structures are destroyed or damaged, they may be replaced or repaired consistent with other limits of this Subsection and the non-conforming use continued, if replacement or repair is commenced within 12 months and completed within 18 months.
 - (2) If the non-conforming use is abandoned or discontinued for a period of six (6) months other than as allowed for repair in Subsection (1) above, then the premises may only be used in compliance with the Use Regulations for the District within which it is located. Provided, if a non-conforming factory built housing including a travel home is removed from any site for any period of time, the right to use such site for human occupancy of any non-conforming factory built housing shall terminate, except as otherwise allowed by this Subsection.
 - (3) The use may be continued only substantially as it existed at the effective date of Ordinance No. 1 (Series 1988), or amendment thereto, or of annexation, and no material change in the type of use shall be allowed, unless the Planning Commission determines, following a hearing and that the new use is a more restrictive use or less non-conforming than the existing non-conforming use

and that it will not adversely affect other property in the area, or the public health, safety and welfare. Any change in use allowed pursuant to this provision shall not affect the future status of the use as a non-conforming use for all purposes of this Subsection.

- (4) The extent or area of the premises utilized for or by the non-conforming use, building or structure, may not be materially extended or enlarged, or substantially structurally altered, unless the Planning Commission determines, following a hearing that the change will not adversely affect other property in the area, or the public health, safety or welfare.
- (C) If the use, building or structure is non-conforming with respect to provisions of these Zoning Regulations other than the "use" requirements, or Design and Performance Standards, such as dimensional requirements or general requirements, the following provisions shall apply:
- (1) If the non-conformity of the building, use or structure is abandoned, removed, or corrected for any length of time, such non-conformity may not be re-established.
 - (2) If the building or structure is damaged so that the cost of replacing or restoring it is greater than fifty (50%) percent of its fair market value after replacement, the building or structure may be repaired or replaced only in compliance with these Zoning Regulations.
 - (3) If the building or structure is damaged in such a way as to remove the non-conformity, the non-conforming feature may not be re-established by any repair or reconstruction, unless it is unfeasible to repair the building without re-establishing the non-conforming feature.
 - (4) No alteration may be made to the use, building, or structure which would increase the amount or degree of the non-conforming feature. Changes in the use, building, or structure may be made which will decrease the degree or amount of deviation from the requirements of these Zoning Regulations.
 - (5) Buildings designated on the National Register of Historical Places shall be exempt from the limitation of this Subsection (C) provided they are maintained in good repair in conformity with their historic character.

- (D) This Subsection 15.8-16 shall not apply to signs. Non-conforming signs shall be governed by the provisions of Subsection 15.8-15(C).

15.8-17: AMENDMENTS AND ADDITIONS TO THE ZONING MAP AND ZONING REGULATIONS:

(A) Rezoning.

- (1) Amendments to the Official Zoning Map involving any change in the boundaries of an existing zoning district, or changing the designation of a district, shall be allowed only upon a determination following public hearing that the following criteria are met:

(a) The amendment is not adverse to the public health, safety and welfare; and

(b) (1) The amendment is in substantial conformity with the Master Plan, or

(2) The existing zoning is erroneous, or

(3) Conditions in the area affected or adjacent areas have changed materially since the area was last zoned.

- (2) Rezoning may be requested or initiated by the Town, the Planning Commission, or the owner of any legal or equitable interest in the property or his representative. The area considered for rezoning may be enlarged by the Planning Commission on its own motion over the area requested in the application as part of its recommendation. Any person desiring an amendment to the Zoning Regulations shall submit an application on forms provided by the Town, accompanied by an application fee of \$100. The burden shall be on the applicant to show that the criteria of this Subsection have been met. No fee or formal application is required for action initiated by the Town or Planning Commission.

(B) Zoning of Additions:

- (1) The Planning Commission may recommend to the Board of Trustees a zoning district designation for all property annexed to the Town not previously subject to the Town zoning. Proceedings concerning the zoning of property to be annexed may be commenced at any time prior to the effective date of the Annexation Ordinance or thereafter.

- (2) The zoning designation for newly annexed property shall not adversely affect the public health, safety and welfare.
- (C) Legislative Zoning: Comprehensive review and reenactment of all or a significant portion of the Zoning District Map shall be a legislative action, and shall not be required to meet any criteria set out in Subsections (A) or (B) above.
- (D) Amendments to these regulations may be made only by ordinance.
- (E) All proposals to amend the Official Zoning Map or these Zoning Regulations may be referred to the Planning Commission for recommendation.
- (F) Prior to adoption of any ordinance amending the Official Zoning Map or these Regulations, a hearing shall be held before the Board of Trustees, notice of which shall be published at least fifteen (15) days in advance.
- (G) In case a protest against such ordinance is filed with the Town Clerk, at least 24 hours prior to Board of Trustees' vote on the ordinance, and is signed by the owners of twenty (20%) percent or more of the area of the land which is subject to the proposed change or twenty (20%) percent or more of the area of land extending a radius of 100 feet from the land which is subject to the proposed change, disregarding intervening public streets and alleys, such changes shall not become effective except by formal vote of two-thirds of all the members of the Board of Trustees.

15.8-18: CONDITIONAL USES:

- (A) Uses listed as conditional uses for the various zoning districts provided in this Section shall be allowed only if the Planning Commission and Board of Trustees determine, following review pursuant to Subsection 15.8-19, that the following criteria are substantially met with respect to the type of use and its dimensions and other factors:
- (1) The use will not be contrary to the public health, safety, or welfare.
- (2) The use is not materially adverse to the Town's Master Plan.
- (3) Streets, pedestrian facilities, and bikeways in the area are adequate to handle traffic generated by the use with safety and convenience.

- (4) The use is compatible with existing uses in the area and other allowed uses in the District.
- (5) The use will not have an adverse effect upon other property values.
- (6) The location of curb cuts and access to the premises will not create traffic hazards.
- (7) The use will not generate light, noise, odor, vibration, or other effects which would unreasonably interfere with the reasonable enjoyment of other property in the area.
- (8) The use will comply with other applicable criteria specified in these Regulations.

(B) The burden shall be upon the applicant to prove that these requirements are met.

15.8-19: VARIANCES AND APPEALS:

- (A) The Board of Adjustment shall have the power to consider appeals and grant variances from these regulations pursuant to the criteria and procedure of Section 15.1 of the Lake City Municipal Code.

15.8-20: REVIEW PROCEDURE:

- (A) All requests for approval of a conditional use or a change in a non-conforming use, or other action which is required to be reviewed pursuant to this Subsection by these Zoning Regulations or other Town Ordinances, shall be reviewed by the Planning Commission, Board of Adjustment, or Board of Trustees, as provided in these Regulations.
- (B) The applicant requesting approval of a conditional use, change in a non-conforming use, or other action required to be reviewed pursuant to this Subsection shall submit an application upon forms supplied by the Town accompanied by any other required information or information which he may desire to submit. A single application may contain a request for more than one (1) action. Regardless of how many actions are requested the application shall be accompanied by an application fee of \$7.50. No formal application need be submitted or fee paid for action initiated by the Town or Planning Commission.
- (C) A hearing shall be set before the appropriate Board after receipt by the Town of a properly completed application form and all other required information.

- (D) Notice of the Hearing shall be posted at Town Hall ten (10) days before the hearing, in addition to any other notice required by Town Regulations.
- (E) At the hearing scheduled, the applicant and other interested parties may appear and present such evidence and testimony as they may desire. Anyone presenting evidence or testimony shall be subject to cross-examination by other interested parties, although the Reviewing Board may limit testimony, evidence, and cross-examination which is merely cumulative and is not required to follow any set procedure during the hearing, nor to strictly follow the Rules of Evidence as applied by the Courts. The hearing may be tape recorded or otherwise electronically recorded. The applicant, or other interested party may, if he desires, have the hearing recorded by the court reporter, at his expense. The hearing may be continued from time to time as necessary. The burden is upon the applicant in all cases to establish that all applicable criteria for any action are met, including proper notice.
- (F) (1) The Reviewing Board shall announce its decision within twenty (20) days of the completion of the hearing. It shall not be necessary for the Reviewing Board to provide written findings or conclusions, except upon the request of the applicant, or other party appearing or participating in the hearing.
- (2) The decision of the Planning Commission concerning conditional uses or changes in non-conforming uses, shall be submitted to the Board of Trustees as a recommendation. The Board of Trustees may either ratify the recommendation without a hearing, or it may review the matter de novo pursuant to procedures of this Subsection and enter the decision thereafter.
- (G) The Reviewing Board may approve the requested action only upon finding that all applicable criteria and requirements of these Zoning Regulations or other Town Ordinances have been met. If it determines that such criteria have not been met, the application shall be denied. The application may be granted upon conditions or limitations which the Reviewing Board determines are necessary in order to insure that the applicable criteria are met, if the applicant or other necessary parties consent to compliance with such conditions or limitations. Such conditions or limitations shall be provided to the applicant and interested parties, in writing, as part of the decision.

15.8-21: ENFORCEMENT AND ADMINISTRATION:

- (A) The Building Official shall be responsible for the interpretation, administration and enforcement of the provisions of these Regulations, as amended, the Official Zoning Map, as amended, and of any decisions entered by the Planning Commission, Board of Adjustment or Board of Trustees, pursuant to this Section.
- (B) No building permit, occupancy permit, or other permit or license shall be issued, nor shall any other action of approval be taken or allowed by the Town for any property which is not in compliance with the provisions of these Zoning Regulations, and any decision issued pursuant hereto.
- (C) Whenever necessary to make an inspection to enforce any of the provisions of these Zoning Regulations, or any provision of a decision entered, pursuant to this Section, or whenever there is reasonable cause to believe that a violation of any provision of these Zoning Regulations, or of any decision issued, pursuant to this Section exists, the Marshal, Building Inspector, or their authorized representative, shall have the right to enter upon such building or premises at all reasonable times for purposes of inspection or to perform any other duty imposed by this Section. Prior to entry, he shall identify himself and request permission to enter from the occupant or person in charge of the premises if they can be found by reasonable efforts. If entry is refused, he shall have recourse to any remedy provided by law to secure entry.
- (D) The Town may maintain an action in a court of competent jurisdiction to enjoin any violation of these Zoning Regulations or of the terms of any decision entered pursuant to this Section.
- (E) Any action which reduces the area of any site, lot or tract in violation of the minimum dimensional requirements of these regulations shall be unlawful.
- (F) It shall be unlawful to violate any of the provisions of these Zoning Regulations, or the terms of any decision entered pursuant to this Section. Any person convicted of such a violation may be punished by a fine of up to three hundred (\$300) dollars, or a jail sentence of up to ninety (90) days, or by both such fine and imprisonment; provided, however, that no person under the age of eighteen (18) years shall be subject to any term of imprisonment, except for contempt of Court. Each day any violation continues shall constitute a separate violation.

- (G) Any property or building maintained in violation of these Regulations is hereby declared to be a nuisance which may be abated by the Town in any lawful manner.

15.8-22: MOBILE HOME PARK AND TRAVEL HOME PARK DESIGN REQUIREMENTS:

- (A) Mobile home parks shall be designed in accordance with the following minimum criteria:
- (1) The mobile home park shall as a minimum comply with the regulations for mobile home parks issued by the State of Colorado.
 - (2) Each mobile home space may have only one mobile home located upon it. It shall be a minimum of 1,875 square feet in size and have a minimum of 30 foot width.
 - (3) Any mobile home shall be set back at least 30 feet from the front of the space and 15 feet from the rear of the space and there shall be a minimum of 15 feet between any two mobile homes.
 - (4) Each mobile home space shall be served by a public water supply, a sewer system, a street with a minimum width of 30 feet, electricity and telephone. All required improvements shall comply with any applicable Town standards and specifications. Not less than 10% of the total area of the mobile home park shall be devoted to open space or recreation and park facilities.
 - (5) A mobile home park must provide at least ten mobile home park spaces.
- (B) Travel home park design requirements.
- (1) Travel home parks shall at a minimum comply with applicable State of Colorado regulations for campgrounds and recreation areas.
 - (2) No travel home shall be parked within fifteen feet of any other travel home or accessory structure. All travel home spaces shall be provided with public water and sewer with access to a street at least 20 feet wide.
 - (3) A service building meeting the applicable requirements of State regulations shall be provided.
 - (4) Not less than 10% of the total area shall be devoted to a park or recreation facility.

(5) A travel home park must provide at least ten travel home park spaces.

(C) Construction permit.

No mobile home or travel home park may be constructed or enlarged until a permit for construction has been approved by the Planning Commission. An application for such permit together with the plans showing the proposed park shall be submitted along with an application fee in the amount of \$100.00 to the Planning Commission which shall review the application to determine that it is in compliance with the requirements of this Subsection. No mobile home or travel home may be placed into a mobile home or travel home park or expansion thereto until the construction has been completed and approved by the Town Building Inspector as complying with the plans as approved by the Planning Commission.

Section 2:

Section 13.2 of the Lake City Municipal Code is amended to read as follows:

13.2: Cattle and Horses:

It shall be unlawful for any person to herd, keep, or harbor any cattle or horses, or other livestock within the Town except for horses, burros, donkeys or mules allowed by special permit issued pursuant to the Town Zoning Ordinance.

Section 3:

Chapter 15 of the Lake City Municipal Code is amended by the addition of a new Section 9 to read as follows:

CHAPTER 15

Section 9

CONSTRUCTION REGULATIONS FOR MOBILE HOMES, TRAVEL HOMES
AND OTHER FACTORY MANUFACTURED STRUCTURES

SUBSECTION:

- 15.9-1: Definitions
- 15.9-2: Building and Occupancy Permits for Factory Built Structures
- 15.9-3: Non-conforming Mobile Homes and Structures
- 15.9-4: Administration and Enforcement

15.9-1: DEFINITIONS:

- (A) MOBILE HOME: A movable or relocatable dwelling unit, with a living area of 500 sq. feet or greater, and at least 30 feet long, transportable on its running gear, but not required to have a license plate pursuant to C.R.S., Article 42-3, as amended, and installed either with or without a foundation designed for permanent use as a dwelling; provided however, that modular houses which meet the requirements of all Town building codes, including the Uniform Building Code, shall not be defined as a mobile home for purposes of this Section.
- (B) DEPENDENT MOBILE HOME: A mobile home without toilet, lavatory or bathing facilities.
- (C) MOBILE HOME PARK: A single site, parcel or lot operated and used for the location of two (2) or more mobile homes intended for use as residences.
- (D) TRAVEL HOME: Any movable or relocatable dwelling unit with a living area of less than 500 square feet and less than 30 feet long, or which is required to have a license plate.

- (E) TRAVEL HOME PARK: A park or campground for the temporary use of travel homes, including but not limited to campers, motorhomes, pick-up truck campers, trailers and trailer coaches.

15.9-2: BUILDING AND OCCUPANCY PERMITS FOR FACTORY BUILT STRUCTURES:

- (A) It shall be unlawful to erect, move or place any mobile home or other factory built housing or structure, other than travel homes, within, on or onto any site, lot or tract, without first obtaining a building permit or onto a mobile home park space without first obtaining a siting permit. No travel home shall be moved into a mobile home park without obtaining a siting permit
- (B) Application for a building permit shall be made in accordance with the requirements of the Town's Building Code to the extent applicable, and shall be accompanied by a fee determined according to the current Building Code fee schedule. Application for a siting permit shall be accompanied by a fee of \$10.00.
- (C) No building permit shall be issued unless the following criteria are met:
- (1) The mobile home or factory built structure meets either the Town's Building, Plumbing, Electrical and other Codes and Regulations, or
- (a) it is to be used for a residence and for mobile homes or other factory built homes manufactured after June 15, 1976, or before the effective date of the Colorado Housing Act of 1970, meets the requirements of the National Mobile Home Construction and Safety Standards Act of 1974 (42 USC 1501, et. seq.) and regulations promulgated thereunder;
- (b) it is to be used for a residence and for mobile homes and other factory built homes manufactured prior to June 15, 1976, and after the effective date of the Colorado Housing Act of 1970 (C.R.S., 24-32-701, et. seq., as amended), - complies with the requirements of said Act, and all rules and regulations promulgated thereunder;

- (c) for factory built storage and outbuildings with less than 250 square feet of floor area, - they are to be assembled and erected in accordance with the manufacturer's minimum requirements;
- (2) Any foundation, and all electrical and plumbing interconnections shall comply with applicable requirements of the Town's Building, Plumbing and Electrical Codes.
- (3) Except for a mobile home located in a mobile home park for less than ninety (90) days, or one which is located upon a full foundation constructed in compliance with the building code requirements, each mobile home shall have skirting installed around the entire lower perimeter of the home completely enclosing all water and sewer connections. Such skirting shall meet Town standard specifications.
- (4) Except for mobile homes erected on a foundation, complying with the requirements of the building code, all mobile homes located within the Town shall be adequately blocked and supported with sufficient number of footings, which, at a minimum, conform with the manufacturer's recommendations for such mobile home. Footings and foundations, unless otherwise specifically provided, shall be constructed of materials specified by the Building Code for the intended use and in all cases shall extend 30 inches below grade. Footings of concrete and masonry shall be of solid material. Foundations supporting untreated wood shall extend at least six (6) inches above the adjacent finished grade. Footings shall have a minimum depth below finished grade of 30 inches unless a greater depth is recommended by a foundation investigation.

Piers and bearing walls shall be supported on masonry or concrete foundations or piles or other approved foundation systems which shall be of sufficient capacity to support all loads.

- (D) No siting permit shall be issued unless the mobile home or travel home is in good repair and safe condition.
- (E) It shall be unlawful to use or occupy a mobile home, or factory built structure (other than a travel home not located in a mobile home park) until an Occupancy Permit has been issued by the Building Inspector following his inspection to determine compliance with the requirements of this Subsection and other applicable Town Building and Zoning Ordinances and Regulations.

15.9-3: NON-CONFORMING MOBILE HOMES AND STRUCTURES:

Any mobile home or other factory built housing or structure which, at the effective date of this Section, or at the time of annexation, if annexed, subsequent to the effective date of this Section, was lawfully existing and maintained in accordance with previously applicable County or Town regulations and ordinances, but which does not conform or comply with all of the regulations provided for in this Section, may be continued to be maintained or used but shall not be enlarged, modified, repaired or replaced except in conformity with this Section. Any mobile home or other factory built housing or structure which was previously unlawful or illegal under previously applicable regulations shall remain unlawful or illegal and subject to abatement or other enforcement action.

15.9-4: ADMINISTRATION AND ENFORCEMENT:

- (A) The Building Official shall administer and enforce this Section.
- (B) It shall be unlawful for any person to violate any provision of this Section.
- (C) Any person convicted of a violation of any of the provisions of this Section shall be punished by a fine of not more than \$300, or imprisonment of not more than ninety (90) days, or by both such fine and imprisonment; provided, however, no person under the age of 18 years may be sentenced to any period of imprisonment except for contempt of court. Each day during which any violation is committed or permitted to continue shall be considered to constitute a separate offense.
- (D) Any violation of the provisions of this Section is hereby declared to be a nuisance and may be abated in accordance with law.
- (E) In addition to any other remedies the Town may have, it may maintain an action in a court of competent jurisdiction to enjoin any violation of or compel compliance with any provision of this Section.
- (F) The Town may refuse to issue any permits required by Town ordinance or grant water or sewer taps if the applicant is in violation of any of the provisions of this Section.

Section 4: Temporary structures.

Subsection 15.4-2 of the Lake City Municipal Code is amended to label the existing provisions as Paragraph (A) and to add a Paragraph (B) as follows:

15.4-2:

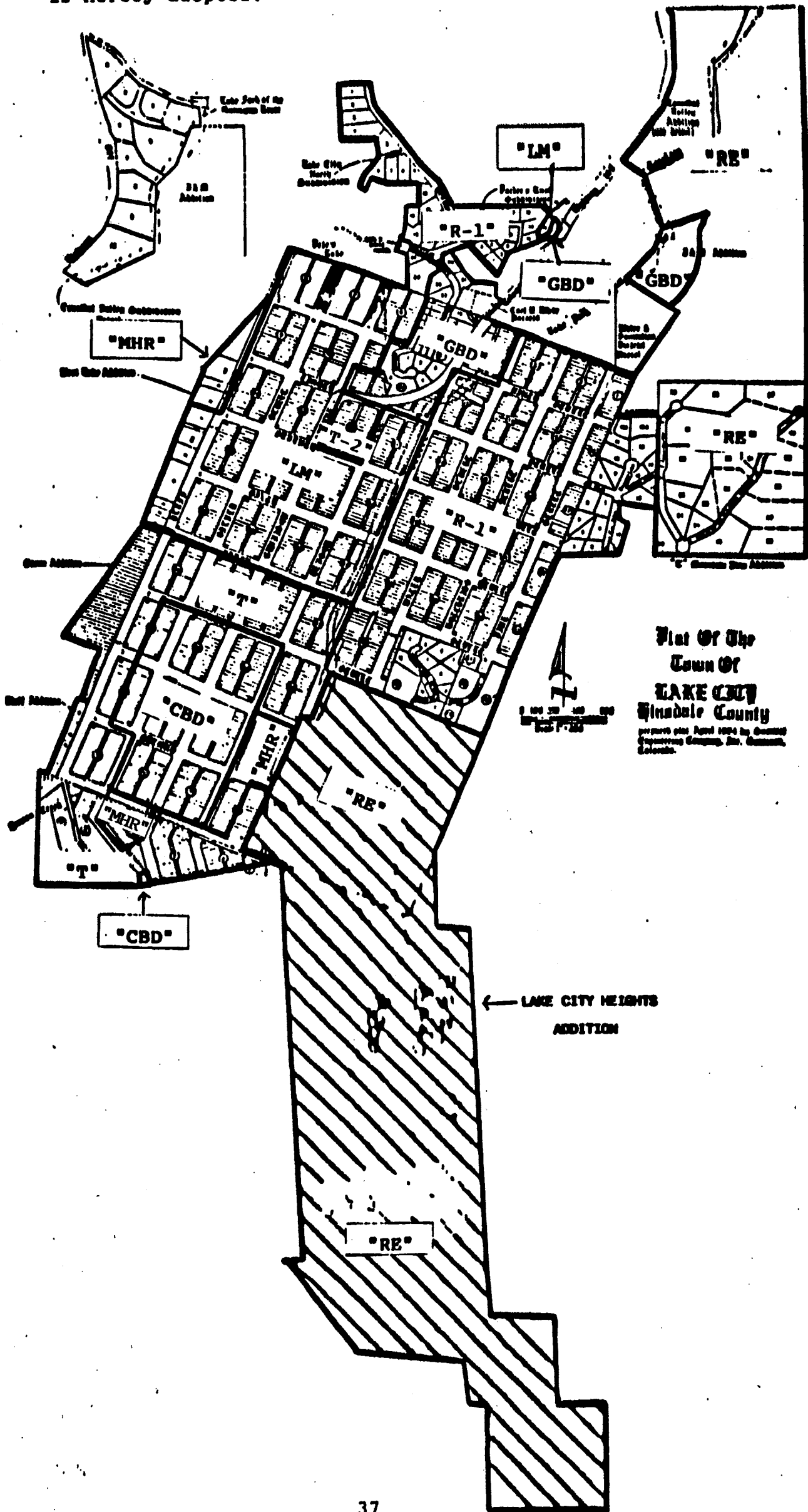
- (B) Uniform Building Code, Section 104(e) is amended by the addition of the following paragraph:

Temporary permits shall be limited, as follows:

- (1) No permit shall exceed 120 days except for structures related to construction work in progress.
- (2) No permit shall be issued for any such temporary building or structure to be used for purposes involving retail or wholesale sales or service, or manufacturing, except that one temporary permit a year in the "CBD" or "GBD" Zoning Districts only, may be issued with respect to any one structure for such purposes for a period of up to 120 days, if authorized by the Board of Trustees, subject to any conditions or limitations set by the Board of Trustees. Such structures shall not be occupied or entered by the public.

Section 5: Zoning Map.

The below 1988 Revised Zoning Map of the Town of Lake City is hereby adopted:



INTRODUCED, READ and ADOPTED by the Board of Trustees of the
Town of Lake City, Colorado, the 13th day of July,
1988.

TOWN OF LAKE CITY, COLORADO

by Robert E. Hill
Mayor

ATTEST:

Michelle L. Lura
Town Clerk