

**CITY OF EDGEWATER
ORDINANCE NO. 2015 - 06
SERIES 2015**

AN ORDINANCE AMENDING CHAPTER 16 OF THE EDGEWATER MUNICIPAL CODE, CONCERNING ZONING, BY REPEALING ARTICLE 9 THEREOF, CONCERNING THE R-C2, RESIDENTIAL-COMMERCIAL 2 ZONE DISTRICT, AND BY AMENDING SECTION 16-3-10, CONCERNING THE ESTABLISHMENT OF ZONE DISTRICTS, AND SUBSECTION 16-3-130(d), CONCERNING BULK PLANE LIMITATIONS, TO REMOVE REFERENCES THEREIN TO THE R-C2 ZONE DISTRICT.

WHEREAS, the City of Edgewater, Colorado (“City”) is a home rule municipality, duly organized and existing under Article XX of the Colorado Constitution; and

WHEREAS, pursuant to its home rule authority, the Local Government Land Use Control Enabling Act, Article 20 of Title 29, C.R.S. and Part 3 of Article 23 of Title 31, C.R.S., the City is authorized to adopt planning and zoning regulations; and

WHEREAS, acting under this authority, the Edgewater City Council (“City Council”) previously adopted zoning regulations, codified as Chapter 16 of the Edgewater Municipal Code (“Code”); and

WHEREAS, the City Planning Commission has, after discussion in a public meeting, recommended to the City Council that the R-C2, Residential-Commercial 2 Zone District, be removed from the City Code because (i) there is no property within the City that has that zoning designation; and (ii) the Planning Commission does not believe that the R-C2 district zone provisions are suitable for current use at any location within the City; and

WHEREAS, the City Council finds that the R-C2 district zone provisions are not suitable for current use within the City, and that there is no property within the City that has that zoning designation.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EDGEWATER, COLORADO, THAT:

Section 1. Section 16-3-10 of the Edgewater Municipal Code (“Code”), concerning the establishment of zone districts, is hereby amended to read as follows:

- **Sec. 16-3-10. - Districts established.**

In order to carry out the provisions of this Chapter, the City is divided into the following use districts:

<i>District</i>	<i>Type</i>
R-A, Residential A	Single-Family
R-1, Residential 1	Single-Family
R-2, Residential 2	Two-Family
R-3, Residential 3	Multiple-Dwelling Family
R-C1, Residential-Commercial 1	Limited Residential-Commercial
R-C2, Residential-Commercial 2	General Residential-Commercial
R-4, Residential 4	High-Rise Apartments
R-PD, Residential Planned Development	Residential Planned Development
C-1, Commercial 1	Limited Commercial
C-2, Commercial 2	General Commercial
C-3, Commercial 3	Unlimited Commercial

Section 2. Subsection 16-3-130(d) of the Code, concerning the bulk plane height within various zone districts of the City, is hereby amended to read as follows:

(d) Measurement. The starting height for the bulk plane shall be measured at the height required by the chart below. The bulk plane shall start at each property line and extend to the center of the property at a forty-five-degree angle.

<i>Zone Districts</i>	<i>Bulk Plane Height</i>
R-1, R-2, R-3	15'
RC-1, RC-2, R-4, R-PD, C-1 & C-2	35' except on a property line adjacent to an R-1, R-2 or R-3 zone district, in which case the height of the bulk plane on that property line shall be 15'.

Section 3. Article 9 of Chapter 16 of the Code, concerning the R-C2, Residential – Commercial 2 District, and consisting of Code Sections 16-9-10 through 16-9-100, is hereby repealed in its entirety and is of no further force or effect. Article 9 of Chapter 16 shall, hereafter, be designated as “Reserved.”

Section 4. Severability. If any 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 or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 5. Safety Clause. The City Council hereby finds, determines, and declares that this ordinance is promulgated under the general police power of the City, that it is promulgated for the health, safety, and welfare of the public, that this ordinance is

CERTIFICATE OF PUBLICATION

STATE OF COLORADO)
)
CITY OF EDGEWATER) SS:
)
COUNTY OF JEFFERSON)

I, Beth A. Hedberg, City Clerk, in and for said City of Edgewater, in the County of Jefferson, in the State of Colorado, do hereby certify that Ordinance 2015-06 was published in full on the City website in accordance with Section 1-3-50 of the Edgewater Municipal Code on May 29, 2015. In witness whereof, I have hereunto set my hand and the seal of the City of Edgewater, this 29th day of May, 2015.

/s/ Beth A. Hedberg, MMC
Edgewater City Clerk

SUMMARIZED HISTORY FOR ORDINANCE NO. 2015-06

Action	Date
Workshopped	April 16, 2015
First Reading	May 7, 2015
Posted	May 8, 2015
Publication	May 8, 2015
Second Reading	May 28, 2015
Sent to Codifier	May 29, 2015
Posted	May 29, 2015
Publication	May 29, 2015
Enacted	June 3, 2015