

CITY OF EDGEWATER
ORDINANCE NO. 2016 - 12
SERIES OF 2016

AN ORDINANCE AMENDING SUBSECTION 16-8-10(B) OF THE EDGEWATER MUNICIPAL CODE, CONCERNING PERMITTED USES IN THE RC-1 ZONE DISTRICT, TO ALLOW THE ATTACHMENT OF A SINGLE-FAMILY DWELLING UNIT TO A NON-RESIDENTIAL STRUCTURE

WHEREAS, pursuant to its home rule authority under Sec. 6 of Article XX of the Colorado Constitution and pursuant to Article 23 of Title 31, C.R.S., the City of Edgewater, Colorado (“City”) possesses the authority to regulate the zoning and use of land within its jurisdiction; and

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

WHEREAS, Subsection 16-8-10(b) of the Code establishes permitted and conditional uses in the RC-1 zone district, in which single-family dwellings are permitted, but only as detached structures; and

WHEREAS, the Edgewater City Council (“Council”) finds and determines that the RC-1 zone district is the only district in the City where true commercial-residential mixed use might currently be appropriate, and only if the mixed use is of such a low intensity as to be compatible with adjacent residential zone districts and uses; and

WHEREAS, the Council therefore determines that it is desirable to authorize no more than one (1) single-family dwelling unit per property in the RC-1 zone district, which unit may be detached or attached to any other structure on the property housing a non-residential principal permitted use.

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

Section 1. Subsection 16-8-10(b) of the Code, concerning permitted uses in the Residential-Commercial 1 zone district, is hereby amended as follows:

(b) Permitted uses:

- (1) Business and professional offices.
- (2) Service establishments employing not more than three (3) people.
- (3) Public/government facility.
- (4) Parking lot and parking garage.

(5) Not more than one (1) ~~s~~Single-family detached dwelling, which may be either detached or attached to any structure housing a non-residential permitted use.

(6) Community and religious assembly.

(7) Accessory building or use.

Section 2. Severability. Should any one or more sections or provisions of this Ordinance be judicially determined to be invalid or unenforceable, such determination shall not affect, impair or invalidate the remaining sections or provisions of this Ordinance, it being the intent of the City Council of the City of Edgewater that such invalid or unenforceable provisions are severable.

Section 3. 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 necessary for the preservation of health and safety and for the protection of public convenience and welfare, and that this ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 4. Effective Date. This ordinance shall become effective in accordance with the Home Rule Charter of the City of Edgewater.

INTRODUCED, READ, PASSED ON FIRST READING AND ORDERED PUBLISHED this 2nd day of June, 2016.

/s/ Kris Teegardin, Mayor

ATTEST:

/s/ Elizabeth A. Hedberg, MMC
City Clerk

PASSED AND ADOPTED ON SECOND READING AND ORDERED PUBLISHED this 7th day of July 2016.

/s/ Kris Teegardin, Mayor
Kris Teegardin, Mayor

