

**TOWN OF FRASER
ORDINANCE NO. 491
Series 2023**

**AN ORDINANCE AMENDING CHAPTER 19, ARTICLE 2, DIVISION 2 OF THE
FRASER MUNICIPAL CODE REGARDING BUILDING HEIGHT REGULATIONS
WITHIN THE VICTORIA VILLAGE OVERLAY DISTRICT STANDARDS**

WHEREAS, the Town of Fraser Planning Commission has reviewed the proposed amendment to the Victoria Village Overlay District regulations as contained in the Fraser Municipal Code, Chapter 19, Article 2, Division 2; and

WHEREAS, it appears to the Town of Fraser Planning Commission that it would be in the best interests of the health, safety, welfare and economic well-being of the citizens of the Town of Fraser to adopt the amended Victoria Village Overlay District regulations to increase the maximum height from 45 feet to 55 feet.

WHEREAS, increasing the height increase for the Victoria Village Overlay District would allow for more flexibility in developing the Victoria Village Master Plan with a more cost-effective approach for portions of the project site and allow the Town to provide more affordable housing units to the Fraser Community.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF FRASER, COLORADO, THAT:

PART 1: AMENDMENT OF MUNICIPAL CODE.

Chapter 19 (Land Development Code), Article 2, Division 2 of the Fraser Municipal Code (herein sometimes referred to as the "Municipal Code") are hereby amended as follows [Note: additions are shown in **bold underlined** print; deletions are shown as ~~striketrough~~ print]:

ARTICLE 2, Division 2, Section 19-2-265 – Victoria Village Overlay District

Sec. 19-2-265. – Victoria Village Overlay District

(a) Intent. The purpose of the Victoria Village Overlay District is to provide for creating a unique, walkable neighborhood that brings additional housing options within proximity to downtown Fraser.

(b) Land use. Land uses are permitted as shown in the Schedule of Uses in Section 19-2-340. Accessory uses shall be in conformance with Section 19-2-320(a). Temporary land uses are as shown in Table 2.12 and shall be in conformance with Section 19-2-330.

(c) District standards. Lot and building requirements for principal structures shall be as shown in Table 2.11.

TABLE 2.11
Victoria Village Overlay District Standards

Minimum Lot Area	<p>Row House: Fifteen hundred (1,500) feet; except corner lots: Twenty-five hundred (2,500) square feet.</p> <p>Other Residential: Twenty-five hundred (2,500) square feet per dwelling unit.</p> <p>Commercial: No minimum requirement.</p>
Minimum Lot Width	<p>Single-family dwelling: Twenty-five (25) feet.</p> <p>Duplex: Fifty (50) feet.</p> <p>Row house: Fifteen (15) feet; except corner lots: Twenty-five (25) feet.</p> <p>Commercial: No minimum requirement.</p>
Minimum Front Yard	<p>Residential: Ten (10) feet.</p> <p>Commercial: No minimum requirement. A build-to-line may be required during site plan review.</p>
Minimum Side Yard	<p>Row houses: Zero (0) feet subject to (h) below.</p> <p>Zero Lot Line: One (1) side setback must be zero (0) and the other a minimum of ten (10) feet, subject to (i) below.</p> <p>Other Residential: Five (5) feet.</p> <p>Commercial: No minimum requirement.</p>
Minimum Rear Yard	<p>Residential: Ten (10) feet. See (j) below for garages adjacent to alleys.</p> <p>Commercial: No minimum requirement, unless if adjacent to an alley or service lane: eighteen (18) feet.</p>
Minimum Stream Setback	<p>Thirty (30) feet; a greater setback of up to one hundred fifty (150) feet may be required during site plan review.</p>
Minimum Floor Area	<p>Two hundred (200) square feet.</p>
Maximum Height	<p>Forty-five (45) feet. Fifty-five (55) feet.</p>

Minimum Required Open Space	Thirty-five percent (35%)
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PART 2: REPEAL. Any and all existing ordinances or parts of ordinances of the Town of Fraser covering the same matters as embraced in this Ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed; provided, however, that such repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this Ordinance.

PART 3: SEVERABILITY. 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 constitutionality of the remaining portions of this Ordinance. The Town of Fraser hereby declares that it would have adopted this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases thereof be declared invalid or unconstitutional.

PART 4: EFFECTIVE DATE. This Ordinance shall take effect thirty (30) days after passage, adoption and publication thereof as provided by law.

PART 5: PUBLICATION. This Ordinance shall be published by title only.

READ, PASSED, ADOPTED AND ORDERED PUBLISHED BY THE BOARD OF TRUSTEES AND SIGNED THIS 15th DAY OF February, 2023.

Votes in favor: 7
 Votes opposed: 0
 Votes abstained: 0



BOARD OF TRUSTEES OF THE
TOWN OF FRASER, COLORADO

BY: _____

Philip Vandernail, Mayor

ATTEST: _____

Antoinette McVeigh, Town Clerk

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