

TOWN OF GILCREST

ORDINANCE NO. 2016-03

**TITLE: AN EMERGENCY ORDINANCE AMENDING SECTION 16-61
OF THE GILCREST MUNICIPAL CODE**

WHEREAS, Section 16-61 currently requires the submittal of new site development plans for sites and buildings that are not proposed to include modifications that would impact the applicability of Town regulations; and

WHEREAS, the adoption of this Ordinance is necessary as an emergency for the immediate preservation of the public health, safety and welfare of the Town to allow minor modifications to existing site development plans without the need for a new site development plan submittal.

BE IT ORDAINED BY THE BOARD OF TRUSTEES FOR THE TOWN OF GILCREST, COLORADO, THAT:

Section 1. Section 16-61 of the Town of Gilcrest Municipal Code is amended to read as follows:

Sec. 16-61. Site development plan purpose and applicability.

(a) Purpose. Except as otherwise provided in this Section 16-61, a site development plan is required in order to apply for a building permit for all multi-family, commercial and industrial developments. The site plan identifies how the lot will be developed to allow the Town to determine that the site design will be in compliance with all the Town regulations.

(b) Applicability. Except as expressly provided in this Section 16-61, site development plans shall be required for the construction of a new building or structure, or the addition to, or alteration of, an existing building or structure that either adds to or relocates any square footage of the building or structure in excess of twenty (20) percent. For purposes of this Section, square footage area of a building or structure shall include all areas within a building as well as decks and patios located outside of the building. An site development plan shall not be required for:

- (1) The construction or alteration of a single-family residence;
- (2) Interior remodeling of an existing structure;
- (3) A change to the site that affects less than twenty (20) percent of the site area and does not alter the basic intent of an approved development; or
- (4) The expansion of a building that is less than twenty (20) percent of the gross square footage of the building, and does not alter the basic intent of an approved development.

Section 2. Safety Clause. The Town Board of Trustees hereby finds, determines, and declares that this ordinance is promulgated under the general police power of the Town of Gilcrest, that it is promulgated for the health, safety, and welfare of the public, and that this ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Board of Trustees further determines that the ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 3. Severability. If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 4. Emergency Clause. The Board of Trustees hereby finds, determines and declares that this Ordinance is necessary for the immediate preservation of the health, safety and welfare of the Town of Gilcrest due to the current and immediate need within the Town to allow minor modifications to existing site development plans without the need for a new site development plan submittal.

Section 5. This Ordinance shall take effect as an emergency measure immediately upon its adoption.

INTRODUCED, READ IN FULL, AND ADOPTED AS AN EMERGENCY this _____ day of _____, 2016.

PASSED by a vote of _____ for and _____ against, AND ORDERED PUBLISHED ONCE IN FULL this _____ day of _____, 2016.

TOWN OF GILCREST, COLORADO

Jeff Nelson, Mayor

ATTEST:

Gail Odenbaugh, Town Clerk

APPROVED AS TO FORM:

Corey Y. Hoffmann, Town Attorney