

NOTICE IS GIVEN THAT THE GEORGETOWN BOARD OF SELECTMEN AT ITS FEBRUARY 28, 2023, MEETING, PASSED THE FOLLOWING ORDINANCE NO.5, (SERIES 2023), ON FIRST READING. NOTICE IS FURTHER GIVEN, THAT A PUBLIC HEARING WAS HAD AT THE MARCH 14, 2023 BOARD OF SELECTMEN MEETING WHEN THE PUBLIC HEARING AND SECOND READING AND CONSIDERATION OF ADOPTION WAS CONTINUED TO MARCH 28, 2023 AT 6:00 P.M., AT THE BOARD OF SELECTMEN MEETING CONTACT THE TOWN HALL AT 303-569-2555 EXT. 2 FOR QUESTIONS/CONCERNS. MEETINGS ARE STREAMED LIVE AT WWW.TOWNOFGEORGETOWN.US

ORDINANCE NO. 5
(Series 2023)

AN ORDINANCE AMENDING THE GEORGETOWN MUNICIPAL CODE CONCERNING MIXED USE BUILDINGS IN THE GATEWAY COMMERCIAL DISTRICT

WHEREAS, the Town of Georgetown is a Colorado municipal corporation operating under a Territorial Charter and governed by its Board of Selectmen; and

WHEREAS, the Georgetown Board of Selectmen (“Board”) is authorized by the Territorial Charter and the Colorado Revised Statutes to enact ordinances for the preservation of the public health, safety, and welfare; and

WHEREAS, in the exercise of this authority the Board has previously adopted Code section 17.16.047(c) concerning special uses in the Gateway Commercial District; and

WHEREAS, the Board wishes to clarify the options available for mixed use buildings in that District.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SELECTMEN OF THE TOWN OF GEORGETOWN, COLORADO:

Section 1. Code section 17.16.047(c)(7) is amended as follows:

(c) Special uses. The following uses shall only be allowed in the district by special use permit:

(1) . . .

(7) Dwelling units in a mixed use building or multifamily dwelling units in a separate building constructed as a part of a unified project including other structures containing commercial uses, which uses are the primary use of the property taken as a whole.

FOR PURPOSES OF THIS SUBSECTION (c)(7), THE FOLLOWING USE CONFIGURATIONS SATISFY THE REQUIREMENT FOR COMMERCIAL

USE WITHIN THE RELEVANT PROJECT:

- THE SECOND FLOOR OF A MIXED USE BUILDING MAY BE DEVOTED IN WHOLE OR IN PART TO RESIDENTIAL USES, SO LONG AS THE ENTIRETY OF THE FIRST FLOOR IS DEVOTED TO COMMERCIAL USES.
- THE MINIMUM COMPOSITION OF COMMERCIAL USES ON THE FIRST FLOOR OF A MIXED USE BUILDING MUST BE AT LEAST _____%, WITH THE REMAINING PORTION PERMITTED TO BE RESIDENTIAL.
- A HORIZONTAL MIXED USE DEVELOPMENT, I.E. CONTAINING SEPARATE INDIVIDUAL STRUCTURES COMPRISED OF SEPARATE RESIDENTIAL AND COMMERCIAL USES IS PERMITTED, SO LONG AS THE TOTAL FLOOR AREA OF THE PROJECT IS AT LEAST 50% COMMERCIAL USE.
- OTHER ALTERNATE KINDS OF MIXED COMMERCIAL /RESIDENTIAL DEVELOPMENT, INCLUDING ONE OR MORE RETAIL BUSINESSES, SO LONG AS THE OVERALL DEVELOPMENT APPEARS PRIMARILY COMMERCIAL.

CONSTRUCTION OF THE RETAIL ELEMENT OF A MIXED USE DEVELOPMENT MUST BE COMPLETED PRIOR TO OR SIMULTANEOUSLY WITH THE RESIDENTIAL ELEMENT.

DEVELOPMENTS ON TOWN-OWNED PROPERTY ARE EXEMPT FROM THE REQUIREMENT OF A COMMERCIAL USE COMPONENT, BUT MUST STILL ACQUIRE APPROVAL AS A SPECIAL USE.

Section 2. Effective Date. This ordinance shall take effect upon final adoption as provided by Section 5.26 of the Territorial Charter.

INTRODUCED, READ, APPROVED AND ORDERED POSTED IN FULL ON FIRST READING on the 28th day of February, 2023.

INTRODUCED ON SECOND READING, FINALLY ADOPTED AND ORDERED POSTED AFTER PUBLIC HEARING on the _____ day of _____, 2023.

TOWN OF GEORGETOWN

By: _____

Lynette Kelsey, Police Judge

ATTEST:

Jennifer Yobski, Town Clerk

Posted up in full on the Town's website and at Town Hall and two (2) other designated posting locations within the limits of the Town after final adoption, in accordance with Section 5.26 of the Territorial Charter.

Jennifer Yobski, Town Clerk

Date: _____