

**TOWN OF SEVERANCE  
ORDINANCE NO. 2023-05**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SEVERANCE,  
COLORADO, AMENDING ARTICLE 6 OF CHAPTER 16 OF THE SEVERANCE  
MUNICIPAL CODE PERTAINING TO DENSITY STANDARDS FOR RESIDENTIAL  
ZONING DISTRICTS**

**WHEREAS**, the Town Council has determined that the Town’s current density standards for residential zoning districts set forth in the Severance Land Use Code (Chapter 16 of the Severance Municipal Code) are inadequate; and

**WHEREAS**, the Town desires to amend Article 6 of the Severance Land Use Code to address these existing deficiencies, and the Town finds that enacting comprehensive regulations relating to residential density standards will increase the effectiveness of the Land Use Code with regard to its underlying goals, and that amending Article 6 of the Land Use Code regarding residential zoning density standards within the Town to preserve the integrity of the Land Use Code and the character of the Town promotes the public health, safety, and general welfare.

**WHEREAS**, this ordinance is enacted pursuant to the Town of Severance’s home rule authority under Article XX, § 6 of the Constitution of the State of Colorado, and pursuant to the Town of Severance’s police powers, in order to safeguard and preserve the public health, safety and welfare of the community.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SEVERANCE, COLORADO:**

Section 1. Article 6, “Zoning Districts,” of Chapter 16, “Land Use Code,” of the Severance Municipal Code is amended by the addition of a new Table 16.6, entitled “Minimum Residential Lot Size Summary Table,” to be inserted before the Division 1 reference, to read as follows:

Table 16.6. Minimum Residential Lot Size Summary Table

Product Type	Zone District						
	<i>RR</i>	<i>RR-C</i>	<i>RR-A</i>	<i>SP</i>	<i>TC</i>	<i>DN</i>	<i>DN-I</i>
Single-Family Detached	1.25 ac	3 ac (See criteria)	10 ac (septic)	6,000 sqft	6,000 sqft	6,000 sqft	n/a
Single-Family Attached							
Duplex product	-	-	-	4,000 sqft	4,000 sqft	4,000 sqft	n/a
Townhome product	-	-	-	1,400 sqft	1,400 sqft	1,400 sqft	n/a
Multi-Family	-	-	-	1,600 sqft	1,600 sqft	1,600 sqft	n/a

### **Residential Density Transition Area.**

All proposed residential developments located adjacent to or abutting a differing zone district and/or development pattern shall provide an area of transitional residential densities with complimentary lot sizes and residential product types to create a cohesive neighborhood design. All transition areas shall be approved through the platting and/or site plan review process.

Section 2. Section 16.6.10.2, "Density," of Chapter 16, "Land Use Code," of the Severance Municipal Code is hereby repealed in its entirety and re-enacted to read as follows:

#### **Sec. 16.6.10.2. - Density.**

- (a) Gross minimum density: two and one-half (2.5) acres per dwelling unit (i.e., 50 acres / 2.5 = 20 lots).
  - 1. Density can be higher if open space and/or remaining land is managed.
  - 2. Final lot count may be limited by infrastructure or geographic constraints.
- (b) Minimum lot sizes: one and one-quarter (1.25) acres due to septic limitations.
  - 1. Diversity and flexibility of lot sizes is highly encouraged.

Section 3. Section 16.6.20.2, "Density," of Chapter 16, "Land Use Code," of the Severance Municipal Code is hereby repealed in its entirety and re-enacted to read as follows:

#### **Sec. 16.6.20.2. - Density.**

- (a) Generally.
  - 1. Gross minimum density: two (2) dwelling units per acre.
  - 2. Maximum density: determined by market.
  - 3. Minimum lot sizes: six thousand (6,000) square feet (see typical single-family lot layout).
    - a. Six thousand (6,000) square feet for Single-Family Detached.
    - b. Four thousand (4,000) square feet for Single-Family Attached (Duplex units).
    - c. One thousand and four hundred (1,400) square feet for Townhomes.
    - d. One thousand and six hundred (1,600) square feet for Multi-Family.
  - 4. Building height not to exceed two (2) stories without additional review.

- (b) Floorplan Diversity. Development Plans shall include a diversity of lot sizes and floorplans. On projects of one hundred fifty (150) acres or less, a minimum of four (4) lot sizes is required. On projects of one hundred fifty (150) acres or more, a minimum of six (6) lot sizes is required. This may be met through additional housing types outlined in the following Section C.
- (c) Product Diversity. A mix of permitted housing types shall be included in any individual development plan, as defined in this article, to the extent reasonably feasible, depending on the size of the parcel. To promote such variety, the following minimum standards shall be met:
  - 1. The following minimum number of housing types is required on any project development plan:
    - a. A minimum of two (2) housing types is required on any project development plan containing less than one hundred and fifty (150) acres, including such plans that are part of a phased overall development.
    - b. A minimum of three (3) housing types is required on any project development plan containing one hundred and fifty (150) acres or more.
  - 2. Housing types.
    - a. Single-family attached dwellings.
      - 1. Duplex units
      - 2. Townhome units
    - b. Alley loaded design.
    - c. Patio home design.
    - d. Multi-family dwellings, by additional review.
- (d) Open space/parks and connectivity requirements. (*See* section 16.12.250).

Section 4. Section 16.6.30.2, "Density," of Chapter 16, "Land Use Code," of the Severance Municipal Code is hereby repealed in its entirety and re-enacted to read as follows:

**Sec. 16.6.30.2. - Density.**

- (a) Density shall not exceed fifteen (15) units per acre.
- (b) Building height shall not exceed three (3) stories without additional review.
- (c) Setbacks shall adhere to the standards as follows:

1. Single-family residential dwellings shall match the criteria set forth in the Suburban Perimeter section of this Code.
2. Multi-family residential dwellings shall match the criteria set forth in the multi-family design and development standards of this Code.
3. Non-residential commercial and office uses shall match the criteria set forth in the non-residential commercial and office design and development standards of this Code.
4. Instances where setback criteria are not explicitly stated or for all other uses not identified in this section, setback criteria shall be determined through the platting and/or site plan review process.

Section 5. Section 16.6.40.2, “Density,” of Chapter 16, “Land Use Code,” of the Severance Municipal Code is hereby repealed in its entirety and re-enacted to read as follows:

**Sec. 16.6.40.2. – Density.**

- (a) Density in residential areas is encouraged to be a minimum of eight (8) units per acre.
- (b) Building height shall not exceed three (3) stories without additional review.
- (c) Setbacks shall adhere to the standards set forth by the following:
  1. Single-family residential dwellings shall match the criteria set forth in the Suburban Perimeter section of this Code.
  2. Multi-family residential dwellings shall match the criteria set forth in the multi-family design and development standards of this Code.
  3. Non-residential commercial and office uses shall match the criteria set forth in the non-residential commercial and office design and development standards of this Code.
  4. Instances where setback criteria are not explicitly stated or for all other uses not identified in this section, setback criteria shall be determined through the platting and/or site plan review process.

Section 6. Section 16.7.10, “Definitions,” of Chapter 16, “Land Use Code,” of the Severance Municipal Code is hereby amended by the addition or deletion and substitution of the following definitions, to be inserted alphabetically and to read as follows:

*Alley loaded unit* means an attached or detached single-family dwelling unit which has a garage that is accessed from an alley and not from a street.

*Duplex unit* means a two-family dwelling unit with each unit typically located on its' own lot. Each unit has direct access to the outside, and the units are attached to each other by party walls or a floor/ceiling with one (1) unit above the other.

*Dwelling, multi-family* means a building or portion thereof designed to contain three (3) or more dwelling units. Each unit typically does not have direct access to the outside, and each unit is attached to another unit at one (1) or more party walls and at either the floor or the ceiling. Multi-family does not include single-family attached units such as townhomes and/or duplexes, nor does it include hotels, motels, and similar group accommodations.

*Dwelling, single-family attached* means a building containing dwelling units, each of which has primary ground floor access to the outside and which are attached to each other by party walls without openings. The term is intended primarily for such dwellings as townhomes, duplexes, and zero-lot-line homes.

*Dwelling, single-family detached* means a single-family dwelling that is not attached to any other dwelling or building by any means, excluding mobile homes, otherwise provided for herein.

*Patio home* means an attached or detached single-family dwelling unit that typically maxes out at one (1) or one and one-half (1.5) stories. Units tend to be much smaller in their overall footprint, lot size, and typically include narrower setbacks which result in lower maintenance costs.

*Townhome unit* means a type of attached multi-family dwelling in a row of at least three (3) or more single-family attached dwelling units, but not more than six (6) dwelling units per structure, in which each unit has its own front and rear access to the outside, and each unit is separated from any other unit by one or more vertical common fire-resistant walls. No unit is located over another unit.

Section 7. If any article, 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 Town Council hereby declares it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 8. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

Section 9. This ordinance is deemed necessary for the immediate protection of the health, welfare and safety of the community.

Section 10. Violations of this ordinance shall be punishable in accordance with Section 1-4-20 of the Severance Municipal Code.

INTRODUCED, READ, ADOPTED, APPROVED, AND ORDERED PUBLISHED IN FULL this 11<sup>th</sup> day of April, 2023.

TOWN OF SEVERANCE, COLORADO



ATTEST:



Matthew Fries, Mayor

*Leah Vanarsdall*

Leah Vanarsdall, MMC, Town Clerk

APPROVED AS TO FORM:

DocuSigned by:

*M. Keith Martin*

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Hayashi & Macsalka, LLC, Town Attorney