

ORDINANCE NO. 2009-03

AN ORDINANCE OF THE TOWN OF RICO, COLORADO AMENDING RICO'S LAND USE CODE, ARTICLE II, SECTIONS 204.6, AND ARTICLE IX, DEFINITIONS, REGARDING BUILDING HEIGHTS.

WHEREAS, the Board of Trustees of the Town of Rico finds it is in the public interest to preserve the integrity of the Town's residential neighborhoods and Rico's scenic view corridors;

WHEREAS, the Board of Trustees finds that the Rico Land Use Code provides guidance regarding roof heights to preserve these values;

WHEREAS, the Board of Trustees also finds that amendment to the Land Use Code to better restrict building heights will further protect view corridors, which is in the best interest of Rico's citizens and promotes the public health, safety and welfare.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF RICO AS FOLLOWS:

SECTION I:

Rico Land Use Code, Article II, Section 204.6 shall be amended as follows:

204.6 Building Height. The highest point of each roof segment shall not exceed 28 feet as measured from the average height of the supporting points of that roof segment at pre-construction grade. The lowest exposed point of the structure to the highest point of the structure shall not exceed 35 feet of total elevation. For structures with an irregular footprint the Enforcement Official shall determine the reference points which meet the purpose of this RLUC. Existing pre-construction grade shall be determined by the Town's two foot contour maps, as exist or may be amended from time to time or shall be determined by a survey prepared by a licensed surveyor. Any property owner has the right to challenge reference points determined by the Enforcement Official for structures with an irregular footprint. This challenge must be initiated first through a Variance Application (Section 430, et.al) and subsequently may be appealed to the Board of Trustees by following RLUC, Section 516.

SECTION II:

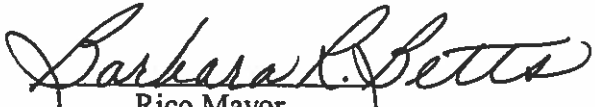
Rico Land Use Code, Article IX, DEFINITIONS, shall be amended to add the definition of "Roof Segment" as follows:

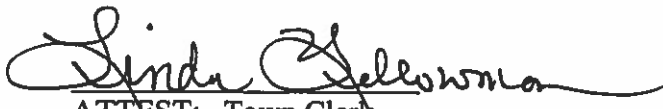
Roof Segment: The entire section of the roof existing in one plane.

This Ordinance shall be effective upon its final passage by the Rico Board of Trustees and publication as required by Colorado Statute.

INTRODUCED, READ AND ADOPTED UPON FIRST READING THIS 20TH DAY OF MAY, 2009.

INTRODUCED, READ AND ADOPTED FOLLOWING PUBLIC HEARING UPON SECOND READING THS 24TH DAY OF JUNE, 2009.


Rico Mayor


ATTEST: Town Clerk