

ORDINANCE NO 344

AN ORDINANCE AMENDING SECTIONS 16-4, 16-22, 16-23, 16-24, 16-25, 16-26, 16-42, AND 16-62, AND ADDING SECTION 16-50, OF THE SPRINGFIELD MUNICIPAL CODE, ADDING A DEFINITION OF "CONSTRUCTION TRAILER", ALLOWING FOR THE PARKING, PLACEMENT, OR INSTALLATION OF CONSTRUCTION TRAILERS WITHIN THE A-1, R-1, R-2, C-1, AND C-2, ZONE DISTRICTS WITH CERTAIN CONDITIONS AND LIMITATIONS, PROVIDING FOR THE CREATION OF A PERMIT THEREFOR, CORRECTING A SCRIVENER'S ERROR RELATED TO THE PHRASE "CONDITIONAL USE", PROVIDING ADDITIONAL STANDARDS FOR THE APPROVAL OF SPECIAL EXCEPTIONS, AND PROVIDING FOR ENFORCEMENT AND PENALTIES FOR THE VIOLATION THEREOF.

WHEREAS, this Ordinance is intended to provide the opportunity for construction trailers, to be used for storage, offices, security, or temporary living quarters, to be parked, placed, or installed upon active construction sites on a temporary basis;

NOW THEREFORE, be it ordained by the Board of Trustees of the Town of Springfield, Colorado as follows:

Sec. 1. Purpose. The purpose of this ordinance is to establish regulations for the use of Recreational Vehicles for temporary living quarters during the construction of a single-family home in certain zoning districts; and to allow for the placement of Construction Trailers on construction sites to store equipment and / or to function as construction offices.

Sec. 2. In Zoning Ordinance, Section 16-4, **add** (29.2) as follows:

(29.2) *Construction Trailer* means a truck trailer, shipping container, recreational vehicle, or mobile home that is located on the site of an authorized construction project during the period of construction, and used for construction-related offices, security, or storage of materials or equipment. When located on a lot that is undergoing construction of a single-family detached or duplex dwelling unit, a construction trailer in the form of a recreational vehicle or mobile home may also be used as a residence for the owner of the lot during the period of construction, and / or for the purposes of providing security for the construction site. There are no "accessory uses" or "accessory structures" related to Construction Trailers.

Sec. 3. In Zoning Ordinance, Section 16-22, **add** (b)(17) and (c)(11) as follows:

(b)(17) Up to two Construction Trailers (but not more than one for the purposes of security or temporary residence of the lot owner), for a period commencing on the earlier to occur of: (a) issuance of a building permit or (b) authorization to proceed with subdivision improvements; and ending 21 days after the earliest to occur of: (x) issuance of a certificate of occupancy; (y) termination of the building permit due to inactivity or violations of the permit; or (z) completion and acceptance of the subdivision improvements.

(c)(11) Construction Trailer, for a period that is longer than the period established by subsection (b)(17), above, and / or in excess of the number of Construction Trailers allowed by subsection (b)(17), above, and / or outside of the setback requirements of subsection (d).

Sec. 4. In Zoning Ordinance, Section 16-22, amend (d) as follows:

(d) Area Height and Setback Regulations. These regulations shall apply to any structure (including, for the purposes of this subsection, Construction Trailers) other than a wall, fence, flagpole, sign or public utility pole or other specified structure, provided that such structure shall observe vision clearance criteria as delineated in this Chapter:

Sec. 5. In Zoning Ordinance, Section 16-23, amend (c) as follows:

(c) Conditional Uses. The following uses shall be permitted, provided that they are first approved by the Board as conditional uses:

(1) Any conditional use permitted in the A-1 zone except Construction Trailer, provided that all area requirements of the A-1 zone are met; and-

(2) Construction Trailer, for a period that is longer than the period established by Section 16-22(b)(17), and / or in excess of the number of Construction Trailers allowed by Section 16-22(b)(17) , and / or outside of the setback requirements of subsection (d).

Sec. 6. In Zoning Ordinance, Section 16-23, amend (d) as follows:

(d) Area Height and Setback Regulations. These regulations shall apply to any structure (including, for the purposes of this subsection, Construction Trailers) other than a wall, fence, flagpole, sign or public utility pole or other specified structure, provided that such structure shall observe vision clearance criteria as delineated in this Chapter:-

Sec. 7. In Zoning Ordinance, Section 16-24, amend (b) as follows:

(b)(4) Up to two Construction Trailers (but not more than one for the purposes of security or temporary residence of the lot owner), for a period commencing on the earlier to occur of: (a) issuance of a building permit or (b) authorization to proceed with subdivision improvements; and ending 21 days after the earliest to occur of: (x) issuance of a certificate of occupancy; (y) termination of the building permit due to inactivity or violations of the permit; or (z) completion and acceptance of the subdivision improvements.

Sec. 8. In Zoning Ordinance, Section 16-24, amend (d) as follows:

(d) Area Height and Setback Regulations. These regulations shall apply to any structure (including, for the purposes of this subsection, Construction Trailers) other than a wall, fence, flagpole, sign or other specified structure, provided that such structures shall all observe vision clearance criteria defined in this Chapter:

Sec. 9. In Zoning Ordinance, Section 16-24, amend (d) as follows:

(d) Area Height and Setback Regulations. These regulations shall apply to any structure (including, for the purposes of this subsection, Construction Trailers) other than a wall, fence, flagpole, sign or other specified structure, provided that such structures shall all observe vision clearance criteria defined in this Chapter:

Sec. 10. In Zoning Ordinance, Section 16-25, **amend** (b)(1) and (c)(2) as follows:

(b)(1) Uses permitted in the R-2 zone (excepting single-family residences), and conditional uses allowed in the R-2 zone, except Construction Trailers for a period that is longer than the period established by Section 16-22(b)(17), and / or in excess of the number of Construction Trailers allowed by Section 16-22(b)(17), and / or outside of the setback requirements of subsection (d).

(c)(2) Storage structure or yard (except Construction Trailer) for equipment, material or activity incidental to a specific construction project, provided that it is of a temporary nature and is moved after the specific construction project is completed or work on the project has been dormant for a period of six (6) or more months, and further provided that it is limited to a period of one (1) year unless the time is extended by the Board.

Sec. 11. In Zoning Ordinance, Section 16-25, **add** (c)(2.2) as follows:

(c)(2.2) Construction Trailers for a period that is longer than the period established by Section 16-22(b)(17), and / or in excess of the number of Construction Trailers allowed by Section 16-22(b)(17), and / or outside of the setback requirements of subsection (d).

Sec. 12. In Zoning Ordinance, Section 16-26, **add** (c)(7) as follows:

(c)(7) Construction Trailers for a period that is longer than the period established by Section 16-22(b)(17), and / or in excess of the number of Construction Trailers allowed by Section 16-22(b)(17), and / or outside of the setback requirements of subsection (d).

Sec. 13. In Zoning Ordinance, Section 16-42, **add** (11) as follows:

(11) Construction Trailers, when used as an office, as a temporary residence for the lot owner, or for security purposes, two (2) parking spaces per Construction Trailer so used.

Sec. 14. In Zoning Ordinance, **add** Section 16-50 as follows:

Sec. 16-50. Temporary Permit for Construction Trailers

(a) Generally. No Construction Trailer shall be parked, placed, or installed upon a lot unless a permit is first issued in accordance with this Section.

(b) Requirements. Applications for permits under this Section shall consist of the following:

(1) Proof of property and Construction Trailer ownership;

(2) Site Plan showing dimension of Construction Trailer and documentation of zoning compliance (including Conditional Use approval if required);

(3) Proof of availability of on-site water, sewer, and electrical power utilities to connect to all Construction Trailers to be used for offices, temporary residences for the lot owner, or security purposes, including proof of payment of any required connection fees or deposits for same.

(c) Issuance of Permit. The Enforcement Officer shall grant the permit upon demonstration of compliance with the applicable requirements of this Section and this Chapter.

Sec. 15. In Zoning Ordinance, **amend** Section 16-62(f)(2) as follows:


(f)(2) Special exceptions. To hear and decide special exceptions to the terms of this Chapter upon which the Board is required to pass under this Chapter. The Board will receive from the Commission a recommendation either for or against the proposed special exception. The Board may approve a special exception when it is demonstrated that the special exception: (i) will not tend to materially and adversely affect the use, quiet enjoyment, or value of neighboring property in accordance with this Chapter and the Zoning Map; and (ii) will meet such conditions or requirements as may be specified in this Chapter for the proposed special exception. The applicant for a special exception shall have the burden to prove to demonstrate compliance using evidence that is put into the public record. The Board may impose conditions pertaining to design, location of improvements, appearance, size, screening, landscaping, lighting, building materials, or other requirements it deems necessary to protect the use, quiet enjoyment, or value of adjacent or nearby property, or to ensure compliance with the intent of this Chapter.

Sec. 16. Throughout the Zoning Ordinance, the phrase “Conditional Use” shall be replaced with the phrase “Special Exception”

Sec. 17. Severability. If any part or parts of this ordinance are for any reason held to be invalid, such provision shall not affect the validity of the remaining portions of this ordinance. The Board of Trustees hereby declares that it would have passed this ordinance and each part or parts hereof, irrespective of the fact that any one part or parts be declared invalid.

Passed by the Board of Trustees and signed this 11 th day of July, 2019.


Mayor


Town Clerk