
TOWN OF SAWPIT LAND USE CODE

Adopted May 11th, 1995, by the Board of Trustees
of the Town of Sawpit

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ARTICLE I. PRELIMINARY PROVISIONS

SECTION 101. TITLE

This land use code shall be referred to as the 'Town of Sawpit Land Use Code' or the 'LUC.'

SECTION 102. CONTENT

This LUC contains the language of the Land Use Code, the standards for the Planning and Zoning Commission, and a map designated as the Official Zoning Map of Town of Sawpit, Colorado. The Official Zoning Map, and all notations, references and other information shown on it are part of this LUC and have the same effect as if fully set forth.

SECTION 103. FILING

The LUC, together with the Official Zoning Map which accompanies it is on file with the San Miguel County Clerk and a certified copy is on file with the Sawpit Town Clerk.

SECTION 104. LEGISLATIVE INTENT

The Town of Sawpit declares that in the interest of protecting our most priceless resource, the natural environment, while at the same time allowing for the use of the land, this LUC shall be adopted. This LUC implements in part the Town of Sawpit Master Plan adopted on July 21st, 1994. It is the intent of this LUC to lessen congestion in the streets, to prevent the overcrowding of population, to promote the health, safety, and general welfare, to provide adequate light, air and solar access, and to provide a safe environment in which residents can live. It is the intent of the Town of Sawpit to maintain the historic flavor of the town, while allowing for harmonious new construction.

SECTION 105. ADOPTION OF UNIFORM BUILDING CODE

The Town of Sawpit has adopted the Uniform Building Code, and each of its subsequent revisions, and the Uniform Building Code shall apply and take effect except where it conflicts with the provisions of this LUC.

ARTICLE II. DEFINITIONS

SECTION 201. DEFINITIONS

The words and phrases in this section shall have the following meaning throughout the LUC:

Accessory Building: A detached subordinate building, the use of which is customarily incidental to that of the main building or to the main use of the land and which is located on the same lot or parcel with the main building or use. Accessory buildings should not be provided with kitchen or bath facilities sufficient for rendering them suitable for permanent residential occupancy.

Alley: A public way permanently reserved as a secondary means of access to abutting property.

Attached: A physical connection of the foundation wall or roof of two (2) buildings. If the method by which the buildings are attached includes an above grade wall, or an above grade wall with roof, or has a common above grade wall, then the attached buildings shall be considered a single structure for the purpose of determining site coverage and floor area. If the attachment does not enclose area and does not include an above grade wall, then the area of the attachment shall not be counted for the purposes of determining site coverage.

Basement: A portion of a building located partially or wholly underground having seventy-five percent or more of its floor to ceiling height below the average grade of the adjoining ground.

Buffer Zone: All areas where development could impact waters of the Town of Sawpit as defined in this Section, extending at least 100 feet around such areas.

Building: Any permanent structure built for the shelter or enclosure of persons, animals or property of any kind, not including fences.

Building Height: The highest point of the roof above the natural pre-construction grade.

Building Inspector: The Building Inspector of the Town of Sawpit contracted or hired by the Town of Sawpit to perform the duties described in this LUC.

Condominium: A building, or buildings, consisting of separate fee simple estates to individual units of a multi-unit property together with an undivided fee simple interest in

common elements.

Dwelling: A permanent building or portion thereof which contains kitchen and bath facilities rendering the structure suitable for residential use, but not including structures used primarily for commercial purposes or portable structures.

Dwelling, Single Family: A detached building containing only one dwelling.

Dwelling, Multi-Family: A detached building containing more than one dwelling.

Family: Any individual, or two or more persons related by blood or by marriage or between whom there is a legally recognized relationship, or a group of not more than five unrelated persons, excluding servants, occupying the same building.

Floor Area: The sum of the gross horizontal areas of all floors of a building measured from the exterior faces of the exterior walls.

Garage, Private: A building used for the housing of motor vehicles and other customary uses incident to residential use.

Hazardous Areas: Areas which are subject to geologic hazards that constitute a significant hazard to public health, safety and property, including, but not limited to: landslides, rock falls, mudflows, unstable or potentially unstable slopes, seismic effects, radioactivity and ground subsidence.

Home Occupation: A business occupation or trade conducted in the residential district for gain or support by a resident or residents of the dwelling, and no other, which:

- (1) Is clearly incidental and secondary to the residential use of the building;
- (2) Does not change the essential residential character of the use;
- (3) Operates pursuant to a valid occupational license for the use held by the resident of the dwelling unit, if required;
- (4) Is confined to no more than fifty percent of the total floor area of the dwelling;
- (5) Does not advertise, display, or otherwise indicate the presence of the home occupation on the premises;
- (6) Does not sell any stock in trade, supplies or products on the premises other than

those goods produced or manufactured on the premises;

(7) Does not store any equipment or materials used for the home occupation outside of the dwelling;

(8) Does not create any noise, odor, vibration, dust, smoke, haze or other nuisance greater than customary residential uses outside any building on the premises or outside the boundary of the premises;

(9) Provides off-street parking to accommodate the parking demand generated by the home occupation; and,

(10) Does not include retail shops, lodging or restaurants.

Lot: A parcel of real property as shown with a separate and distinct number or letter on a plat recorded in the San Miguel County Court House.

Lot Line, Front: The property line dividing the lot from the street.

Lot Line, Rear: The line opposite the front lot line.

Lot Area: The total horizontal area within the lots lines of a lot.

Mitigation Plan: A plan describing the restoration of wetland areas destroyed or otherwise negatively impacted by an activity; or, a plan to minimize safety concerns associated with land use activities in hazardous areas; or, a plan to address impacts related to land use activities, such impacts to include, but not limited to: parking, noise, traffic, storm water run-off, and odors.

Mobile Home: Any portable structure originally intended to have no foundation other than wheels, jacks or posts, and so designed to permit residential use.

Non-Conforming Building: A building or structure or portion thereof conflicting with the provision of this LUC applicable to the zone district in which it is situated.

Non-Conforming Use: The use of a structure or premises or any portion thereof conflicting with the provisions of this LUC.

Natural Materials: Stone, stucco, adobe, natural wood or stained wood, but not to include plywood, press board, or other highly processed wood products.

Occupied: The word "occupied" includes arranged, designed, built, altered, converted, rented or leased, or intended to be occupied.

Open-Use Recreation Site: Land devoted to the public use for recreation, including such facilities as playgrounds and play-fields, golf, tennis or similar court installation.

Principal Building: Principal building means that main structure or building on a building site or lot in which the primary use by right occurs.

Recreation Club: A building devoted to public use including such facilities as golf club house, swimming pool club house, tennis club house, playground and play-field activity centers, or club houses, and may include kitchen facilities, assembly halls, meeting rooms, locker facilities, etc.

Restoration: A human activity that returns wetland areas from a disturbed or altered condition with lesser wetland area acreage and/or function values to a enhanced or improved condition with greater wetland area acreage and/or functional values.

Scenic Views: Views of mountain ridges and slopes, natural landscapes, rivers, waterfalls, forests and the sky.

Sign: Any device fixed to, painted on or incorporated in the building surface, or displayed from or with a building or structure, or free standing upon the site and which is visible from a public right-of-way, designed to convey or direct a message to the public concerning the identification of the premises or to advertise or promote the interests of any private or public firm, person or organization.

Site Coverage: Site coverage means that portion of a building site or lot that is covered by buildings and structures, excluding open decks, porches, roof eaves and stoops.

Street: A public way other than an alley, which affords the principal means of access to abutting property.

Structure: Anything constructed or erected, which requires location on the ground or attached to something having a location on the ground, but not including fences or walls used as fences less than six feet (6) in height.

Use: The purpose for which land or a building is designated, arranged, or intended, or for which it either is or may be occupied, maintained, or used.

Vehicle, Parking: One vehicle parking space is defined as a parking space which is 10 feet

in width by 15 feet in length.

Waters of the Town of Sawpit: All waters, including without limitation, lakes, rivers, streams, intermittent streams, natural sloughs, wet meadows, natural ponds, impoundments and tributaries. Waste treatment systems presently in use, including treatment ponds and lagoons designed to meet the requirements of the Clean Water Act (33 U.S.C. sec. 1341), and treated water distribution and storage facilities or treated water that otherwise meets the criteria of this definition, are not waters of the Town of Sawpit.

Wetland: An area inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances support, vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation. Wetland areas include all waters of the Town of Sawpit, all riparian areas in the Town, and are presumed to include all areas identified on official wetland area maps of the Town of Sawpit available through the Town Clerk.

Yard: A space on the same lot with a principal building that is open, unoccupied, and unobstructed by buildings or structures from the ground upward, except as otherwise provided herein.

Yard, Front: A yard extending the full width of the lot or parcel, the depth of which is measured in the least horizontal distance between the front lot line and the nearest wall of the principal building; such distance being referred to as the front yard setback.

Yard, Rear: A yard extending the full width of the lot or parcel, the depth of which is measured in the least horizontal distance between the rear lot line and the nearest wall of the principal building; such depth being referred to as the rear yard setback.

Yard, Side: A yard extending from the front yard to the rear yard, the width of which is measured in the least horizontal distance between the side lot line and the nearest wall of the principal building.

Yard, Service: Any yard area used for storage of materials accessory to or used in conjunction with the principal building, or used for garbage or trash containers, or for the location of mechanical equipment accessory to the principal building or use.

Utilities: All poles, lines, cables and other transmission or distribution facilities of public utilities.

ARTICLE III. GENERAL REGULATIONS

SECTION 301. ZONE DISTRICTS

For the purposes of this LUC, the Town of Sawpit is divided into five Zone Districts to be known as follows:

- Residential Zone District (R Zone)
- Commercial Zone District (C Zone)
- Public Facilities Zone District (PF Zone)
- Open Space Zone District (OS Zone)
- Water Protection Overlay Zone District (WPO Zone)
- Hazard Overlay Zone District (Haz Zone)

SECTION 302. ZONING MAP

The boundaries of these districts are shown on the official Zoning Map and Water Protection Overlay Zone District Map of the Town of Sawpit which accompanies and is made a part of this LUC.

SECTION 303. GENERAL REQUIREMENTS

303.1 No building shall be erected, converted, enlarged or structurally altered, nor shall any building or premises be used for any purpose other than permitted in the district in which such building or premises is located. No building shall be erected, enlarged, moved or structurally altered except in conformity with the height, yard or other regulations prescribed herein for the district in which such lot is located; every part of a required yard shall be open to the sky, unobstructed, except as hereafter provided; the yard of any lot shall not be reduced so as to be smaller than the applicable district requirement.

303.2 Every building hereinafter erected or structurally altered shall be located on a lot as defined in Section 201, and in no case shall more than one residential building be located on a lot.

303.3 All buildings and structures shall have natural materials or non-reflecting materials for exterior surfaces excluding windows and roof surfaces. Roof surfaces shall be non-reflective metal, solar shingles, or other non-combustible materials.

303.4 No building shall be erected, converted, enlarged or structurally altered unless, prior to applying for a building permit in the Town of Sawpit, complete plans have been filed with the Sawpit Town Clerk indicating all lands to be used for determining site coverage,

floor area, and building height maximums.

SECTION 304. UTILITIES

Nothing in this LUC shall be construed to prevent the construction of a public utility structure necessary for the transmission of commodities or services of a utility company including mains, transmission and distribution lines, provided that all mains, transmission and distribution lines are completely buried beneath the surface of the ground. All construction and improvements of utility lines and structures are subject to the Special Use Permit process.

SECTION 305. EXTERIOR LIGHTING

All exterior lighting shall be shielded. The direct source of all exterior lighting shall not be visible off the property. The maximum allowable wattage for exterior lights is 40 (forty) watts and the maximum allowable lighting power is 900 (nine hundred) lumens.

SECTION 306. GRANDFATHER CLAUSE FOR NON-CONFORMING USE OR BUILDING

All non-conforming uses existing on the date enactment of this LUC shall be allowed to continue unless abandoned or discontinued for twelve consecutive months. Non-conforming uses or buildings shall not be allowed to increase the non-conforming use or expand the non-conforming building without a special use permit. Sub-standard parcels of land held or controlled by separate ownership from contiguous parcels of land existing prior to 1/1/94 in the residential zone district shall be allowed residential development per ARTICLE VI.

SECTION 307. APPLICATION TO THE TOWN OF SAWPIT

All provisions of the LUC shall apply equally to any improvement, construction or development activity of the Town of Sawpit.

ARTICLE IV RESIDENTIAL ZONE DISTRICT

SECTION 401. USE REGULATIONS

The Residential Zone District allows the utilization of land for residential purposes and customary accessory uses incidental to residential use.

SECTION 402. USES PERMITTED BY RIGHT

Single family dwellings, accessory buildings and uses, and home occupations.

SECTION 403. USES BY REVIEW

Any use other than a Use Permitted by Right under Section 402 must be approved by the Town of Sawpit through the Special Use Permit (SUP) process.

SECTION 404. MINIMUM LOT AREA PER SINGLE FAMILY DWELLING

The minimum lot area for each single family dwelling in the Residential Zone District is ten thousand (10,000) square feet.

SECTION 405. FRONT AND REAR YARD SETBACKS

All structures shall be setback at least ten (10) feet from the front and rear lot lines. Raised decks, but not covered porches, shall be set back at least five (5) feet from the front and rear lot lines. Off-street parking shall be allowed in the front and rear yard setbacks. Propane tanks shall be allowed in the rear setback.

SECTION 406. MINIMUM SIDE YARD SETBACK

406.1 The minimum side yard setback for all structures in the Residential Zone District shall be as follows:

A. Principal and Accessory Buildings

Lot size 0-5,000 sq.ft.-----	7.5 ft.
Lot size >5,000 & < or = 7,500 sq.ft.-----	10 ft.
Lot size >7,500 & < 10,000 sq.ft.-----	15 ft.

406.2 Off-street parking, propane tanks, ground level patios, and walkways are permitted in the Minimum Side Yard Setback areas.

SECTION 407. MINIMUM ROOF PITCH

The minimum roof pitch for residential buildings is 6 vertical unit to 12 horizontal units. The minimum roof pitch for accessory buildings is 2 vertical unit to 12 horizontal units.

SECTION 408. MAXIMUM BUILDING HEIGHTS

The maximum building heights are as follows:

- 408.1 Residential Building----- 18 ft.
- 408.2 Accessory Building----- 12 ft.
- 408.3 Antennas, chimneys, flues, vents or similar structures may extend up to five feet above the specified maximum height limit.

SECTION 409. MAXIMUM FLOOR AREA

409.1 The Maximum Floor Area, not including basement floor area, for principal buildings shall be determined by the following formulas:

<u>Lot Area</u>	<u>Maximum Floor Area Formula</u>
< or = 10,000 sq.ft.	875 sq.ft. + .175 x (lot area - 5,000 sq.ft.)
> 10,000 sq.ft.	1,750 sq.ft.

409.2 The Maximum Floor Area, not including basement floor area, of accessory buildings shall be determined by the following equation:

$$\text{Maximum Floor Area of accessory buildings} = \text{Lot Area} \times .05$$

SECTION 410. MAXIMUM SITE COVERAGE

410.1 The maximum site coverage for each lot in the residential district shall be determined according to the following equation:

$$\text{Site coverage in sq.ft.} = \text{Lot Size in sq.ft.} \times .2$$

SECTION 411. OFF-STREET PARKING

The minimum off-street parking requirement is two vehicles for a lot area equal to or less than 5,000 sq.ft. and is three vehicles for a lot area greater than 5,000 sq.ft.

ARTICLE V. COMMERCIAL ZONE DISTRICT

SECTION 501. INTENT AND PURPOSE

The Commercial Zone District allows the utilization of land for commercial purposes and provides standards which regulate the character and intensity of commercial use and development.

SECTION 502. USES ALLOWED BY RIGHT

The following uses are allowed by right in the Commercial Zone District:

- 502.1 Art Studio;
- 502.2 Bar/Tavern;
- 502.3 Bookstore;
- 502.4 Crafts shop;
- 502.5 Day Care;
- 502.6 Grocery store/neighborhood convenience store;
- 502.7 Guide service;
- 502.8 Offices;
- 502.9 Retail store;
- 502.10 Woodworking shop.

SECTION 503. FRONT AND REAR YARD SETBACKS

All structures shall be setback at least ten (10) feet from the front and rear lot lines. Raised decks, but not covered porches, shall be set back at least five (5) feet from the front and rear lot lines. Off-street parking shall be allowed in the front and rear yard setbacks. Propane tanks shall be allowed in the rear setback.

SECTION 504. MINIMUM SIDE YARD SETBACK

506.1 The minimum side yard setback for all structures in the Commercial Zone District shall be as follows:

- A. Principal and Accessory Buildings
 - Lot size 0-5,000 sq.ft.----- 7.5 ft.
 - Lot size >5,000 & < or = 7,500 sq.ft.----- 10 ft.
 - Lot size >7,500 & < 10,000 sq.ft.----- 15 ft.

506.2 Off-street parking, propane tanks, ground level patios, and walkways are permitted in the Minimum Side Yard Setback areas.

SECTION 505. MAXIMUM BUILDING HEIGHTS

- 505.1 The maximum mean building height in the Commercial District is 15 ft.
- 505.2 Antennas, chimneys, flues, vents or similar structures may extend up to five feet above the specified maximum height limit.

SECTION 506. MAXIMUM SITE COVERAGE

- 510.1 The maximum site coverage for each lot in the Commercial District shall be determined according to the following equation:

$$\text{Site coverage in sq.ft.} = \text{Lot Size in sq.ft.} \times .4$$

SECTION 507. OFF-STREET PARKING

The minimum off-street parking requirement is one vehicle for each 250 sq.ft. of floor area for retail commercial uses and one vehicle for each 500 sq.ft. of non-retail commercial uses.

ARTICLE VI. OPEN SPACE ZONE DISTRICT

SECTION 601. INTENT AND PURPOSE

The Open Space District is intended to preserve the natural values of undeveloped land for the benefit and enjoyment of the residents of the Town of Sawpit. Uses are restricted to non-motorized, minimal impact recreation activities.

SECTION 602. USE PERMITTED BY RIGHT

Nature trails for walking, hiking, and biking with natural surfaces and not more than twenty-four (24) inches in width.

SECTION 603. PROHIBITED USES

Developed recreational uses, including but not limited to playfields, campgrounds, courts, permanent buildings or other similar uses are not allowed in the Open Space Zone District.

SECTION 604. OTHER USES

All uses not permitted by right in Section 502 or prohibited by section 503 must be

approved through the Special Use Permit process.

ARTICLE VII PUBLIC FACILITIES ZONE DISTRICT

SECTION 701. INTENT AND PURPOSE

The Public Facilities Zone is intended to allow the construction of public facilities desired by the Town of Sawpit and to insure that the public facility development is compatible with the Town of Sawpit.

SECTION 702. MASS AND SCALE

The Height, Bulk, Site-Coverage and Floor Area maximum limits for any principal building and accessory structure in the Public Facilities Zone shall be the same as the maximum limits in Article IV Residential Zone.

SECTION 703. USES PERMITTED BY RIGHT

Public buildings, structures, and facilities, including but not limited to Town Hall, club facilities open to the public, playground, play field, tennis and basketball courts, off-street parking, water system facilities, utility structures and buildings, storage buildings for public equipment, and public trash storage.

SECTION 704. OTHER USES

All uses not permitted by Section 702 and Section 703 must be approved through the Special Use Permit process.

ARTICLE VIII HAZARD OVERLAY ZONE DISTRICT

SECTION 801. INTENTION AND PURPOSE

The Hazard Overlay Zone District is intended to define hazardous areas which threaten the health, safety and welfare of persons and property, and to restrict development in those areas.

SECTION 802. USE PERMITTED BY RIGHT

Open Space recreation uses as defined in Section 503.

SECTION 803. USES PERMITTED BY REVIEW

Any construction and development activity in the Hazard Overlay Zone District must be approved by the Special Use Permit process and must meet the following criteria in addition to the general criteria of Special Use Permit review:

- 803.1 The applicant and property owner must indemnify the Town of Sawpit from any liability associated with granting a SUP for construction or development in the Hazard Overlay Zone District with a signed agreement approved by the Town Attorney;
- 803.2 The applicant and property owner must submit a written report analyzing the potential hazards and the potential physical forces created thereby upon the proposed improvements or structure. The report must be prepared and signed by an engineer licensed in the State of Colorado and recognized by the Building Inspector of the Town of Sawpit. The report shall be recorded on the a map for the property; and,
- 803.3 The applicant shall provide certification from an engineer licensed in the State of Colorado stating that the proposed improvement or structure is designed to withstand the potential hazards as determined by the site-specific hazard report in section 603.2.

ARTICLES IX *[Reserved]*

ARTICLE X SPECIAL USE PERMIT PROCESS

SECTION 1001. INTENT AND PURPOSE

Article X sets forth the procedures and general criteria for review of all Special Use Permit ('SUP') applications. Additional application submission requirements and review criteria may be found under other sections in this LUC.

SECTION 1002. APPLICATION OF SPECIAL USE PERMIT PROCESS

Any use not permitted by right in other sections of this LUC shall only be allowed upon approval of a Special Use Permit by the Town of Sawpit.

SECTION 1003. PROCEDURE FOR SPECIAL USE PERMITS

- 1003.1 Applications for a SUP shall be obtained from the Sawpit Town Clerk.
- 1003.2 Applications shall be returned to the Sawpit Town Clerk at least 12 days prior to a scheduled meeting of the Board of Trustees of the Town of Sawpit.
- 1003.3 The SUP Application shall be introduced at the Board of Trustee meeting and referred to the Town of Sawpit Planning and Zoning Commission for public hearing and review.

SECTION 1004. STANDARDS FOR REVIEW OF SUP APPLICATIONS

The general criteria in this section shall be used by the Town of Sawpit Planning and Zoning Commission, and the Board of Trustees upon appeal of the decision of the Planning and Zoning Commission, in addition to any other criteria in this LUC for certain SUP applications. The Town of Sawpit Planning and Zoning Commission, and the Board of Trustees upon reviewing an appeal of the decision of the Planning and Zoning Commission, must find that each of the following criteria is satisfied before approval of a Special Use Permit.

- 1004.1 The SUP complies with the Town of Sawpit Master Plan.
- 1004.2 The SUP is compatible with uses on adjacent properties.
- 1004.3 The SUP will not create additional impacts greater than uses allowed by right in the zone district, including but not limited to the following impacts:

parking, visual, odors, vibrations, noise, increased traffic, increased congestion, adverse impacts to wildlife, the natural environment and wetland areas, adverse impacts to existing and potential scenic view corridors of adjacent properties, and adverse impacts to the rural and alpine wilderness character of the Town of Sawpit.

SECTION 1005. DECISION OF THE PLANNING AND ZONING COMMISSION

The Planning and Zoning Commission may approve, deny, or approve with conditions a SUP application, or the Planning and Zoning Commission may continue review of the SUP to allow the applicant to submit additional information. Six copies of any additional information must be submitted at least 14 days prior to the scheduled meeting in order to be considered by the Planning and Zoning Commission. The Planning and Zoning Commission may not continue review of a SUP application for more than 90 days without the consent of the applicant.

SECTION 1006. APPEALS

- 1006.1 The applicant, and any property owner within one hundred feet of the subject property (not including public rights-of-way), may appeal the decision of P&Z to the Board of Trustees of the Town of Sawpit. A written appeal stating the reasons for the appeal shall be submitted to the Town Clerk of the Town of Sawpit (P.O. Box 248, Sawpit, CO 81430) within 10 days of the P&Z decision. A public hearing before the Board of Trustees shall be scheduled within 50 days after the appeal is submitted to the Town Clerk. The applicant shall be notified of the public hearing date by first class mail sent at least fifteen days prior to the hearing date.
- 1006.2 After the public hearing, the Board of Trustees shall approve, approve with conditions, deny, or deny with conditions, the decision of P&Z with regard to the requested SUP based upon P&Z's record and based on specific findings of compliance, or non-compliance, with the standards in Section 1004. of this LUC.

SECTION 1007. THE APPLICANT SHALL BEAR THE COSTS FOR REVIEW

When an SUP application is submitted, any cost determined by the Planning and Zoning Commission, the Board of Trustees, or any other appropriate public body of the Town of Sawpit, to be necessary in reviewing the application, including obtaining expert or legal assistance, will be borne by the applicant. The cost of required notifications and publications of the SUP will also be borne by the applicant.

ARTICLE XI WATER PROTECTION OVERLAY ZONE DISTRICT

SECTION 1101. INTENT AND PURPOSE

This section establishes regulations for development in and near, waters and wetland areas, of the Town of Sawpit to protect the waters and wetland areas and to protect the health, safety and welfare of the residents of the Town of Sawpit. These regulations recognize the importance of waters and wetland areas to both the human and natural environment. All waters and wetlands in the Town of Sawpit will receive maximum protection by prohibiting development activity in and adjacent to waterways and wetlands whenever possible. All development activity shall be required to minimize any adverse impact on waterways and wetlands to the greatest extent technically feasible.

SECTION 1102. APPLICATION

This section applies to all wetland areas and wetland buffer zones, and to all waters of the Town of Sawpit. This section does not repeal, abrogate, or impair any existing federal, state, and/or local laws, easements, covenants, or deed restrictions. However, where this section imposes more restrictive regulations than those otherwise imposed, the provisions of this section shall prevail.

SECTION 1103. WATERWAYS AND WETLAND AREAS MAPPING

1103.1 Official Zone District Map of the Town of Sawpit

The boundaries of the Water Protection Overlay Zone District of the Town of Sawpit, which includes waterways, rivers, wetland areas, and a 100 foot buffer zone extending from these areas, shall be set forth on the Official Zone District Map of the Town of Sawpit.

1103.2 Modification of Water Protection Overlay Zone District

A potential developer shall have the burden of showing that any area delineated as the Water Protection Overlay Zone District of the Town of Sawpit and/or on accompanying reference materials should not be classified as a such. Water Protection boundaries may be modified at the potential developer's expense through the performance of a wetland, waterway, or river corridor boundary determination by a qualified expert wetland consultant and established on a plat executed by a Colorado licensed surveyor using the wetland definition in Section 201.

1103.3 Boundary Modification Application Review

A potential developer desiring to modify a wetland, waterway, river corridor, and/or buffer zone boundary must submit an application for such modification to the Town of Sawpit Planning and Zoning Commission for review under Article XIV. of this LUC.

SECTION 1104. DEVELOPMENT IN WATER PROTECTION AREAS

A potential developer desiring to develop within a waterway, river corridor, wetland, or within the 100 foot buffer zone must submit an application for approval of such activity to the Town of Sawpit for review under the Special Use Permit process.

No development activity shall be allowed within any water protection area without a Water Protection Area Special Use Permit issued in compliance with the terms of this section. All activities that are not permitted by Special Use Permit shall be prohibited.

SECTION 1105. ISSUANCE OF WATER PROTECTION AREA SPECIAL USE PERMITS

A Water Protection Area Special Use Permit may be issued only if the applicant has shown at least one of the following:

1105.1 The proposed activity is water-dependent;

1105.2 The proposed activity is necessary to achieve access to property, and no other access route avoiding waterways, wetlands and buffer zone areas is technically feasible;

1105.3 Denial of the permit sought would result in denying the land owner all practical, reasonable and/or economically viable use of the subject property and the land owner has not created the economic hardship by purchasing the land when these regulations were pending, or in effect, or by purchasing the land without regard to the requirements of the Federal Clean Water Act;

1105.4 The proposed activity is primarily for the promotion of the safety, health and general welfare of the residents of the Town of Sawpit, the public benefit is greater than the impact to wetlands, and there is no financially feasible alternative; or,

1105.6 In the case of development proposed in a buffer zone, the proposed land use would not adversely affect the adjacent waterways, river corridor or wetland area.

SECTION 1106. CRITERIA FOR REVIEW OF WATER PROTECTION AREA SPECIAL USE PERMIT

In review applications for Water Protection Area Special Use Permits, the Town of Sawpit Planning and Zoning Commission and the Board of Trustees shall apply the following criteria:

1106.1 Avoidance - Development activity within a designated water protection area should be avoided whenever technically possible; and,

1106.2 Minimization and Mitigation of Impact - The impacts of unavoidable development activity should be minimized to the greatest extent technically feasible by including appropriate project design modifications, control techniques or other conditions deemed appropriate by the Town of Sawpit.

SECTION 1107. IMPACT MITIGATION FOR WETLAND USES AND ACTIVITIES

As a condition of Wetland Special Use Permit approval, or in the event of a violation of any terms in this section, the Town of Sawpit may require a mitigation plan. The plan shall require the applicant, developer, or owner of the property causing the impact, to engage in the restoration of waterways or wetland areas in order to offset, in whole or in part, the impact to waterways, or wetland losses, resulting from an applicant's proposed or violator's historic actions. Approval of such plan by the Town of Sawpit Planning and Zoning Commission shall not constitute an alternative to compliance with the standards set forth in this LUC.

SECTION 1108. SUBMISSION REQUIREMENTS

An applicant for a Wetland Special Use Permit must submit an application in accordance with the Special Use Permit process in Article X. In addition to other requirements, an application must include site specific mapping showing wetland areas and the 100 foot buffer zone, two foot contour lines, a statement that the application complies with the criteria for review, detailed explanations of any proposed mitigation plans, and any other information the Planning and Zoning Commission determines is necessary for adequate review.

SECTION 1109. ENFORCEMENT AND INSPECTION OF WETLAND AREAS

For the purpose of carrying out the provisions of this section, the Town of Sawpit or its designee may enter upon private land in a reasonable and lawful manner during daylight hours for the purpose of inspection of any waterway, wetland area or buffer zone area proposed for development by an applicant for a Water Protection Area Special Use Permit.

If denied access for these purposes, the Town of Sawpit may inspect the subject property after following an appropriate legal process.

ARTICLE XII SUBDIVISIONS

SECTION 1201. INTENT AND PURPOSE

This section establishes regulations and standards for subdivisions and sets forth the procedures to be followed in applying and administering these regulations and standards. This section is designed and enacted to promote the health, safety and welfare of the residents and property owners in the Town of Sawpit and to ensure that the Town of Sawpit can provide necessary and desired services to residents and property owners in the Town of Sawpit at the least possible cost.

SECTION 1202. APPLICABILITY

All applications for the subdivision of land shall be reviewed under these procedures. Subdivision of land shall include the following:

1202.1 The division of a lot into two or more lots;

1202.2 The division of land subject to annexation by the Town of Sawpit; and,

1202.3 The replatting of recorded lots and the vacation of existing lot lines.

SECTION 1203. SUBMISSION REQUIREMENTS

All applications for the subdivision of land in the Town of Sawpit shall submit the following information. Failure to submit any of the following items of information shall render the subdivision application incomplete.

1203.1 Three copies of a written request for the subdivision shall be delivered to the Town of Sawpit or mailed to the following address:

Town of Sawpit
Planning and Zoning Commission
P.O. Box 248
Placerville, CO 81430

The written request shall contain the following information:

- A. Name, address, telephone number, and fax number of the applicant and any representatives authorized to act on behalf of the applicant.
- B. The legal description of the property to be subdivided.
- C. Proof of ownership by the applicant of the property to be subdivided and proof of agency for any representative of the applicant.

1203.2 Six copies of a statement describing the subdivision requested, including the number of lots or units proposed; the area of each lot or floor area of each unit, the intent of the subdivision, and a statement of compliance with the masterplan and zoning.

1203.3. Six copies of a site map at a scale of at least one inch equals fifty feet or other scale authorized by P&Z. The map shall show the following:

- a. Proposed lots and existing platted lots and lot lines;
- b. Two foot contour lines;
- c. Development hazards and natural constraints to development including the following:
 - 1) Slopes greater than 30%,
 - 2) Wetlands, Waterways, and the 100 foot buffer zone boundary from such areas,
 - 3) Hazardous Areas, and,
 - 4) Flood plains;
- d. Proposed utility routes;
- e. Proposed access routes, roads, and rights of way;
- f. Proposed building site areas; and,
- g. Existing structures within 150 feet of the subject property.

1203.4 Three copies of terms, or drafts, of all required improvement agreements and performance guarantees; and any proposed agreements with the Town of Sawpit.

1203.5 A septic plan certified by an engineer licensed in the State of Colorado and approved by the official health inspector of the Town of Sawpit.

1203.6 An adequate potable water supply plan certified by an engineer licensed in the State of Colorado.

SECTION 1204. PROCEDURES

1204.1 Application

If the application is complete, the Town of Sawpit Planning and Zoning Commission shall schedule the subdivision request for a public hearing on the next available agenda of a public Planning and Zoning Commission meeting. If the application is not complete, the application will be returned with a letter specifying the information missing from the application. The completed application may be scheduled for the next Planning and Zoning Commission agenda if returned to the Planning and Zoning Commission at least 21 days prior to a regularly scheduled meeting.

1204.2 Notice

The applicant shall be responsible for sending notice of the hearing on the proposed subdivision by first class mail to all property owners within 150 feet of the subject property. The notice shall identify the applicant, the subject property, the proposed subdivision, and the public hearing date. Notice shall be mailed at least 15 days prior to the hearing. A certificate of mailing shall be delivered to the Town of Sawpit prior to the public hearing.

1204.3 Recommendation by P&Z

The Planning and Zoning Commission shall consider all public comments at the public hearing. After the public hearing, P&Z shall make a recommendation to the Board of Trustees to approve, approve with conditions, or deny the subdivision application or shall continue the decision until additional information can be submitted. A request for additional information shall be reasonable and may include a request by P&Z for review and comment by state and/or federal agencies. Additional information requested by P&Z shall be submitted to P&Z at least 10 days prior to the continued hearing date. P&Z's recommendation shall be based upon specific findings of compliance, or non-compliance, with the standards in Section 1205. of this LUC and shall take into account any comments or recommendations from a board, commission, or other public body of the Town of Sawpit, or from any other local, state, or federal governmental body.

SECTION 1205. STANDARDS

1205.1 The following standards shall apply to the review of subdivision applications:

- A. The proposed land use shall be consistent with zoning.
- B. All lots shall have at least 50 feet frontage on a public street.
- C. All lots shall have a building site that is at least 1000 square feet that is not in any areas that are known hazardous areas or other natural constraints to development.
- D. Driveways and roads shall not exceed 10% grades. Road rights of way shall be at least fifty feet wide. Extension or continuation of the existing street pattern and right-of-way widths in the Town of Sawpit shall be encouraged.
- E. The proposed subdivision shall be consistent with the Town of Sawpit's Master Plan.
- F. The proposed subdivision must have an adequate septic plan to accommodate the proposed population. The septic plan must be approved by the official health inspector of the Town of Sawpit.
- G. The proposed subdivision must provide an adequate potable water supply to serve the proposed population and use if the Town's existing water system infrastructure cannot serve the proposed population and use. A plan to provide an adequate potable water supply for the proposed subdivision shall be certified by an engineer licensed in the State of Colorado.

SECTION 1206. IMPROVEMENT AGREEMENTS AND PERFORMANCE GUARANTEES

1206.1 In order to insure installation of necessary public facilities planned to accommodate a subdivision, the applicant shall provide a financial guarantee and enter into an improvements agreement prior to approval of a final plat of the subdivision by the Board of Trustees for no less than 125 percent of the current estimated cost of such public improvements as estimated by an engineer approved by the Town of Sawpit. Acceptable forms of financial guarantees include: cash bonds, certificates of deposit, and letters of credit from a federally insured financial institution, or other such legal assurances as may be approved by the Mayor and Town Attorney.

1206.2 Upon written notification of completion of the improvements, the Town may release up to 75 percent of the total original required collateral following a resolution of preliminary

acceptance. No sooner than 12 months after preliminary acceptance and as soon thereafter as the local climate and conditions permit, the Town shall inspect all public improvements for final acceptance. The Town will release all collateral upon adopting a resolution of final acceptance. Reasons for non-acceptance shall be stated and corrective measures shall be outlined.

1206.3 If the Town Mayor determines that reasonable grounds for insecurity exist with respect to the performance of the applicant, the Mayor shall notify the subdivider in writing, stating that the Town intends to withdraw funds from the collateral for the purpose of completing the improvements, giving the reasons therefor and informing the subdivider of his right to be heard before the Board of Trustees within 30 days from the date of notification. Following a hearing thereon or 30 days after notification, whichever is earlier, if the Board of Trustees determines that the subdivider will not or cannot construct the improvements in accordance with the subdivision improvement agreement, the Town may withdraw funds from the collateral and expend such funds as may be necessary to construct the agreed public improvements, to include such costs as are necessary for the Town to administer the construction.

SECTION 1207. APPLICANT BEARS COSTS

The applicant shall bear all reasonable and necessary costs for review of a subdivision application by the Planning and Zoning Commission or any other public body of the Town of Sawpit, and the applicant shall bear all costs incurred by the Town of Sawpit to prepare and review improvement agreements and performance guarantees. The Planning and Zoning Commission may request payment by the applicant for the cost of review prior to the Town of Sawpit incurring any specific review related costs. The applicant shall bear the costs for inspection of any improvements for preliminary and final acceptance by the Town of Sawpit. The applicant may request estimates of costs prior to being incurred. The applicant shall pay all costs incurred by the Town of Sawpit under this section prior to approval of the final plat by the Town of Sawpit.

ARTICLE XIV LAND USE CODE AMENDMENTS AND ZONING CHANGES

SECTION 1401. INTENT AND PURPOSE

This section shall govern amendments, supplements, additions, revisions, or repeals of this LUC or any Article thereof, or any changes to the Official Zone Map of the Town of Sawpit, or any zoning changes.

SECTION 1402. PROCEDURE

1402.1 An application for LUC amendments and zoning changes may be initiated by qualified electors of the Town of Sawpit, any owner of property within the Town of Sawpit, the Planning and Zoning Commission of the Town of Sawpit, or the Board of Trustees of the Town of Sawpit.

1402.2 Application for an amendment to this LUC shall be filed with the Town Clerk of Sawpit, and shall contain the following information:

- a. A legal description of the land to be rezoned, and requested new classification, along with a sketch to scale showing boundaries of the area requested to be rezoned, along with an indication of the existing zoning on all sides of the area.
- b. A statement of justification for the rezoning, including one of the following conditions: Changed conditions in area, compliance with the Town of Sawpit Master Plan for the area, or peculiar suitability of the site to a certain use.
- c. Description and sketches, if available, of buildings or uses within 200 feet of the proposed area of change, in all directions.
- d. Time schedule for any contemplated construction.
- e. Justification for change of use.
- f. Effect that zoning would have on adjacent uses.

SECTION 1403. RECOMMENDATION BY P&Z, ADOPTION BY ORDINANCE.

All applications for changes to the LUC or Official Zone Map shall be referred by the Town Clerk to the Planning and Zoning Commission for recommendation, then to the Board of

Trustees, who shall decide either for or against the change, unless it is determined that additional information is needed from the applicant. Adoption of any changes shall be by ordinance.

SECTION 1404. PUBLIC HEARING

A public hearing shall be held prior to any decision by the Board of Trustees. Notice of the public hearing shall be published in an official newspaper of record in San Miguel County at least 15 days prior to the date of the hearing and written notice shall be mailed to owners of land within 150 feet of the proposed change in zoning at least 15 days prior to the hearing. Cost of such notice shall be borne by the applicant.

SECTION 1405. APPLICANT BEARS THE COST OF REVIEW

The applicant shall bear all reasonable and necessary costs for review of a land use code amendment and zoning change applications by the Planning and Zoning Commission or any other public body of the Town of Sawpit. The applicant may request estimates of costs prior to being incurred. The applicant shall pay all costs to the Town of Sawpit under this section prior to approval of any application under this section by the Town of Sawpit.

ARTICLE XV ADMINISTRATION AND ENFORCEMENT

SECTION 1501 ADMINISTRATION

1501.1 Enforcing Official: The provisions of this LUC shall be enforced and administered by the Building Inspector of the Town of Sawpit, his authorized representative, the Planning and Zoning Commission of the Town of Sawpit, or such other authority as appointed by the Board of Trustees of the Town of Sawpit.

1501.2 Right to Trespass: The Building Inspector or any duly authorized person shall have the right to enter upon any premises at any reasonable time during daylight hours for the purpose of making inspections of buildings or premises necessary to carry out his duties for the enforcement of this LUC.

1501.3 Liability: The Building Inspector or any employee charged with the enforcement of this code, or any member of the Planning and Zoning Commission or any other public body of the Town of Sawpit, acting in good faith and without malice for the town in the discharge of his duties, shall not thereby render himself or herself personally liable and is hereby relieved of all personal liability for any damage which may accrue to persons or property as a result of any act required or by reason of any act or omission in the discharge of his

duties. Any suit brought against the Building Inspector, his or her employee, or any member of a public body of the Town of Sawpit when acting in his or her official capacity, shall be defended by the Town of Sawpit.

1501.4 Stop Work Orders: Whenever any building work is being done contrary to the provisions of this LUC or the authorized building permit, the Building Inspector may order the work stopped by notice in writing served on any such person engaged in doing or causing such work to be done. Any such person shall forthwith stop such work until authorized by the Building Inspector or the Town of Sawpit to resume work.

1501.5 Building Permit Required: It shall be unlawful to commence the excavation for or the construction of any building or any structure, including accessory structures until the Building Inspector of the Town of Sawpit has each issued a building permit for such work.

1501.6 Application for Permit: Application for a building permit shall be made to the Building Inspector of the Town on forms provided for that purpose.

1501.7 Requirements for Permits: The Building Inspector and of the Town shall require that every application for a building permit be accompanied by 4 copies of a plan drawn to scale and 4 elevation drawings drawn to scale showing specified information in sufficient detail to enable the Building Inspector to ascertain whether the proposed excavation, construction, reconstruction or conversion, moving or alteration is in compliance with this LUC. In addition, a benchmark elevation site shall be located on the lot for use as a reference to the natural undisturbed ground slope. The benchmark elevation site shall not be moved or disturbed until a certificate of occupancy is issued. All building permits expire after one year if the Building Inspector determines that sufficient progress has not been made.

Plans and drawings shall include the following:

- A. Lot dimensions and corners: the actual shape, proportion and dimension of the lot to be built on, and satisfactory evidence that actual corners of the lot are known and established on the ground.
- B. Proposed Structures: The shape, size and location of all buildings, fences, or other structures to be erected, altered or moved and of any buildings, fences or other structures already on the lot.
- C. Use of Structure: The existing and intended uses of the building and other structures, including the number of units.

- D. Existing Yards: The dimensions of all yards and such other information concerning the lot or adjoining lots as may be essential for determining whether the provisions of the LUC are being observed regarding yards, areas, site-coverage, and other such requirements or standards.
- E. Building Code: Any other information as required by the Uniform Building Code.
- F. Any planned roads, driveways, or access routes, and parking areas.
- G. The location of the benchmark elevation site with descriptions of the elevation change to the highest and lowest point of the natural, undisturbed, pre-construction grade of each structure.
- H. A description of all exterior materials and lighting to be used on all structures.
- I. Certified approval of the plans by the Planning and Zoning Commission signed by the Planning and Zoning Chairperson and the Town Clerk of the Town of Sawpit.
- J. Evidence of payment of the watertap fee and any other applicable fees, issuance of a septic permit, and compliance with any other restrictive covenants and special assessments.

1501.8 Issuance of Permit: If the proposed excavation, construction, moving or alteration as set forth in the application is in conformity with the provision of this LUC and all other ordinances of the Town, the Building Inspector, shall issue a Building Permit.

1501.9 Disapproval of Permit: If an application for a building permit is not approved, the Building Inspector, shall state in writing his reason for such a disapproval.

1501.10 Null and Void Permits: Any permit issued in conflict with the provisions of this LUC shall be null and void and may not be construed as waiving any provision of this LUC.

1501.11 Certificate of Occupancy Required: After the effective date of this LUC no change in the use or occupancy of land, nor any change of use or occupancy in an existing building other than for single family residence shall be made, nor shall any new building be occupied for any purpose other than that allowed by existing zoning until a certificate of occupancy has been issued by the Building Inspector of the Town of Sawpit.

1501.12 Record Kept by Building Inspector: A record of all certificates of occupancy shall be kept on file in the office of the Building Inspector, and copies shall be furnished on request at the expense of any person having a proprietary interest in the land or building affected by such certificate of occupancy.

1501.13 Appeal from decisions: The applicant may appeal to the Board of Trustees of the Town of Sawpit in the following manner. The aggrieved applicant must file notice of appeal with the town clerk of Sawpit within 30 days of the mailing of the written order of the Building Inspector. The Town Clerk shall place the appeal on the agenda of the next Town Meeting. The Board of Trustees shall consider the recommendations of the Building Inspector and the arguments of the aggrieved applicant, and shall, within 30 days of the filing of said appeal, either confirm or overrule the decision of the Building Inspector.

SECTION 1502. PENALTY

Violation of any provision of this LUC is hereby deemed to be a misdemeanor and any person found guilty hereunder shall be fined not less than \$20.00 nor more than \$1,000 or sentenced to jail for a term of not more than 90 days or by both fine and sentence. Every day the LUC is violated shall constitute a separate offense.

SECTION 1503. COMPLAINTS

Any person aggrieved by violation, or apparent violation, of this LUC shall file a written complaint with the Building Inspector or the Board of Trustees, who shall immediately investigate such complaint and take legal action to have the violation penalized and removed if such a violation is found to exist.

Appendix A
Ordinance 95-1

ORDINANCE 95-1**TOWN OF SAWPIT****AN ORDINANCE ADOPTING THE TOWN OF SAWPIT LAND USE CODE AND THE UNIFORM BUILDING CODE**

WHEREAS, the Board of Trustees of the Town of Sawpit adopted the Town of Sawpit Master Plan on July 21st, 1994, which recommends the adoption of various design guidelines and regulations;

WHEREAS, the Planning Commission of the Town of Sawpit conducted public meetings regarding planning issues and the development of a land use code on 10/25/93, 11/11/93, 12/9/93, 1/13/94, 2/10/94, 2/24/94, 3/14/94, 3/17/94, 3/24/94, 5/9/94, 5/27/94, 6/12/94, 7/21/94, 8/24/94, 9/15/94, 10/19/94, 11/20/94, 1/07/95, 1/14/95, 2/2/95, and 2/13/95;

WHEREAS, the Planning Commission of the Town of Sawpit conducted a public hearing on the proposed Sawpit Land Use Code, such hearing was duly noticed in the Telluride Times-Journal, and after considering all public comments recommended the adoption of the Sawpit Land Use Code to the Board of Trustees;

WHEREAS, the Town of Sawpit held a public hearing on April 6th, 1995, such hearing was duly noticed in the Telluride Times-Journal and by first class mail to all property owners, regarding the adoption of the recommended Sawpit Land Use Code;

WHEREAS, the Town of Sawpit held a public hearing on April 6th, 1995, and May 11th, 1995, regarding the adoption of the Sawpit Land Use Code by reference and the adoption of the Uniform Building Code by reference, such public hearings were duly noticed in the Telluride Times-Journal; and,

WHEREAS, the Board of Trustees of the Town of Sawpit finds that the adoption of the Sawpit Land Use Code and the Uniform Building Code will promote the health, safety and general welfare of the Sawpit community, will promote the Town of Sawpit Masterplan, and will preserve and promote property values in the Town of Sawpit;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SAWPIT, STATE OF COLORADO, the following:

SECTION 1. TOWN OF SAWPIT LAND USE CODE ADOPTED

The Town of Sawpit Land Use Code is hereby adopted by reference along with the Official Zone District Map of the Town of Sawpit.

SECTION 2. UNIFORM BUILDING CODE ADOPTED

The Uniform Building Code, and all of its subsequent revisions, is hereby adopted by reference in its entirety except where the provisions of the Uniform Building Code conflict with the Sawpit Land Use Code or other ordinances of the Town of Sawpit.

SECTION 3. GRANT OF AUTHORITY

It is the intention of the Board of Trustees of the Town of Sawpit in adopting this Sawpit Land Use Code to fully exercise all of the powers granted to the Town of Sawpit by: the provisions of the Local Government Land Use Control Enabling Act, Article 12 of Title 29, C.R.S.; local government planning, zoning, and subdivision authority under Article 23 of Title 31, C.R.S.; Areas and Activities of State Interest under Article 65.1 of Title 24, C.R.S.; and all other powers granted, either express or implied, to municipalities by the State of Colorado or by the United States of America.

SECTION 4. SEVERABILITY

If any one or more sections or parts of this Ordinance, the Sawpit Land Use Code, or the Uniform Building Code, are adjudged unenforceable or invalid, such judgement shall not affect, impair, or invalidate the remaining provisions of this Ordinance, Sawpit Land Use Code, or Uniform Building Code, it being the intention that the various provisions hereof are severable.

SECTION 5: SAFETY CLAUSE

The passage of this ordinance is necessary for the immediate preservation of the public health, safety, morals, and welfare of the Town of Sawpit community.

SECTION 6: EFFECTIVE DATE

This ordinance shall become effective immediately upon publication of final adoption.

SECTION 7: IMMEDIATE PRESERVATION OF PUBLIC HEALTH AND SAFETY

This ordinance shall become effective immediately upon publication of final adoption, rather than 30 days after final adoption and publication, because delay in the effective date of this

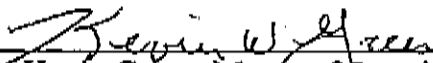
ordinance may impair the Town's ability and legal authority to regulate the use of land in the Town of Sawpit for the purpose of protecting the public health and safety of the Sawpit community.

SECTION 8: PUBLICATION

After final adoption, the Town Clerk shall cause a copy of this ordinance to be published in full once in a newspaper having general circulation within the limits of the Town of Sawpit.

FIRST READING INTRODUCED, READ, ADOPTED, ORDERED PUBLISHED, and REFERRED TO A PUBLIC HEARING this 6th Day of April, 1995, by the Board of Trustees of the Town of Sawpit.

SECOND READING READ AND ADOPTED this 11th day of May, 1995, by the Board of Trustees of the Town of Sawpit.


By: Kevin Green, Mayor of Sawpit


Attest: Debbie Feste, Town Clerk

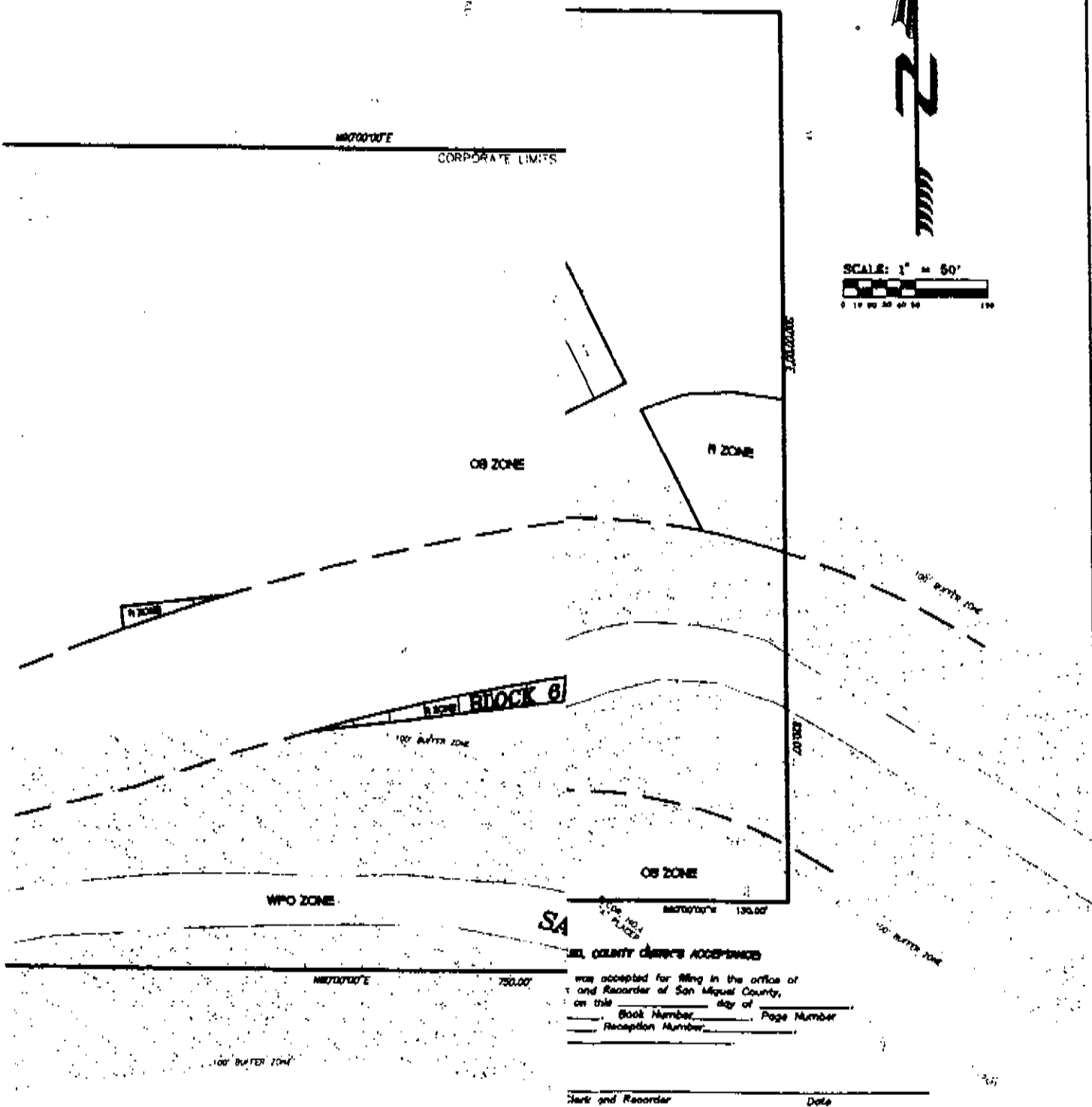


Appendix B

Reduced Zone District Map

Zone District Keys

R ZONE	RESIDENTIAL ZONE DISTRICT
C ZONE	COMMERCIAL ZONE DISTRICT
OS ZONE	OPEN SPACE ZONE DISTRICT
PF ZONE	PUBLIC FACILITIES ZONE DISTRICT
WFO ZONE	WATER PROTECTION OVERLAY ZONE DISTRICT (INCLUDES 100' BUFFER ZONE FROM WATER CHANNEL)



SA

SAN MIGUEL COUNTY CLERK'S ACCEPTANCE

was accepted for filing in the office of
 and Recorder of San Miguel County,
 on this _____ day of _____
 Book Number _____ Page Number _____
 Reception Number _____

Clerk and Recorder _____ Date _____

Appendix C

Special Use Permit Application Form

**SPECIAL USE PERMIT APPLICATION
TOWN OF SAWPIT, COLORADO**

Applicant: _____

Mailing Address: _____

Telephone: _____

Fax: _____

Please Complete the Following:

1. Type and purpose of special use permit:

2. Legal description of land, including lot and block number:

3. Attach a map showing the following information:

- a. Location of the proposed special use on the property, and,
- b. Location of structures on the property.

Please include any other information with this application which addresses, supports compliance with, or is required by, specific review standards for the special use requested.

I certify that the information provided above and with this application is true and accurate to the best of my knowledge:

Signature of Applicant

____ / ____ / ____
Date