

**TOWN OF SUPERIOR
ORDINANCE NO. 0-5
SERIES 2022**

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF
SUPERIOR APPROVING AN AMENDMENT TO THE PLANNED UNIT
DEVELOPMENT/ZONE DISTRICT PLAN FOR SAGAMORE TO MODIFY
HEIGHT, SETBACK, AND REMOVE ELEVATION REQUIREMENTS**

WHEREAS, Sagamore is a single-family residential neighborhood in the area more particularly described in **Exhibit A** (the "Property"), and is subject to the Sagamore Planned Unit Development (the "PUD");

WHEREAS, the PUD was approved in 1997 and has not been amended in significant part since that time;

WHEREAS, the residences in Sagamore were significantly damaged by the 2021 Marshall Fire;

WHEREAS, Sagamore residents are seeking to rebuild their homes as expeditiously as possible while accounting for various construction trends; and

WHEREAS, the Town wishes to modify the PUD to allow for additional flexibility to account for various construction trends; and

WHEREAS, on April 14, 2022, the Board of Trustees held a properly-noticed public hearing on the proposed amendments to the PUD.

NOW BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SUPERIOR, COLORADO, as follows:

Section 1. The Board of Trustees, after considering the recommendation of Town staff and public comment, finds and determines that the PUD amendment meets the criteria set forth in the Superior Municipal Code and is consistent with the Town of Superior Comprehensive Plan.

Section 2. Based on the foregoing findings, the PUD is hereby amended as follows:

SITE DEVELOPMENT CRITERIA

MAXIMUM BUILDING HEIGHT	26 FT 32 FT
MINIMUM LOT SIZE	2,997 SF

MAXIMUM LOT SIZE 5,993 SF

MINIMUM BUILDING SETBACKS

FROM INTERIOR ROADS (1) (2)

- REAR BACKING UP TO OPEN SPACE/PARK 9 FT
- REAR BACKING LOTS ~~36 FT BETWEEN STRUCTURES~~ 18 FT
- FRONT ~~20 FT~~ 15 FT
- SIDE 5 FT

FROM PERIMETER BOUNDARIES (2)

(OTHER THAN ROADS) 5 FT

FOOTNOTES TO MINIMUM BUILDING SETBACKS:

1. FRONT, REAR, AND/OR SIDE SETBACKS ARE MEASURED TO RIGHT-OF-WAY IN ADJACENT ROADS. FRONT SETBACKS ARE MEASURED TO GARAGE DOOR. *FRONT SETBACKS SHALL BE 20 FEET TO GARAGES.* OTHER ELEMENTS OF THE FRONT BUILDING ELEVATION(S) SHALL BE PERMITTED TO ENCROACH INTO THE FRONT BUILDING SETBACK AREA AS FOLLOWS:

A. CONCRETE OR WOOD PORCHES AND CONCRETE OR WOOD STEPS MAY PROTRUDE INTO THE FRONT BUILDING SETBACK AREA NOT MORE THAN ~~4~~ 6 FEET.

B. SECOND STORY CANTILEVERS MAY PROTRUDE INTO THE FRONT BUILDING SETBACK AREA NOT MORE THAN 4 FEET.

2. AS MEASURED FROM A BUILDING'S FOUNDATION, IN A MANNER PERPENDICULAR TO EACH OPPOSING LOT/TRACT LINE: BUILDING FEATURES AND APPURTENANCES SUCH AS ROOF EAVES, CHIMNEYS, STAIRS, BAY WINDOWS, SHALL BE PERMITTED TO PROTRUDE NO MORE THAN 1 FOOT INTO THE SIDE BUILDING SETBACK. BUILDING FEATURES AND APPURTENANCES SUCH AS COUNTER FORTS AND CONCRETE PATIOS SHALL BE PERMITTED TO PROTRUDE NO MORE THAN 3 FEET INTO THE SIDE BUILDING SETBACK. BUILDING FEATURES AND APPURTENANCES SUCH AS CONCRETE PATIOS, WOOD DECKS, AND DECK COVERS SHALL BE PERMITTED TO PROTRUDE INTO THE REAR BUILDING SETBACK AREA AS FOLLOWS:

A. LOTS ABUTTING OPEN SPACE OR LANDSCAPING TRACTS SHALL BE PERMITTED TO HAVE CONCRETE PATIOS, WOOD DECKS, AND DECK COVERS NOT CLOSER THAN 5 FEET TO THE REAR PROPERTY LINE.

B. ALL OTHER LOTS WITHIN THE SUBDIVISION SHALL BE PERMITTED TO HAVE CONCRETE PATIOS NOT CLOSER THAN 5 FEET FROM THE REAR PROPERTY LINE. WOOD DECKS OR DECK COVERS SHALL REMAIN AT LEAST 10 FEET FROM THE REAR PROPERTY LINE.

3. STAFF MAY ADMINISTRATIVELY APPROVE MODIFICATIONS TO THE MINIMUM FRONT, SIDE, AND REAR BUILDING SETBACKS TO ALLOW UP TO 20 PERCENT OF ENCROACHMENT INTO THE APPLICABLE SETBACKS.

BUILDING DESIGN STANDARDS

BUILDINGS SHALL HAVE AN ATTACHED GARAGE

BUILDINGS SHALL HAVE AT LEAST 15 PERCENT WINDOW COVERAGE IN THE FRONT

NO MORE THAN 50 PERCENT OF THE BUILDING FOOTPRINT SHALL BE ALLOWED TO EXTEND ABOVE 28 FEET

BUILDINGS SHALL HAVE UP TO 2 FINISHED FLOORS ABOVE GRADE

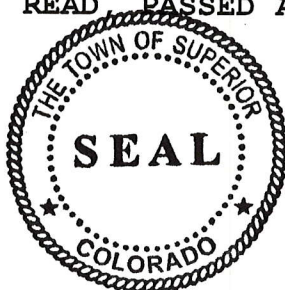
ROOF TOP DECK ALLOWANCE FOR REAR HALF OF THE BUILDING

Section 3. Based on the foregoing findings, the elevation requirements in the PUD are hereby repealed.

Section 4. Severability. 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 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 or part or parts be declared unconstitutional or invalid.

Section 5. Safety. This Ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

INTRODUCED, READ, PASSED AND ORDERED PUBLISHED this 14th day of April, 2022.



ATTEST:

DocuSigned by:
Clint Folsom
03847D2E402D482

Clint Folsom, Mayor


Patricia Leyva, Town Clerk

Exhibit A
Legal Description

A PARCEL OF LAND BEING A PORTION OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 1 SOUTH, RANGE 70 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF SUPERIOR, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER CORNER OF SAID SECTION 24;

THENCE SOUTH 00°11'17" EAST ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 24 A DISTANCE OF 1227.16 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF BOULDER COUNTY ROAD 25.

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES;

1. THENCE SOUTH 44°17'27" WEST A DISTANCE OF 685.36 FEET;
2. THENCE SOUTH 43°37'04" WEST A DISTANCE OF 153.79 FEET TO THE SOUTHWEST CORNER OF THAT COLORADO AND SOUTHERN RAILROAD RIGHT-OF-WAY PARCEL AS DESCRIBED IN THE BOULDER COUNTY CLERK AND RECORDERS OFFICE IN BOOK 223, PAGE 171;

THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID PARCEL THE FOLLOWING THREE (3) COURSES;

1. THENCE NORTH 03°05'28" EAST A DISTANCE OF 245.42 FEET TO A POINT OF CURVATURE;
2. THENCE ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 24°15'10". A RADIUS OF 1535.86 FEET AND AN ARC LENGTH OF 650.12 FEET;
3. THENCE NORTH 21°09'42" WEST A DISTANCE OF 1048.05 FEET TO A POINT ON THE NORTH LINE OF SAID NORTHWEST QUARTER OF SECTION 24;

THENCE SOUTH 88°19'29" EAST ALONG SAID NORTH LINE OF SECTION 24 A DISTANCE OF 1047.54 FEET TO THE POINT OF BEGINNING.

CONTAINING 26.87 ACRES, MORE OR LESS.