

**TOWN OF SUPERIOR
ORDINANCE NO. 0-3
SERIES 2022**

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF SUPERIOR AMENDING ARTICLE VI OF CHAPTER 16 OF THE SUPERIOR MUNICIPAL CODE BY THE MODIFICATION OF SETBACKS IN THE LOW DENSITY RESIDENTIAL (R-L) AND THE MEDIUM DENSITY RESIDENTIAL (R-M) ZONE DISTRICTS

WHEREAS, the Town wishes to modify the setbacks for the R-L, Low Density Residential and R-M, Medium Density Residential districts to allow for more flexibility and to align with modern development trends.

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

Section 1. The Schedule of Requirements for Residential Districts table in Article VI Chapter 16 of the Superior Municipal Code is hereby amended as follows:

<i>Standard</i>	<i>R-E</i>	<i>R-VL</i>	<i>R-L</i>	<i>R-M</i>	<i>R-MH</i>
Minimum lot area (square feet)	43,560	14,520	7,000	6,000	3,750
Maximum building or structure height (feet)	32	32	32	32	32
Maximum height of accessory uses (feet) (see Note 9)	10	10	10	10	10
Maximum number of stories	2	2	2	2	1
Minimum lot width (feet)	150	75	50	50	37.5

Minimum yard requirements (feet)					
Front yard setback (principal and accessory uses and structures) (see Note 1 for street types)					
Arterial	50	40	25	25	30
Major collector	35	25	25	25	30
Minor collector	25	25	25 ¹¹ 20 ¹² 15 ¹³	25 ¹¹ 20 ¹² 15 ¹³	30
Local	25	25	25 ¹¹ 20 ¹² 15 ¹³	25 ¹¹ 20 ¹² 15 ¹³	30
Side yard setback (principal and accessory uses and structures - interior lot line)	20	10	5	10 ¹⁰	5
Side yard setback (principal and accessory uses and structures - abutting street or alley, including a corner lot)	20	10	10 ^{8,14}	10 ^{8,10,14}	10
Rear yard setback (principal uses and structures)	35	20	20	20	20
Rear yard (accessory uses and structures - no alley)	35	20	10	10	10

Rear yard (accessory uses and structures - abutting street or alley)	35	20	8	8	8
Creek setback (feet) (principal <i>and</i> accessory uses and structures) (see Note 2)	30	30	30	30	30
Maximum lot coverage	20%	30%	40%	40%	
Maximum landscaped open space (see Note 3)	15%	20%	25%	45%	25%
The following additional standards shall be applicable only to development projects on greater than six (6) lots or with a total site area of two (2) acres or greater:					
Density limits (dwelling units per acre)	1	3	6	8	6
Minimum total open space ⁴	15%	20%	25/35% ⁵	45% ⁷	25%
Minimum usable open space ⁴	10%	10%	20/25% ⁶	See Note 8	25%

Notes:

1. As defined in *Section Subsection 16-17-20(b)*.
2. Measured from high water mark or boundary line of floodway.
3. Or as specified otherwise in Section 16-20-40.
4. The usable open space may be included within the total open space calculation. The percentages shown in the chart for total open space and for usable open space are percentages of the gross lot area.
5. Developments with lot sizes 8,500 sq. ft. or greater shall have a minimum of 25% total open space; those below 8,500 sq. ft. shall have a minimum of 35% total open space.

6. Developments with lot sizes 8,500 sq. ft. or greater shall have a minimum of 20% usable open space; those below 8,500 sq. ft. shall have a minimum of 25% usable open space.
7. May be reduced to 40% for multi-family and to 35% for single-family through the PD process.
8. 75% of the "minimum total open space."
9. Detached garages may be a maximum of 2 stories and 32 feet in height.
10. Single-family dwellings have a minimum of a 5-foot side setback.
11. *Applies to all structures unless specifically noted otherwise.*
12. *The minimum front yard setback from garages that are accessed from the front of the lot shall be 20 feet.*
13. *The minimum setback for single-family dwellings shall be 15 feet; provided that front porches may encroach up to 6 feet into the front yard setback.*
14. *If no off-street parking is required, garages may encroach up to 2 feet into the side yard setback. If off-street parking is required, then the minimum side yard setback shall be 20 feet for garages.*

Section 2. 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 3. 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 11th day of April, 2022.



Clint Folsom

Clint Folsom, Mayor

ATTEST:

Patricia Leyva
Patricia Leyva, Town Clerk