



**TOWN OF LARKSPUR
ORDINANCE NO. 3.102**

AN ORDINANCE AMENDING ARTICLE II OF ORDINANCE 3.43, ALSO KNOWN AS THE TOWN'S ZONING CODE, BY ADDING SECTION 11A TO ESTABLISH AN OPEN SPACE DISTRICT

WHEREAS, the Town Council of the Town of Larkspur previously enacted Ordinance No. 3.43, also known as the Larkspur Zoning Code which, in Article II, establishes various zoning districts within the Town,; and

WHEREAS, the Town Council has concluded that a new zoning district should be created to enable property to be used for open space and related recreational/educational purposes.

NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LARKSPUR, COLORADO AS FOLLOWS:

1. Article II of Ordinance 3.43 shall be revised by adding Section 11A - OS -Open Space District which shall provide in its entirety as follows:

11A.1 Intent

To reserve lands from intensive development and allow the use of land for parks, trails and other recreational, educational, and open space purposes.

11A.2 Uses Permitted by Right

Active or passive recreational areas or facilities, both public and private, open or covered, including but not limited to parks, trails, golf courses, ball fields and courts, playfields and playgrounds, docks, recreation centers, and passive recreational and open space areas, but excluding motorized recreational uses.

Equestrian centers/riding stables, if major structures are located at least 50 feet away from any abutting commercial or residential lot line

Transit and parking lots and facilities

Other uses not listed above that are deemed similar by the Town Council

11A.3 Accessory Uses Permitted by Right:

Uses that are customarily incidental to any of the uses permitted by right and are located on the same lot or on an immediately adjacent lot

Accessory buildings and uses customarily incidental to permitted agricultural uses including barns, sheds, corrals and similar uses

Retail sale of plants, trees or other farm or agricultural products grown, produced or made on the premises

Parking for a principal use

Other uses not listed above that are deemed similar by the Town Council.

11A.4 Uses Permitted by Special Review

Any use within public parks, recreation areas and open spaces which involves assembly of more than two hundred (200) persons

Public and private schools, colleges and places of worship

Public buildings and civic facilities

Major utility facilities

Motorized recreational uses

Other uses not listed above that are deemed similar by the Town Council

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 Town Council hereby declares that it would have passed this ordinance and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

3. Repeal. Existing ordinances or parts of ordinances covering the same matters as embraced in this ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this ordinance.

INTRODUCED, PASSED AND ADOPTED AT A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF LARKSPUR AFTER PUBLIC HEARING AND SIGNED THIS 8 DAY OF January, 2010.

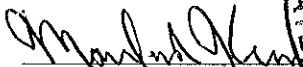
Votes Approving: 5
Votes Opposed: 0

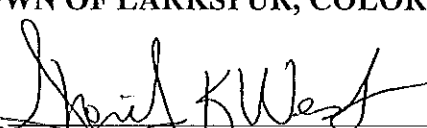
Absent: 2
Abstained: 0

ATTEST:



TOWN COUNCIL OF THE
TOWN OF LARKSPUR, COLORADO


Manfred Krimmer, Town Clerk

By: 
Sherilyn West, Mayor