



**TOWN OF LARKSPUR
ORDINANCE NO. 3.109**

**AN ORDINANCE AMENDING ORDINANCE 3.43 ARTICLE II SECTION 1 BY
ADDING SUBSECTION 1.7 TO ALLOW GOVERNMENTAL USES OF REAL
PROPERTY BY GOVERNMENTAL ENTITIES AS A USE BY SPECIAL
REVIEW IN ALL ZONING DISTRICTS OF THE TOWN OF LARKSPUR**

WHEREAS, the Town Council of the Town of Larkspur, pursuant to Colorado statute and the Larkspur Charter, is vested with the authority of administering the affairs of the Town of Larkspur, including the use of land within its boundaries; and

WHEREAS, the City Council has previously adopted a series of ordinances governing the use of land in various zone districts within the Town, including but not limited to Ordinance 3.43; and

WHEREAS, Article II of Ordinance 3.43 sets forth uses that are permitted by right and special review in the various zone districts within the Town; and

WHEREAS, the Town Council has concluded that it is in the interest of the public health, safety and welfare to allow governmental uses of property as a use by special review in all zone districts within the Town; and

WHEREAS, Town of Council wishes to amend Ordinance 3.43 to permit governmental use of real property by government entities in all zoning districts as a use by special review.

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

1. Ordinance 3.43 Article II Section 1 is hereby amended by adding Subsection 1.7 providing as follows:

1.7 Uses Permitted By Special Review In All Districts

(1) Use by government entities, including the Town, for governmental purposes, provided (a) the application for a special review use is made by the owner of the property or, if made the owner of an easement of the property, the underlying landowner has

consented in writing to the application and (b) the Town Council determines that the proposed use will not significantly adversely impact the value of adjacent property.

2. Except as hereby and previously amended, all other provisions of Ordinance 3.43 shall remain in full force and effect.
3. 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.
4. 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.

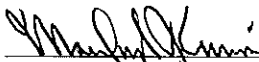
INTRODUCED, PASSED AND ADOPTED AT A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF LARKSPUR THIS 6th DAY OF NOVEMBER, 2014.




Votes Approving:	<u>6</u>
Votes Opposed:	<u>0</u>
Absent:	<u>1</u>
Abstained:	<u>0</u>

ATTEST:

**TOWN COUNCIL OF THE
TOWN OF LARKSPUR, COLORADO**


Manfred Krimmer, Town Clerk

By: 
Gerry Been, Mayor