

**721/574**

**360141**

**AN ORDINANCE OF THE BOARD OF COUNTY  
COMMISSIONERS OF PITKIN COUNTY,  
COLORADO, AMENDING SECTION 3-1.1 AND  
ADDING A NEW SECTION 3-1.15 TO THE PITKIN  
COUNTY LAND USE CODE FOR THE PURPOSE  
OF CREATING A NEW ZONE DISTRICT (R-15A)  
AND AMENDING SECTION 3-2 TO ESTABLISH  
AREA AND BULK REQUIREMENTS FOR THE R-  
15A ZONE DISTRICT AND GRANTING REZONING  
TO THE MOUNTAIN VALLEY SUBDIVISION  
FROM R-15 TO R-15A, IN ORDER TO ALLOW  
MODERATE INCREASES IN THE FLOOR AREA  
OF THE HOMES WITHIN THIS SUBDIVISION  
ORDINANCE NO. 93-13**

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS  
OF PITKIN COUNTY, COLORADO, AMENDING SECTION 3-1.1 AND  
ADDING A NEW SECTION 3-1.15 TO THE PITKIN COUNTY LAND USE  
CODE FOR THE PURPOSE OF CREATING A NEW ZONE DISTRICT (R-15A)  
AND AMENDING SECTION 3-2 TO ESTABLISH AREA AND BULK  
REQUIREMENTS FOR THE R-15A ZONE DISTRICT AND GRANTING REZONING  
TO THE MOUNTAIN VALLEY SUBDIVISION FROM R-15 TO R-15A,  
IN ORDER TO ALLOW MODERATE INCREASES IN THE FLOOR AREA  
OF THE HOMES WITHIN THIS SUBDIVISION.

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RECITALS

1. The Mountain Valley Homeowners Association (hereafter "Applicant") has requested that the Board of County Commissioners of Pitkin County (hereafter "Board") amend the Land Use Code to add a new zone district (R-15A) and to rezone the Mountain Valley Subdivision from R-15 to R-15A, in order to allow for modest increases in floor area for the homes within this subdivision. The applicants request is pursuant to Sections 17-2, 17-3 and 6-3 of the Land Use Code.
2. The subdivision includes 106 residential lots and is located immediately east of the City of Aspen and north of Highway 82. The Subdivision is currently 94 percent developed with 100 single-family and two-family dwellings.
3. The Subdivision is currently zoned R-15 and has legal access off of Highway 82 Via Lupine Drive.
4. The Planning and Zoning Commission reviewed the applicant's request for Code Amendment and Rezoning at a regularly scheduled public meeting on May 11, 1993 and again on May 18, 1993 at which time evidence and testimony was heard the applicant and members of the public. The Planning and Zoning Commission found the proposal to comply with the applicable sections of the Pitkin County Land Use Code. The Planning and Zoning Commission recommended approval of the requested Code Amendment and Rezoning with revisions to the language.
6. The Board reviewed the Applicant's request for a Code Amendment and Rezoning at a public meeting on June 29, 1993, at which time evidence was received and testimony heard with respect to the proposed Code Amendment and Rezoning from both the applicant and the public and a public hearing was set for second reading on July 27, 1993.

NOW THEREFORE BE IT ORDAINED BY THE BOARD that the Mountain Valley Subdivision be rezoned from R-15 to R-15A and that the Land Use Code be amended as follows:

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3-1.1 Would be modified to add a new residential zone district designation R-15A.

3-1.15 R-15A, Moderate Density Residential Zone

(a) General  
This district is intended to allow moderate density residential development with customary accessory uses. Lands appropriate for Moderate Density Residential zoning (R-15A) are generally situated at the edge of existing urban centers and/or in areas where existing development density is in the range of three units per acre.

(b) Permitted Uses  
Permitted uses shall be the same as those allowed in the R-15 zone district, with the exception that existing two-family dwellings are permitted where it can be shown that these dwelling were lawfully established and in existence prior to 1974, have been continually so used thereafter, and are consistent with the area and bulk requirements of section 3-2. No new two-family dwellings shall be permitted.

3-2 The chart in this Section shall be modified to add a column for the new R-15A zone district. All of the setback and parking requirements etc. remain the same as for the existing R-15 zone district, with the exception of the F.A.R. requirement, which shall be as follows:

Allowable House Size

Allowable house size in the R-15A zone district shall be based on the least restrictive of the following formulas:

3,500 square feet (plus 30% for duplexes) or;

F.A.R. = .20 (plus 30% of allowed floor area for duplexes)

In no case shall any house or duplex exceed 5,500 square feet in area.

BE IT FINALLY ORDAINED that this ordinance be published by title and short outline as provided by Section 2.8.1.3. of the Pitkin County Home Rule Charter.

#360141 08/17/93 15:58 Rec \$.00 BK 721 PG 576  
Silvia Davis, Pitkin Cnty Clerk, Doc \$.00

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INTRODUCED, FIRST READ, AND SET FOR PUBLIC HEARING at a regular meeting of the Board on the 29th day of June, 1993.

NOTICE OF PUBLIC HEARING PUBLISHED IN THE ASPEN TIMES on the 25th day of June, 1993.

APPROVED AND ADOPTED AFTER SECOND READING AND PUBLIC HEARING on the 27th day of July, 1993.

PUBLISHED AFTER ADOPTION IN THE ASPEN TIMES on the 6<sup>th</sup> day of August, 1993.

BOARD OF COUNTY COMMISSIONERS  
OF PITKIN COUNTY, COLORADO

By [Signature]  
Bill Twite, Chairman  
Date 8/1/93

ATTEST:

[Signature]  
Jeanette Jones,  
Deputy County Clerk

APPROVED AS TO FORM:

[Signature]  
Timothy E. Whitsitt,  
County Attorney

APPROVED AS TO CONTENT:

[Signature]  
Suzanne Konchan,  
County Planning Director

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