

**TOWN OF WESTCLIFFE, COLORADO
ORDINANCE NO. 10-2024**

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF WESTCLIFFE, AMENDING THE
TOWN'S ZONE DISTRICT USE SCHEDULE**

WHEREAS, the Town of Westcliffe acting by and through its Town Board of Trustees has the power to regulate land use matters pursuant to Colorado Revised Statutes (C.R.S.) Section 31, Article 23 et seq., and;

WHEREAS, the Board of Trustees of the Town of Westcliffe are authorized to amend the Town's Zoning Map and Uses therein pursuant to the Town's Municipal Code, 10-1-11; and,

WHEREAS, the Board of Trustees of the Town of Westcliffe, by recommendation of the Town Planning Commission, has determined that Title 10, *Land Use Code*, Chapter 2, *Zoning Regulations*, Section 2, *Zone Use District Schedule*, should be amended; and,

WHEREAS, the Board of Trustees determines that it is the best interest of the Town to amend the Zone District Use Schedule to allow Dwelling units above, below, or behind the business in Highway Industrial zones as a Use Permitted by Right.

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF
WESTCLIFFE, AMEND THE TOWN'S ZONE DISTRICT USE SCHEDULE AS FOLLOWS:**

1. **Amendment to Section 10-2-2: Zone District Use Schedule.** The Zone District Use Schedule line .39 - Dwelling units above, below, or behind the business, for Heavy Industrial ("HI") zone column is hereby amended from "S" (S=Permitted by Special Review) to "R" (R=Use Permitted by Right).
1. **Severability.** If any 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 declares that it would have adopted this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.
2. **Effective Date and Time.** This Ordinance shall become effective 30 days after publication in accordance with law.

THIS ORDINANCE WAS INTRODUCED AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF WESTCLIFFE, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED BY MAJORITY VOTE AT ITS REGULAR MEETING HELD AT THE TOWN OF WESTCLIFFE ON THE 10th DAY OF DECEMBER, 2024

TOWN OF WESTCLIFFE

By: George Mowry
George Mowry, Mayor Pro-Tem

ATTEST:

Kathy Reis
Kathy Reis, Town Clerk