

**A BILL FOR
ORDINANCE NO. 8, SERIES OF 2010**

AN ORDINANCE AMENDING TITLE 17 OF THE CODE OF THE CITY OF CAÑON CITY, COLORADO, TO ADD "WATCHMAN'S QUARTERS" TO THE LIST OF USES PERMITTED ONLY THROUGH SPECIAL REVIEW IN THE C, GENERAL COMMERCIAL AND I, INDUSTRIAL ZONE DISTRICTS OF THE CITY.

WHEREAS, the City's Zoning Ordinance does not currently permit, either by right or by special review, a "watchman's quarters" within any of the City's zone districts; and

WHEREAS, in order to accommodate a legitimate business need, Council has determined that it would be appropriate to create the possibility that a watchman's quarters could be established within the principal commercial or industrial non-residential structure within the C, General Commercial and I, Industrial zone districts of the City through special review; and

WHEREAS, pursuant to adequate notice, a public hearing was conducted before the Cañon City Planning Commission at its regular meeting held on March 16, 2010, for the purpose of considering an amendment to the Municipal Code to add a definition of the term "watchman's quarters," and to add "watchman's quarters" to the list of uses permitted only through special review in the C, General Commercial and I, Industrial zone districts of the City; and

WHEREAS, pursuant to adequate notice, a public hearing was conducted before the Council of Cañon City at its regular meeting held on April 5, 2010 to consider the proposed amendment to the Municipal Code, and testimony was heard and evidence received, including, but not limited to, reports from the Planning Commission and City staff; and

WHEREAS, the Council of Cañon City finds that the proposed amendment to the Municipal Code is necessary and appropriate.

NOW THEREFORE, IT IS HEREBY ORDAINED BY THE COUNCIL OF CAÑON CITY, as follows:

Section 1. A new Section 17.08.528 is added to the Municipal Code to read as follows:

"17.08.528 Watchman's quarters.

"Watchman's quarters" means an accessory single-family dwelling unit located within a principal commercial or industrial non-residential structure, for occupancy by the owner, operator, or an employee of the principal use acting as caretaker, custodian or security personnel, together with his or her immediate family, if applicable."

Section 2. That subsection 17.12.130(B), Uses Permitted Only Through Special Review, C District, of the Municipal Code, be and the same is hereby amended by the addition at the appropriate place in such subsection of a new paragraph, to read "Watchman's quarters."

Section 3. That subsection 17.12.150(B), Uses Permitted Only Through Special Review, I District, of the Municipal Code, be and the same is hereby amended by the addition at the appropriate place in such subsection of a new paragraph, to read "Watchman's quarters."

Section 4. The City Council hereby finds, determines, and declares that this ordinance is necessary for the immediate preservation of the public peace, health, and safety of the residents of the City.