

CITY OF STEAMBOAT SPRINGS, COLORADO

ORDINANCE NO.2003

AN ORDINANCE AMENDING THE STEAMBOAT SPRINGS REVISED MUNICIPAL CODE BY THE ADDITION OF A SECTION REQUIRING FOUNDATION SURVEYS; PROVIDING AN EFFECTIVE DATE; REPEALING ALL CONFLICTING ORDINANCES; AND SETTING A HEARING DATE.

WHEREAS, the City's Departments of Planning Services and Public Works review building permit applications for conformity with setback, maximum floor area, and building height regulations and the City Road Standards but have no formal procedures for verifying that the resulting structures conform to the approved building plans; and

WHEREAS, County Building Department inspectors conducting framing, mechanical, electrical, plumbing, and other inspections do not verify conformance with City zoning regulations such as setback, maximum floor area, and building height regulations or with the City's Road Standards; and

WHEREAS, the City Council finds that current practices typically lead to the discovery of deviations from approved building plans resulting in violations of City setback, maximum floor area, and height restrictions and Road Standards after the subject structure is substantially completed, at which point equitable considerations typically present a severe constraint on the remedies available to the City to address the violations; and

WHEREAS, the City Council finds it necessary to the public health, safety, and welfare to impose a foundation survey requirement in order that the City might discover violations of zoning regulations and Road Standards early enough in the construction process to require remedial action.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF STEAMBOAT SPRINGS THAT:

SECTION 1. Chapter 26, Article I of the Steamboat Springs Community Development Code is hereby amended by the addition of the following Section 5-5.5:

"Section 5-5.5. Building Permit Review.

- (a) The Routt County Regional Building Department shall refer all building permit applications for residential construction within the territorial boundaries of the City to the Director of Planning Services for review and approval. For purposes of this section residential structure means any single family, duplex, or multifamily structure regardless of whether the structure is intended to be used as the owner's principal residence or leased or sold as a long term rental, vacation home rental, or time share. All approved building permit drawings shall have at least a tie showing the distance to the property line from the end points of one wall segment of the

foundation and shall show location, description, and the elevation of a benchmark that is on the same vertical datum as the elevations and/or contours shown on the approved site plan together with any additional information required in the Director's discretion to determine compliance with applicable City regulations.

- (b) References to a Registered Land Surveyor in this section shall include employees of and other persons acting under the direction and supervision of the Registered Land Surveyor.
- (c) No more than thirty days after the Building Department inspects and approves the forms that substantially complete the foundation walls, the permittee shall obtain and submit to the Director an as built survey prepared of the substantially completed foundation, which shall be prepared by a Registered Land Surveyor. For purposes of this Section, a foundation is substantially completed as of the last pour before framing commences. The Director shall review the as built survey to determine that the foundation location substantially conforms to the approved building plans. The term "substantial conformity" is defined as provided in Section 26-402 of the Community Development Code. The as built survey must show the as built location of the foundation, the dimensions along the outside face of the perimeter walls, with a tie illustrating the distance to the property line from the end points of one wall segment of the completed foundation and additional ties to the foundation corners as necessary to clearly demonstrate the foundation corner locations at critical setback lines. The as built survey shall also show the setback lines per the approved building plans. In addition, the as built survey must show the elevation at the centerpoint of the joint between the driveway and the edge of the street or road and an elevation at the top of the foundation wall at the garage entry. If there is no garage, the elevation may be at any point at the top of the main floor foundation wall. In the case of modular construction, the permittee shall submit the as built survey two weeks prior to placement of the structure.
- (d) The provisions of subsection (c) shall not apply to additions to existing structures if no part of the foundation of the proposed addition is to be located within two feet of any setback or easement.
- (e) The City may enforce this section with any of the remedies provided in Section 26-3 of the Community Development Code."

SECTION 2. The City Council hereby finds, determines and declares that this ordinance is necessary for the immediate preservation of the public peace, health, and safety.

SECTION 3. This ordinance shall take effect immediately upon the expiration of five (5) days from and after its publication following final passage, as provided in Section 7.6(h) of the Steamboat Springs Home Rule Charter.

SECTION 4. A public hearing on this ordinance shall be held on July 5, 2005, at 5:15 P.M. in the Citizens Hall meeting room, Centennial Hall, Steamboat Springs, Colorado.

SECTION 5. All ordinances heretofore passed and adopted by the City Council of the City of Steamboat Springs, Colorado, are hereby repealed to the extent that said ordinances, or parts thereof, are in conflict herewith.

INTRODUCED, READ AND ORDERED published, as provided by law, by the City Council of the City of Steamboat Springs, at its regular meeting held on the 26th day of April, 2005.

X Paul A. Strong
Paul A. Strong, President
Steamboat Springs City Council

Julie Jordan
Julie Jordan, MMC
City Clerk

FINALLY READ, PASSED AND APPROVED this 5th day of July, 2005.

XPaul A. Strong
Paul A. Strong, President
Steamboat Springs City Council

Julie Jordan
Julie Jordan, MMC
City Clerk

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