

**ORDINANCE NO. 15  
SERIES OF 2018**

**AN ORDINANCE OF THE BOARD OF TRUSTEES  
OF THE TOWN OF CARBONDALE, COLORADO  
APPROVING TEXT AMENDMENTS TO CHAPTER 17 OF THE  
CARBONDALE MUNICIPAL CODE (THE UNIFIED DEVELOPMENT CODE)  
CONCERNING CHILD CARE USES [AND DAY CARE FACILITIES]**

WHEREAS, pursuant to Section 2.4.1.C.3.b of Chapter 17.02 of the Carbondale Municipal Code, on April 10, 2018 the Board of Trustees moved to initiate a zone text amendment to Chapter 17.04 (Use Regulations) of the Municipal Code as it relates to child care uses, including amendments to the land use table, use-specific standards, and off-street parking requirements, all as more specifically set forth in the revised Tables 4.2-1 and 5.8-1 attached hereto as **Exhibit A** [and the revised Section 4.3.1 of Chapter 17.04 of the Municipal Code set forth on attached **Exhibit B**]; and

WHEREAS, after required public notices, the Planning and Zoning Commission held a public hearing on this application on July 26, 2018 after which the Planning and Zoning Commission recommended to the Board of Trustees two of these three proposed amendments be approved, but that child care uses not be added to the Industrial (I) zone district (such that the revised text set forth in attached **Exhibit A** would not be adopted); and

WHEREAS, after all required public notices, the Board of Trustees held a public hearing on this matter on September 11, 2018 and heard from Town staff and any other interested parties; and

WHEREAS, pursuant to Section 2.4.1.C.3.b of Chapter 17.02 of the Municipal Code, the Board of Trustees finds and determines that:

1. All of these proposed amendments will promote the public health, safety, and general welfare; and
2. All of these proposed amendments are necessary or desirable because of changing conditions, new planning concepts, or other social or economic conditions, including the need for child care facilities.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF CARBONDALE, COLORADO:


The revised Tables 4.2-1 and 5.8-1 set forth on **Exhibit A** [and the amended text for Section 4.3.1 of Chapter 17.04 of the Municipal Code set forth on **Exhibit B**] are hereby adopted and approved, and applicable provisions of the Municipal Code shall be deemed amended accordingly upon the date that this Ordinance becomes effective.

INTRODUCED, READ AND PASSED this 11th day of September, 2018.

THE TOWN OF CARBONDALE

By:   
Dan Richardson, Mayor

ATTEST:

  
Cathy Derby, Town Clerk

Attachment (Exhibit A—revised Tables 4.2-1 and 5.8-1)  
(Exhibit B—revised Section 4.3.1)



**EXHIBIT A – REVISED TABLES 4.2-1 AND 5.8-1**

**Table 4.2-1: Allowed Uses – Town of Carbondale**

P = permitted use  
C =

S = special use  
Blank cell = prohibited use

Use Category	Use Type	Residential District					Commercial and Mixed-Use				Other Non-Residenti				Use-Specific Standard
		AG	OTR	R/LD	R/MD	R/HD	C/T	CRW	HCC	MU	O	T	PF	I	
<b>RESIDENTIAL USES</b>															
Household Living	Dwelling, duplex				P	P									
	Dwelling, live/work			C	C	C	P	C	P	P				P	4.3.2.A
	Dwelling, manufactured/factory-built home or modular structure (IBC or IRC homes)	P	P	P	P	P				C					4.3.2.F
	Dwelling, multi-family				C	C	P	S	P	P					4.3.2.B
	Dwelling, single-family attached				C	P				C					4.3.2.C
	Dwelling, single-family detached	P	P	P	P	P									4.3.2.D
	Mobile home park					S	S								
Group Living	Adult day care			C	C	C	P	P	P	P					
	Assisted living facility				S	S	P	S	S	S					
	Group home	C	C	C	C	C	C	C	C	C					4.3.2.E
	Nursing home					S	S	S	S	S					
<b>PUBLIC, INSTITUTIONAL, AND CIVIC USES</b>															
Community and Cultural Facilities	Civic building						P	P	P	P			P	P	
	Club or lodge						C	C	C	C					4.3.3.A
	Community center		C	C	C	C	C	C	C	C					
	Convention hall						C	C	C	P			P		
	Country club	S		S											
	Library						P	P	P	P			P		
	Museum						C	C	P	P	C		P		
	Religious use	C	C	C	C	C	C	C	C	C					4.3.3.D
Transit Uses	Transit stop	P	P	P	P	P	P	P	P	P	P	P	P	P	
	Transit terminal or station						C	C	P	P		P	P	S	
							C	C	P	P		P	P	S	
Child Care Facilities	Day care – fewer than seven children	C	C	C	C	C	C	C	SC	S			C		
	Day care – seven children or more	S	S	S	S	S	S	S	S	S			S	S	4.3.3.B
Health Care Facilities	Hospital						P	P					P		
	Medical or dental clinic						P	P	P	P					
Parks and Open	Park, playground, open space	P	P	P	P	P	P	P	P	P	P	P	P	C	4.3.3.C

**Table 5.8-1:  
Number of Off-Street Parking Spaces Required: Schedule A**

Use Category	Use	Number of Spaces Required
<b>Public, Institutional, and Civic Uses</b>		
<b>Community and Cultural Facilities</b>	Civic building	1 per 300 SF GFA
	Club or lodge	1 per 300 SF GFA
	Community center	4 per 1,000 SF GFA
	Convention hall	1 per 6 persons maximum fire-rated capacity
	Country club	1 per 200 SF + 1 per every 4 persons of maximum outdoor facility capacity
	Library	1 per 400 SF GFA
	Museum	1 per 400 SF GFA
	Places of worship, social clubs	1 per every 6 seats in worship area
<b>Transit Uses</b>	Transit stop	See Schedule C
	Transit terminal or station	See Schedule C
<b>Child Care Facilities</b>	Day care – fewer than seven children	1 space, plus 1 space for every vehicle used in operation of use (plus additional spaces for single-family dwelling, if allowed in dwelling)
	Day care – seven children or more	1 per every 5 persons up to 50, then 1 per every 10 persons 1 per employee at peak occupancy
<b>Health Care Facilities</b>	Hospital	1 per 2 inpatient beds + 1 per employee
	Medical or dental office	5 per 1,000 sq. ft. GFA
	Medical or dental clinic	Medical, dental or optical: 7 per 1,000 SF GFA
<b>Parks and Open Space</b>	Park, playground, open space	See Schedule B
<b>Educational Facilities</b>		Elementary/middle: 1.5 per classroom
	Schools, academies, colleges trade or business schools	High School: 5 per classroom College or university: 1 per every 200 sf
		Vocational or trade school: 1 per every 150 sf
<b>Commercial/Retail and Other Uses</b>		
<b>Agriculture and Animal-Related Services</b>	Animal husbandry	See Schedule C
	Commercial farming, plant husbandry, commercial greenhouse	See Schedule C
	Community garden	1 per 5,000 SF of lot area
	See Agricultural and Animal-Related Services under Commercial Uses	
	Kennel	1 per 600 SF GFA
	Sale of produce and plants raised on premises	2 spaces for every 3 employees on the maximum shift, 1 space for every vehicle customarily used in the operation of the use or stored on the premises, and 5 spaces for every 1000 sq. ft. of indoor and outdoor sales areas
	Veterinary clinic	1 per 600 SF GFA
<b>Adult Entertainment Establishments</b>	Adult entertainment establishment	1 per every 200 sf

**EXHIBIT B – REVISED SECTION 4.3.1**

#### **4.3.1. PUBLIC, INSTITUTIONAL, AND CIVIC USES**

##### **A. Club or Lodge**

1. The club or lodge shall be located on a lot that fronts an arterial or collector street.
2. If the club or lodge is proposed within a facility previously used for a commercial use, it shall comply with standards for minimum number of parking spaces required for a club or lodge.

##### **B. Day Care, Seven Children or More**

###### 1. I District

- a. Buffering of play area through the use of fencing and/or landscape screen shall be required.
- b. The operator shall be required to notify clients in writing of the nature of the industrial zone district.

###### 2. All Districts

The following additional information may be required, either on the special use permit application form or as specified during a pre-application meeting:

- a. All documents required to be transmitted to any other governmental entity;
- b. The site plan shall show the square footage and interior room design in addition to the building footprint; and
- c. Projections for the next five years, including the proposed number of children or- students, teachers, and other support personnel.