

**ORDINANCE NO. 5
SERIES OF 2019**

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE
TOWN OF CARBONDALE, COLORADO AMENDING SECTIONS 2.5.4, 5.9.3,
AND 8.3 OF CHAPTER 17 OF THE CARBONDALE MUNICIPAL CODE (THE
UNIFIED DEVELOPMENT CODE)**

WHEREAS, in March 2016, pursuant to Ordinance No. 4, Series of 2016, the Board of Trustees of the Town of Carbondale adopted a new “Unified Development Code” and codified the same as Chapter 17 of the re-codified Carbondale Municipal Code (the “UDC”); and

WHEREAS, since adoption of the UDC in 2016, Town staff has compiled comments from Town Staff, members of the Planning and Zoning Commission and Board of Trustees, and has made its own suggested revisions; these include proposed revisions to the General Provisions, Administration, Zoning Districts, Use Regulations, Development Standards, Subdivision, Nonconformities, and Definitions; and

WHEREAS, after posting and publishing notice in accordance with the Home Rule Charter and Chapter 17 of the Carbondale Municipal Code, the Planning and Zoning Commission conducted a public hearing on February 28, 2019 concerning these potential amendments to the UDC, specifically Section 2.5.4 (Sign Permit), Section 5.9.3 (Prohibited Signs) and Section 8.3 (Other Terms Defined) and recommended approval of the same; and

WHEREAS, after posting and publishing notice in accordance with the Home Rule Charter and Chapter 17 of the Carbondale Municipal Code, the Board of Trustees of the Town of Carbondale conducted a public hearing concerning these potential amendments to the UDC on March 19, 2019; and

WHEREAS, during said hearing, the Board of Trustees heard and considered the statements of Town staff, the Planning and Zoning Commission’s recommendation, and any members of the public who wished to speak, and reviewed and considered all other information presented, all as required by law; and

WHEREAS, the Board of Trustees finds and determines that these proposed amendments to the UDC should be adopted because:

1. The proposed amendments will promote the public health, safety, and general welfare;
2. The proposed amendments are consistent with the Comprehensive Plan and the stated purposes of the UDC as it provides improvements to the UDC; and

3. The proposed amendments are desirable because of changing conditions, specifically, administration of the UDC over the last 18 months has indicated that the amendments are desirable to improve the UDC.

WHEREAS, the Board of Trustees of the Town of Carbondale has determined that it is in the best interest and will promote the health, welfare and safety of the citizens of the Town of Carbondale to adopt these proposed amendments to the UDC.

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

1. Chapter 17 of the Carbondale Municipal Code is hereby amended to include the changes set forth in the updated version of the UDC dated 3/19/19 and incorporated herein by reference. Copies of said updated Unified Development Code are available for public viewing at Carbondale Town Hall, 511 Colorado Avenue, Carbondale, Colorado.


2. This Ordinance shall become effective thirty (30) days after posting publication in accordance with the Town's Home Rule Charter.

INTRODUCED, READ, APPROVED AND ORDERED PUBLISHED this 19th day of March, 2019.

TOWN OF CARBONDALE


Dan Richardson, Mayor

ATTEST:


Cathy Derby, Town Clerk

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