

**ORDINANCE NO. 4  
SERIES OF 2017**

**AN ORDINANCE OF THE BOARD OF TRUSTEES  
OF THE TOWN OF CARBONDALE, COLORADO  
APPROVING AND ADOPTING A REVISED ZONING DISTRICT MAP OF THE  
TOWN OF CARBONDALE**

**WHEREAS**, pursuant to the Town of Carbondale Home Rule Charter ("Charter"), the Carbondale Municipal Code ("Code"), and C.R.S. § 31-23-302, the Board of Trustees ("Board") of the Town of Carbondale, Colorado ("Town") possesses the authority to divide the municipality into zoning districts; and

**WHEREAS**, pursuant to this authority, the Board has previously established such districts upon a map entitled "Zoning District Map of the Town of Carbondale" in connection with the adoption of Title 18 of the Code pursuant to Ordinance No. 16, Series of 1993; and

**WHEREAS**, in May 2016, pursuant to Ordinance No. 4, Series of 2016, the Board repealed prior Title 18 of the Carbondale Municipal Code and replaced the same with a new Unified Development Code ("UDC") that is now codified as Chapter 17 of the Carbondale Municipal Code, which revised zoning code provides in Section 3.1.2 for the Town to continue to adopt and periodically revise a Zoning District Map of the Town of Carbondale; and

**WHEREAS**, the Board has adopted over the years various amendments to this map in accordance with the procedures required by state law and the Code; and

**WHEREAS**, the Board finds it necessary and desirable to collect all previous Zoning District Map amendments in one location and to memorialize the current zoning of the Town in a revised, officially adopted Zoning District Map; and

**WHEREAS**, pursuant to the Home Rule Charter, C.R.S. §§ 31-23-304 and 31-23-305, and the UDC, and after notice of the same was provided in accordance with law, the Planning Commission conducted a public hearing on the amended Zoning District Map on January 12, 2017, and thereafter voted to recommend approval of said map to the Board; and

**WHEREAS**, pursuant to the Home Rule Charter, C.R.S. §§ 31-23-304 and 31-23-305, and the UDC, and after notice of the same was provided in accordance with law, the Board conducted a public hearing on the amended Zoning District Map on February 28, 2017, and thereafter finds that it is appropriate to adopt the amended Zoning District Map, as further set forth herein.

**NOW THEREFORE, BE IT ORDAINED** by the Board of Trustees of the Town of Carbondale, Colorado, as follows:

**Section 1.** The revised Zoning District Map of the Town of Carbondale, Colorado dated February 28, 2017, a copy of which is attached hereto and incorporated herein by this reference, is hereby approved and adopted pursuant to Section 3.1.2 of Chapter 17 of the Code.

**Section 2.** The revised Zoning District Map approved and adopted pursuant to this Ordinance is a representation of ordinances and actions taken by the Town of Carbondale. It may or may not accurately identify the zoning of any particular parcel of land. In order to confirm the zoning classification of any particular parcel of property, and/or whether any vested land use entitlements exist for that property, it is necessary to refer to the ordinances and any other site-specific approvals or agreements that relate to that property, including but not limited to any pertinent zoning ordinances, Planning and Zoning Commission resolutions, special or conditional use approvals, development agreements, site plans, or other site-specific land use approvals or agreements that may exist for that parcel.

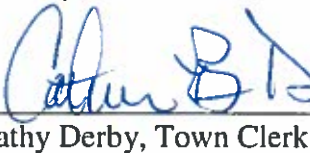
**Section 3.** Should any one or more sections or provisions of this Ordinance or of the Code provisions enacted hereby be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance or of such Code provision, the intention being that the various sections and provisions are severable.

INTRODUCED, READ AND PASSED this 28<sup>th</sup> day of February, 2017.

THE TOWN OF CARBONDALE

By:   
Dan Richardson, Mayor

ATTEST:

  
Cathy Derby, Town Clerk

