

**ORDINANCE NO. 4
SERIES OF 2022**

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF
CARBONDALE, COLORADO APPROVING THE APPLICATION TO REZONE
135 E. MAIN STREET AND 66 N. 2ND STREET TO THE HISTORIC
COMMERCIAL CORE ZONE DISTRICT**

WHEREAS, the Planning and Zoning Commission initiated a rezoning process at its April 28, 2022 meeting to rezone 135 E. Main Street and 66 N. 2nd Street from Commercial/Transitional (C/T) to Historic Commercial Core (HCC); and

WHEREAS, after all required notices, the Planning and Zoning Commission (P&Z) conducted a public hearing at 7:00 p.m. on Thursday, April 28, 2022, at which time various elements of this zoning request were discussed; and

WHEREAS, the P&Z subsequently recommended to the Town's Board of Trustees that the request be approved as the rezoning fulfills the purposes of Section 18.05.015 of the Carbondale Municipal Code and the Town's Comprehensive Plan; and

WHEREAS, after all required notices, the Town's Board of Trustees conducted a public hearing on Tuesday, June 14, 2022, at which time the Board heard and considered the statements of town staff and the public and reviewed and considered all relevant documents and information presented at such hearing, all as required by law; and

WHEREAS, the Board of Trustees finds that it is appropriate to approve the rezoning of these properties as recommended by the Planning and Zoning Commission pursuant to Title 18 of the Carbondale Municipal Code, as the rezoning is consistent with the overall purpose of Title 18 as described in Carbondale Municipal Code Section 18.05.015 and the Comprehensive Plan as follows:

The rezoning complies with the purposes of Title 18 Zoning as follows:

- a) While the traffic may not be lessened, it will most likely be maintained.
- b) The rezoning secures safety from fire, floodwaters, and other dangers as future development will be required to meet the International Building Code.
- c) The rezoning promotes health and the general welfare by making the best use of the land available to continue to building on the vitality of the downtown.
- d) The rezoning provides adequate light and air as future development will be required to meet the International Building Code.

- e) The rezoning prevents the overcrowding of land.
- f) The rezoning avoids undue concentration of population.
- g) The rezoning facilitates the adequate provision of transportation, water, sewer, schools, parks, and other public requirements as it allows development in the downtown where public infrastructure is already present.
- h) The rezoning promotes energy conservation, the use of solar energy and environmentally sensitive development as new developments will be required to meet the International Green Commercial Code.

The rezoning complies with the 2013 Comprehensive Plan as follows:

The rezoning from Commercial/Transitional to Historic Commercial Core aligns the northern 100 block of Main Street with the Future Land Use Map in the 2013 Comprehensive Plan.

As noted in the 2013 Comprehensive Plan, Downtown is the thriving, historic, identifiable center of commerce, town culture, civic life, and celebrations and is the heart of the community. The most important priority for the future of Downtown is to maintain and enhance the characteristics that have proven so successful in the past. Historic Commercial Core has a finite area, so it is important to make the best use of the land available to continue to build on the vitality to the community.

NOW THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Carbondale that 135 E. Main Street and 66 N. 2nd Street shall be zoned as HCC-Historic Commercial Core.

Upon this Ordinance becoming effective, the Town's Zone District Map shall be amended in accordance with 18.15.030 (D).

INTRODUCED, READ AND PASSED this 26th day of July, 2022.

THE TOWN OF CARBONDALE

By:

Ben Bohmfalk
Ben Bohmfalk, Mayor

ATTEST:

Cathy Derby
Cathy Derby, Town Clerk



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