

ORDINANCE NO. 350

AN ORDINANCE OF THE TOWN OF IGNACIO, COLORADO, AMENDING THE TOWN OF IGNACIO MUNICIPAL CODE CHAPTERS II AND III IN THEIR ENTIRETY, ESTABLISHING A NEW CHAPTER II TITLED LAND USE AND DEVELOPMENT CODE, AND AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF IGNACIO AS PART OF A TOWN-WIDE REZONING OF PROPERTY

WHEREAS, the Town of Ignacio (Town) is a statutory town within the State of Colorado and has an adopted Town Municipal Code in accordance with state statutes; and

WHEREAS, C.R.S. 31-15-103 states municipalities shall have power to make and publish ordinances not inconsistent with the laws of this state, from time to time, for carrying into effect or discharging the powers and duties conferred by this title which are necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the morals, order, comfort, and convenience of such municipality and the inhabitants thereof not inconsistent with the laws of this state; and

WHEREAS, the Town Board obtained grant funding in 2018 for work on the Municipal Code with a focus on needed changes specifically on Chapters II and III; and

WHEREAS, the Town Planning Commission was tasked by the Town Board to rewrite Chapters II and III in their entirety and draft a new Land Use and Development Code (LUDC); and

WHEREAS, the Planning Commission conducted multiple work session for over three (3) years on a draft LUDC and with assistance from a planning consultant and Town staff; and

WHEREAS, the Planning Commission concluded their work on the LUDC in 2021 and recommended the draft LUDC be forwarded to the Town Board for further review with joint work sessions between the Planning Commission and Town Board; and

WHEREAS, after several joint work sessions a final draft LUDC was completed in October, 2021 (dated 10/05/21) and public hearings were formally held by the Town Board for public comments on the final draft LUDC with several comments submitted for the record, and

WHEREAS, the Planning Commission conducted a public hearing on January 12, 2022, seeking comments on the final draft LUDC and amended Zoning Map, and

WHEREAS, following the public hearing the Planning Commission considered and approved Planning Commission Resolution 01-2022, recommending approval of the LUDC to the Town Board, and

WHEREAS, following the public hearing the Planning Commission considered and did not approve Planning Commission Resolution 02-2022, recommending approval of the amended Zoning Map to the Town Board; and

WHEREAS, the recommendations from the Planning Commission have been reported to the Town Board, and a public hearing scheduled for February 14, 2022 for public comments on the final draft LUDC and amended Zoning Map; and

WHEREAS, notice of this February 14, 2022 meeting was properly published in the Durango Herald on January 28 and February 4, 2022; and

WHEREAS, the adoption of the new draft LUDC and final draft of the amended Zoning Map that is part of a Town-Wide Rezoning is ready for Town Board consideration and adoption at the conclusion of the scheduled public hearing and Town Board deliberation. Among other changes, the final draft of the amended Zoning Map creates new zoning districts for Planned Unit Development and for Community/Public uses, and will convert Business zoned property to R2 (Multi-Family Residential) and certain Mobile Home Park zoned property to R1 (Single Family Residential); and

WHEREAS, the Town Board, after considering public comment, finds that adopting the Land Use Development Code and adopting the amended Zoning Map are within the proper exercise of its police power to promote public health, safety and welfare, and that adopting the same is necessary to better achieve public health, safety and welfare, as well as the orderly use and development of property within the Town; and

WHEREAS, the Town Board finds that the final draft of the amended Zoning Map promotes the community welfare, best defines existing compatible and surrounding uses with the Town, has little likelihood in substantial harm to properties, and is most consistent with the availability and suitability of lands already zoned to allow permitted uses.

NOW THEREFORE BE IT ORDAINED by the Board of Trustees of the Town of Ignacio, Colorado;

Section 1. The current Town of Ignacio Municipal Code, Chapters II and III, are hereby amended in their entirety and a new Chapter II will result and be titled: Land Use and Development Code. The Chapter II is hereby approved and attached to this Ordinance as Exhibit A, and incorporated herein by reference.

Section 2. Chapter III of the Land Use and Development Code is now reserved for future use.

Section 3. The Town Zoning Map that results from the new LUDC and developed in accordance with Chapter II: Section 3 Zoning Districts, subsection 1) Zoning Map, is attached to this Ordinance as Exhibit B, incorporated herein by reference, is hereby approved, and shall replace in its entirety the Town's prior zoning map.

Section 4. This Ordinance shall take effect within 30 days of publishing by title.

PASSED, APPROVED, ADOPTED AND ORDERED PUBLISHED, this 14th day of February, 2022, by the Board of Trustees of the Town of Ignacio, Colorado.

Town of Ignacio

Stella Cox, Mayor

ATTEST:

Tuggy Dunton, Town Clerk