

**ORDINANCE NO. 7
SERIES OF 2022**

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF
CARBONDALE, COLORADO APPROVING THE APPLICATION TO ZONE
THE ANNEXATION PARCEL ON RED HILL AS OPEN SPACE**

WHEREAS, the Board of Trustees of the Town of Carbondale annexed certain property consisting of certain unincorporated territory located in the County of Garfield, State of Colorado, referred to as the “Annexation Parcel” or the “Property.” The Annexation Parcel is located near Red Hill;

WHEREAS, as part of the Annexation, the Applicant requested that the Annexation Parcel be zoned as Open Space (O);

WHEREAS, after all required notices, the Planning and Zoning Commission (P&Z) conducted a public hearing at 7:00 p.m. on Thursday, July 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 zoning fulfills the purposes of Section 17.2.4.2 of the Unified Development Code and 2013 Comprehensive Plan; and

WHEREAS, after all required notices, the Town’s Board of Trustees conducted a public hearing on Tuesday, August 9, 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 zoning of the Property as recommended by the Planning and Zoning Commission pursuant to Chapter 17 of the Unified Development Code, as the zoning is consistent with the overall purpose of Chapter 17 as described in Section 17.2.4.2 of the Unified Development Code and the 2013 Comprehensive Plan as follows:

The zoning complies with the purposes of Chapter 17 Zoning and the 2013 Comprehensive Plan as follows:

- a) The zoning will improve safety and enhance the existing Red Hill trail system.
- b) The zoning is compatible with surrounding uses.
- c) The zoning is not likely to result in significant adverse impacts upon the natural environment, including air, water, noise, stormwater management, wildlife, and vegetation or such impacts will be substantially mitigated.

- d) The zoning secures safety from fire, floodwaters, and other dangers.
- e) The zoning promotes public health, safety, and the general welfare by providing adequate lands open to the public for recreational use and to protect those lands from being used for purposes other than open space.
- f) The zoning helps preserve the natural environment to be used for purposes of recreation and open space.
- g) The zoning prevents the overcrowding of land.
- h) The zoning avoids undue concentration of population.

NOW THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Carbondale that the Red Hill Annexation Parcel shall be zoned as O-Open Space.

Upon this Ordinance becoming effective, the Town's Zone District Map shall be amended in accordance with 17.2.4.2.

INTRODUCED, READ AND PASSED this 23rd day of August, 2022.

THE TOWN OF CARBONDALE

By: Ben Bohmfalk
Ben Bohmfalk, Mayor

ATTEST:

Cathy Derby
Cathy Derby, Town Clerk

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