

ORDINANCE NO. 9

Series of 2019

AN ORDINANCE AMENDING TITLE 14, DEVELOPMENT STANDARDS, VAIL TOWN CODE, PURSUANT TO SECTION 12-3-7, AMENDMENT, AMENDING SECTION 14-10-6, RESIDENTIAL DEVELOPMENT, TO ADD A PARAGRAPH PERTAINING TO THE UNIFIED ARCHITECTURAL DESIGN REQUIREMENT AS IT RELATES TO EXISTING SEPARATED DUPLEXES, AND SETTING FORTH DETAILS IN REGARD THERETO...

WHEREAS, the Town of Vail (the "Town"), in the County of Eagle and State of Colorado is a home rule municipal corporation duly organized and existing under the laws of the State of Colorado and the Town Charter (the "Charter");

WHEREAS, the members of the Town Council of the Town (the "Council") have been duly elected and qualified;

WHEREAS, the Planning and Environmental Commission of the Town of Vail has held a properly noticed public hearing on the proposed amendment on April 22, 2019 in accordance with the provisions of the Vail Town Code;

WHEREAS, the Planning and Environmental Commission recommended approval of these amendments at its April 22, 2019 meeting, and has submitted its recommendation to the Council;

WHEREAS, the Council finds that the proposed amendments are consistent with the applicable elements of the adopted goals, objectives and policies outlined in the Vail Comprehensive Plan and are compatible with the development objectives of the Town;

WHEREAS, the Council finds that the proposed amendments further the general and specific purposes of Title 14, Development Standards, Vail Town Code; and

WHEREAS, the Council finds that the proposed amendments promote the health, safety, morals, and general welfare of the Town and promote the coordinated and harmonious development of the Town in a manner that conserves and enhances its natural environment and its established character as a resort and residential community of the highest quality.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VAIL, COLORADO, THAT:

Section 1. Section 14-10-6, Residential Development, Vail Town Code, is hereby amended to read as follows:

D. Exemption.

1. *Residential development meeting all the following criteria may be exempt from the unified architectural and landscaping design requirement of subsection A:*
 - a. *Existing separated duplexes (where two dwelling units share a development lot but are not physically connected);*
 - b. *That do not share a unified architectural and landscape design, as determined by the Design Review Board; and*
 - c. *That received Design Review Board approval prior to May 7, 2019.*
2. *A registry of qualifying properties shall be kept by the Community Development Department and made publically available.*
3. *This Section shall not exempt separated duplexes from any other approval requirements of this Code, including without limitation Section 12-11-3.*

Section 2. Pursuant to Section 12-3-7, Amendment, Vail Town Code, and the evidence and testimony presented in consideration of this ordinance, the Vail Town Council finds and determines the following:

1. The text amendment is consistent with the applicable elements of the adopted goals, objectives and policies outlined in the Vail comprehensive plan and is compatible with the development objectives of the town
2. The text amendment furthers the general and specific purposes of the zoning regulations
3. The text amendment promotes the health, safety, morals and the general welfare of the town and promotes the coordinated and harmonious development of the town in a manner than conserves and enhances its natural environment and its established character as a resort and residential community of the highest quality

Section 3. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not effect the validity of the remaining portions of this ordinance; and the Town Council hereby declares it would have passed this ordinance, and each part, section, subsection, sentence, clause or phrase thereof, regardless of the fact that any one or more parts, sections, subsections, sentences, clauses or phrases be declared invalid.

Section 4. The amendment of any provision of the Town Code as provided in this ordinance shall not affect any right which has accrued, any duty imposed, any violation that occurred prior to the effective date hereof, any prosecution commenced, nor any other action or proceeding as commenced under or by virtue of the provision

amended. The amendment of any provision hereby shall not revive any provision or any ordinance previously repealed or superseded unless expressly stated herein.

Section 5. All bylaws, orders, resolutions and ordinances, or parts thereof, inconsistent herewith are repealed to the extent only of such inconsistency. This repealer shall not be construed to revise any bylaw, order, resolution or ordinance, or part thereof, theretofore repealed.

INTRODUCED, READ ON FIRST READING, APPROVED, AND ORDERED
PUBLISHED ONCE IN FULL ON FIRST READING this 7th day of May, 2019, and a public hearing for second reading of this Ordinance set for the 21st day of May, 2019, in the Council Chambers of the Vail Municipal Building, Vail, Colorado.

Dave Chapin, Mayor

ATTEST:

Tammy Nagel, Town Clerk

READ AND APPROVED ON SECOND READING AND ORDERED PUBLISHED this
21st day of May, 2019.

Dave Chapin, Mayor

ATTEST:

Tammy Nagel, Town Clerk