

**ORDINANCE NO. 11
SERIES 2019**

AN ORDINANCE AMENDING SECTIONS 12-7B-18, 12-7C-14, 12-7D-11, 12-7E-13, 12-7F-14, 12-7G-12, 12-7H-17, 12-7I-17 OF THE VAIL TOWN CODE, AND ADDING NEW SECTIONS 12-7A-16 AND 12-7J-15 TO THE VAIL TOWN CODE, TO CLARIFY THE PERMITTED LOCATION OF BUSINESS ACTIVITIES IN COMMERCIAL, BUSINESS AND MIXED USE ZONE DISTRICTS

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

Section 1. Section 12-7B-18 of the Vail Town Code is hereby repealed in its entirety and reenacted as follows:

12-7B-18: LOCATION OF BUSINESS ACTIVITY:

A. Limitations; Exception: All offices, businesses, and services permitted by Sections 12-7B-2 through 12-7B-5 shall be operated and conducted entirely within a building, except for permitted unenclosed parking or loading areas, and the outdoor display of goods. For purposes of this Section, "conducted entirely within a building" means that all activities related to the permitted use, including contacting potential customers and clients, must occur completely inside of a building, and not in an open doorway of the building.

B. Outdoor Displays: The area to be used for an outdoor display shall be located directly in front of the establishment displaying the goods and entirely upon the establishment's own property. Sidewalks, building entrances and exits, driveways and streets shall not be obstructed by outdoor displays.

Section 2. Section 12-7C-14 of the Vail Town Code is hereby repealed in its entirety and reenacted as follows:

12-7C-14: LOCATION OF BUSINESS ACTIVITY:

A. Limitations; Exception: All offices, businesses and services permitted by Section 12-7C-3 shall be operated and conducted entirely within a building, except for permitted unenclosed parking or loading areas and the outdoor display of goods. For purposes of this Section, "conducted entirely within a building" means that all activities related to the permitted use, including contacting potential customers and clients, must occur completely inside of a building, and not in an open doorway of the building.

B. Outdoor Displays: The area to be used for an outdoor display shall be located directly in front of the establishment displaying the goods and entirely upon the establishment's own property. Sidewalks, building entrances and exits, driveways and streets shall not be obstructed by outdoor displays.

Section 3. Section 12-7D-11 of the Vail Town Code is hereby repealed in its entirety and reenacted as follows:

12-7D-11: LOCATION OF BUSINESS ACTIVITY:

A. Limitation; Exception: All permitted and conditional uses shall be operated and conducted entirely within a building, except for permitted loading areas and such activities as may be specifically authorized to be unenclosed by a conditional use permit and the outdoor display of goods. For purposes of this Section, "conducted entirely within a building" means that all activities related to the permitted use, including contacting potential customers and clients, must occur completely inside of a building, and not in an open doorway of the building.

B. Outdoor Displays: The area to be used for an outdoor display shall be located directly in front of the establishment displaying the goods and entirely upon the establishment's own property. Sidewalks, building entrances and exits, driveways and streets shall not be obstructed by outdoor displays.

Section 4. Section 12-7E-13 of the Vail Town Code is hereby repealed in its entirety and reenacted as follows:

12-7E-13: LOCATION OF BUSINESS ACTIVITY:

A. Limitations; Exception: All permitted and conditional uses shall be operated and conducted entirely within a building except for permitted parking and loading areas and such activities as may be specifically authorized to be unenclosed by a conditional use permit and the outdoor display of goods. For purposes of this Section, "conducted entirely within a building" means that all activities related to the permitted use, including contacting potential customers and clients, must occur completely inside of a building, and not in an open doorway of the building.

B. Outdoor Displays: The area to be used for an outdoor display shall be located directly in front of the establishment displaying the goods and entirely upon the establishment's own property. Sidewalks, building entrances and exits, driveways and streets shall not be obstructed by outdoor displays.

Section 5. Section 12-7F-14 of the Vail Town Code is hereby repealed in its entirety and reenacted as follows:

2-7F-14: LOCATION OF BUSINESS ACTIVITY:

All permitted and conditional uses shall be operated and conducted entirely within a building, except for permitted loading areas and such activities as may be specifically authorized to be unenclosed by a conditional use permit. For purposes of this Section, "conducted entirely within a building" means that all activities related to the permitted use, including contacting potential customers and clients, must occur completely inside of a building, and not in an open doorway of the building.

Section 6. Section 12-7G-12 of the Vail Town Code is hereby repealed in its entirety and reenacted as follows:

12-7G-12: LOCATION OF BUSINESS ACTIVITY:

All offices, businesses, and services permitted by Section 12-7G-3 shall be operated and conducted entirely within a building, except for permitted unenclosed parking or loading areas and such other activities as may be specifically authorized to be unenclosed by a conditional use permit. For purposes of this Section, "conducted entirely within a building" means that all activities related to the permitted use, including contacting potential customers and clients, must occur completely inside of a building, and not in an open doorway of the building.

Section 7. Section 12-7H-17 of the Vail Town Code is hereby repealed in its entirety and reenacted as follows:

12-7H-17: LOCATION OF BUSINESS ACTIVITY:

A. Limitations; Exception: All offices, businesses and services permitted in the LMU-1 zone district shall be operated and conducted entirely within a building, except for permitted unenclosed parking or loading areas, the outdoor display of goods, or outdoor restaurant seating. For purposes of this Section, "conducted entirely within a building" means that all activities related to the permitted use, including contacting potential customers and clients, must occur completely inside of a building, and not in an open doorway of the building.

B. Outdoor Displays: The area to be used for an outdoor display shall be located directly in front of the establishment displaying the goods and entirely upon the establishment's own property. Sidewalks, building entrances and exits, driveways and streets shall not be obstructed by outdoor displays.

Section 8. Section 12-7I-17 of the Vail Town Code is hereby repealed in its entirety and reenacted as follows:

12-7I-17: LOCATION OF BUSINESS ACTIVITY:

A. Limitations; Exception: All offices, businesses and services permitted in the LMU-2 zone district shall be operated and conducted entirely within a building, except for permitted unenclosed parking or loading areas, the outdoor display of goods, or outdoor restaurant seating. For purposes of this Section, "conducted entirely within a building" means that all activities related to the permitted use, including contacting potential customers and clients, must occur completely inside of a building, and not in an open doorway of the building.

B. Outdoor Displays: The area to be used for an outdoor display shall be located directly in front of the establishment displaying the goods and entirely upon the establishment's own property. Sidewalks, building entrances and exits, driveways and streets shall not be obstructed by outdoor displays.

Section 9. Article A of Chapter 7 of Title 12 of the Vail Town Code is hereby amended by the addition of the following new Section 12-7A-16:

12-7A-16: LOCATION OF BUSINESS ACTIVITY:

A. Limitations; Exception: All permitted and conditional uses shall be operated and conducted entirely within a building except for permitted parking and loading areas and such activities as may be specifically authorized to be unenclosed by a conditional use permit and the outdoor display of goods. For purposes of this Section, "conducted entirely within a building" means that all activities related to the permitted use, including contacting potential customers and clients, must occur completely inside of a building, and not in an open doorway of the building.

B. Outdoor Displays: The area to be used for an outdoor display shall be located directly in front of the establishment displaying the goods and entirely upon the establishment's own property. Sidewalks, building entrances and exits, driveways and streets shall not be obstructed by outdoor displays.

Section 10. Article J of Chapter 7 of Title 12 of the Vail Town Code is hereby amended by the addition of the following new Section 12-7J-15:

12-7J-15: LOCATION OF BUSINESS ACTIVITY:

A. Limitations; Exception: All permitted and conditional uses shall be operated and conducted entirely within a building except for permitted

parking and loading areas and such activities as may be specifically authorized to be unenclosed by a conditional use permit and the outdoor display of goods. For purposes of this Section, "conducted entirely within a building" means that all activities related to the permitted use, including contacting potential customers and clients, must occur completely inside of a building, and not in an open doorway of the building.

B. Outdoor Displays: The area to be used for an outdoor display shall be located directly in front of the establishment displaying the goods and entirely upon the establishment's own property. Sidewalks, building entrances and exits, driveways and streets shall not be obstructed by outdoor displays.

Section 11. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect 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 12. The amendment of any provision of the Vail Town Code 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 ordinance previously repealed or superseded unless expressly stated herein.

Section 13. 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 2nd day of July, 2019 and a
public hearing for second reading of this Ordinance is set for the 16th day of July, 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 16th day of July, 2019.

Dave Chapin, Mayor

ATTEST:

Tammy Nagel, Town Clerk