

ORDINANCE NO. ____
SERIES 2019

**AN ORDINANCE AMENDING SECTION 12-2-2 OF THE VAIL TOWN
CODE TO CLARIFY CERTAIN DEFINITIONS, AND AMENDING
SECTION 14-2-1 OF THE VAIL TOWN CODE TO DELETE
DUPLICATIVE DEFINITIONS**

WHEREAS, several definitions in Section 12-2-2 of the Vail Town Code are outdated and in need of clarification or deletion;

WHEREAS, Section 14-2-1 of the Vail Town Code includes definitions that are already located in other sections of the Vail Town Code;

WHEREAS, on August 26, 2019, the Planning and Environmental Commission considered the changes proposed by this Ordinance and recommended that the Town Council approve such changes; and

WHEREAS, the Town Council finds and determines that the clarification of definitions and the deletion of duplicative definitions is necessary to avoid ambiguity in the Vail Town Code.

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

Section 1. The following definitions in Section 12-2-2 of the Vail Town Code are hereby amended as follows (*italicized* indicates new language and ~~strikethrough~~ indicates language to be removed):

When used in this title, the words and phrases contained in this title shall have the specific meanings as defined in this section. *All words, terms, and phrases not otherwise defined herein shall be given their usual and customary meanings, unless the context clearly indicates a different meaning was intended.*

ADMINISTRATOR: The ~~administrator~~ *Director of Community Development* or designee.

DWELLING UNIT: Any room or group of rooms in a *single-family*, two-family or multiple-family building with kitchen facilities designed for or used by one family as an independent housekeeping unit.

PLANNING AND ENVIRONMENTAL COMMISSION: ~~The body responsible for reviewing development proposals or any matters pertaining to the commission as provided by this code and to act in an advisory capacity to the town council. The planning and environmental commission focuses on evaluating projects based on the zoning ordinance, master plans, subdivision regulations, environmental concerns,~~

~~etc. and as established by, The Commission established by Title 3, Chapter 2 of this Code.~~

~~VAIL COMPREHENSIVE PLAN: An Advisory Master Plan for the development of the Town of Vail. The Vail Comprehensive Plan is a compendium of planning documents that are updated, amended and adopted by the Town Council. A copy of the current Comprehensive plan shall be kept by the Community Development Department and available for inspection during business hours. The Vail Comprehensive Plan is the compilation of numerous planning documents that include the Vail Village urban design guidelines/Vail Village design considerations (adopted June 11, 1980, and revised January 15, 1993), Ford Park/Donovan Park Master Plan (adopted August 5, 1985), Land Use Plan (adopted November 18, 1986), Vail Village Master Plan (adopted January 16, 1990), Streetscape Master Plan (adopted November 20, 1991), Transportation Master Plan (adopted January 1993), Municipal Cemetery Master Plan (adopted December 7, 1993), Comprehensive Open Lands Plan (adopted 1994), environmental strategic plan (adopted 1994), Ford Park management plan (adopted April 14, 1997), Lionshead Redevelopment Master Plan (adopted December 15, 1998), and art in public places strategic plan (adopted November 6, 2001).~~

Section 2. Section 14-2-1 of the Vail Town Code is hereby amended by the deletion of the following definitions: DESIGN REVIEW BOARD (DRB); DEVELOPMENT; DWELLING; MULTIPLE-FAMILY; DWELLING, SINGLE-FAMILY; DWELLING, TWO-FAMILY; DWELLING UNIT; EHU; LOT OR SITE; PLANNING AND ENVIRONMENTAL COMMISSION (PEC); SATELLITE DISH ANTENNA; SETBACK; SETBACK AREA; SETBACK LINE; SETBACK LINE, FRONT; SETBACK LINE, REAR; SETBACK LINE, SIDE; SITE COVERAGE; and SLOPE.

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 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 4. 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 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 ____ day of _____, 2019 and a public hearing for second reading of this Ordinance is set for the ____ day of _____, 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 ____ day of _____, 2019.

Dave Chapin, Mayor

ATTEST:

Tammy Nagel, Town Clerk