

TOWN OF DOLORES, COLORADO

ORDINANCE NO. 557 SERIES 2022

AN ORDINANCE REPEALING AND REENACTING PORTIONS OF THE DOLORES LAND USE CODE

WHEREAS, pursuant to C.R.S. § 31-23-301, the Town of Dolores ("Town") possesses the authority to zone, rezone, change, supplement, and revise the zoning classifications or designation of property and to regulate land uses within the Town.

WHEREAS, the Town is authorized by C.R.S. § 31-23-301 to regulate zoning and land use within the Town's boundaries, and the Town has in fact adopted a comprehensive zoning scheme.

WHEREAS, the Town has previously adopted a Land Use Code addressing zoning and land use within the Town's boundaries as set forth in Article 17 of the Dolores Municipal Code.

WHEREAS, the Town is currently undergoing a comprehensive review and revision of its adopted Land Use Code.

WHEREAS, on December 13, 2021, the Town adopted Ordinance 556, amending parts of the Dolores Land Use Code as follows: (1) repealing and reenacting Article VJ as Article V.1, (2) repealing and reenacting Article VI exception for Section VI.O, (3) renumbering Section VI.O as Article IX, and (4) repealing Article I.I and relocating the same in the amended Article VI.

WHEREAS, the revisions to the Dolores Land Use Code attached hereto, and those adopted by Ordinance 556 on December 13, 2021, represent the product of many hours of hard work by the Planning and Zoning Commission with the assistance of Elizabeth Garvin, a consultant funded by a grant for this purpose, over the course of nearly 18 months with numerous opportunities for public input and comment.

WHEREAS, after public notice and final public hearing on January 11, 2022, as required by the Dolores Land Use Code and applicable law and regulations, the Town of Dolores Planning and Zoning Commission has recommended approval of proposed changes to of the remaining provisions of the Dolores Land Use Code as attached hereto.

WHEREAS after public notice and public hearing, the Town of Dolores Board of Trustees finds that the proposed amendments to the remaining provisions of the Town of Dolores Land Use Code promote the health, safety and welfare and are in the best interests of the citizens of the Town of Dolores and should be adopted.

WHEREAS, the Board of Trustees wish to exercise its express statutory authority to amend the Town of Dolores Land Use Code as set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF DOLORES:

SECTION 1. Except as previously modified by Ordinance 556 on December 13, 2021, the Dolores Land Use Code is repealed and reenacted as set forth in the revised Land Use Code attached hereto and incorporated herein.

LEGAL DESCRIPTIONS – Tracts to be incorporated into the Town of Dolores town limits

Tract 1

All that portion of the N/2 NW/4 SW/4 of Section 10, T.37 N., R.15 W., NMPM, Montezuma County, Colorado, conveyed to the Town of Dolores in Reception #497817 and Reception #497820 abutting the existing town limits of the Town of Dolores established in court order by Judge O.J. Scharnhorst on July 10th, 1900.

Tract 2

All that portion of the E/2 SW/4 of Section 10, T.37 N., R.15 W., NMPM, Montezuma County, Colorado, conveyed to the Town of Dolores in Bk. 547 Pg. 377 abutting the existing town limits of the Town of Dolores established in court order by Judge O.J. Scharnhorst on July 10th, 1900 and abutting the North line of that property described in Bk. 85 Pg. 199 also described as the North line of the Dolores School Tract No. 4 of the Eastern Addition to the Town of Dolores recorded Plat Bk. 8 at Page 37.

Tract 3

All that part of the NW/2 SE/4 of Section 10, T.37 N., R.15 W., NMPM, Montezuma County, Colorado, conveyed to the Town of Dolores in Bk. 547 Pg. 377 abutting the existing town limits of the Town of Dolores whose North line is the North line of those properties conveyed by deeds recorded in Bk. 218 Pg. 225, also described as Block 38 of Taylor-Brumley Addition to the Town of Dolores, and Bk. 386 Pg. 369, also described by metes and bounds in Reception #466833, less and except that property recorded Bk. 303 Pg. 183 (Bk. 235 Pg. 39 of said deed recorded Bk. 547 Pg. 377) and that property recorded Reception #563768.

SECTION 2. Article V.I, Article VI and Article IX amended by Ordinance 558 on December 13, 2021 shall remain in full force and effect.

SECTION 3. If any section, paragraph, clause, or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 4. This Ordinance shall take effect February 14th 2022 or thirty (30) days after final publication whichever is later.

PUBLIC HEARING. This ordinance shall be considered for second or final reading on the 14TH day of FEBRUARY, 2022, in the Town Board Chambers in Town Hall, Dolores, Colorado, at which time and place all persons may appear and be heard concerning the same.

Passed adopted and approved on the first reading this January 24, 2022.

DOLORES BOARD OF TRUSTEES:

By: 



Attest:

By: 

Passed adopted and approved on the second and final reading this 14th day of FEBRUARY, 2022.

DOLORES BOARD OF TRUSTEES:

By: 



Attest:

By: 