

TOWN OF MONUMENT

**ORDINANCE NO. _____
SERIES 2021**

AN ORDINANCE REPEALING TITLES 16 AND 17 OF THE MONUMENT MUNICIPAL CODE AND REENACTING THE SAME WITH AMENDMENTS AS TITLE 18 CONCERNING LAND DEVELOPMENT AND IN CONNECTION THEREWITH MAKING CONFORMING AMENDMENTS TO TITLES 5 AND 6

WHEREAS, the Town of Monument is a Colorado municipal corporation governed by its Mayor and Board of Trustees; and

WHEREAS, the Board of Trustees is authorized by C.R.S. § 31-23-101 et seq. to adopt and enforce regulations for the preservation of the public health, safety and welfare, including regulations governing the zoning, subdivision and development of land; and

WHEREAS, the Board is also authorized to adopt this ordinance pursuant to state law, including but not limited to C.R.S. § 24-67-101 et seq. and 31-16-101 et seq.; and

WHEREAS, in the exercise of this authority, the Board of Trustees previously adopted Titles 16 and 17 of the Municipal Code, which included requirements for land development and subdivision within the Town; and

WHEREAS, the Board desires to repeal Titles 16 and 17 of the Municipal Code and to reenact the same with amendments as Title 18, to be known as the Monument Land Development Code; and

WHEREAS, the Monument Planning Commission, after notice and hearing, has recommended the Board of Trustees adopt the amendments set forth in this ordinance; and

WHEREAS, the Board has provided proper notice of and conducted a public hearing on this ordinance on June 7, 2021.

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

Section 1. Repeal and Reenactment. Titles 16 and 17 of the Monument Municipal Code are hereby repealed and reenacted, with amendments, as a new Title 18, in the form attached hereto as **Exhibit A**, and with the additional amendments set forth in the attached **Exhibit B**, both of which exhibits are fully incorporated herein by reference, together with such additional technical revisions and corrections, including corrections for format, numbering, and internal consistency, as the Town Manager and Town Attorney deem necessary.

Section 2. Code Section 5.40.150 Amended. Section 5.40.150.A of the Monument Municipal Code is amended to read in its entirety:

A. No license shall be issued under this chapter for any sexually oriented business within any zone district other than the LIGHT INDUSTRIAL DISTRICT (LI).

Section 3. Code Section 6.08.060 Amended. Section 6.08.060(1) of the Monument Municipal Code is amended to read in its entirety:

(1) Chickens. Chickens are permitted only in the SFD-1 AND SFD-2 ZONE DISTRICTS. Chickens are prohibited in any other zone district.

Section 4. Publication and Codification. The Board of Trustees hereby authorizes and directs that the new Title 18 of the Monument Municipal Code adopted hereby be codified in the same manner as other ordinances amending said Code, and that Chapter 18.02 thereof, entitled “Subdivisions” shall also be made available in pamphlet form for public copying and purchase.

Section 5. Severability. If any section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have adopted this Ordinance and each part or parts hereof irrespective if any one part or parts hereof be unconstitutional or invalid.

Section 6. Repeal of inconsistent ordinances. All other ordinances or portions thereof inconsistent or conflicting with this Ordinance or any portion hereof, are hereby repealed to the extent of such inconsistency or conflict.

Section 7. Effective Date. This Ordinance shall take effect upon the effective date of Ordinance No. ____, Series 2021, but in no event earlier than thirty-nine (39) days after passage, adoption and publication by title only of this Ordinance, as permitted by law.

READ, ADOPTED, AND ORDERED PUBLISHED this ____ day of _____, 2021.

TOWN OF MONUMENT, COLORADO

seal

Don Wilson, Mayor

ATTEST:

Laura Hogan, Town Clerk

EXHIBIT A

Title 18 of the Monument Municipal Code

[attached]

EXHIBIT B
Summary of Modifications to
Title 18 of the Monument Municipal Code
[attached]

TOWN OF MONUMENT, COLORADO

**ORDINANCE NO. _____
SERIES 2021**

**AN ORDINANCE ADOPTING A REVISED OFFICIAL ZONING MAP OF THE
TOWN OF MONUMENT**

WHEREAS, the Town of Monument is a Colorado municipal corporation governed by its Mayor and Board of Trustees; and

WHEREAS, the Board of Trustees is authorized by C.R.S. § 31-23-101 et seq. to adopt and enforce regulations for the preservation of the public health, safety and welfare, including regulations governing the zoning, subdivision and development of land; and

WHEREAS, the Board is also authorized to adopt this ordinance pursuant to state law, including but not limited to C.R.S. § 24-67-101 et seq. and 31-16-101 et seq.; and

WHEREAS, the Board of Trustees has adopted a new Title 18 of the Monument Municipal Code, designed to replace in their entirety present Titles 16 and 17 concerning the use and development of land within the corporate boundaries of the Town, including regulations for the subdivision of land; and

WHEREAS, in connection with adoption of the new Title 18, the Town has caused to also be prepared a revised Official Zoning Map for the Town, depicting certain changes in zone district boundaries, the renaming of certain zone districts, and the creation of new zone districts; and

WHEREAS, the Monument Planning Commission, after notice and hearing, has recommended the Board of Trustees adopt the revised Official Zoning Map; and

WHEREAS, on June 7, 2021, the Board of Trustees conducted a properly noticed public hearing on the revision of the Official Zoning Map; and

WHEREAS, notice of the Planning Commission's consideration of the revised Official Zoning Map was given by publication in the _____, by posting at the Town's offices and on the Town's website; and

WHEREAS, notice of the Board of Trustee's public hearing on the revised Official Zoning Map was given as required by CRS 31-23-304 by publication in the _____, by posting at the Town's offices and on the Town's website, and by mailing to owners of real property affected thereby; and

WHEREAS, the Board of Trustees finds that adoption of the revised Official Zoning Map is necessary and desirable in order to the implement the Town's Comprehensive Plan and to coordinate the Town's Official Zoning Map with the comprehensively revised land use code adopted contemporaneously herewith as a new Title 18 of the Monument Municipal Code; and

WHEREAS, the Board of Trustees finds that this adoption of the revised Official Zoning Map, in concert with the adoption of new Title 18, are designed and enacted for the purposes of, among other public policy goals, lessening the congestion in streets, reducing the waste of excessive amounts of roads, promoting energy conservation, securing safety from fire, floodwaters, and other dangers, providing adequate light and air, classifying land uses and distributing land development and utilization, protecting the tax base, securing economy in governmental expenditures, fostering the Town's commercial and residential interests, and protecting development in the various areas of the Town; and

WHEREAS, the Board finds that because of the large numbers of property involved in these comprehensive amendments and because of the generally applicable nature of the amendments, it has been necessary to act under the Board's legislative powers and procedures and it would have been impossible, in light of the Board's other duties, to have altered the zoning maps and text through a series of individualized quasi-judicial proceedings; and

WHEREAS, it is the opinion and finding of the Board of Trustees that the revision of the Official Zoning Map of the Town of Monument, attached hereto as **Exhibit A**, is in the best interests of the public health, safety and welfare of the Town and should be adopted.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF MONUMENT, COLORADO:

Section 1. The Board of Trustees hereby adopts the revised "Official Zoning Map of the Town of Monument," in the form attached hereto as **Exhibit A**, with such additional corrections as approved by the Town Manager from time to time to incorporate missing, incorrectly identified, or unrecorded official documents or actions and for boundary clarity, format, numbering, and internal consistency. A true and correct of the Official Zoning Map, as hereby approved and corrected and directed hereby, shall be maintained in the office of the Town Clerk for public inspection and copying.

Section 2. Severability. If any section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have adopted this Ordinance and each part or parts hereof irrespective if any one part or parts hereof be unconstitutional or invalid.

Section 3. Repeal of inconsistent ordinances. All other ordinances or portions thereof inconsistent or conflicting with this Ordinance or any portion hereof, are hereby repealed to the extent of such inconsistency or conflict.

Section 4. Effective Date. This Ordinance shall take effect thirty-nine (39) days after passage, adoption and publication by title only, as permitted by law.

READ, ADOPTED, AND ORDERED PUBLISHED this ___ day of _____, 2021.

TOWN OF MONUMENT, COLORADO

seal

Don Wilson, Mayor

ATTEST:

Laura Hogan, Town Clerk

DRAFT

EXHIBIT A

Town of Monument Official Zoning Map

[attached]

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