

TOWN OF GILCREST

ORDINANCE NO. 2022- 03

TITLE: AN ORDINANCE AMENDING CHAPTER 16 OF THE GILCREST MUNICIPAL CODE TO CLARIFY THE ROLE OF THE PLANNING COMMISSION

BE IT ORDAINED BY THE BOARD OF TRUSTEES FOR THE TOWN OF GILCREST, COLORADO, THAT:

Section 1. Section 16-13 of the Gilcrest Municipal Code is hereby amended as follows:

Sec. 16-13. – Definitions.

* * *

Comprehensive Plan means the Gilcrest Comprehensive Plan, which was adopted by the ~~Planning Commission and Board of Trustees~~ in accordance with Section 31-23-206, C.R.S., to guide the future growth, protection and development of the Town, affording adequate facilities for housing, transportation, comfort, convenience, public health, safety and general welfare of its population.

* * *

Planning Commission means the ~~Town Planning Commission~~ body, acting through the Board of Trustees, that is granted the authority and duties stated in this Chapter 16 and Section 31-23-201, C.R.S. et seq. When the Planning Commission makes recommendations to the Board of Trustees, the decision on such application shall be made and held at a single hearing with the Board of Trustees regardless of any provision to the contrary in this Chapter 16.

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Powers of the Board of Trustees. The powers of the Board of Trustees are to hear, review and decide ~~upon any applications made to it in accordance with the requirements of this Chapter, in such decision process to consider all information, including recommendations by the Planning Commission and other interested or affected parties;~~ to amend this Chapter; and any other powers granted to the Board of Trustees.

Section 2. Safety Clause. The Board of Trustees hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the Town of Gilcrest, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Board of Trustees further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 3. Severability. If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 4. Effective Date. This Ordinance shall become effective thirty (30) days after final publication.

² INTRODUCED, READ IN FULL, AND ADOPTED this 18th day of July, 2024.

PASSED by a vote of 5 for and 0 against, AND ORDERED PUBLISHED BY TITLE ONLY this 1st day of August, 2022.

TOWN OF GILCREST, COLORADO



Steve Nothum Mayor Pro Tem
~~Tyson Chavez, Mayor~~
Steve Nothum Mayor Pro Tem

ATTEST:

Brenda Joseph
Brenda Joseph, Town Clerk

APPROVED AS TO FORM:

Corey Y. Hoffmann
Corey Y. Hoffmann, Town Attorney