

**TOWN OF MINTURN, COLORADO
ORDINANCE NO. 7 - SERIES 2010**

AN ORDINANCE AMENDING CHAPTER 16 OF THE TOWN OF MINTURN MUNICIPAL CODE BY REPEALING AND REENACTING SECTION 16-17-70 AS IT PERTAINS TO SLOPE LIMITATIONS AND HILLSIDE BUILDING REGULATIONS WITHIN THE TOWN OF MINTURN.

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

Section 1. Amendment. Minturn Municipal Code, Section 16-17-70 is repealed and reenacted as follows:

Section 16-17-70. Hillside Building Regulations

The following requirements shall apply to all developments on slopes greater than or equal to 30%. Land sloping in excess of 40% shall not be considered suitable for development unless a variance permit is issued pursuant to Chapter 16 of the Minturn Municipal Code.

A. A soils report with foundation and site retention recommendations prepared by and bearing the seal of a registered professional engineer shall be provided prior to the issuance of a building permit.

B. A topographic survey prepared by a registered surveyor, with contour intervals of not more than two feet (2'), shall be submitted with the Design Review Board application.

C. Structures must be designed by a licensed architect.

D. In order to protect the natural landform and vegetation on steep slopes, not more than sixty percent (60%) of the total site area may be disturbed from present conditions by construction activities. The Planning Commission may approve site disturbance in excess of the sixty percent (60%) maximum if specific design criteria warrant the extent of the requested deviation.

E. Hillside development should be complementary to the natural grade of the site and should avoid excessive excavation or hillside removal which upon completion of construction would result in a dramatic alteration to the site's natural topography.

F. A site grading and drainage plan, prepared by a licensed civil engineer, shall be required.

G. A detailed plan of retaining walls or cuts and fills in excess of five feet (5') prepared by a licensed engineer shall be required.

H. A detailed revegetation plan must be submitted prior to the issuance of a building permit.

Section 2. Severability. If any part, section, sub-section, 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 for the Town of Minturn, Colorado hereby declares it would have passed this ordinance and each part, section, sub-section, sentence, clause or phrase thereof, irrespective of the fact that any one or more parts, sections, sub-sections, sentences, clauses or phrases be declared invalid.

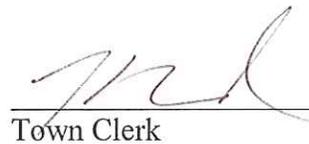
Section 3. The Town Council hereby finds, determines and declares that this Ordinance is necessary and proper for the health, safety and welfare of the Town of Minturn and the inhabitants thereof.

Section 4. The repeal and re-enactment of any provision of the Minturn Municipal Code as provided in this Ordinance shall not affect any right which has accrued, and 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 or any Ordinance previously repealed or superseded unless expressly stated herein.

INTRODUCED, READ BY TITLE IN FULL, APPROVED ON THE FIRST READING, APPROVED AND ORDERED PUBLISHED IN FULL THE 19th DAY OF May, 2010. A public hearing on this ordinance shall be held at the regular meeting of the Town Council of the Town of Minturn, Colorado on the ^{16th} ~~21st~~ day of ~~June~~ ^{May} 2010, at 7:00 p.m. at the Minturn Town Center, 302 Pine Street, Minturn, Colorado.

Attest:


Mayor


Town Clerk



INTRODUCED, READ BY TITLE, PASSED ON SECOND READING, APPROVED AND ORDERED PUBLISHED BY TITLE ONLY THIS 16 DAY OF JUNE, 2010.

Attest:


Mayor pro tem


Town Clerk

