TOWN OF MINTURN, COLORADO
ORDINANCE NO. 3 - SERIES 2013

AN ORDINANCE TO AMEND THE ZONING MAP OF THE TOWN OF MINTURN, COLORADO, AS IT PERTAINS TO A PARCEL OF LAND SITUATED IN LOT 17, SECTION 36 OF TOWNSHIP 5 SOUTH, RANGE 81 WEST OF THE 6TH P.M. COUNTY OF EAGLE, STATE OF COLORADO MORE PARTICULARLY DESCRIBED IN EXHIBIT A. THE AMENDMENT WILL CHANGE THE PARCEL ZONING FROM FEDERALLY REGULATED ZONE TO RECREATION AND OPEN SPACE ZONE IN THE CROSS CREEK CHARACTER AREA ON THE TOWN OF MINTURN ZONING MAP

WHEREAS, the Town of Minturn, has applied to have the Zoning Map amended as it pertains to a parcel of land situate in the Town of Minturn, Colorado, more particularly described on Exhibit A, attached hereto and incorporated herein; and

WHEREAS, a public hearing was held by the Planning Commission of the Town of Minturn, Colorado, pursuant to notices required by law, at which the applicant and the public were given an opportunity to express their opinions regarding the proposed amendment; and

WHEREAS, following such public hearing, the Planning Commission forwards reports and recommendations on the proposed amendment to the Town Council; and

WHEREAS, after notice provided by law, a public hearing was held before the Minturn Town Council, at which time the applicant and the public were given an opportunity to express their opinions regarding the proposed amendment; and

WHEREAS, based on the evidence, testimony and exhibits and recommendations of the Planning Commission of the Town of Minturn, the Town Council of the Town of Minturn, Colorado, finds as follows:

1. The hearings before the Planning Commission and the Town Council were both extensive and complete and all pertinent facts, matters and issues were submitted at those hearings.

2. The proposed amendment to the Zoning Map of the Town of Minturn otherwise complies with all requirements imposed by the Zoning Code, is consistent with the objectives and purposes of the Zoning Code and is deemed compatible with surrounding land uses and uses in the area.

3. The requested amendment to the Zoning Map of the Town of Minturn will be in the best interest of the health, safety,

welfare and morals of the citizens of the Town of Minturn, Colorado.

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

SECTION 1. Amendment. Section 16.9.5 of the Minturn Municipal Code is amended by the addition of the following changes to be noted on the Zoning Map as follows:

> The Zoning Map of the Town of Minturn shall and is hereby amended to reflect that the real property described on Exhibit A, attached hereto and incorporated herein, shall have a Recreation and Open Space Zoning designation.

SECTION 2. The amendment to the Official Zoning Map of the Town of Minturn, Colorado provided for herein shall take effect in accordance with the Charter and ordinances of the Town of Minturn, and the Mayor and Town Clerk are hereby authorized to execute such documents as may be required to reflect amendment herein authorized.

SECTION 3. 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 4. 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 5. The repeal or 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 repealed and re-enacted. The repeal of any provision hereby shall not revive any provision or any ordinance previously repealed or superseded unless expressly stated herein.

INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THE 17th DAY OF APRIL, 2013. 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 1st DAY OF MAY, 2013 AT 6:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO

Hawkeye Flaherty, Mayor

ATTEST:

By: _____
Jay Brunvand, Town Clerk

THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THIS 1st DAY OF MAY, 2013.

Hawkeye Flaherty, Mayor

ATTEST:

By: _____
Jay Brunvand, Town Clerk

Thu, Apr 18, 2013 14:53:21

9110419

Ad Ticket #5

Acct: 1032852 **Name:** Town of Minturn

Phone: (970)827-5645 **Address:** P.O. Box 309

E-Mail: MANAGER@MINTURN.OR

Client:

Caller: Jay **City:** MINTURN

Receipt **State:** CO **Zip:** 81645

Ad Name: 9110419A **Original Id:** 0

Editions: 8VD/8VDI/ **Class:** 0990

Start: 04/22/13 **Stop:** 04/22/13

Color: **Issue** 1

Copyline: ORDINANCE NO. 3 - SERIES 2013 **Rep:** Pam Schultz

Lines:	37
Depth:	3.1
Columns:	1
Discount:	0.00
Commission:	0.00
Net:	0.00
Tax:	0.00
Total	19.24
Payment	0.00

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TOWN OF MINTURN, COLORADO

Hawkeye Flaherty, Mayor

ATTEST:
By Jay Brunvand, Town Clerk

Published in the Vail Daily April 22, 2013.
(9110419)

Ad shown is not actual print size

Thu, May 02, 2013 12:42:17
9155614

Ad Ticket #5

Acct: 1032852
Phone: (970)827-5645
E-Mail: MANAGER@MINTURN.OR
Client:
Caller: Jay
Receipt

Name: Town of Minturn
Address: P.O. Box 309

City: MINTURN
State: CO **Zip:** 81645

Ad Name: 9155614A
Editions: 8VDI/8VD/
Start: 05/06/13
Color:
Copyline: 2-ORDINANCE NO. 3 - SERIES 201

Original Id: 0
Class: 0990
Stop: 05/06/13
Issue 1
Rep: Pam Schultz

Lines:	31
Depth:	2.6
Columns:	1
Discount:	0.00
Commission:	0.00
Net:	0.00
Tax:	0.00
Total	16.12
Payment	0.00

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THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THIS 1st DAY OF MAY, 2013.

Hawkeye Flaherty, Mayor

ATTEST:
By: Jay Brunvand, Town Clerk

Published in the Vail Daily May 6, 2013. (9155614)

Ad shown is not actual print size