TOWN OF MINTURN, COLORADO
ORDINANCE NO. 4 - SERIES 2013

AN ORDINANCE AMENDING CHAPTER 16 OF THE TOWN OF MINTURN MUNICIPAL CODE BY REPEALING AND REENACTING SECTION 16-9-60 AND ADDING A NEW SECTION 16-9-45 PERTAINING TO THE CROSS CREEK CHARACTER AREA RECREATION AND OPEN SPACE ZONE.

WHEREAS, the Town of Minturn, Colorado ("Town") is a home rule municipality duly organized and existing under Article XX of the Colorado Constitution and the Town of Minturn Home Rule Charter of April 6, 1982 ("Charter") and

WHEREAS, the Town, by virtue of its Home Rule status, may adopt such ordinances relative to local municipal matters as are necessary to effectuate the purposes and intent of the powers granted to municipalities.

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 Minturn Municipal Code Section 16-9-60 is repealed and reenacted as follows:

Sec. 16-9-60. Cross Creek Character Area use table.

The following Table 16-5 sets forth the uses for the Cross Creek Character Area:

TABLE 16-5
Cross Creek Character Area Use Table

Use	*All Residential Zones*	*All Mixed-Use Zones*	*All Recreation & Open Space Zones*	*All Federally Regulated Zones*
Accessory apartments	L	L	N	N
Accessory dwellings	L	L	N	N
Automotive detail shops	N	C	N	N
Automotive parts sales	N	C	N	N
Bakeries and confectioneries	N	R	N	N
Bakeries and delicatessens with food service	N	R	N	N
Banks and financial institutions	N	R	N	N
Barbershops	N	R	N	N
Beauty shops	N	R	N	N
Business and office services	N	R	N	N
Car washes	N	N	N	N
Cocktail lounges, taverns	N	C	N	N
Commercial accommodations	N	R	N	N
Convenience stores	N	C	N	N
Delicatessens and specialty food stores	N	R	N	N
Drive-thru/up establishments	N	N	N	N

Drugstores and pharmacies	N	R	N	N
Dry cleaners	N	R	N	N
Duplexes	R	R	N	N
Garden landscaping supply and seed stores	N	R	N	N
Gas stations	N	N	N	N
Grocery stores	N	R	N	N
Health/medical offices	N	R	N	N
Laundromats	N	C	N	N
Liquor stores	N	C	N	N
Manufacturing, light	N	N	N	N
Multi-family dwellings	C	C	N	N
Office uses	N	R	N	N
Pawn shops	N	C	N	N
Photographic studios	N	R	N	N
Professional activities	N	R	N	N
Professional offices, business offices and studios	N	R	N	N
Restaurants	N	R	N	N
Retail stores including: apparel stores; art supply stores and galleries; bookstores; camera stores and photographic studios; candy stores; chinaware and glassware stores; florists; gift stores; hobby stores; household appliance stores; jewelry stores; leather goods stores; luggage stores; music and record stores; newsstands and tobacco stores; sporting goods stores; stationery stores; toy stores; variety stores; yardage and dry goods stores.	N	R	N	N
Retail uses greater than 5,000 square feet	N	R	N	N
Service businesses	N	R	N	N
Single-family residential dwellings	R	R	N	N
Small appliance repair shops, excluding furniture repair	N	R	N	N
Tailors and dressmakers	N	R	N	N
Theaters	N	C	N	N
Travel and ticket agencies	N	R	N	N

R - Use by right C - Conditional use L - Limited use N - Not allowed

Section 2. Amendment. Minturn Municipal Code Section 16-9-45 Cross Creek Recreation and Open Space Zone is created as follows:

Sec. 16-9-45. Cross Creek Recreation and Open Space Zone.

(a) The Cross Creek Recreation and Open Space Zone is comprised of a single 4.6 acre parcel that was purchased by the Town of Minturn in 2013 from the United States Forest Service.

This undeveloped parcel of land is characterized by a riparian corridor that extends along the northern side of the property and Highway 24 extending along the southern boundary..

(b) The purpose of the Cross Creek Recreation and Open Space Zone is to provide a variety of low-impact recreational opportunities for area residents while maintaining the property in its natural state. Acceptable uses for this site include river access, picnicking, wildlife viewing, fishing, snowshoeing, and other similar uses. A small restroom facility and open air pavilion can be accommodated on this site.

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 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, 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

Hawkeye Flaherty, Mayor

ATTEST:

By: _____

Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO SEAL 1904

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

TOWN OF MINTURN, COLORADO
SEAL
1904

Thu, Apr 18, 2013 14:47:53

9110386

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: 9110386A **Original Id:** 0

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

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

Color: **Issue** 1

Copyline: ORDINANCE NO. 4 - SERIES 2013 **Rep:** Pam Schultz

Lines:	32
Depth:	2.68
Columns:	1
Discount:	0.00
Commission:	0.00
Net:	0.00
Tax:	0.00
Total	16.64
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. (9110386)

Ad shown is not actual print size

Thu, May 02, 2013 12:46:18

9156182

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: 9156182A **Original Id:** 0
Editions: 8VDI/8VD/ **Class:** 0990
Start: 05/06/13 **Stop:** 05/06/13
Color: **Issue** 1
Copyline: 3-Ordinance No. 4-2013 **Rep:** Pam Schultz

Lines:	24
Depth:	2.01
Columns:	1
Discount:	0.00
Commission:	0.00
Net:	0.00
Tax:	0.00
Total	12.48
Payment	0.00

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Hawkeye Flaherty, Mayor

ATTEST:
By: Jay Brunvand, Town Clerk

Published In the Vail Daily May 6, 2013. (9156182)

Ad shown is not actual print size