

TOWN OF MINTURN, COLORADO
ORDINANCE NO. 7 – SERIES 2014

AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO ENACTING A MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF NEW APPLICATIONS FOR DESIGN REVIEW FOR MULTI-FAMILY RESIDENCES, DUPLEXES, ACCESSORY DWELLING UNITS AND ACCESSORY APARTMENTS.

WHEREAS, the Town of Minturn (“Town”) is a legal and political subdivision of the State of Colorado for which the Minturn Town Council (“Town Council”) is authorized to act; and

WHEREAS, all new building construction projects and projects increasing the footprint or the area of an existing structure proposed to be undertaken within the Town are subject to design review approval pursuant to Section 16-21-615 of the Minturn Municipal Code (“Code”) to ensure that the proposed structures and additions are constructed in compliance with the Code, including the Town’s Design Standards and Guidelines, and other regulations adopted by the Town; and

WHEREAS, the Town has in recent weeks and months received applications for design review of proposed new structures and modifications to existing structures which are not in keeping with the character of the Town and which are not consistent with the Town’s Design Standards and Guidelines; and

WHEREAS, the Town Council desires to review and invite public comments on Code provisions relating to the character of structures within the Town, the Town’s Design Standards and Guidelines and related regulations; and

WHEREAS, after the opportunity to review, take public comment on and facilitate meetings with the Town Planning Commission regarding the Code, the Town’s Design Standards and Guidelines and related regulations, the Town Council may consider amendments to the Code, the Town’s Design Standards and Guidelines and the related regulations; and

WHEREAS, the Town Council found in support of its passage of emergency Ordinance No. 6, Series 2014 that in light of its desire to review the Code, the Town’s Design Standards and Guidelines and related regulations, a moratorium on the acceptance and processing of applications for design review of proposed new multi-family residences, duplexes, accessory dwelling units and accessory apartments and modifications to existing structures of these types was warranted to permit the Town to conserve design review resources and uphold the Town interest of furthering the Town’s general character during the review of the Code, Design Standards and Guidelines, and related regulations and the pendency thereof; and

WHEREAS, the Town Council found in support of its passage of emergency Ordinance No. 6, Series 2014 that failure to enact such a moratorium could result in permanent negative changes to the Town's character and as such constitutes an emergency; and

WHEREAS, pursuant to Section 11.7 of the Minturn Home Rule Charter the moratorium enacted by passage of Emergency Ordinance No. 6, Series 2014 shall not be in effect after December 2, 2014; and

WHEREAS, review of the Code, the Town's Design Standards and Guidelines and related regulations, including solicitation and receipt of public comment and the completion of Town Planning Commission meetings thereon, is anticipated to extend past December 2, 2014 and into 2015; and

WHEREAS, the Town is authorized by the Local Government Land Use Control Enabling Act of 1974, Sections 29-20-101 through 29-20-108, C.R.S., as amended, and Section 31-23-301, C.R.S., as amended, to plan for and regulate the use of land within the Town's jurisdiction; and

WHEREAS, Section 31-15-401, C.R.S., authorizes the Town to enact regulations necessary to promote the health and well-being of its citizens; and

WHEREAS, the Town Council hereby finds and determines that maintaining a moratorium as enacted by Ordinance No. 6, Series 2014 until March 18, 2015 provides sufficient time in which to undertake and complete the review and amendment of the Code, the Town's Design Standards and Guidelines and related regulations as may determined during the review process.

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

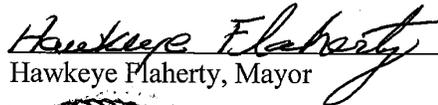
SECTION 1. The foregoing recitals are incorporated herein as if set forth in full.

SECTION 2. A moratorium until March 18, 2015 is hereby imposed on the acceptance and processing by the Town of applications for design review of proposed new multi-family residences, duplexes, accessory dwelling units and accessory apartments and modifications to existing structures of these types so as to enable the Town to undertake review and invite public comments on whether portions of the Code relating to the character of structures within the Town, the Town's Design Standards and Guidelines and related regulations need to be amended.

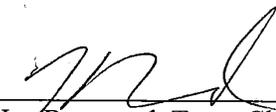
SECTION 3. If any section, subsection, clause, phrase, or provision of this ordinance, or the application thereof to any person or circumstance shall to any extent be held by a court of competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections, clauses, phrases and provisions of this ordinance, or the application thereof to any person or circumstance, shall remain in full force and shall in no way be affected, impaired or invalidated.

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 3RD DAY OF SEPTEMBER, 2014. 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 17TH DAY OF SEPTEMBER, 2014 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



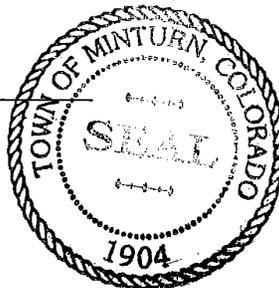
THE TOWN OF MINTURN, COLORADO, ORDERS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THIS 17TH DAY OF SEPTEMBER, 2014.

TOWN OF MINTURN, COLORADO


Hawkeye Flaherty, Mayor

ATTEST:

By: 
Jay Brunvand, Town Clerk



Thu, Sep 04, 2014
10531476

14:24:48

Ad Ticket #5

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

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

City: MINTURN
State: CO

Zip: 81645

Ad Name: 10531476A

Editions: 8VD/8VDI/

Start: 09/08/14

Color:

Copyline: vd Ordinance 072014 DR Processi

Original Id: 0

Class: 0990

Stop: 09/08/14

Issue 1

Rep: Pam Schultz

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TOWN OF MINTURN, COLORADO
Hawkeye Flaherty, Mayor

ATTEST:
By: Jay Brunvand, Town Clerk

Published in the Vail Daily September 8, 2014.
(10531476)

Ad shown is not actual print size

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Columns:	1
Discount:	0.00
Commission:	0.00
Net:	0.00
Tax:	0.00
Total	15.36
Payment	0.00

Thu, Sep 18, 2014
10568909

11:23:44

Ad Ticket #5

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

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

City: MINTURN
State: CO

Zip: 81645

Receipt

Ad Name: 10568909A

Editions: 8VD/8VDI/

Start: 09/23/14

Color:

Copyline: toen of minturn ordinance 7

Original Id: 0

Class: 0990

Stop: 09/23/14

Issue 1

Rep: Pam Schultz

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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 17TH DAY OF SEPTEMBER, 2014.

TOWN OF MINTURN, COLORADO

Hawkeye Flaherty, Mayor

ATTEST:

By: Jay Brunvand, Town Clerk
Jay Brunvand, MMC
Town Clerk/Town Treasurer
P.O. Box 309
Minturn, CO 81645
970/827-5645

Published in the Vail Daily on September 23, 2014.
(10568909)

Ad shown is not actual print size

Lines:	33
Depth:	2.76
Columns:	1
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Commission:	0.00
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