

**TOWN OF MINTURN, COLORADO
RESOLUTION NO. 28 – SERIES 2024**

**A RESOLUTION APPROVING TEMPORARY USE APPLICATION TU 01 – 2024 AT
171 MAIN STREET AND 191 MAIN STREET, TOWN OF MINTURN**

WHEREAS, The Town of Minturn submitted a land use application for a Temporary Use Permit to allow for temporary bike parking in May of 2024; and

WHEREAS, The Town of Minturn Town Council (“Town Council”) is commissioned with certain powers and duties contained in the Minturn Municipal Code (“MMC”) Sec. 16.21.30; and

WHEREAS, public notice was given pursuant to Minturn Municipal Code Sec. 16.21.610; and

WHEREAS, on June 12, 2024 the Town of Minturn Planning Commission (“Planning Commission”) held a public hearing on the application pursuant to MMC Sec. 16.21.640; and

WHEREAS, The Town Council may approve the application as submitted or may approve the application subject to such modifications or conditions as it deems necessary to accomplish the purpose of this Article, or the Town Council may deny the application including the following findings:

(c) Criteria. Prior to approval of a temporary use permit, the Planning Director shall consider the following:

- (1) The building or use is not in conflict with applicable health, sanitation, safety or access laws.
- (2) The building or use proposed is a use by right or limited review use in the zone, compatible with the surrounding uses and consistent with the Community Plan and this Chapter.
- (3) There is written assurance that the building or use will be removed or ceased by the required time.
- (4) The Town has written permission from the applicant and landowner to remove the building or use, at the landowner's expense, when not in compliance with this Chapter or the temporary use permit.

(e) Upon receipt of a completed and proper application, the Planning Director shall set a public hearing for the Planning Commission and Town Council. The Planning Director and applicant shall give public notice as required by this Chapter.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO HEREBY AND HERewith:

Section 1. That the application for a Temporary Use Permit for File No. TU 01 – 2024 be approved subject to the following recommendations:

1. That the Temporary Use Permit shall expire October 3rd, 2024.

2. That a fence be erected along the sidewalk to prevent bikes from being parked on the sidewalk.
3. That there be wayfinding signage erected to direct people to the parking area.
4. That at the end of the approved term, staff evaluate the property for any needed revegetation, and, if so determined, revegetate the site where the tent covered.

INTRODUCED, READ, APPROVED, ADOPTED AND RESOLVED this 19TH day of June, 2024.

TOWN OF MINTURN

By: _____
Earle Bidez, Mayor

ATTEST:

Jay Brunvand, Town Clerk