

TOWN OF MT. CRESTED BUTTE  
ORDINANCE NO. 3  
SERIES 2023

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MT. CRESTED BUTTE, COLORADO, AMENDING CHAPTER 18 SECTION 18-331(e)(6) OF THE CODE OF THE TOWN OF MT. CRESTED BUTTE, COLORADO CONCERNING LOT LINE ADJUSTMENTS AND VACATIONS**

WHEREAS, the Town of Mt. Crested Butte is a Colorado home rule municipality operating under a Home Rule Charter approved by the electorate pursuant to Article XX of the Colorado Constitution and governed by its elected Town Council; and

WHEREAS, the Town Council has authority pursuant to the Charter and C.R.S. §31-16-101, et seq. to adopt and enforce all ordinances; and

WHEREAS, in the exercise of this authority the Council has previously adopted Code Chapter 18, Section 18-331(e) (1)-(10), which defines the criteria for approval of a lot line adjustment or vacation request; and

WHEREAS, the current section (e)(6) states that, “The lot line adjustment or vacation shall not create the opportunity to further subdivide the property or create a new lot for resale or development”; and

WHEREAS, Town staff occasionally receives requests from potential applicants wishing to reestablish their lot line(s) or subdivide their property after a lot line adjustment or lot line vacation has been approved; and

WHEREAS, Town staff recommends changes to the current language to clarify the provision and establish the process for any further subdivision.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF MT. CRESTED BUTTE, COLORADO, ORDAINS THAT:

Section 1. Chapter 18, Section 18-331(e)(6) is amended to read as follows:

(6) The lot line adjustment or vacation shall not create the opportunity to further subdivide the property or create a new lot for resale or development. Any request to reestablish a lot line which was previously vacated shall require the applicant to submit a request to subdivide pursuant to Chapter 18.

Section 2. Severability. Should any section, clause, phrase, or provision of this ordinance be ruled invalid or unenforceable by any court of competent jurisdiction, it is hereby declared the intent of the Town Council of the Town of Mt. Crested Butte, Colorado, that the remaining provisions of this ordinance shall be given full force and effect if it is possible to do so.

INTRODUCED, READ, PASSED AND ORDERED PUBLISHED this 4<sup>th</sup> day of April 2023, on first reading, and introduced, read, and adopted on second and final reading this 2<sup>nd</sup> day of May 2023.

TOWN OF MT. CRESTED BUTTE, COLORADO

  
By: Nicholas Kempin, Mayor

ATTEST:

  
Tiffany O'Connell, Town Clerk