

ORDINANCE NO. 2023-11

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MOUNTAIN VILLAGE,
COLORADO AMENDING CHAPTER 17.4 OF THE MOUNTAIN VILLAGE MUNICIPAL
CODE CONCERNING EXTENSIONS OF LAND USE APPROVALS**

WHEREAS, the Town of Mountain Village (“Town”) is a home rule municipality duly organized and existing under Article XX of the Colorado Constitution and the Town of Mountain Village Home Rule Charter of 1995, as amended (“Charter”); and

WHEREAS, Section 17.4.8 of the Community Development Code, Title 17 of the Mountain Village Municipal Code (“CDC”) addresses renewals of approved development applications, and Section 17.4.8(E) provides that only one (1) renewal of six (6) months shall be authorized, and if that period expires without meeting the required milestones to maintain the approval then the applicant must submit a new development application; and

WHEREAS, due to the global pandemic associated with COVID-19 and the related economic impacts, construction and development within the Town was stalled after March 2020, any many approved projects were not commenced within the time periods required under the applicable development approvals; and

WHEREAS, development and development applications have increased significantly since 2022, and the Town Community Development Department and its Design Review Board have received a large number of pending applications, which has slowed the time required to process development applications; and

WHEREAS, by prohibiting more than one 6-month extension, Section 17.4.8(E) has resulted, and may result in the future, in additional applications being filed simply because renewals cannot be granted, including applications that may be substantially identical to already-approved applications; and

WHEREAS, the Town Council finds and determines that the public interest would be served by not burdening Town staff, the DRB, and land use applicants with additional application requirements simply to extend deadlines for already-approved projects.

NOW, THEREFORE, be it ordained by the Town Council of the Town of Mountain Village:

A. The foregoing recitals are incorporated as findings of the Town Council.

B. CDC Section 17.4.8(E) is hereby amended as follows (deletions are shown as ~~strikeout text~~ and additions are shown as CAPITALIZED AND UNDERLINED):

1. Number of Renewals. Only ~~one (1)~~, TWO (2) six (6) month renewals shall be permitted. Upon expiration of the LAST APPROVED renewal, the applicant must submit a new development application and follow the required development review process as provided for by this CDC.

C. This Ordinance shall expire, and the CDC shall revert to its current wording, on January 1, 2025, unless Council passes a Resolution extending the effective date of this Ordinance or waiving the expiration date on or before January 1, 2025.

INTRODUCED, READ, AND REFERRED to public hearing before the Town Council of the Town of Mountain Village, Colorado on the 17th day of August 2023.

TOWN OF MOUNTAIN VILLAGE:

**TOWN OF MOUNTAIN VILLAGE, COLORADO,
A HOME-RULE MUNICIPALITY**

By: 
Martinique Prohaska, Mayor

ATTEST:


Susan Johnston, Town Clerk

HEARD AND FINALLY ADOPTED by the Town Council of the Town of Mountain Village, Colorado this 20th day of September 2023.

TOWN OF MOUNTAIN VILLAGE:

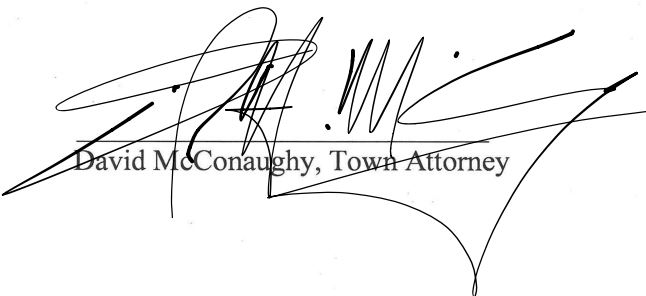
**TOWN OF MOUNTAIN VILLAGE, COLORADO,
A HOME-RULE MUNICIPALITY**

By: 
Martinique Prohaska, Mayor

ATTEST:


Susan Johnston, Town Clerk

Approved as to Form:


David McConaughy, Town Attorney

I, Susan Johnston, the duly qualified and acting Town Clerk of the Town of Mountain Village, Colorado ("Town") do hereby certify that:

1. The attached copy of Ordinance No. 2023-11 ("Ordinance") is a true, correct, and complete copy thereof.
2. The Ordinance was introduced, read by title, approved on first reading and referred to public hearing by the Town Council the Town ("Council") at a regular meeting held at Town Hall, 455 Mountain Village Blvd., Mountain Village, Colorado, on August 17, 2023, by the affirmative vote of a quorum of the Town Council as follows:

Council Member Name	"Yes"	"No"	Absent	Abstain
Marti Prohaska	X			
Scott Pearson	X			
Harvey Mogenson	X			
Jack Gilbride	X			
Patrick Berry	X			
Pete Duprey	X			
Tucker Magid	X			

3. After the Council's approval of the first reading of the Ordinance, notice of the public hearing, containing the date, time and location of the public hearing and a description of the subject matter of the proposed Ordinance was posted and published in the Telluride Daily Planet, a newspaper of general circulation in the Town, on August 23, 2023 in accordance with Section 5.2(d) of the Town of Mountain Village Home Rule Charter.
4. A public hearing on the Ordinance was held by the Town Council at a regular meeting of the Town Council held at Town Hall, 455 Mountain Village Blvd., Mountain Village, Colorado, on September 20, 2023. At the public hearing, the Ordinance was considered, read by title, and approved without amendment by the Town Council, by the affirmative vote of a quorum of the Town Council as follows:

Council Member Name	"Yes"	"No"	Absent	Abstain
Marti Prohaska	X			
Scott Pearson	X			
Harvey Mogenson	X			
Jack Gilbride	X			
Patrick Berry	X			
Pete Duprey	X			
Tucker Magid	X			

5. The Ordinance has been signed by the Mayor, sealed with the Town seal, attested by me as Town Clerk, and duly numbered and recorded in the official records of the Town.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town this 20th day of September 2023.

Susan Johnston
 Susan Johnston, Town Clerk
 (SEAL)

