

**TOWN OF SUPERIOR
ORDINANCE NO. O-4
SERIES 2019**

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF SUPERIOR AMENDING SECTIONS 16-2-10 AND 16-9-10 OF THE SUPERIOR MUNICIPAL CODE TO ELIMINATE THE REQUIREMENT THAT EASEMENT VACATIONS BE CONSIDERED BY THE PLANNING COMMISSION

NOW BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SUPERIOR, COLORADO, as follows:

Section 1. Section 16-2-10 of the Superior Municipal Code is hereby amended as follows:

Sec. 16-2-10. Process

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Miscellaneous

Street/Alley/Easement Vacation	R & C	R & C	D (hearing)	Pub, M, Post
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Section 2. Section 16-9-10 of the Superior Municipal Code is hereby amended as follows:

Sec. 16-9-10. General.

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(b) Review Process.

(1) Preapplication conference. The applicant shall attend a preapplication conference with Town staff to discuss the submittal requirements and review process.

(2) ~~Planning Commission. The Planning Commission shall review the application and make a recommendation to the Board of Trustees.~~

(3) Board of Trustees hearing. The Board of Trustees shall hold a public hearing on the application and shall approve, approve with conditions or reject the application after notice has provided by publication, mailing and posting, as set forth in Section 16-2-60.

(c) Criteria. The ~~Planning Commission and~~ Board of Trustees shall consider the following criteria:

(1) Whether the plat, street, right-of-way, easement or portion thereof is of record with the County Clerk and Recorder's Office.


(2) Whether the vacation of the plat, street, right-of-way, easement or portion thereof will interfere with the development of or deny access via a public thoroughfare to existing lots or parcel of adjoining property, utility services or other improvements.

(3) Whether the vacation is consistent with the Comprehensive Plan.

Section 3. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one or part or parts be declared unconstitutional or invalid.


Section 4. Safety. This Ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

INTRODUCED, READ, PASSED AND ORDERED PUBLISHED this 28th day of January, 2019.

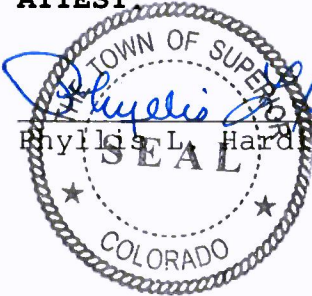


Clint Folsom, Mayor

ATTEST:



Phyllis L. Hardin, Town Clerk-Treasurer



The seal is circular with a double-line border. The outer ring contains the text 'TOWN OF SUPERIOR' at the top and 'COLORADO' at the bottom, separated by two stars. The inner circle contains the word 'SEAL' in the center.