



## AGENDA

### MEETING OF THE MINTURN PLANNING COMMISSION Minturn, CO 81645 • (970) 827-5645

**Meeting will be held online via Zoom Conferencing and call-in.  
Public welcome to join meeting using the following methods:  
Join from PC, Mac, Linux, iOS or Android:**

**<https://us02web.zoom.us/j/83579711882>**

**Phone:**

+1 651 372 8299 US

+1 301 715 8592 US

**Meeting ID: 835 7971 1882**

**Wednesday, January 27, 2021**

**Regular Session – 6:30 PM**

**CHAIR – Lynn Teach**

**COMMISSION MEMBERS:**

Jeff Armistead

Lauren Dickie

Burke Harrington

Christopher Manning

Jena Skinner

When addressing the Commission, please state your name and your address for the record prior to providing your comments. Please address the Commission as a whole through the Chair. All supporting documents are available for public review in the Town Offices – located at 302 Pine Street, Minturn CO 81645 – during regular business hours between 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding holidays.

### **Regular Session – 6:30pm**

**1. Call to Order**

- Roll Call
- Pledge of Allegiance

**2. Approval of Agenda**

- Items to be Pulled or Added

3. **Approval of Minutes**
  - January 13, 2021
4. **Public comments on items, which are NOT on the agenda (5min time limit per person)**
5. **Planning Commission Comments**

## DESIGN REVIEW AND LAND USE PUBLIC HEARINGS

6. **701 Boulder Street – New Single Family Residence Final Plan Review**  
Review and approval of final plans for a new single family residence at 701 Boulder Street.

**Recommendation:** Approval with Conditions

## PROJECTS AND UPDATES

7. **Project Updates**
  - Chapter 16 Zoning Code Amendment: Review of Zone Districts and Use Table
8. **Planning Director Report & Minor DRB Approvals by Director**
  - Belden Place Preliminary Plan Application Status
  - Minturn North Preliminary Plan Application Status
9. **Future Meetings**
  - February 10, 2021
  - February 24, 2021

## 10. Adjournment



## OFFICIAL MINUTES

### MEETING OF THE MINTURN PLANNING COMMISSION Minturn, CO 81645 • (970) 827-5645

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**<https://us02web.zoom.us/j/84684633681>**

**Phone:**

+1 651 372 8299 US

+1 301 715 8592 US

**Meeting ID: 846 8463 3681**

**Wednesday, January 13, 2021**

**Regular Session – 6:30 PM**

**CHAIR – Lynn Teach**

**COMMISSION MEMBERS:**

Jeff Armistead

Lauren Dickie

Burke Harrington

Christopher Manning

Jena Skinner

When addressing the Commission, please state your name and your address for the record prior to providing your comments. Please address the Commission as a whole through the Chair. All supporting documents are available for public review in the Town Offices – located at 302 Pine Street, Minturn CO 81645 – during regular business hours between 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding holidays.

### **Regular Session – 6:30pm**

#### **1. Call to Order**

- Roll Call

Lynn T. called the meeting to order at 6:30 pm.

Those present at roll call: Jena S., Lynn T., Burke H., Lauren D., Chris M, and Jeff A.

Staff Members Present: Town Planner Scot Hunn and Planner I Madison Harris.

- Pledge of Allegiance

## 2. Approval of Agenda

- Items to be Pulled or Added

Motion by Chris M., second by Jena S., to approve the agenda as presented. Motion passed 5-0.

*Note: Lauren D. is attending in her status as an alternate.*

## 3. Approval of Minutes

- December 21, 2020

Motion by Jena S., second by Chris M., to approve the minutes of December 21, 2020 as presented. Motion passed 5-0.

*Note: Lauren D. is attending in her status as an alternate.*

## 4. Public comments on items, which are NOT on the agenda (5min time limit per person)

No Public Comment.

## 5. Planning Commission Comments

No Planning Commission comments.

# DESIGN REVIEW AND LAND USE PUBLIC HEARINGS

## 6. 1041 Main Street – Peace Love Aerial Yoga Studio Alteration of Approved Plans

Review and approval of alterations to plans for a commercial and residential building proposed as a yoga studio with two employee housing units approved March 11, 2020.

**Recommendation:** Approval with Conditions

*Jeff Armistead recused himself due to conflict of interest and left the meeting.*

Scot H. introduced the project. It was originally approval last year, but there were revisions that needed to be made. The applicant's focus was the underground parking which was not working out. The project now has a typical surface parking lot. The applicants thought they needed 13 parking spaces and would subsequently need a reduction of one space under the provision of shared use, but it has since been determined that they only need 12 spaces.

Thom Conville and Tracy Long, 1041 Main.

Their snow storage is to code. They will have a fence along the portion of their property that borders Forest Service land, so snow won't be pushed there. They are working with Dan Armistead to give him access to his neighboring property. There will be permeable surface wherever possible. They are hoping to move the parking spaces that are closest to

the rear property line closer to the building to provide more green space at the back of the lot. They will limit tenants to 1 parking space per unit. This will allow easier movement for the Armistead's.

Lynn T. clarified where the access to the duplex was.

Jena S. thinks that they can shrink the parking lot. They will just have to size it for an F150.

Lynn T. suggested that they make the last parking spot closest to 1021 a compact car space.

Jena S. suggested they make the curb something that people can roll over easily with a car, so it won't be as tight or hard to manage.

Mr. Conville said that the fence on the back will be no higher than 4 ft.

Lynn T. questioned whether the grid on the driveway was plowable.

- Mr. Conville said that yes it was.
- Burke H. cautions the laying of the grid system as a snowplow can grab a corner. Whoever is plowing needs to be careful.
- Jena S. said that on the difficult areas (corner) you might stop the grid and lay a regular driveway.

Chris M. said that it looks great and the snow storage looks adequate. His only question is the corner access.

- Ms. Long said that they are working with Mr. Armistead to figure it out.

Scot H. said that what is approved now will be with the expectation that they come back and tell Planning Commission and/or Staff how they figure it out.

Lauren D. asked what the Planning Commission is supposed to be doing since there will be additional meetings.

- Scot H. said that the Planning Commission were reviewing changes in approved plans.

Mr. Daniel Armistead, 1021 Main.

He is a neighbor to this property, and in favor of the project. He is pursuing a more formalized, long-term agreement that will provide access to his lot at the Southwest corner of 1041. Thinks the yoga studio will be a welcome addition to South Town. Based on his meeting with Mr. Conville, he is willing to adjust. Thinks these should be approved with the condition no building permit be issued until the access point is clearly defined on the building plans submitted to the building department.

Scot H. clarified that there is a need for a motion and adding conditions is up to the Planning Commission.

Lynn T. asked the time frame of getting new drawings.

- Mr. Conville said a couple of days. It is just figuring out the solution that will take time.
- Ms. Long clarified whether a redline drawing that identified an access point would work for Planning Commission's purposes without going into detail how it would be executed for Mr. Armistead.
- Mr. Armistead said that would work for him. In talks with Mr. Conville, there might be a way to re-angle the parking line at the rear of the property to allow better access.

Scot H. said that any changes after the approval tonight, might be something that staff could approve.

Jena S. clarified drainage on the east side of the property.

Motion by Jena S., second by Lauren D., to approve the revised plan of 1041 Main with the condition that staff administer and approve any further changes especially when dealing with the southwest corner and access to the neighboring property.

Motion passed 5-0.

*Note: Jeff A. recused himself due to conflict of interest.*

*Jeff A. unrecused himself and reentered the meeting at 7:10pm.*

## PROJECTS AND UPDATES

### 7. Project Updates

- Chapter 16 Zoning Code Amendment: Review of Zone Districts and Use Table
  - Still working on 100 Block, Dimensional Limitations, Article 21 – Processes. Staff is trying to schedule meeting with Scott Fleming, Eagle County GIS to try and tune up the zoning maps.
  - Jena S. asked whether any of these uses are under further review.
    - Scot H. said that there are new uses. Alternative Energy is one. Eagle County has it broken up into size. Ground mounted vs. roof mounted.
    - Jena S. wanted to make sure that there is a clarifying section of code about non-conforming uses since we are changing uses.
    - Scot H. said the non-conformities section should cover that. In the future there needs to be a better memo that details all the changes. Uses added or removed or status changed i.e. Use by Right to Conditional Use.
  - Jeff A. South Town commercial – new uses have a lot of conditional uses which does not encourage commercial.
    - Scot H. said that we can compare the existing use tables to new.
    - Jena S. said that need to contemplate allowing for employee housing and bed and breakfast and things like that to allow for

- creativity.
- Lynn T. said that we need to get rid of Roadside Stand and Mobile/Manufactured Home Sales as uses. We need standards for Dry Cleaners and should check the use table as it shows it is permitted for C-1.
    - Jena S. said that it should be more a storefront drop-off rather than a processing center.
  - Jeff A. points out that there are talks of allowing marijuana in town and that it isn't listed as a use anywhere.
  - Jeff A. – R3. Having ADUs as a Limited Use doesn't quite make sense as the lots are so big.
    - Scot H. clarified there isn't much to a limited review. Concerning ADUs, there is no size restriction, as long as it is subordinate to the primary structure.
  - Jena S. says that the R3 color should change as it is similar to R-1.
  - Jena S. R-4 She thinks that if you can make the math work then ADUs should be allowed, but need to check to see what would trigger a new access permit with CDOT. There are thresholds that we need to look at.
  - Lynn T. concerning Alternative Energy Production, can we restrict it to solar?
    - Scot H. said that we will be having definitions for solar and maybe micro-wind.
    - Jena S. likes how the county set up their code dealing with this. Thinks it should be split between solar and wind.
  - Jena S. thinks we should circle back around on Home Occupation, especially as more people work from home during COVID. Maybe make it a Use by Right.
  - Scot H. C-1 changed intent from “auto-centric uses” to “retail and service commercial uses”.
  - Jena S. asks how we would capture Dowd Junction in the future.
    - Scot H. said that it would most likely be a PUD.
    - Jena S. said that PUD is currently under Railroad in the Table. Need to fix that.
    - Scot H. could we change “holding zone” to RRT and RRP?
      - Jena S. yes.
  - Jeff A. said that maybe an indoor storage use would be something to look into as there are some nice buildings that don't look like storage. Just need to figure out where to put it.
    - Jena S. maybe PFLI as it will be non-habitable structures due to rockfall.
  - Jeff A. said that there are already Light Manufacturing uses happening in the C-2 zone district.
    - Jena S. thinks it should be a limited review with the option to kick it up to Conditional.
    - Would the yoga studio be allowed in this new code in C-2?
  - Scot H. said that the intent statement of C-2 needs to be reworked.

- Jena S. said that we need to deal with Art Gallery as a use as well in the C-2 district.
- Scot H. pointed out that Staff is proposing a 0 foot front setback and 35 foot building height with conditions in C-3 zone district. Currently working on maybe 3D modeling the 100 Block which would allow us to really see how different things would affect the built environment and pedestrian realm.
  - Lynn T. said that as long as there is a provision for discussion, and not just a given that it will be approved, then she is ok with it.
  - Jena S. thinks we should link the appeals section to the “Additional Provisions and Limitations” section for C-3.
- Lynn T. asked for clarification on what the Automotive Detail Shop would entail.
  - Scot H. said that it would be someone who cleans cars inside and out.
  - Lynn T. asked if that is something we want in MU-1.
- Scot H. pointed out the Day Care Home in MU-1 under Conditional Use should be Day Care Center.
- Jena S. said that there should also be a reflection in the code for Elder Care as a use.
  - Jeff A. said there should be areas where we can do Senior Housing.

5 minute recess starting 8:43 pm.

Lauren D. left the meeting at 8:45 pm due to internet connectivity issues.

- Scot H. said that normally PUDs are not part of the zoning code.
  - Jena S. said that she would rather they are an Appendix and there should be flexibility to amend it so you aren’t amending the code every time the PUD gets amended. Will need to clarify with the Town Attorneys.
- Scot H. said that RR1/RRPUD should become RRT/RRP. And we might want a conditional use that allows what is already happening over there which have CUPs now. That way we can have specific standards on what has been approved.
- Scot H. said that within the PFLI we will need to take another stab at the uses. Public Events and Mass Gatherings might be Recreational Facilities.
  - Jena S. said that Interior Storage and Town Uses should be uses in PFLI.
- Jena S. pointed out that we could have parking as an independent use in PF for access to trailheads and such.
- Scot H. said that we need to take another stab at the uses in PF. Need to discuss with Michelle.
- Jena S. said that there should be associated uses to RRT like depots, snack stands, waiting areas, stops, restaurants, etc. “Accessory buildings that have to deal with the rail line” .
- Jena S. pointed out that numbering is off in OS-1. Public Events and Mass Gatherings should be under Limited Review rather than Permitted Use as

it will need a permit.

- Madison H. pointed out that Roadside Stand in OS-1 is a placeholder.
  - Jena S. said that it could be captured under “Accessory Uses customarily associated with allowable uses”.
- Jena S. asked if we had a definition for Conservation in OS-2? We should strike Conservation as a use. Public Open Space as a use makes more sense.

## **8. Planning Director Report & Minor DRB Approvals by Director**

- Belden Place Preliminary Plan Application Status
  - Expect submittal this week.
- Minturn North Preliminary Plan Application Status
  - Application went out on referral.
- Dowd Junction – NAIOP
  - Kicks off officially January 26<sup>th</sup>.

## **9. Future Meetings**

- January 27, 2021
  - Chris M. might not be able to make it.
- February 10, 2021
  - Jena S. might be late.

## **10. Adjournment**

Motion by Jena S., second by Jeff A., to adjourn the regular meeting of January 13, 2021 at 9:28 pm. Motion passed 5-0.

*Note: Lauren D. was excused absent.*

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Lynn Teach, Commission Chair

ATTEST:

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Scot Hunn, Planning Director

Minturn Planning Department  
Minturn Town Center  
302 Pine Street  
Minturn, Colorado 81645



Minturn Planning Commission  
Chair – Lynn Teach  
Jeff Armistead  
Lauren Dickie  
Burke Harrington  
Christopher Manning  
Jena Skinner

## Design Review Board Hearing

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### Bilello Residence – Final Plan Review for New Home

701 Boulder Street

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<b>Hearing Date:</b>	January 27, 2021
<b>File Name and Process:</b>	Single Family Residence Final Plan Review
<b>Owner/Applicant:</b>	Mike Bilello
<b>Representative:</b>	Michael Pukas, MPP Design Shop, Inc.
<b>Legal Description:</b>	Lot 2 RBLA Subdivision
<b>Address:</b>	701 Boulder Street
<b>Zoning:</b>	Old Town Character Area – Residential Zone District
<b>Staff Member:</b>	Scot Hunn, Planning Director Madison Harris, Planner I
<b>Recommendation:</b>	<b>Approval, with Conditions</b>

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### Staff Report

#### I. Summary of Request:

The Applicant, Mike Bilello, requests Final Plan review of a new four-bedroom, 3,121 square foot single-family residence located at 701 Boulder Street in the Old Town Residential Zone District.

## Proposed Plans

The plans show a two-story structure with an average height of 23.95 feet above proposed grade, and with a maximum height of 27'-6" above proposed grade. The height of the proposed structure appears to be within the maximum 28-foot allowable within the Residential Zone District.

Additionally, the massing, forms, and scale of the proposed structure, as well as proposed exterior materials, textures and detailing also appear to achieve the design objectives of Appendix B – Design Guidelines and Standards. Per the Applicant's letter of intent,

*"The design of the building incorporates a gable roof with a shed dormer at the main living wing and a low-sloping shed roof at the garage and master suite wing. The exterior materials will include rusted corrugated metal siding at grade, weathered barn wood, horizontal wood siding, metal panels with reveals, standing seam metal roofing, and asphalt shingles."*

Parking is adequate, with two spaces provided within the garage, and one space in front of the garage.

According to staff's analysis of development standards and dimensional limitations in Section III below the project appears to meet the Town's standards.

However, staff has identified the following minor issues needing to be addressed prior to or concurrent with building permit application or during the construction process:

- **Exterior Light Fixtures** – the floor plans and elevations should be updated prior to building permit to show all exterior lighting locations as well as cut sheet/specifications.
- **Easement Encroachments** – the plans show several minor encroachments of roof overhangs into easements as well as a balcony projecting from the second floor over the driveway which will encroach slightly into an existing "25' Access Easement" and a "Snow Storage Easement" in the northern corner of the parcel. This is a design issue that the Applicant's architect addressed with the Town during the pre-application process and staff believes any outstanding issues can be resolved prior to building permit application. The background and staff's comments regarding this issue are addressed further below.
- **6' Privacy Fence within the Front Setback Area** – the plans show a boulder retaining wall and 6' tall privacy fence along the side of the home – but within the setback determined by the Planning Director to be the front setback area. Here again, the Applicant's architect consulted with the Town during the pre-application process to ensure that such fence could be proposed in this situation (typically, the Town Code only allows 4' fences in front yard areas) Given the unique and challenging lot size and configuration and, importantly, the orientation of the front façade of the residence relative to the street and the neighboring property to the west, staff believes this area functions more as a side yard and is recommending that the fence be approved as presented.

With the exception of the above issues, staff believes that the Applicants and their representative have provided a complete, detailed set of plans necessary to complete a thorough final plan review.

As a reminder, the Planning Commission has the option to review the proposal as a “conceptual” plan review if the Commission feels that the plans are *not* sufficient or are in need of revisions and additional review prior to final plan approval; or, the Commission may take action to approve, approve with conditions, or deny the Final Plans.

Staff is **recommending approval**, with conditions.

## **II. Summary of Process and Code Requirements:**

This is a final plan-level of review for a new single-family residential structure on a legally created lot within the Town of Minturn. This is a formal hearing providing the Applicant and staff the opportunity to discuss the proposal with the Planning Commission, acting as the Design Review Board, and to address the DRB’s concerns or feedback regarding suggested revisions to the project.

As noted above, if the DRB feels that the plans are complete, appropriate, and meet the intent and purposes of the Minturn Municipal Code, Chapter 16, the DRB has the option to take final action to approve or approve with specific conditions and giving the Applicant and staff clear direction on any recommended revisions to the plans.

No variances are required or requested at this time.

### **Applicable Definitions**

The following definitions from Article 2 – *Definitions*, Minturn Municipal Code, are relevant to this review:

***Yard, front*** means that portion of a yard between the street line and the front door of the building and between the two (2) side lot lines, the depth of which shall be the least distance between the front lot line and the building.

***Yard, side*** means all the yard between the front and rear yards, the width of which shall be the least distance between the side lot lines and the building.

### **Design Review Process**

Appendix ‘B’ of the Minturn Municipal Code, Section 16-21-615 - *Design Review Applications*, subsection “d” below outlines the criteria and findings necessary for DRB review and approval of all new, major development proposals:

(d) *Administrative procedure.*

- (1) *Upon receipt of a completed and proper application, the application for Design Review will be scheduled for a public hearing. The hearing will be conducted in accordance with the procedures set forth in this Chapter.*
- (2) *Criteria and findings. Before acting on a Design Review application, the Planning Commission, acting as the Design Review Board (DRB), shall consider the following factors with respect to the proposal:*
  - a. *The proposal's adherence to the Town's zoning regulations.*
  - b. *The proposal's adherence to the applicable goals and objectives of the Community Plan.*
  - c. *The proposal's adherence to the Design Standards.*
- (3) *Necessary findings. The Design Review Board shall make the following findings before approving a Design Review application:*
  - a. *That the proposal is in conformance with the Town zoning regulations.*
  - b. *That the proposal helps achieve the goals and objectives of the Community Plan.*
  - c. *That the proposal complies with the Design Standards.*

Staff suggests that the final plans for 701 Boulder Street meet or can be revised to meet the required findings ‘a,’ ‘b,’ and ‘c’ of subparagraph 3 – *Necessary findings*.

### **III. Zoning Analysis:**

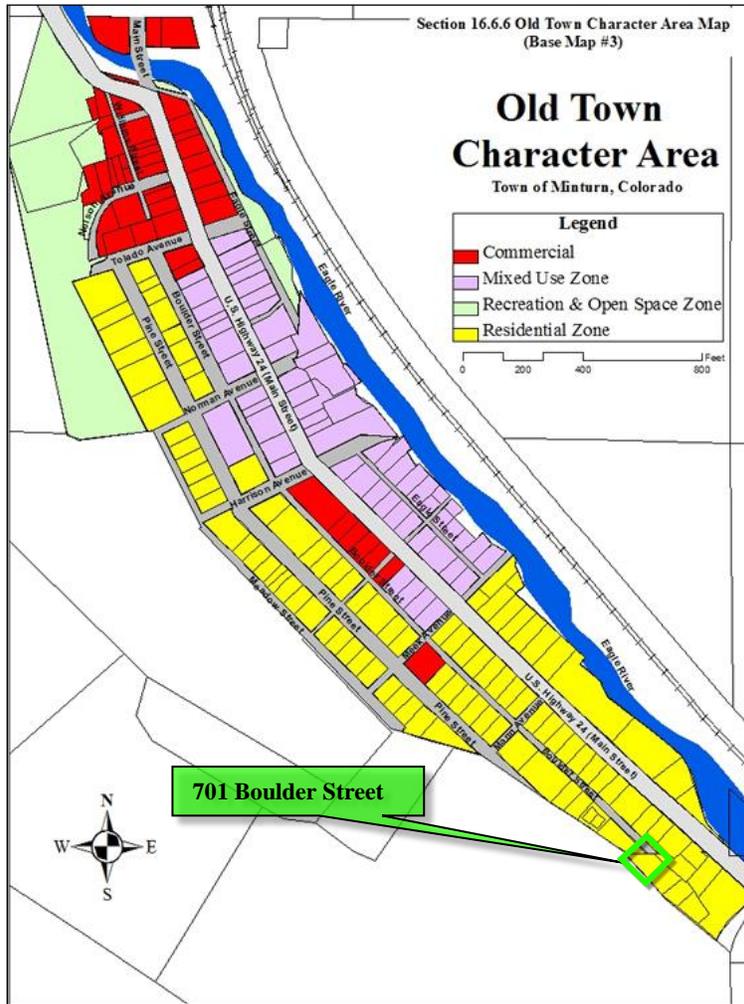
#### **Zoning**

The subject property is located within the “Old Town Character Area” Residential Zone District, described as follows:

- (a) *The neighborhood is bisected by Highway 24 and is characterized by single-family residences with a mix of business and institutional uses. **The residences are typically one (1) and two (2) stories, with outbuildings and minimal setback between structures.***
- (b) *The purpose of this zone is to **provide for continued residential use and redevelopment that preserves the unique character and scale of the neighborhood.** An objective is to retain the historically residential areas as quiet and safe neighborhoods while allowing for limited home-based occupations and home-based businesses to encourage permanent residency. **This area can accommodate reasonable growth where land and services are available.**”*

- Town of Minturn Town Code Section 16-6-20

**Figure 1: Old Town Character Area Zoning Map**



**Dimensional Limitations and Development Standards**

The following tables summarize the lot, development and dimensional standards and limitations applicable to Lot 2 pursuant to Section 16-2-40. - *General lot requirements and dimensional standards*; Section 16-16-20 – *Parking Required for Residential and Lodging Uses*; and Section 16-6-80 - *Old Town Character Area Limited Use Standards*.

<b>Regulation</b>	<b>Allowed/Required</b>	<b>Proposed/Existing</b>
Minimum Lot Area:	5,000 sq. ft.	5,755 sq. ft.
Maximum Building Height:	28 feet	27.6 feet
Minimum Front Setback:	10 feet	10 feet
Minimum Side Setback:	5 feet	5 feet
Minimum Rear Setback:	10 feet	10 feet
Maximum Building Coverage:	40% (2,302 sq. ft.)	1,668 sq. ft. (29%)
Maximum Impervious Coverage:	50% (2,877 sq. ft.)	2,878 (49%)
Minimum Snow Storage Area:	5% of Driveway/Parking Area (34.7 sq. ft.)	861 sq. ft.

Parking:	3 spaces	3 spaces

**Note:** the above calculations are based on the following:

$$\text{Lot 2} = .132 \text{ acres} \times 43,560 \text{ sq. ft./acre} = 5,755 \text{ sq. ft.}$$

$$694 \text{ sq. ft. parking area} \times .05\% = \underline{34.7 \text{ sq. ft. (Required Snow Storage)}}$$

**IV. Applicable Standards and Design Guideline Criteria:**

In addition to the development standards listed above, the following general design principles are provided for reference.

**Overall Design**

The design guidelines encourage designs that integrate or account for snow storage and snow shed from roof structures, along with ensuring that the orientation of buildings relative to solar access, to street frontages, and in relation to neighboring properties is considered.

The subject property is a challenging site from the perspectives of size, shape, topography/steepness, easement encumbrances, and solar orientation. Simply, staff believes that the Applicant’s architect has done a great job of siting this home on the lot while carefully addressing the requirements and restrictions of Chapter 16 and the Design Guidelines and Standards.

The proposed design generally takes advantage of and responds to the challenging site while respecting and preserving access and snow storage easements that encumber the northern portion of Lot 2. The site is required to have a minimum of approximately 35 square feet of dedicated snow storage yet provides over 800 square feet of storage areas on different portions of the lot surrounding the driveway area.

**Mass and Form**

The following excerpt from the Design Guidelines is applicable to the proposed home design:

*“c. Massing and Scale*

*“A simple central form with additive features shall be designed. This style creates visual interest and is appropriate for the community due to its compatibility with existing structures. Buildings and improvements should complement, rather than overpower, the adjacent natural and built environment. Homes are encouraged to be sheltering in nature, with consistent setbacks from the street with prominent porches or overhanging eaves.*

*“Building mass, form, length and height shall be designed to provide variety and visual interest while maintaining a scale that is similar or compatible to adjacent structures.”*

*-Town of Minturn Design Guidelines*

**Staff Response:**

Staff believes that the design and scale of the proposed structure incorporates a simple central form with additive features and is complimentary to adjacent single-family residential structures and character on nearby parcels. Staff further suggests that the scale of the project is appropriate and will not overpower surrounding natural and built environments – again, the project architect has done a nice job of siting the home on a challenging lot while working with site topography. Proposed roof forms and pitches, materials and textures are compatible and complimentary to the surrounding built and natural environments.

**V. Issues and Areas of Refinement:**

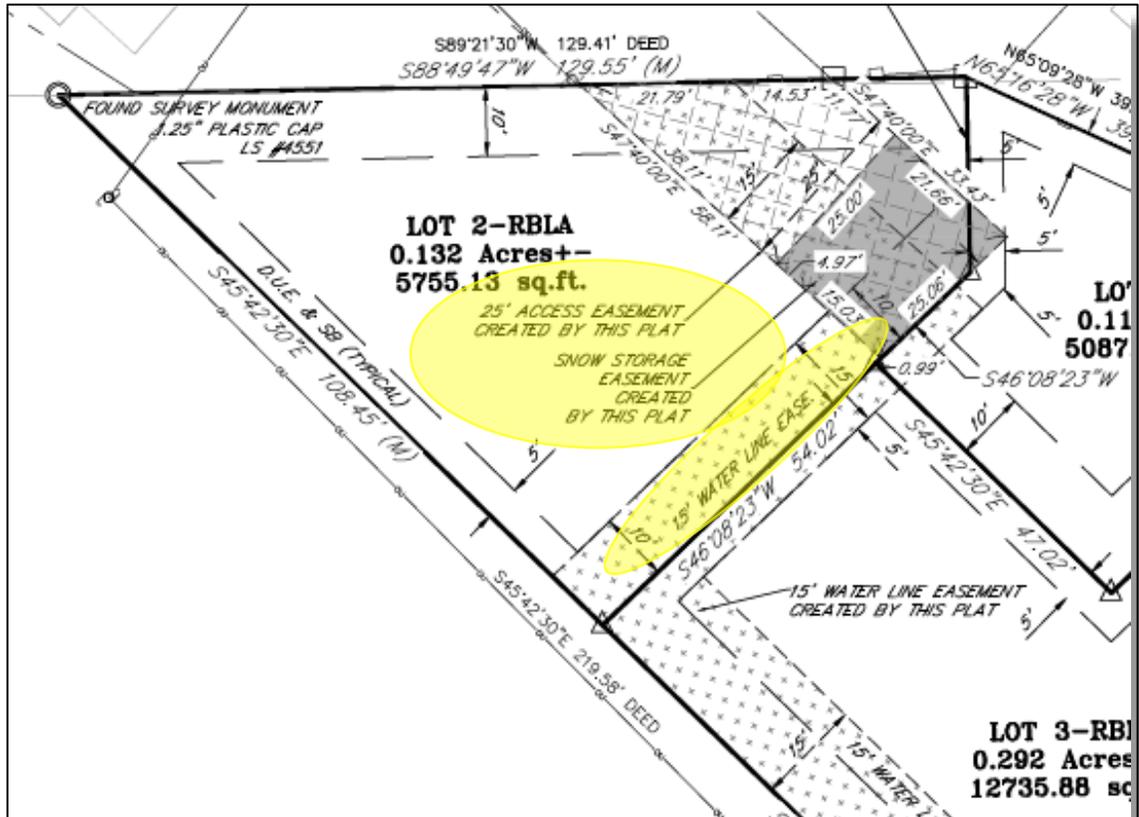
**Issues or Required Plan Revisions**

The following issues or areas of refinement have been identified by staff that must be addressed prior to any building permit submittal:

**Encroachments into Easements**

During pre-application meetings held with the Applicant’s architect, staff addressed the issue of second floor balcony encroachment into the platted access easement and the snow storage easement. Staff reviewed the Final Plat for the RBLA Subdivision and found no “General Notes” on the plat that would lend any clarity on who benefits from the easements, what the terms or restrictions on use are for those easements, or who enforces the easements. The Applicant’s architect also consulted with Arnold Martinez, Public Works Director, while developing the plans to ensure that any balcony or deck encroachments into these easement areas would not adversely impact snow plowing, storage, or management in this area of Boulder Street. As designed, the entirety (550 square feet) of the snow storage easement shown on the final plat and located in front of the home is preserved and will remain usable. Additional snow storage area is proposed on the northern most tip of the lot as well as next to the driveway.

Figure 2: RBLA Final Plat



Staff referred this final plan to the Town Engineer (Intermountain Engineering) and the Town Public Works Department for comments. Attached are comments from Brad Stempihar recommending that minor encroachments of roof overhangs into the water line easement or any plantings within that easement be reviewed by the Town and prior to building permit application.

### Water Service

During his review of the plans, the Town Public Works Director, Arnold Martinez, raised questions regarding water service; apparently the existing lines in the area are either located some distance away from Lot 2 (approximately 270 feet to the northwest in the Boulder Street Right-of-Way) or could come from adjacent property located at 719 Main Street to the northeast. This is information only.

### Exterior Light Fixtures

The plans should be updated to show exterior light locations. Light fixtures and lighting solutions are to be dark sky compliant.

**VI. Staff Recommendation and Suggested Conditions:**

Staff suggests that the Final Plans for 701 Boulder Street generally **comply** with or exceed the applicable provisions and/or minimum standards of Chapter 16 and the Town of Minturn Design Standards (Appendix 'B') of the Minturn Town Code.

Staff is **recommending approval** of the Final Plans, with conditions.

In the event the Planning Commission, acting as the Town of Minturn Design Review Board, approves of the Final Plans, staff respectfully suggests the following conditions of approval:

1. The Applicant shall revise the site and/or floor plans to show all proposed exterior light locations and provide final cut sheets/specifications for proposed exterior light fixtures prior to or concurrent with building permit applications to ensure compliance with the Town's lighting standards as well as consistency with fixtures found on the existing residential structure on the subject property.
2. The Applicant shall work with the Town and utility companies as appropriate to address any proposed minor encroachments or plantings into platted easements prior to or concurrent with building permit submittal.

January 20, 2021

Mr. Scot Hunn  
Town of Minturn  
PO Box 309  
Minturn CO 81645  
Via email: [scot@hunnplanning.com](mailto:scot@hunnplanning.com)

RE: Bilello Residence-DRB Plan Review  
Project No. 21-0007

Dear Scot:

We reviewed the Bilello Residence DRB plan submittal on January 20, 2021 and offer the following comments:

**Sheet AS101:**

- Any trees planted within the 15' waterline easement shall be coordinated with Public Works for review and approval.
- The upper deck encroaches into the 15' drainage/utility and snow storage easement and the upper roof encroaches into the 15' waterline easement. Any easement encroachments shall be coordinated with all appropriate utility providers and Public Works for review and approval. Any easement encroachments should be documented with both horizontal and vertical clearance requirements.
- There should be spot elevations depicted on the retaining wall. Any retaining wall over 4.0' height (measured from the top of wall to bottom of footer) shall be prepared by a qualified design professional registered in the State of Colorado.
- The grading and drainage behind and on the south side the house appears to be draining towards the building. Please provide detailed spot elevations and slopes with "For Construction" plans to ensure the site grading can be constructed properly.
- Additional proposed spot elevations, slopes, and contour labels should be provided with "For Construction" plans.
- Protection of the existing electric power pole at the driveway entrance may be required. Any proposed protection feature should be coordinated with the appropriate utility provider.
- Utility service connection designs shall be provided with "For Construction" plans per note #6.

While these initial plans appear suitable for DRB plan review, detailed "For Construction" ready plans shall be provided for permit. Please feel free to contact me with any questions regarding the provided comments.

Sincerely,  
Inter-Mountain Engineering



Brad Stempihar, PE

CC: Michelle Metteer; Michael Sawyer, Madison Harris, Jeffery Spanel

**VAIL VALLEY OFFICE**

30 Benchmark Road, Suite 216 | PO Box 978 | Avon, CO 81620

**DENVER OFFICE**

9618 Brook Hill Lane | Lone Tree, CO 80124

**970.949.5072 | [info@inter-mtn.net](mailto:info@inter-mtn.net)**



# DESIGN REVIEW APPLICATION

**TOWN OF MINTURN PLANNING AND ZONING DEPARTMENT**  
 P.O. Box 309 302 Pine Street Minturn, Colorado 81649-0309  
 Phone: 970-827-5645 Fax: 970-827-5545 Email: planner@minturn.org

## Project Name:

## Project Location

Street Address:

Zoning:

Parcel Number(s):

## Application Request:

## Applicant:

Name:

Mailing Address:

Phone:

Email:

## Property Owner:

Name:

Mailing Address:

Phone:

Email:

## Required Information:

Lot Size:	Type of Residence (Single Family, ADU, Duplex)	# of Bedrooms	# On-site Parking Spaces
# of Stories:	Snow storage sq ft:	Building Footprint sq ft:	Total sq ft Impervious Surface:

## Signature:

**Fee Paid:** \_\_\_\_\_ **Date Received:** \_\_\_\_\_ **Planner:** \_\_\_\_\_

# DESIGN REVIEW APPLICATION

## SUBMITTAL CHECKLIST REQUIREMENTS (TO BE INCLUDED WITH APPLICATION)

Applicant Staff

**Application Fee** (Non-Refundable application fee shall be collected)

- Design Review Board - \$200.00

**Letter of Intent**

-- What is the purpose of the project including;

- Relevant Background
- Current Status of the Site
- All Proposed Uses and Structures
- How the Proposal Differs from what already exists
- Information regarding Easements or Dedicated Tracts, etc.

**Vicinity Map**

-- Directional Map indicating how to get to the Property involved in the request.

- Zoning of Property

**Improvement Location Certificate of Survey (ILC or ILS)**

**Site Plan showing Precise Nature of the Proposed Use – To Scale**

- - Scaled Drawings of Proposed Design of Structure
    - Plan View and Sections
  - Building Heights – all 4 directions N/S/E/W
  - topography
  - Building Location
  - Setbacks
  - River or Creek Setbacks
  - Parking Plan
  - Traffic Circulation
    - Location and Width of Existing and Proposed Access Points
    - Location of Existing Driveways and Intersections
  - Landscaped Area – Plan
  - Approximate Location of Existing Wooded Areas and Rock Outcrops
  - Location and Type of Existing and Proposed Easements
  - Utility Easements
  - Drainage Features

**Preliminary Building Plans and Elevations**

- Indicates Dimensions
- General Appearance
- Scale
- Interior Plan for the Buildings

**Elements needed on the Site Plan**

- Scale
- North Arrow
- Date Prepared
- Lot Dimensions, Area, Entire Site Acreage

**Architecture Details – Materials Board**

- Windows – Placement and Color
- Doors – Placement and Color
- Siding – Type and Color
- Roof Material – Type and Color
- Paint Color

January 06, 2021

Minturn Community Development  
301 Boulder Street  
Suite #309  
Minturn, CO 81645  
Tel: (970) 827-5645  
Fax: (970) 827-5545

Regarding: Bilello Renovation

Location: 701 Boulder Street  
Minturn, CO 81645  
Parcel Number: 2103-352-02-009  
RBLA Minturn, Lot 2

The application is for a single family dwelling located at the above mentioned property. The proposed dwelling will consist of:

- 4 bedrooms
- 4 ½ baths
- 2 car garage
- Main living space consisting of kitchen, living and dining
- Livable area is: 2,532 sf
- Garage area is: 654 sf

The design of the building incorporates a gable roof with a shed dormer at the main living space wing and a low-sloping shed roof at the garage and master suite wing. The exterior materials will include rusted corrugated metal siding at grade, weathered barn wood, horizontal wood siding, metal panels with reveals, standing seam metal roofing, and asphalt shingles.

No variances are being requested with this application.

Thank you for your consideration.

Respectfully,

**SIGNED:** Michael P Pukas





**GENERAL NOTES**

- ALL WORK SHALL BE AS SPECIFIED AND IN ACCORDANCE WITH ALL NATIONAL, STATE AND LOCAL CODES, LAWS, PERMITS AND ORDINANCES, AND SHALL BE PERFORMED TO THE HIGHEST STANDARDS OF CRAFTSMANSHIP BY JOURNEYMEN OF THE APPROPRIATE TRADES.
- THESE DOCUMENTS ARE NOT INTENDED TO INCLUDE ALL LABOR, MATERIALS, EQUIPMENT, AND SERVICES REQUIRED TO COMPLETE ALL WORK DESCRIBED HEREIN. THE GENERAL CONTRACTOR (G.C.) SHALL VERIFY ALL DIMENSIONS AND SITE CONDITIONS BEFORE STARTING WORK.
- IT IS THE RESPONSIBILITY OF THE G.C. TO BRING TO THE ATTENTION OF THE ARCHITECT ANY CONDITIONS WHICH WILL NOT PERMIT CONSTRUCTION ACCORDING TO THE INTENTIONS OF THESE CONTRACT DOCUMENTS (GDS), AND TO NOTIFY THE ARCHITECT AT ONCE IF ANY DISCREPANCIES APPEAR IN THE GDS, OR BETWEEN THE GDS AND EXISTING CONDITIONS. IT IS THE RESPONSIBILITY OF THE ARCHITECT TO PROVIDE DETAILS AND/OR DIRECTIONS REGARDING DESIGN INTENT WHERE IT IS ALTERED BY EXISTING CONDITIONS OR WHERE NEGLECTED IN THE DOCUMENTS.
- SHOULD A CONFLICT OCCUR IN OR BETWEEN DRAWINGS AND SPECIFICATIONS, THE SPECIFICATIONS SHALL TAKE PRECEDENCE, UNLESS A WRITTEN DECISION FROM THE ARCHITECT HAS BEEN OBTAINED WHICH DESCRIBES A CLARIFICATION OR ALTERNATE METHOD AND/OR MATERIALS.
- DIMENSIONS: A) ALL DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS; B) ALL PLAN DIMENSIONS ARE TO FACE OF CONCRETE, FACE OF STUD, AND CENTER LINE OF COLUMN/BEAM, U.O.N.; C) FLOOR TO FLOOR DIMENSIONS ARE FROM TOP OF PLYWOOD SUBSURFACE TO TOP OF PLYWOOD SUBSURFACE, U.O.N.; D) VERIFY IN FIELD (V.I.F.) ALL EXISTING CONDITIONS DIMENSIONS, LOCATIONS AND SITE CONDITIONS PRIOR TO NEW CONSTRUCTION.
- THE G.C. SHALL SUBMIT SAMPLES OF ANY MATERIALS PROPOSED FOR SUBSTITUTION TO THE ARCHITECT FOR REVIEW AND APPROVAL BEFORE THE WORK IS TO BE PERFORMED. WORK SHALL CONFORM TO THE APPROVED SAMPLES.
- THE G.C. SHALL SUBMIT REQUIRED SHOP DRAWINGS TO THE ARCHITECT FOR REVIEW AND APPROVAL BEFORE THE WORK IS TO BE PERFORMED. WORK SHALL CONFORM TO THE APPROVED SHOP DRAWINGS.
- THE G.C. SHALL BE RESPONSIBLE FOR THE SAFETY AND CARE OF ADJACENT PROPERTIES DURING CONSTRUCTION, FOR COMPLIANCE WITH FEDERAL AND STATE O.S.H.A. REGULATIONS, AND FOR THE PROTECTION OF ALL WORK UNTIL IT IS DELIVERED COMPLETED TO THE OWNER.
- THE G.C. SHALL VERIFY AND COORDINATE ALL OPENINGS THROUGH FLOORS, CEILING, AND WALLS WITH ALL ARCHITECTURAL, STRUCTURAL, MECHANICAL, PLUMBING, AND ELECTRICAL DRAWINGS.
- THE JOB SITE SHALL BE MAINTAINED IN A CLEAN, ORDERLY CONDITION, FREE OF DEBRIS AND LITTER, AND SHALL NOT BE UNREASONABLY ENDEANGEROUS. EACH SUB-CONTRACTOR SHALL REMOVE ALL TRASH AND DEBRIS AS A RESULT OF HIS/HER OPERATION UPON COMPLETION OF HIS/HER WORK.
- THE G.C. SHALL PERFORM ALL PHASES OF CONSTRUCTION SUCH THAT ALL NEW CONSTRUCTION FITS FLUSH AND SEAMLESSLY WITH ADJACENT EXISTING CONDITIONS, AND SHALL NOT ENDANGER ANY EXISTING CONDITIONS OR OTHER WORK.
- THE G.C. SHALL PROVIDE ALL NECESSARY BLOCKING, BACKING, AND FRAMING FOR LIGHT FIXTURES, ELECTRICAL UNITS, A.C. EQUIPMENT, RECESSED ITEMS, AND ALL OTHER ITEMS AS REQUIRED.
- ALL CONSTRUCTION, STAGING, CONTRACTOR PARKING AND MATERIALS STORAGE SHALL BE CONFINED TO THE LIMITS OF THE EXISTING DRIVEWAY AND THE IMMEDIATE PERIMETER OF THE EXISTING BUILDING. ALL ACTIVITY PERFORMED AS PART OF THIS PROJECT SHALL BE CONTAINED ON THE PROJECT PROPERTY.
- CHANGES TO THESE CONTRACT DOCUMENTS SHALL BE NOTED IN THE FIELD AND MAINTAINED ON-SITE FOR THE DURATION OF THE PROJECT FOR CONSTRUCTION OBSERVATION.
- AS-BUILT DRAWINGS WILL BE PROVIDED TO THE TOWN/COUNTY, IF REQUIRED.
- UTILITY METER LOCATIONS TO BE APPROVED BY UTILITY COMPANIES.
- ALL INTERIOR NON-BEARING WALLS TO BE 2x4, U.O.N.
- ALL INTERIOR BEARING WALLS TO BE 2x6, U.O.N. SEE STRUCTURAL DWG'S FOR SPEC'S
- ALL EXTERIOR WALLS TO BE 2x6, U.O.N. SEE STRUCTURAL DWG'S FOR SPEC'S
- ALL HORIZONTAL FRAMING DIMENSIONS ARE TO THE FACE OF WOOD FRAMING, U.O.N.
- ALL VERTICAL FRAMING DIMENSIONS ARE FROM THE T.O. PLYWOOD, U.O.N.
- ALL HORIZONTAL DIMENSIONS ARE TO THE CENTER LINE OF R.O.
- ALL VERTICAL DIMENSIONS FOR OPENINGS ARE TO THE T.O. R.O.

**SITE NOTES**

- THE GENERAL CONTRACTOR SHALL PROVIDE EROSION CONTROL IN CONFORMANCE WITH TOWN/COUNTY GUIDELINES.
- THE CONSTRUCTION LIMIT LINE IS THE CONTRACT LINE. DO NOT DISTURB ANY EXISTING TREES OR VEGETATION DESIGNATED TO REMAIN OR LOCATED OUTSIDE OF THE CONSTRUCTION LIMIT LINE WITHOUT APPROVAL OF THE OWNER AND THE TOWN/COUNTY.
- THE GENERAL CONTRACTOR SHALL VERIFY EXISTING SITE INFORMATION, INCLUDING STRUCTURES, UTILITIES, PROPERTY LINES, LIMITS OF ROADWAYS, AND CURBS AND GUTTERS THAT MAY AFFECT THE SCOPE OF WORK PRIOR TO BEGINNING SITE CONSTRUCTION.
- EXISTING UTILITIES ARE INDICATED FOR INFORMATION ONLY AND NOT INTENDED TO SHOW EXACT LOCATION. THE ARCHITECT IS NOT RESPONSIBLE FOR THE LOCATION OF UNDERGROUND UTILITIES OR STRUCTURES, OR ANYTHING NOT SHOWN OR DETAILED BY ANY OTHER CONTRACTOR. THE GENERAL CONTRACTOR SHALL LOCATE ALL UTILITIES AND MAINTAIN THE LOCATION DURING ALL PHASES OF THE WORK. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGES TO UTILITIES OR STRUCTURES AND ANY INJURIES THEREFROM. RESTORATION OF ANY UTILITIES DAMAGED BY THE GENERAL CONTRACTOR SHALL BE AT THE GENERAL CONTRACTOR'S EXPENSE TO THE SATISFACTION OF THE OWNER.
- CONFORM TO EAGLE RIVER WATER AND SANITATION DISTRICT SPECIFICATIONS FOR SEWER CONSTRUCTION. PROVIDE SEWER CLEANOUT WITH LOCATION TO BE REVIEWED BY TOWN ENGINEER.
- THE GENERAL CONTRACTOR SHALL PROVIDE DRAWINGS SHOWING PROPOSED UTILITY SERVICE CONNECTIONS FOR THE ENGINEER'S REVIEW PRIOR TO CONSTRUCTION.
- ROAD CUTS AND ANY OTHER CONSTRUCTION IN ROAD RIGHT-OF-WAY SHALL CONFORM TO TOWN GUIDELINES.
- ALL COMPACTION SHALL BE IN ACCORDANCE WITH THE SOILS REPORT PREPARED BY THE GEOTECHNICAL ENGINEER.
- PROVIDE WRITTEN NOTIFICATION OF ALL DISCREPANCIES BETWEEN EXISTING AND PROPOSED SITE IMPROVEMENTS.
- CONTRACTOR(S) SHALL TAKE ALL NECESSARY STEPS AS REQUIRED TO PROPERLY PROTECT AND MAINTAIN HIS WORK FOR THE DURATION OF THIS CONTRACT.
- THESE DRAWINGS DO NOT SPECIFY SAFETY MATERIALS, EQUIPMENT, METHODS OR SEQUENCING, TO PROTECT PERSONS AND PROPERTY. IT SHALL BE THE GENERAL CONTRACTOR'S RESPONSIBILITY TO DIRECT AND IMPLEMENT SAFETY OPERATIONS AND PROCEDURES TO PROTECT THE OWNER, OTHER CONTRACTORS, THE PUBLIC AND OTHERS.
- ALL WORK SHALL COMPLY WITH ALL APPLICABLE CODES AND ORDINANCES.
- CONTRACTOR(S) SHALL EMPLOY A LICENSED SURVEYOR TO ESTABLISH ALL WORK LINES.
- CONTRACTOR(S) SHALL STAKE OUT ALL AREAS, INCLUDING WALKS, PAVEMENTS, WALLS, POOLS AND FENCES AND SHALL OBTAIN THE APPROVAL OF THE ARCHITECT PRIOR TO PROCEEDING WITH THE WORK.
- CONFLICTS OR DISCREPANCIES WITH GRADES SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT IMMEDIATELY AND PRIOR TO PROCEEDING WITH WORK.
- ALL FINISHED GRADES SHALL PROVIDE FOR NATURAL RUNOFF OF WATER WITHOUT LOW SPOTS OR POCKETS. SET FLOW LINES ACCURATELY AND PROVIDE A MINIMUM 2.5% GRADIENT UNLESS OTHERWISE NOTED.
- GRADUALLY ROUND OFF TOPS AND TCEs OF ALL PLANTED SLOPES, UNLESS SHOWN OTHERWISE IN GRADING DETAILS.
- GRADE AWAY FROM ALL BUILDINGS AT A MINIMUM SLOPE OF 10% IN UNPAVED AREAS AND MINIMUM SLOPE OF 2% IN PAVED AREAS.
- CLEANOUTS SHALL BE PROVIDED FOR ALL CHANGES IN LINES AND/OR GRADE OR THE SANITARY SEWER SERVICE.
- CONFORM TO TOWN/COUNTY STANDARDS FOR WATER CONSTRUCTION. MAINTAIN 10 FEET MINIMUM SEPARATION BETWEEN WATER AND SEWER UNDERGROUND SERVICE PIPES. MAINTAIN SEVEN FEET MINIMUM COVER AT UNDERGROUND WATER SERVICE AND ASSOCIATED LINES. NEW CURB STOPS AND SERVICE LINES SHALL BE INSTALLED FOR EACH UNIT. CURB STOPS SHALL BE LOCATED ON THE PROPERTY LINE IN A SPOT APPROVED BY THE TOWN PUBLIC WORKS DIRECTOR.
- IF UTILITY CONNECTION POINTS ARE NOT KNOWN AT THE TIME OF BUILDING PERMIT SUBMISSION, LOCATIONS TO BE COORDINATED AND APPROVED BY TOWN/COUNTY AND SERVICE PROVIDERS IN ADVANCE.

**ENERGY CODE NOTES**

SO TO COMPLY WITH ALL REQUIREMENTS OF THE 2019 INTERNATIONAL BUILDING CODE, THE 2019 INTERNATIONAL RESIDENTIAL CODE, AND THE 2019 INTERNATIONAL ENERGY CONSERVATION CODE, AS WELL AS ANY AMENDMENTS ADOPTED BY THE TOWN'S AND/OR COUNTY'S MUNICIPAL CODE REQUIREMENTS, INCLUDING BUT NOT LIMITED TO:

CLIMATE ZONE	6B
FENESTRATION U-FACTOR	0.30
SKYLIGHT U-FACTOR	0.35
CEILING R-VALUE	49
WOOD FRAME WALL R-VALUE	20+5 OR 13+10 - CAVITY + CONTINUOUS EXTERIOR
MASS WALL R-VALUE	19/20
FLOOR R-VALUE	30
BASEMENT WALL R-VALUE	19/19 - CONTINUOUS + CAVITY
SLAB R-VALUE & DEPTH	10, 4"
CRAWL SPACE WALL R-VALUE	19/14 - CONTINUOUS + CAVITY
HEATED SLAB ON GRADE R-VALUE	5, 4"

**ABBREVIATIONS**

#	AND
@	AT
⊕	ANCHOR BOLT
AC	AIR CONDITIONING
ACC	ACCESSIBLE
ACG	ACOUSTICAL
ACT	ACOUSTIC CEILING TILE
AD	AREA DRAIN
ADJ	ADJACENT
AFP	ABOVE FINISHED FLOOR
AFS	ABOVE FINISHED GRADE
AGS	AGGREGATE
ALT	ALTERNATE
ALUM	ALUMINUM
ANOD	ANODIZED
APC	ACOUSTICAL PANEL CEILING
APPROX	APPROXIMATE
ARCH	ARCHITECTURAL
ASPH	ASPHALT
ATTN	ATTENTION
AUTO	AUTOMATIC
AV	AUDIOVISUAL

BD	BOARD
BIT	BITUMINOUS
BLDG	BUILDING
BLK	BLOCK
BLKG	BLOCKING
BM	BEAM
BO	BOTTOM OF
BOT	BOTTOM
BRG	BEARING
BRK	BRICK
BRKT	BRACKET
BSMT	BASEMENT

C	CHANNEL
CAB	CABINET
CAT	CATEGORY
CB	CATCH BASIN
CB	CEMENT BOARD
CBU	CEMENTITIOUS BACKER UNIT
CC	CENTER TO CENTER
CGTV	CLOSED CIRCUIT TELEVISION
CEM	CEMENT
CER	CERAMIC
CG	CORNER GUARD
CH	CHILLER
CI	CAST IRON
CIP	CAST-IN-PLACE
CJ	CONTROL JOINT
CL	CENTERLINE
CLG	CEILING
CLR	CLEAR
CNTR	COUNTER
CG	CLEANOUT
COL	COLUMN
CONC	CONCRETE
COND	CONDITION
CONN	CONNECTION
CONST	CONSTRUCTION
CONT	CONTINUOUS
CONTR	CONTRACTOR
COORD	COORDINATE
CORR	CORRIDOR
CPT	CARPET
CT	CERAMIC TILE
CTR	CENTER
CTS&K	COUNTERSINK
CA	COLD WATER

(D)	DEMOLISH OR DEMOLITION
D	DEEP, DEPTH
DBL	DOUBLE
DES	DEGREE
DEMO	DEMOLISH OR DEMOLITION
DEPT	DEPARTMENT
DF	DRINKING FOUNTAIN
DIA	DIAMETER
DIFF	DIFFUSER
DM	DIMENSION
DMS	DIMENSIONS
DSP	DISPENSER
DIV	DIVISION
DMFF	DAMP PROOFING
DN	DOWN
DO	DOOR OPENING
DR	DOOR
DRN	DRAIN
DS	DOWNSPOUT
DS	DOWN SPOUT
DTL	DETAIL
DW	DISHWASHER
DWG	DRAWING
DWR	DRAWER

(E)	EXISTING
CMU	CONCRETE MASONRY UNIT
E	EAST
EA	EACH
EB	EXPANSION BOLT

**ABBREVIATIONS**

EJ	EXPANSION JOINT
EL	ELEVATION
ELEC	ELECTRICAL
ELEV	ELEVATOR
EMER	EMERGENCY
ENCL	ENCLOSURE
ENG	ENGINEER
EP	ELECTRICAL PANEL
EPDM	ETHYLENE PROPYLENE DIENE GLASS
EQ	EQUAL
EQUIP	EQUIPMENT
EXH	EXHAUST
EXIST	EXISTING
EXP	EXPANSION
EXT	EXTERIOR

FA	FIRE ALARM
FB	FACE BRICK
FD	FLOOR DRAIN
FD	FLOOR DRAIN OR FIRE DEPARTMENT
FDG	FIRE DEPARTMENT CONNECTION
FE	FIRE EXTINGUISHER
FEC	FIRE EXTINGUISHER CABINET
FF	FURNITURE, FIXTURES AND EQUIPMENT
FFB	FLUSH FLOOR BOX
FFEL	FINISH FLOOR ELEVATION
FH	FLAT HEAD
FHC	FIRE HOSE CABINET
FIN	FINISH
FIXT	FIXTURE
FLASH	FLASHING
FLR	FLOOR
FLUOR	FLUORESCENT
FND	FOUNDATION
FO	FACE OF
FP	FIRE PROTECTION
FFG	FIREPROOFING
FR	FIRE RESISTANT
FRG	FIBER REINFORCED CONCRETE
FRT	FIRE RETARDANT TREATED
FT	FEET/FOOT
FTG	FOOTING
FURN	FURNITURE
FURR	FURRING
FYAC	FABRIC WALL COVERING
FYP	FABRIC WRAPPED PANEL

GA	GAUZE
GALV	GALVANIZED
GB	GRAB BAR
GC	GENERAL CONTRACTOR(OR)
GEN	GENERAL
GFRG	GLASS FIBER REINFORCED CONCRETE
GL	GLASS
GLAZ	GLAZING
GRAN	GRANULAR
GRD	GROUND
GFRG	GLASS FIBER REINFORCED GYPSUM
GS	GALVANIZED SHEET METAL
GV	GAS VALVE
GWB	GYPSUM WALL BOARD
GYP	GYPSUM

H	HIGH/HEIGHT
HB	HOSE BIBB
HG	HANDICAPPED
HDPD	HARDWOOD
HDR	HARDWARE
HST	HEIGHT
HMM	HOLLOW METAL
HNDRL	HANDRAIL
HO	HOLD OPEN
HORIZ	HORIZONTAL
HR	HOUR
HRG	HOSE REEL CABINET
HTG	HEATING
HVAC	HEATING VENTILATION AND AIR CONDITIONING
HW	HOT WATER

ID	INSIDE DIAMETER
IN	INCH/INCHES
INCAND	INCANDESCENT
INCL	INCLUDED/INCLUDING
INFO	INFORMATION
INSUL	INSULATION
INSUL	INSULATED OR INSULATION
INT	INTERIOR
INTERM	INTERMEDIATE
INV	INVERT

**ABBREVIATIONS**

JT	JOINT
KIT	KITCHEN
KO	KNOCK OUT
LAM	LAMINATE
LAV	LAVATORY
LB	LOADS
LLH	LONG LEG HORIZONTAL
LLV	LONG LEG VERTICAL
LT	LIGHT

MAS	MASONRY
MAX	MAXIMUM
MECH	MECHANICAL
MED	MEDIUM
MEMBR	MEMBRANE
MFR	MANUFACTURER
MH	MAN HOLE
MIN	MINIMUM
MISC	MISCELLANEOUS
MO	MASONRY OPENING
MR	MOISTURE RESISTANT
MTD	MOUNTED
MTS	MOUNTING
MTL	METAL
MULL	MULLION

(N)	NEW
N	NORTH
NA	NOT APPLICABLE
NC	NOISE CRITERIA
NG	NOT IN CONTRACT
NO	NUMBER
NOM	NOMINAL
NON	NON COMBUSTIBLE
COMB	COMB
NTS	NOT TO SCALE

OA	OUTSIDE AIR
OC	ON CENTER
OD	OUTSIDE DIAMETER
OD	OVERFLOW DRAIN
OFGI	OWNER FURNISHED, CONTRACTOR INSTALLED
OFF	OWNER FURNISHED, OWNER INSTALLED
OFI	OWNER FURNISHED, OWNER INSTALLED
OH	OVERHEAD
OPNS	OPENING
OPP	OPPOSITE
ORD	OVERFLOW ROOF DRAIN

P	PAINT
PAV	PAVING
PBD	PARTICLE BOARD
PFG	PREFAB
PDF	POWER DRIVEN FASTENER
PERF	PERFORATED
PERIM	PERIMETER
PERP	PERPENDICULAR
PL	PLATE
PLM	PLASTIC LAMINATE
PLAS	PLASTER
PLB	PLUMBING
PLF	POUNDS PER LINEAR FOOT
PLYWD	PLYWOOD
PNL	PANEL
PNT	PAINT OR PAINTED
POL	POLISHED
PR	PAIR
PREFAB	PREFABRICATED
PROJ	PROJECT
PSF	POUNDS PER SQUARE FOOT
PT	POINT
PT	PRESSURE TREATED
PTD	PAINTED
PTN	PARTITION
PVC	POLYVINYL CHLORIDE

QT	QUARRY TILE
QTY	QUANTITY
R	RADIUS/RIBER
RA	RETURN AIR
RAD	RADIUS
RES	RESILIENT BASE
RBR	RUBBER
RCF	REFLECTED CEILING PLAN
RD	ROOF DRAIN
REC	RECESSED
RECPT	RECEPTACLE
REF	REFERENCE
REFR	REFRIGERATOR
REG	REGISTER
RENF	REINFORCED REINFORCING
REL	RELOCATE

**ABBREVIATIONS**

REM	REMOVABLE
RECOM	RECOMMENDED
REQ	REQUIRED/REQUIRED
REQ	REQUIRED
RESLT	RESULT
REV	REVISION/REVISED
RM	ROOM
RO	ROUGH OPENING
RTD	RATED
RTG	RATING
RAL	RAIN WATER LEADER

S	SOUTH
SA	SUPPLY AIR
SAF	SELF ADHERED FLASHING
SC	SOLID CORE
SCHD	SCHEDULE
SD	STORM DRAIN
SEGT	SECTION
SF	SQUARE FEET/FOOT
SH	SPRINKLER HEAD
SHR	SHOWER
SHT	SHEET
SM	SIMILAR
SM	SHEET METAL
SM	SURFACE MOUNTED
SP	SPINDLE
SPEC	SPECIFIED OR SPECIFICATION
SPKR	SPRINKLER OR SPEAKER
SPKR	SPEAKER
SG	SQUARE
SS	STAINLESS STEEL
SSK	SERVICE SINK
STA	STATION
STC	SOUND TRANSMISSION COEFFICIENT

STEEL	STEEL
STOR	STORAGE
STRG	STRINGER
STRUCT	STRUCTURE OR STRUCTURAL
SUBCAT	SUBCATEGORY
SUSP	SUSPENDED
SYM	SYMMETRICAL
SYS	SYSTEM

T	TREAD
T&B	TOP AND BOTTOM
T&S	TONGUE AND GROOVE
TB	TOWEL BAR
TEL	TELEPHONE/TELECOM
TELE	TELEPHONE
TEMP	TEMPERATURE
TEMP	TEMPORARY
THK	THICKNESS
THRU	THROUGH
TKBD	TACK BOARD
TLT	TOILET
TMFD	TEMPERED
TO	TOP OF
TOB	TOP OF BEAM
TOC	TOP OF CONCRETE
TOS	TOP OF STEEL
TS	TUBE STEEL
TV	TELEVISION
TYP	TYPICAL

UNFN	UNFINISHED
UNO	UNLESS NOTED OTHERWISE
UNO	UNLESS OTHERWISE NOTED
URNL	URNAL
VAC	VENTILATION AND AIR CONDITIONING
VAR	VARIABLES
VNT	VINYL COMPOSITION TILE
VERT	VERTICAL
VEST	VESTIBULE
VIF	VERIFY IN FIELD
VP	VISION PANEL
VR	VAPOR RETARDER
VTL	VINYL TILE
VVC	VINYL WALL COVERING

W	WIDE/WEST
W	WITH
W/O	WITHOUT
WC	WATER CLOSET
WD	WOOD
WIN	WINDOW
WM	WIRE MESH
WP	WATERPROOF/WATERPROOF FINIS
WPM	WATERPROOF MEMBRANE
WS	WEATHER-STRIPPING
W/SGT	W/SCOT
WT	WEIGHT
WV	WATER VALVE
WVF	WELDED WIRE FABRIC
WVM	WELDED WIRE MESH

**PROJECT DIRECTORY**

**Project Address**  
101 Boulder Street  
Minturn, CO 81645  
Parcel Number: 2103-352-02-004  
RELA Minturn, Lot 2

**Owner**  
**Mike Biello**  
2014 Beechwood Avenue  
Nimette, IL 60091  
(847) 641-1514  
mikabiello@icloud.com

**Architect**  
**mpp design shop, inc.**  
Michael Pukas  
PO Box 288  
Gypsum, CO 81637  
(970) 390-4931  
michael@mppdesignshop.com

**General Contractor**  
**Minturn Real Estate and Development**  
Tom Sullivan  
PO Box 820  
Minturn, CO 81645  
(970) 376-2167  
minturnrealestate@gmail.com

**Structural Engineer**  
**Sundquist Design Group**  
Joe Sundquist  
PO Box 676  
Conifer, CO 80433  
(303) 941-7651  
joesundquistdesign.com

**Land Surveyor**  
**Kipp Land Surveying, LLC**  
Randy Kipp  
PO Box 3154  
Eagle, CO 81631  
(970) 390-9540  
randy@kipplandsurveying.com

**SHEET INDEX**

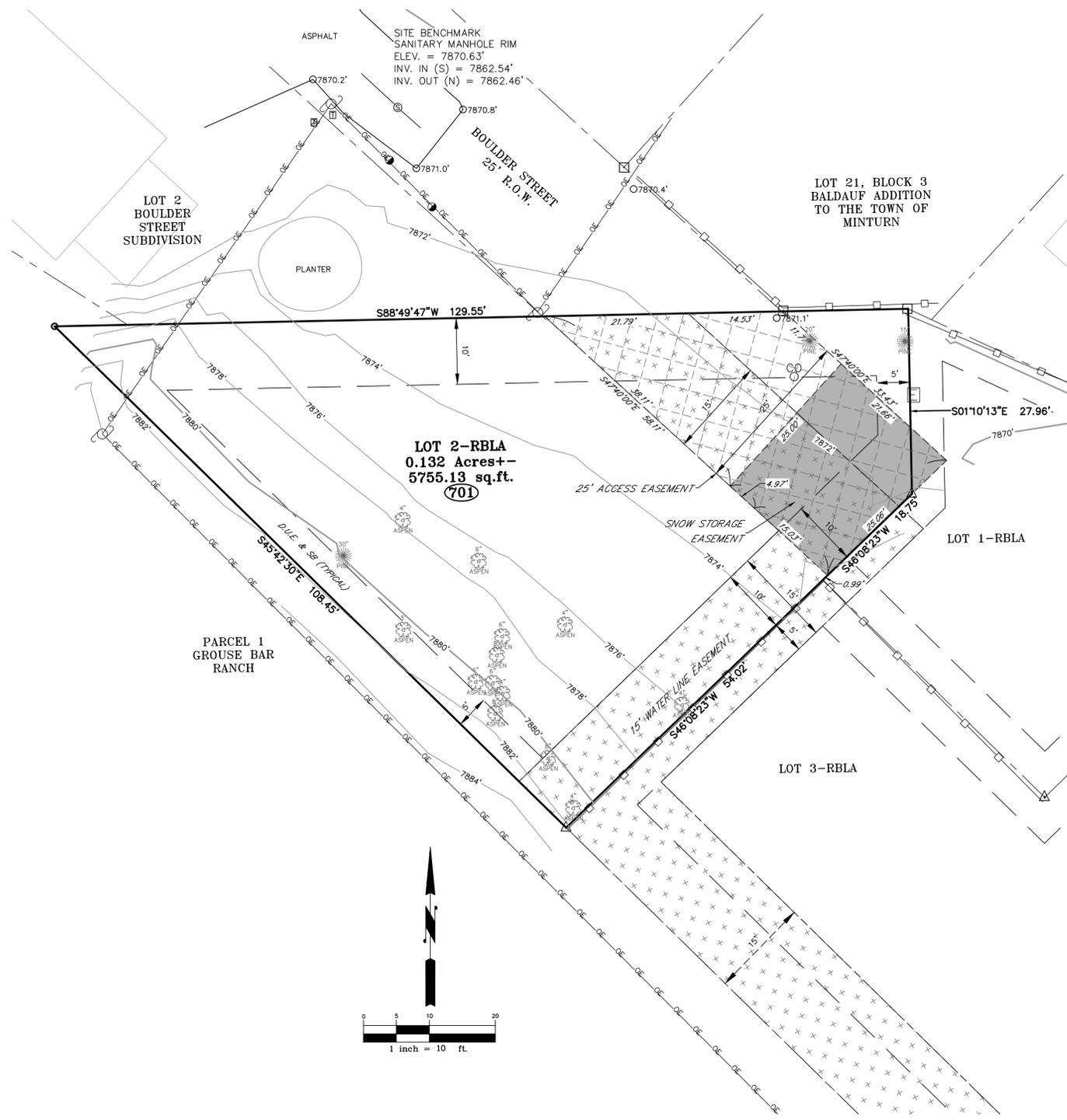
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01	AERIAL VIEWS
02	PERSPECTIVE VIEWS
ILC	IMPROVEMENT LOCATION CERTIFICATE
AS101	SITE & LANDSCAPE PLANS
A100	AREAS, SCHEDULES
A101	FOUNDATION PLAN
A102	LOWER LEVEL FLOOR PLAN
A103	UPPER LEVEL FLOOR PLAN
A104	ROOF PLAN
A201	EAST & SOUTH ELEVATIONS
A202	WEST & NORTH ELEVATIONS
A301	EAST-WEST BUILDING SECTIONS
A302	EAST-WEST BUILDING SECTIONS
A303	NORTH-SOUTH BUILDING SECTIONS
A304	NORTH-SOUTH BUILDING SECTIONS
A305	NORTH-SOUTH BUILDING SECTIONS







IMPROVEMENT LOCATION CERTIFICATE  
WITH TOPOGRAPHY  
**LOT 2, RBLA MINTURN SUBDIVISION**  
Town of Minturn, County of Eagle, State of Colorado



**LEGAL DESCRIPTION:**

LOT 2, RBLA MINTURN SUBDIVISION, according to the the Corrected Plat recorded August 2, 2018, at reception #201813165 in the Office of the Clerk and Recorder, County of Eagle, State of Colorado.

**NOTES:**

- 1) DATE OF SURVEY: 7-13-20
- 2) Street Address: 701 Boulder Street (Not-Posted)
- 3) Benchmark: 3.25" Aluminum Cap, CDOT MM 145.8 Elevation = 7869.72'  
Site Benchmark: Sanitary Manhole Rim Elevation = 7870.63' NAVD Vertical Datum
- 4) One foot contours shown hereon.
- 5) Location of improvements, lot lines, set backs, and easements are based upon the above-referenced Final Plat, Survey Monuments found at the time of this survey as shown hereon and Title Commitment Order No. V50057124 from Land Title Guarantee Company with an effective date of 6-15-20. This Survey does not constitute a boundary survey nor any investigation into record easements or encumbrances associated with this property.
- 6) This is not a monumented survey, Land Survey Plat, or Improvement Survey plat. No boundary resolution was performed in making this survey. All lot lines, setback lines, and easement lines shown hereon should be considered approximate and should not be relied upon for the placement of any future improvements.
- 7) NOTICE: According to Colorado law you MUST commence any legal action based upon any defect in this survey within three years after you first discovered such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of certification shown hereon.

**CERTIFICATION:**

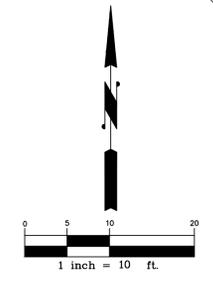
I hereby certify that this Improvement Location Certificate was prepared for Michael Anthony Bilello and Carlee S., and this is NOT a Land Survey Plat or Improvement Survey Plat, and that it is not to be relied upon for the establishment of fence, building, or other future improvements lines. This certificate is valid only for use by Michael Anthony Bilello and Carlee S. and describes the parcels appearance on 7-13-20.

I further certify that the improvements on the above described parcel on this date, 7-13-20, except utility connections, are entirely within the boundaries of the parcel, except as shown, that there are no encroachments upon the described premises by improvements on any adjoining premises, except as indicated, and that there is no apparent evidence or sign of any easement crossing or burdening any part of said parcel, except as noted.



Randall P. Kipp P.L.S. #38079  
Colorado Professional  
Land Surveyor

LEGEND:	
N00°00'00"E 0.00'	DENOTES BOUNDARY LINE BEARING AND DISTANCE
---	DENOTES ACCESS & UTILITY EASEMENT LINE
---	DENOTES DRAINAGE/ UTILITY EASEMENT AND SETBACK LINE (D.U.E. & SB)
---	DENOTES OVERHEAD WIRES
---	DENOTES ADJOINING PROPERTY LINES
□	DENOTES WOOD POST AND RAIL FENCE
-O-O-	DENOTES OVERHEAD WIRE
□	DENOTES FOUND SURVEY MONUMENTS 1.5" ALUMINUM CAP ON #5 REBAR, LS #9337
○	DENOTES FOUND SURVEY MONUMENT 1.25" RED PLASTIC CAP ON #5 REBAR, LS #4551
△	DENOTES FOUND SURVEY MONUMENT - 1.5" ALUMINUM CAP ON #5 REBAR, LS #38079
○	DENOTES UTILITY POLE
○	DENOTES SANITARY CLEANOUT
○	DENOTES SANITARY MANHOLE
□	DENOTES ELECTRIC PEDESTAL
○	DENOTES GUY WIRE
□	DENOTES TELEPHONE PEDESTAL



IMPROVEMENT LOCATION CERTIFICATE WITH TOPOGRAPHY LOT 2, RBLA SUBDIVISION Town of Minturn, County of Eagle, Colorado		<b>KIPP LAND SURVEYING</b>  RANDY KIPP P.L.S. P.O. Box 3154 Eagle, CO 81631 (970) 390-9540 email: randy@kipplandsurveying.com web: kipplandsurveying.com
JOB NO.: 15048	DATE: 7-13-20	
SHEET 1 OF 1	DWG NAME: 05048-Lot 2 RBLA	

LOT 2  
BOULDER STREET SUBDIVISION  
SHANE SORENSEN  
BOOK 641 PAGE 873

LOT 21, BLOCK 3  
BALDAUF ADDITION TO THE TOWN OF MINTURN  
IAN, J. LOCHHEAD  
REC. NO. 65797

LOT 22,  
BALDAUF ADDITION TO  
ADAM  
REC. N

LOT 1-RBLA  
0.117 Acres+-  
5087.02 sq.ft.

LOT 2-RBLA  
0.132 Acres+-  
5755.13 sq.ft.

LOT 3-RBLA  
0.292 Acres+-  
12735.88 sq.ft.

Planting Schedule		
Type	Count	Type
1	6	Quaking aspen/Populus tremuloides

BUILDING HEIGHT							
POINT	NATURAL GRADE ELEVATION	FINISHED GRADE ELEVATION	MEASURED FROM	ROOF ELEVATION	CALCULATION	HEIGHT	COMMENTS
A	1812.4	1813.4	NATURAL GRADE	1800.5	1800.5-1812.4	21.6	
B	1813.3	1813.3	NATURAL GRADE	1800.5	1800.5-1813.3	21.2	
C	1813.6	1813.0	FINISHED GRADE	1800.5	1800.5-1813.0	22.5	
D	1813.4	1813.5	NATURAL GRADE	1800.5	1800.5-1813.4	22.1	
E	1814.2	1812.3	NATURAL GRADE	1811.1	1811.1-1814.2	19.4	
F	1814.1	-	NATURAL GRADE	1811.1	1811.1-1814.1	24.4	

mpp design shop, inc.  
PO Box 288  
Gypsum, CO 81637  
(970) 390-4931  
michael@mppdesignshop.com

Bilello Residence  
701 Boulder Street  
Minturn, CO 81645

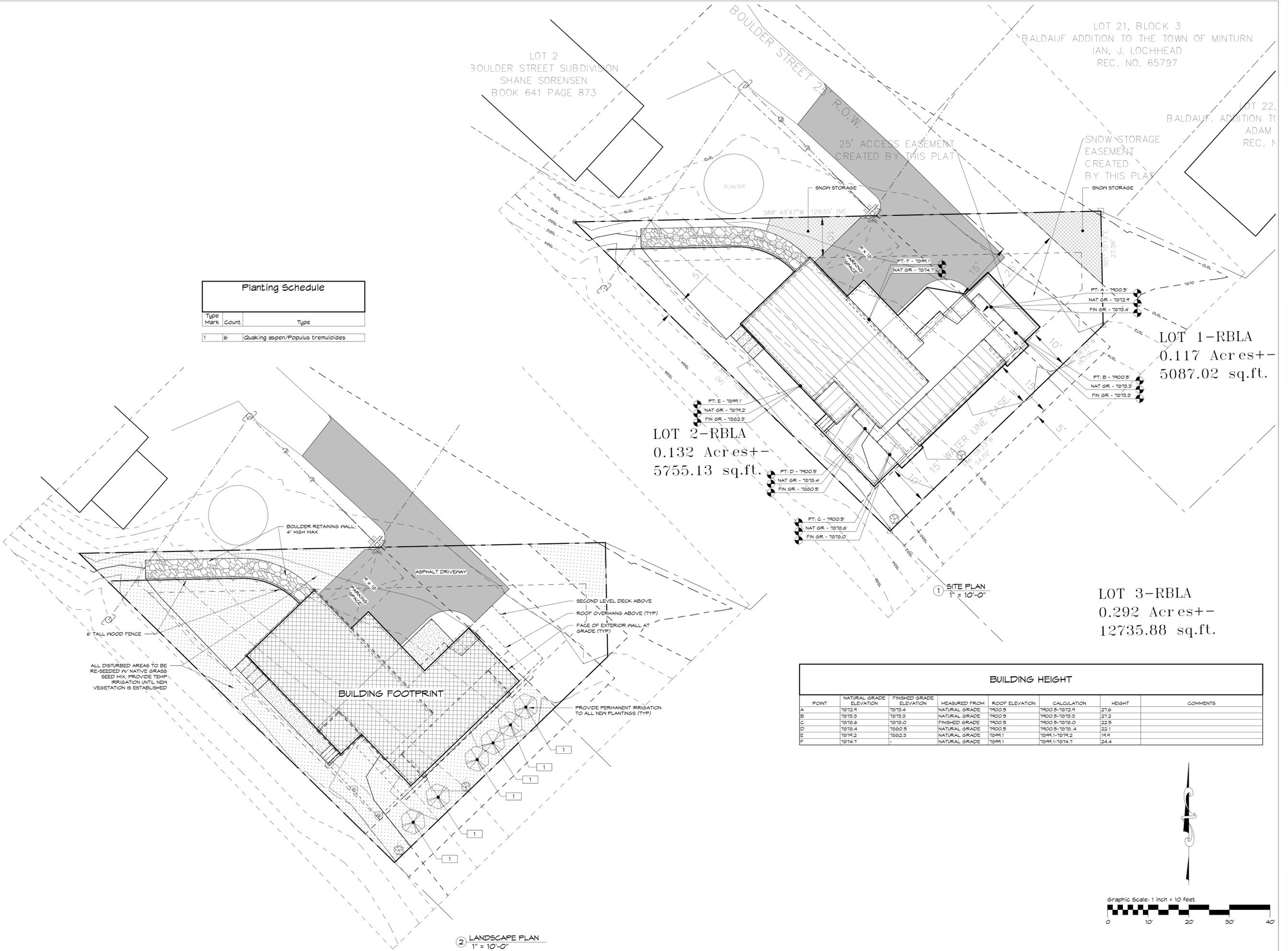
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#	Description	Date
1	DRB Submitt	01/06/21

Project Number: 2007  
Designed by: mpp  
Drawn by: mpp  
Checked by: mpp

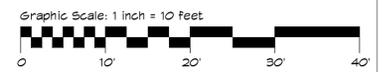
SITE & LANDSCAPE PLANS

AS101



② LANDSCAPE PLAN  
1" = 10'-0"

① SITE PLAN  
1" = 10'-0"

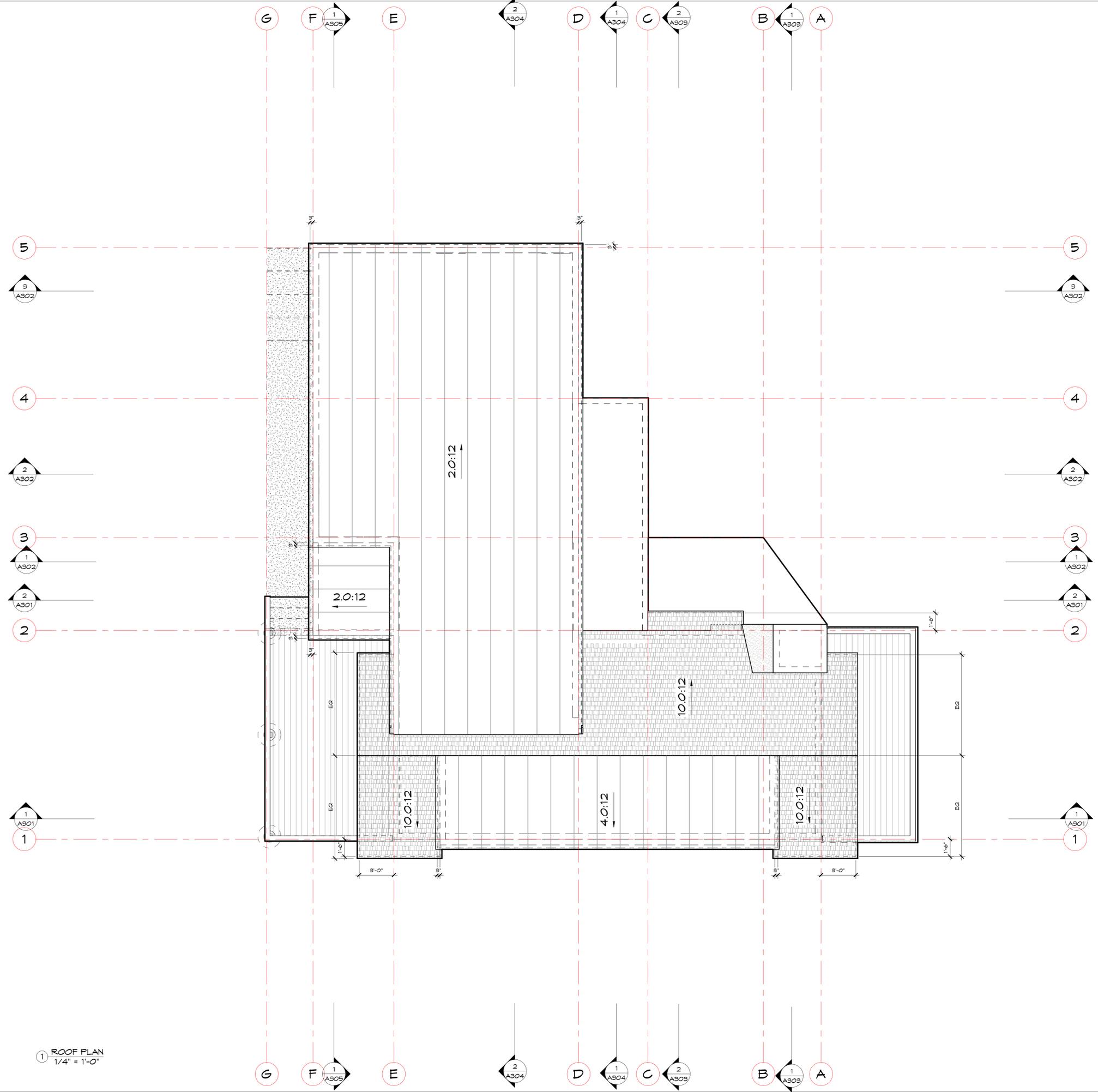












1 ROOF PLAN  
1/4" = 1'-0"

mpp design shop, inc.

PO Box 288  
Gypsum, CO 81637  
(970) 390-4931  
michael@mppdesignshop.com

Bilello Residence

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#	Description	Date
1	DRB Submitt	01/06/21

Project Number: 2007  
Designed by: mpp  
Drawn by: mpp  
Checked by: mpp

ROOF PLAN

A104















**Minturn Planning Department**  
Minturn Town Center  
302 Pine Street  
Minturn, Colorado 81645



**Minturn Planning Commission**  
Chair – Lynn Teach  
Jeff Armistead  
Lauren Dickie  
Burke Harrington  
Chris Manning  
Jena Skinner

**To:** Planning Commission  
**From:** Madison Harris, Planner I  
**Date:** January 21, 2021  
**Re:** Chapter 16 Summary of Changes in Zone Districts and Uses

---

**Overview:**

Below is a detailed list of all changes made concerning Uses and Dimensional Limitations.

**Zone Districts:**

**R-1 (Old Town Residential)**

- Removed Accessory Apartments as a use
- Changed Accessory Dwellings to Accessory Dwelling Units
- Added Alternative Energy Production as a Limited Use
- Changed Club as a Limited Use to Membership Organization as a Conditional Use
- Added Day Care Home as a Conditional Use
- Changed Day Care Center to Conditional Use from a Limited Use
- Changed Duplexes to a Permitted Use from a Not Permitted Use
- Changed Home Business to a Conditional Use from a Limited Use
- Changed Home Occupation to a Permitted Use from a Limited Use
- Changed Multi-family Dwellings to a Conditional Use from a Not Permitted Use
- Added Parks and Playgrounds as a Conditional Use
- Added Senior Housing as a Conditional Use
- Maximum Lot Coverage Increased to 45% from 40%
- Maximum Impervious Coverage Increased to 55% from 50%

**R-2 (South Town and Game Creek Residential)**

- Removed Accessory Apartments as a use
- Changed Accessory Dwellings to Accessory Dwelling Units
- Added Alternative Energy Production as a Limited Use
- Changed Bed and Breakfast to a Conditional Use from a Limited Use
- Changed Day Care Center to Conditional Use from a Limited Use
- Added Day Care Home as a Conditional Use
- Changed Duplexes to a Permitted Use from a Conditional Use in the Game Creek Zone District

- Removed Flea Market as a use
- Changed Home Business to a Conditional Use from a Limited Use
- Changed Home Occupation to a Permitted Use from a Limited Use Changed Multi-family Dwellings to a Conditional Use from a Not Permitted Use in the Game Creek Zone District
- Added Parks and Playgrounds as a Conditional Use
- Removed Roadside Stand as a use
- Added Senior Housing as a Conditional Use
- No Dimensional Standards were changed

#### R-3 (Martin Creek Residential)

- Removed Accessory Apartments as a use
- Changed Accessory Dwellings to Accessory Dwelling Units
- Added Alternative Energy Production as a Limited Use
- Added Day Care Home as a Conditional Use
- Changed Duplexes to a Permitted Use from a Not Permitted Use
- Added Home Business as a Conditional Use
- Changed Home Occupation to a Permitted Use from a Limited Use
- Added Parks and Playgrounds as a Conditional Use
- Maximum Lot Coverage changed to 20% from N/A

#### R-4 (Cross Creek North)

- Removed Accessory Apartments as a use
- Changed Accessory Dwellings to Accessory Dwelling Units
- Added Alternative Energy Production as a Limited Use
- Changed Bed and Breakfast to a Conditional Use from a Limited Use
- Added Day Care Home as a Conditional Use
- Removed Flea Market as a use
- Changed Home Business to a Conditional Use from a Limited Use
- Changed Home Occupation to a Permitted Use from a Limited Use
- Added Parks and Playgrounds as a Conditional Use
- Minimum Lot Dimension (linear feet) changed to 50 ft. from 100 ft.
- Maximum Lot Coverage Increased to 40% from 25%
- Maximum Impervious Coverage changed to 50% from N/A

#### R-5 (Cross Creek South)

- Removed Accessory Apartments as a use
- Changed Accessory Dwellings to Accessory Dwelling Units
- Added Alternative Energy Production as a Limited Use
- Changed Bed and Breakfast to a Conditional Use from a Limited Use
- Added Day Care Home as a Conditional Use
- Removed Flea Market as a use
- Changed Duplexes to a Conditional Use from a Permitted Use

- Changed Home Business to a Conditional Use from a Limited Use
- Changed Home Occupation to a Permitted Use from a Limited Use
- Added Parks and Playgrounds as a Conditional Use
- Minimum Lot Area Decreased to 2,500 square feet from 5,000 square feet
- Minimum Lot Dimension (linear feet) decreased to 25 feet from 50 feet
- Maximum Lot Coverage increased to 50% from 40%
- Maximum Impervious Coverage changed to 60% from N/A
- Minimum Side Yard Setback decreased to 5 feet from 10 feet

#### R-6 – Multi-Family (New Zone District)

- Added Accessory Buildings as a Limited Use
- Added Accessory Dwelling Units as a Limited Use
- Added Alternative Energy Production as a Limited Use
- Added Bed and Breakfast as a Conditional Use
- Added Day Care Home as a Conditional Use
- Added Home Business as a Conditional Use
- Added Home Occupation as a Permitted Use
- Added Multi-family Dwellings as a Permitted Use
- Added Parks and Playgrounds as a Conditional Use
- Minimum Lot Area is 5,000 square feet
- Minimum Lot Dimension (linear feet) is 50 feet
- Maximum Lot Coverage is 40%
- Maximum Impervious Coverage is 50%
- Minimum Front Yard Setback is 20 feet
- Minimum Side Yard Setback is 10 feet
- Minimum Rear Yard Setback is 10 feet
- Minimum Stream Setback is 30 feet
- Maximum Building Height is 28 feet

#### C-1 (Grouse Creek)

- Removed Accessory Apartments as a use
- Changed Accessory Dwellings as a Not Permitted Use to Accessory Dwelling Units as a Limited Use
- Added Alternative Energy Production as a Limited Use
- Added Automobile Body Shop as a Permitted Use
- Added Automobile Dealership as a Conditional Use
- Changed “Cocktail Lounges, Taverns” to “Bar, Tavern”
- Removed Drive-thru/up Establishments as a use
- Changed “Dry Cleaners” to “Dry Cleaners, Storefront”
- Removed Festival Marketplace as a use
- Removed Flea Market as a use
- Added Health, Medical Offices (2<sup>nd</sup> level & above) as a Permitted Use
- Added Home Business as a Conditional Use

- Added Home Occupation as a Permitted Use
- Removed Mobile/manufactured Homes Sales, Service and Rental as a use
- Added Office Uses (2<sup>nd</sup> level & above) as a Permitted Use
- Removed Roadside Stand as a use
- Changed “Small Appliance repair shops, excluding furniture repair” to “Small Appliance Repair Shops”
- Maximum Impervious Coverage changed to 80% from N/A

#### C-2 (Old Town Commercial, South Town Commercial)

- Removed Accessory Apartments as a use
- Changed Accessory Dwellings as a Conditional Use to Accessory Dwelling Units as a Limited Use
- Added Alternative Energy Production as a Limited Use
- Added Art Gallery as a Permitted Use
- Changed Automotive Detail Shops to a Conditional Use from a Permitted Use in existing South Town Commercial Zone District
- Change Automotive Parts Sales to a Conditional Use from a Permitted Use in existing South Town Commercial Zone District
- Changed Bed and Breakfast to a Conditional Use from a Limited Use
- Changed Car Washes to a Conditional Use from a Not Permitted Use in existing Old Town Commercial Zone District
- Removed Club as a use
- Changed “Cocktail Lounges, Taverns” to “Bar, Tavern”
- Changed Convenience Stores to a Permitted Use from a Conditional Use in existing Old Town Commercial Zone District
- Removed Day Care Center as a use
- Removed Drive-thru/up Establishments as a use
- Removed Dry Cleaners as a use
- Removed Duplexes as a use
- Removed Flea Market as a use
- Changed Gas Stations to a Conditional Use from a Not Permitted Use in existing Old Town Commercial Zone District
- Changed “Health/medical offices (street level)” as a Conditional Use to “Health, Medical Offices” as a Permitted Use in existing Old Town Commercial Zone District
- Changed Home Business to a Conditional Use from a Limited Use
- Changed Home Occupation to a Permitted Use from a Limited Use
- Changed Manufacturing, Light to a Limited Use from a Conditional Use
- Added Motor/Recreational Vehicle Sales, Service and Rental as a Conditional Use
- Changed Multi-family Dwellings to a Limited Use from a Conditional Use
- Added Office Uses as a Permitted Use
- Added Office Uses (2<sup>nd</sup> level & above) as a Permitted Use
- Added Parks and Playgrounds as a Conditional Use

- Combined “Professional Offices, Business offices and studios (street level)” and “Professional Offices, Business offices and studios (second floor or above)” into “Professional Offices, Business Offices and Studios as Permitted Use
- Added Senior Housing as a Conditional Use
- Removed Single-Family Dwellings as a use
- Changed “Small Appliance repair shops, excluding furniture repair” to “Small Appliance Repair Shops”
- Changed Theaters, Meeting Rooms and Convention Centers to a Permitted Use from a Conditional Use in existing Old Town Commercial Zone District
- Minimum Lot Area decreased to 2,500 square feet from 7,500 square feet in existing South Town Commercial Zone District
- Minimum Lot Dimension (linear feet) decreased to 25 feet from 50 feet in existing South Town Commercial Zone District
- Maximum Lot Coverage increased to 80% from 70% in existing South Town Commercial Zone District
- Maximum Impervious Coverage changed to 90% from N/A
- Minimum Front Yard Setback increased to 10 feet from 0 feet in existing Old Town Commercial Zone District and decreased from 20 feet in existing Old Town Commercial Zone District

#### C-3 (100 Block)

- Removed Accessory Apartments as a use
- Changed Accessory Dwellings as a Conditional Use to Accessory Dwelling Units as a Limited Use
- Added Alternative Energy Production as a Limited Use
- Changed “Club” to “Membership Organization”
- Changed “Cocktail Lounges, Taverns” to “Bar, Tavern”
- Removed Drive-thru/up Establishments as a use
- Removed Dry Cleaners as a use
- Removed Duplexes as a use
- Removed Health/Medical Office (street level) as a use
- Changed Home Business to a Conditional Use from a Limited Use
- Changed Home Occupation to a Permitted Use from a Limited Use
- Removed Laundries as a use
- Removed Manufacturing, Light as a use
- Changed Multi-family Dwellings to a Limited Use from a Conditional Use
- Added Office Uses (2<sup>nd</sup> level & above) as a Permitted Use
- Added Parks and Playgrounds as a Conditional Use
- Removed Professional Offices, Business Offices and Studios (both street level and 2<sup>nd</sup> level & above) as a use
- Added Public Events and Mass Gatherings as a Limited Use
- Removed Radio and Television Stores and Repair Shops as a use
- Removed Single-Family Dwellings as a use

- Removed Small Appliance Repair Shops, Excluding Furniture Repair as a use
- Removed Tailors and Dressmakers as a use
- Removed Theaters as a use
- Removed Theater, Meeting Rooms and Convention Centers as a use
- Removed Travel and Ticket Agencies as a use
- Minimum Front Yard Setback decreased to 0 feet from 10 feet
- Building height step-ups and -backs determinations

#### MU-1 (Mixed-Use)

- Removed Accessory Apartments as a use
- Changed Accessory Dwellings to Accessory Dwelling Units
- Added Alternative Energy Production as a Limited Use
- Changed Bakeries and Confectionaries to a Conditional Use from a Permitted Use in existing Cross Creek Mixed Use Zone District
- Removed Bed and Breakfast as a use
- Changed Car Washes to a Conditional Use from a Not Permitted Use in existing Cross Creek Mixed Use Zone District
- Removed Club as a use
- Changed “Cocktail Lounges, Taverns” to “Bar, Tavern”
- Changed Commercial Accommodations to a Permitted Use from a Conditional Use in existing Old Town Mixed Use District
- Changed Day Care Center to a Conditional Use from a Limited Use
- Changed Delicatessens and Specialty Food Stores to a Conditional Use from a Permitted Use in existing Cross Creek Mixed Use District
- Removed Dry Cleaners as a Use
- Changed Duplexes to a Conditional Use from a Permitted Use in existing Cross Creek Mixed Use District
- Removed Flea Market as a use
- Changed Gas Stations to a Conditional Use from a Not Permitted Use in existing Cross Creek Mixed Use District
- Changed Grocery Stores to a Permitted Use from a Conditional Use in existing Old Town Mixed Use District
- Changed “Health/medical offices (street level)” to “Health, Medical Offices”
- Changed “Health/medical offices (second floor or above)” to “Health, Medical Offices (2<sup>nd</sup> level & above)” and added as a Permitted Use
- Changed Home Business to a Conditional Use from a Limited Use
- Changed Home Occupation to a Permitted Use from a Limited Use
- Added Laundries as a Conditional Use
- Changed Office Uses to a Conditional Use from a Permitted Use in existing Cross Creek Mixed Use District
- Added Office Uses (2<sup>nd</sup> level & above) as a Conditional Use
- Added Parks and Playgrounds as a Conditional Use

- Changed Professional Activities to a Permitted Use from a Conditional Use in existing Old Town Mixed Use District
- Combined “Professional Offices, Business offices and studios (street level)” and “Professional Offices, Business offices and studios (second floor or above)” into “Professional Offices, Business Offices and Studios
- Changed Restaurants to a Conditional Use from a Permitted Use in existing Cross Creek Mixed Use District
- Changed Single-Family Dwellings to a Conditional Use from a Permitted Use
- Added Senior Housing as a Conditional Use
- Changed “Small Appliance repair shops, excluding furniture repair” to “Small Appliance Repair Shops”
- Changed Theaters, Meeting Rooms and Convention Centers to a Not Permitted Use from a Conditional Use
- Minimum Lot Area decreased to 5,000 square feet from 10,000 square feet in existing Cross Creek Mixed Use Zone District
- Minimum Lot Dimension (linear feet) decreased to 50 feet from 100 feet in existing Cross Creek Mixed Use Zone District
- Maximum Lot Coverage increased to 70% from 40% in existing Cross Creek Mixed Use Zone District and 45% in existing Old Town Mixed Use Zone District
- Maximum Impervious Coverage changed to 80% from N/A
- Minimum Front Yard Setback decreased to 10 feet from 20 feet in existing Cross Creek Mixed Use Zone District
- Minimum Side Yard Setback decreased to 5 feet from 10 feet in existing Cross Creek Mixed Use Zone District

#### Railroad Transportation District

- Added Accessory Buildings as a Permitted Use
- Added Accessory Uses Associated with Allowable Uses as a Permitted Use
- Added Light-Rail as a Permitted Use
- Added Multi-modal Transportation as a Permitted Use
- Added Rail as a Permitted Use
- Added Regional Recreational and Multi-Use Trails as a Permitted Use
- No dimensional standards

#### Railroad Planned Unit Development District (Game Creek PUD Holding Zone)

- Added Contractor Storage as a Conditional Use
- Added Municipal Parking as a Conditional Use
- Added Restaurants as a Conditional Use
- No dimensional standards

#### PFLI – Public Facilities Light Industrial (Lionshead Light Industry and Public Facilities Zone)

- Added Indoor Storage as a Conditional Use
- Added Public Events and Mass Gatherings as a Limited Use
- Added Public Facilities and Uses as a Permitted Use

- Added Recreational Facilities as a Permitted Use
- No Dimensional Standards were changed

PF – Public Facilities (Maloit Park Public Facilities Zone)

- Added Accessory Buildings as a Permitted Use
- Removed Accessory Apartment as a use
- Removed Accessory Dwelling as a use
- Added Alternative Energy Production as a Limited Use
- Changed “Trails, trailheads” to “Trails and Trailheads”
- Changed “Utility facilities and improvements, including but not limited to water storage, transmission lines, transformers, etc.” to “Utility Facilities and Improvements”
- Added Water Treatment Facilities as a Permitted Use
- Minimum Lot Area is 10,000 square feet
- Minimum Lot Dimension (linear feet) is 100 feet
- Maximum Lot Coverage is 45%
- Maximum Impervious Coverage is No Limit
- Minimum Front Yard Setback is 25 feet
- Minimum Side Yard Setback is 10 feet
- Minimum Rear Yard Setback is 25 feet
- Minimum Stream Setback is 30 feet
- Maximum Building Height is 28 feet

OS-1/PARO – Parks, Recreation and Open Space Zone District (Lionshead/Maloit Park Recreation & Open Space Zones)

- Added Alternative Energy Production as a Limited Use
- Added Public Events and Mass Gatherings as a Limited Use
- Added Recreational Facilities as a Permitted Use
- Added Mobile Vendor as a Limited Use
- Removed Roadside Stand as a use
- Changed “Trails, trailheads” to “Trails and Trailheads”
- Changed “Utility facilities and improvements, including but not limited to water storage, transmission lines, transformers, etc.” to “Utility Facilities and Improvements”
- No Dimensional Standards were changed

OS-2 – Conservation Lands Zone District (Cross Creek Recreation & Open Space Zone)

- Added Accessory Uses Associated with Allowable Uses as a Permitted Use
- Added Conservation and Public Open Space as a Permitted Use
- Added Conservation Area as a Permitted Use
- Added Trails and Trailheads as a Permitted Use
- No Dimensional Standards were changed

F-1 – Federal Lands

- No uses were added or removed, there are no uses in this zone district.

- No Dimensional Standards were changed

**Questions for Planning Commission:**

- Alternative Energy Sources as a use break down like the county does. Should we model ours after theirs?
- Should we separate out the cemetery into it's own district?

**Attached to Memo:**

- County Alternative Energy Breakout
- Chapter 16 Draft Articles 4-13

**ARTICLE 3**

**ZONE DISTRICTS - EAGLE COUNTY**

**Bb. Solar Energy System**

Solar Energy Systems able to convert radiant energy from the sun into clean renewable energy are generally encouraged in Eagle County. It is the goal of this section of the Land Use Regulations to allow for development of Solar Energy Systems while encouraging responsible design, and providing for appropriate public process when the scale, location, and/or design presents neighborhood, area, and/or community impacts.

**1. Reflectivity.** All Solar Energy Systems shall incorporate anti-reflectivity coating provided by the manufacturer, as well as non-reflective materials for racking, structural, and/or other associated equipment. Concentrated Solar Devices are prohibited.

**2. Setbacks.** All Solar Energy Systems shall comply with dimensional limitations articulated Table 3-340, including height, setback, and lot coverage.

**3. Structure-Integrated Solar Energy System.** A Structure-Integrated Solar Energy System shall be allowed as a use by right regardless of production capacity. Such systems shall be incidental to the primary use of the structure and subject property, and are encouraged to be flush with the roof/top and/or wall, architecturally integrated, and utilize anti-reflective materials.

**4. Ground-Mounted Solar Energy Systems.**

**a. Ancillary Ground-Mounted Solar Energy Systems.** Ancillary Ground-Mounted Solar Energy Systems 15-feet or less in height measured from the highest point of the improvement to existing or finished grade, whichever is more restrictive; shall be allowed as a use by right.

**b. Solar Farm.** Solar farms over 80-kw rated nameplate capacity or equivalent in rural areas of the county, and over 10-kw rated nameplate capacity or equivalent in community centers, designated community buffer areas, and in zone districts articulated in Table 3-300 shall complete a Special Use Review and approval pursuant to Section 5-250 and Standards identified below in Section 3-310 Bb.4.

**5. Standards.** The following standards shall apply to Solar Energy Systems completing special use review in addition to the standards specified pursuant to Section 5-250 Special Use:

**a. Setbacks.** All Solar Energy Systems must comply with required height and setback requirements as defined in Table 3-340: Schedule of Dimensional Limitations.

**b. Design minimizes adverse visual impact.** The project applicant shall demonstrate through visual impact analysis, materials, and/or screening to the extent practicable, that the project will not create adverse visual impact to neighboring properties, surrounding areas, and community buffers as further

detail necessary to support Section 5-250.B.4 Design Minimizes Adverse Impact.

c. **Utility grid interconnection.** The project applicant shall provide to the County the system design and interconnection to the grid; and evidence such design has been accepted or approved by the associated utility provider.

d. **Longevity and reclamation.** The project applicant shall identify the proposed timeline for its use, and shall submit a reclamation plan specifying the reclamation of the project site which will occur upon termination of use.

**Cc. Small Hydroelectric Energy Device.**

1. **Magnitude.** Hydroelectric projects over 500 kW in capacity would require a Special Use Permit.

2. **Equipment.** Wheel turbines, generators, and other mechanical equipment shall be enclosed in a wheelhouse/pumphouse structure. The structure shall be detached from other structures and sized only to house necessary mechanical equipment for the hydroelectric system. The wheelhouse and associated piping/penstock would be allowed to be constructed within the 75' stream setback.

3. **Impacts.** All system components, including the wheelhouse and pipe(s) shall not create visual or auditory impacts, or create impediments or other unnatural hazards upon wildlife. The system shall be designed to blend with its natural surroundings.

4. **Other Restrictions.** Any construction must comply with noise and vibration standards pursuant to Article 4 in these regulations; as well as any applicable building/mechanical/electrical code requirements.

5. **Aquatic Environment.** It shall be demonstrated by a certified riparian biologist or similar applicable professional that aquatic and riparian biology will not be adversely impacted by the system. Systems in place in fish bearing streams must have systems installed which prevent fish from entering the system.

6. **Environmental Concerns.** Must be in compliance with Federal Energy Regulation Commission 4.30(29) EPA Regulations, Colorado Division of Water Resources, Army Corps of Engineers, and other applicable standards.

7. **Dams.** Dams are not allowed for small hydroelectric systems. Partial diversion structures such as weirs or head gates are allowed with proper permitting. Diversion from the river/stream shall be designed so that minimum stream flows are not threatened in the reach between the intake and return of the hydroelectric system.

**Dd. Small Scale Wind Energy Systems.**

1. **Height.** Maximum height of the tower structure not including blade radius shall not exceed 80'.

2. **Setback.** Minimum setback of tower base is 2 times tower height from any property line. Minimum setback from any habitable structure on the property is combined height of the tower and blade radius unless the base of the tower is attached or integral to the primary residence.
3. **Ridgeline.** Any construction must comply with ridgeline protection standards pursuant to Section 4-450 in ECLUR; with noise and vibration standards pursuant to Section 4-520 in ECLUR; as well as any applicable building/mechanical/electrical code requirements.
4. **Lighting.** Wind power equipment shall not be illuminated unless required by FAA, create glare, and shall blend with the surrounding environment with integrated natural colors.

#### Ee. Landscaping Storage Yard

1. **Parking and Storage.** A landscaping storage yard shall demonstrate adequate parking for employees working from the site. Employee parking shall be behind any structures on site and/or effectively screened. One parking space shall be required for each employee. Any heavy equipment, work vehicles, or machinery stored on the property would require demonstrated storage space inside a garage, shed, or other enclosure. Provide an itemized list of all equipment to be used on the property including any delivery vehicles.
2. **Signs and Illumination.** Signs, illumination, and other outdoor structures advertising the business shall not be permitted.
3. **Patrons.** Patrons shall not be served on the premises.
4. **Sales.** Sales of supplies, services, or products shall not be permitted on the premises.
5. **Nuisance.** The landscaping storage yard shall be in compliance with Noise and Vibration Standards (Section 4-520); Smoke and Particulate Standards (Section 4-530); Heat, Glare, Radiation and Electrical Interference Standards (Section 4-540); Storage of Hazardous and Non-Hazardous Materials Standards (Section 4-550) and Water Quality Standards (Section 4-560); and shall not operate or generate vehicle traffic in such a manner as to create a public nuisance or disturb neighbors. Hours of operation shall be restricted to daylight only, and may be further restricted if necessary.
6. **Screening/fencing.** A fencing and/or landscaping plan is required that demonstrates adequate visual screening from adjacent properties, applicable view corridors, and/or public roads and rights of way. In some cases wildlife fencing may be required to prevent deer and elk from causing damage to trees and/or plants on the property.
7. **Scale.** The use shall be in a scale that retains a rural character, and maximizes open space on the subject property. This shall be clearly reflected in the amount of materials, structures, and number of employees accessing the property.
8. **Wildfire Hazard.** In applicable wildfire hazard areas, building materials and storage of plant and tree materials shall be in compliance with Section 4-430 Development in Areas Subject to Wildfire Hazard Areas.

# 2021 Minturn Municipal Code – Text Amendment

## Chapter 16 Zoning

Updated: 01/21/20

### **Article 4 - Zoning Districts**

(Prior Code Article 3)

#### **Section 16-4-10. Establishment of Districts.**

The purpose of this Article is to establish the zones regulating the type and intensity of land uses within the Town. The Town is hereby divided into the following zone districts necessary to achieve compatibility and to implement the Community Plan and achieve the purposes of this Article. The following zone districts are hereby established:

- (1) R-1 – Old Town Residential Zone District
- (2) R-2 – Game Creek Residential Zone District/South Minturn Zone District
- (3) R-3 – Martin Creek Residential Estate Zone District
- (4) R-4 -- Cross Creek Residential -- North Zone District
- (5) R-5 -- Cross Creek Residential -- South Zone District
- (6) R-6 – Multi-Family Zone District
- (7) C-1 – Grouse Creek Commercial Zone District
- (8) C-2 – Old Town Commercial Zone District/South Town Commercial Zone District
- (9) C-3 -- 100 Block Commercial Zone District
- (10) MU-1 – Old Town Mixed-use Zone District/Cross Creek Mixed-use Zone District
- (11) PUD – Planned Unit Development Zone District
- (12) RRT – Railroad Transportation District
- (13) RRP – Railroad Planned Unit Development District
- (14) PFLI – Public Facilities/Light Industrial Zone District
- (15) PF – Public Facilities Zone District
- (16) OS-1 – Open Space Public Access/Recreation Zone District

- (17) OS-2 – Open Space Conservation Lands Zone District
- (18) F-1 – Federal Lands Zone District

(Prior code 16-3-1; Ord. 12-2008 §1; Ord. 4-2011 §1)

**Section 16-4-20. Zone Map adopted.**

- (a) The location and boundaries of the zones established by this Chapter are shown upon the Official Zone map of the Town which is incorporated into this Chapter. The Zone map, together with all data shown thereon and all amendments thereto, is by reference made part of this Chapter.
- (b) The Zone Map shall be identified by the signature of the Mayor and attested by the Town Clerk and shall bear the seal of the Town and the dates of adoption.
- (c) The Zone Map shall be located in the office of the Town Clerk and shall be available for inspection.
- (d) Changes to the boundaries of a zone area shall be made only upon amendment to this Chapter in accordance with Article 21 herein. All amendments shall be promptly entered on the Zone Map with the date and number of the amending ordinance.

(Prior code 16-3-2; Ord. 15-2008 §1)

**Section 16-4-30. - Zone District Boundaries.**

Except where otherwise indicated, zone, otherwise referred to herein as “Zone District” boundaries shall follow municipal boundaries, section lines, lot lines, right-of-way lines or extensions thereof. Where a zone district boundary divides a lot or parcel, the location of such boundary, unless indicated by legal description with distance and bearing or other dimensions, shall be determined by the scale of the Zone Map. Where a boundary coincides with a right-of-way line and the said right-of-way line is abandoned, the boundary shall then follow the centerline of the former right-of-way. Land not part of a public, railroad or utility right-of-way and which is not indicated as being in any zone shall be considered to be included in the most restrictive adjacent zone even when such zone is separated from the land in question by a public, railroad or utility right-of-way.

(Prior code 16-3-3)

**Sec. 16-4-40. - Boundary Determination and Interpretation.**

- (a) In the event that a zone district boundary is disputed, it shall be the responsibility of the Planning Director to determine the intent and actual location of the boundary.
- (b) The Town Council, in accordance with the procedures outlined in Article 21 of this Chapter, shall hear any appeal of the determination of a boundary made by the Planning Director.

(Prior code 16-3-4; Ord. 15-2008 §1)

**Section 16-4-50. Use Table.**

Table 16-1 – Town of Minturn Use Table sets forth the uses for the all zone districts within the municipal boundaries of the Town. All uses permitted by right, or as Limited or Conditional uses approved by the Town within each established zone district or overlay district shall be as set forth in Articles 5-11 of this chapter.

The use tables utilize the following symbols:

- (1) Permitted use by right. "P" indicates uses that are uses by right and are permitted in the zone district without further land use approval. The Planning Director shall verify that development of a use by right complies with all applicable provisions of this Code prior to issuance of a building permit or other Town approvals.
- (2) Limited review uses. "L" indicates uses that are allowed, subject to staff review and approval. The Planning Director shall verify that development of the limited review use complies with all of the standards and requirements of this Code prior to issuance of a building permit or other Town approvals.
- (3) Conditional review uses. "C" indicates uses that are allowed, subject to conditional review approval by the Town Council. The Planning Commission shall make a recommendation and the Town Council shall conduct a public hearing to determine whether the conditional use requested complies with the standards and requirements of this Code.
- (4) Uses not allowed. Within Table 16-1, uses that are not allowed are indicated by leaving a blank within the table.

(Prior code 16-3-5; Ord. 15-2008 §1)

<b>Table 16 __ – Table of Uses</b>																	
P = Permitted Use C = Conditional Use L = Limited Use = Prohibited Use <input type="checkbox"/>																	
	Residential						Mixed -Use	Commercial			Railroad		Public Facilities / Indus.		Open Space / Rec.		Fed
Land Use	R-1	R-2	R-3	R-4	R-5	R-6	MU-1	C-1	C-2	C-3	RRT	RRP	PFLI	PF	OS -1	OS- 2	F1
Accessory Buildings	L	L	L	L	L	L	L	L	L	L	P			P			
Accessory Dwelling Units	L	L	L	L	L	L	L	L	L	L							
Accessory Uses Associated with Allowable Uses											P			P	P	P	
Alternative Energy Production	L	L	L	L	L	L	L	L	L	L				L	L		
Art Gallery									P								



Grocery Stores							P	P	P	P							
Health, Medical Offices							C	P	P								
Health, Medical Offices (2 <sup>nd</sup> level & above)							C	P	P	P							
Home Business	C	C	C	C	C	C	C	C	C	C							
Home Occupation	P	P	P	P	P	P	P	P	P	P							
Indoor Storage																C	
Laundries							C	C	C								
Laundromats							C	P	P	P							
Light-Rail												P					
Liquor Stores							C	P	P	P							
Manufacturing, Light								C	L							C	
Motor/ Recreational Vehicle Sales, Service and Rental								L	C								
Multi-family Dwellings	C	C		C	C	P	C		L	L						P	
Multi-modal transportation												P					
Municipal Parking													C				
Office Uses							C	P	P								
Office Uses (2 <sup>nd</sup> level & above)							C	P	P	P							
Other Uses Determined to be Similar in Nature to Other Permitted Uses																P	P
Parks and Playgrounds	C	C	C	C	C	C	C		C	C							P
Pawn Shops							C	P	P	P							
Photographic Studios							P	P	P	P							
Professional Activities							P	P	P	P							
Professional Offices, Business Offices and Studios							P	P	P								
Public Events and Mass Gatherings										L					L		L
Public Facilities and Uses															P		
Radio and Television Stores and Repair Shops							P	P	P								
Rail												P					

Regional recreational and multi-use trails											P							
Recreational Facilities													P				P	
Restaurants							C	P	P	P				C				
Retail Stores							P	P	P	P								
Retail Uses Greater than 5,000 Square Feet							P	C	C									
Mobile Vendor																	L	
Senior Housing	C	C					C			C								
Service Businesses							P	P	P									
Single-Family Dwellings	P	P	P	P	P		C										P	
Small Appliance Repair Shops							P	P	P									
Tailors and Dressmakers							P	P	P									
Theaters							C	P	P									
Theaters, Meeting Rooms and Convention Centers								P	P									
Trails and Trailheads																P	P	P
Travel and Ticket Agencies							P	P	P									
Utility Facilities and Improvements																	P	P
Water Treatment Facilities																	P	

**Section 16-4-60. Uses Not Listed.**

Uses that are not listed in the zone district use tables shall be considered to be uses that are not allowed, unless one (1) of the following occurs:

- (1) Code amendment. An amendment to this Chapter is adopted that lists the uses in the table and indicates in which zone district the use is a use by right, allowed by limited review or allowed by conditional review and in which zone district it is not allowed.
- (2) Determination of similar use. The Planning Director determines that the proposed use is sufficiently similar to a use listed in the use table. A use that is determined to be similar to a listed use shall be subject to the same standards as the use to which it was determined to be similar.

(Prior code 16-3-6; Ord. 15-2008 §1)

## **Article 5 - Residential Districts**

### **Division 1 - R-1 – Old Town Residential District**

#### **Section 16-5-10. Intent of District.**

The purpose of the “R-1” Zone District is to provide for continued residential use and redevelopment that preserves the unique character and scale of the Old Town residential neighborhood. An objective is to retain the historically residential areas of Old Town as quiet and safe neighborhoods while allowing for limited home-based occupations and home-based businesses to encourage permanent residency. This area can accommodate reasonable growth where land and services are available.

#### **Section 16-5-20. Permitted Uses.**

The following use(s) shall be permitted ‘by right’ in the “R1” Zone District:

- (1) Single-Family Dwellings
- (2) Duplex Dwellings
- (3) Home Occupation

#### **Section 16-5-30. Limited Uses.**

The following use(s) may be permitted as Limited Uses in the “R-1” Zone District:

- (1) Accessory Buildings
- (2) Accessory Dwelling Unit
- (3) Alternative Energy Production
- (4) Bed and Breakfast

#### **Section 16-5-40. Conditional Uses.**

The following use(s) may be permitted as conditional uses in the “R-1” Zone District:

- (1) Membership Organization
- (2) Home Business
- (3) Multi-family Dwellings
- (4) Day Care Home

- (5) Day Care Center
- (6) Parks and Playgrounds
- (7) Senior Housing

**Section 16-5-50. Lot Measurements.**

- (1) Minimum Lot Area: 5,000 sq. ft.
- (2) Minimum Lot Dimension (linear feet): fifty (50') feet
- (3) Maximum Lot Coverage: forty five (45%) percent
- (4) Maximum Impervious Coverage: fifty five (55%) percent
- (5) Minimum Front Yard: ten (10') feet
- (6) Minimum Side Yard: five (5') feet
- (7) Minimum Rear Yard: ten (10')
- (8) Minimum Stream Setback: thirty (30') feet

**Section 16-5-60. Building Measurements.**

- (1) Maximum Building Height: twenty-eight (28') feet

**Section 16-5-70. Supplemental Regulations and Standards.**

Additional standards may apply to uses and development in this zone district. Please see Article/Division\_\_ for additional information.

**Division 2 - R-2 – Game Creek Residential District/South Minturn Residential District**

**Section 16-5-80. Intent of District.**

The purpose of the “R-2” Zone District is to provide sites for continued residential use and redevelopment that preserves the unique character and scale of two geographically separated but similar residential neighborhoods located in the Taylor Avenue and South Minturn areas. An objective is to retain these historically residential areas as quiet and safe neighborhoods while allowing for accessory dwelling units; limited home-based occupational uses and businesses; and, limited, compatible, appropriate commercial ventures to serve the surrounding residential uses where parking, adequate land and services are available.

**Section 16-5-90. Permitted Uses.**

The following use(s) shall be permitted 'by right' in the "R-2" Zone District:

- (1) Duplex Dwellings
- (2) Home Occupation
- (3) Single-Family Dwellings

**Section 16-5-100. Limited Uses.**

The following use(s) may be permitted as limited uses in the "R-2" Zone District:

- (1) Accessory Buildings
- (2) Accessory Dwelling Units
- (3) Alternative Energy Production

**Section 16-5-110. Conditional Uses.**

The following use(s) may be permitted as conditional uses in the "R-2" Zone District:

- (1) Bed and Breakfast
- (2) Day Care Home
- (3) Day Care Center
- (3) Home Business
- (4) Multi-Family Dwellings
- (6) Parks and Playgrounds
- (7) Senior Housing

**Section 16-5-120. Lot Measurements.**

- |  |                     |
|--|---------------------|
| (1) Minimum Lot Area:                    | 5,000 sq. ft.       |
| (2) Minimum Lot Dimension (linear feet): | fifty (50') feet    |
| (3) Maximum Lot Coverage:                | forty (40%) percent |
| (4) Maximum Impervious Coverage:         | fifty (50%) percent |
| (5) Minimum Front Yard:                  | twenty (20') feet   |
| (6) Minimum Side Yard:                   | five (5') feet      |
| (7) Minimum Rear Yard:                   | ten (10') feet      |
| (8) Minimum Stream Setback:              | thirty (30') feet   |

**Section 16-5-130. Building Measurements.**

- (1) Maximum Building Height: twenty-eight (28') feet

**Section 16-5-140. Additional Provisions and Limitations.**

Additional standards may apply to uses and development in this zone district. Please see Article/Division\_\_ for additional information.

**Division 3 - R-3 - Martin Creek Residential Estate District**

**Section 16-5-150. Intent of District.**

The purpose of the "R-3" Zone District is to provide and maintain land for larger lots and larger homes. The objectives of this Zone District are to 1) remain low density; 2) maintain significant open space; and, 3) provide the opportunity for a rural lifestyle.

(Prior code 16-8-2)

**Section 16-5-160. Permitted Uses.**

The following use(s) shall be permitted 'by right' in the "R-3" Zone District:

- (1) Accessory Buildings
- (2) Duplex Dwellings
- (3) Home Occupation
- (4) Single-Family Dwellings

**Section 16-5-170. Limited Uses.**

The following use(s) shall be permitted by limited review in the "R-3" Zone District:

- (1) Accessory Dwelling Units
- (2) Accessory Buildings
- (3) Alternative Energy Production

**Section 16-5-180. Conditional Uses.**

- (1) Home business
- (2) Day Care Home
- (3) Parks and Playgrounds

**Section 16-5-190. Lot Measurements.**

- (1) Minimum Lot Area: 87,120 sq. ft. (2 acres)

- (2) Minimum Lot Dimension (linear feet): N/A
- (3) Maximum Lot Coverage: twenty (20%) percent
- (4) Maximum Impervious Coverage: N/A
- (5) Minimum Front Yard: forty (40') feet
- (6) Minimum Side Yard: twenty (20') feet
- (7) Minimum Rear Yard: twenty (20') feet
- (8) Minimum Stream Setback: thirty (30') feet

**Section 16-5-200. Building Measurements.**

- (1) Maximum Building Height twenty-eight (28') feet

**Section 16-5-220. Additional Provisions and Limitations.**

Additional standards may apply to uses and development in this zone district. Please see Article/Division\_\_ for additional information.

**Division 4 - R-4 - Cross Creek Residential - North**

**Section 16-5-230. Intent of District.**

The purpose of the “R-4” Zone District is to provide and maintain land for larger lots and larger homes. The objectives of this Zone District are to 1) remain low density; 2) maintain significant open space; and, 3) provide the opportunity for a rural lifestyle.

(Prior code 16-8-2)

**Section 16-5-240. Permitted Uses.**

The following use(s) shall be permitted ‘by right’ in the “R-4” Zone District:

- (1) Duplex Dwellings
- (2) Home Occupation
- (3) Single-Family Dwellings

**Section 16-5-250. Limited Uses.**

The following use(s) may be permitted as limited uses in the “R-4” Zone District:

- (1) Accessory Buildings
- (2) Accessory Dwelling Units

- (3) Alternative Energy Production

**Section 16-5-260. Conditional Uses.**

The following use(s) may be permitted as conditional uses in the “R-4” Zone District:

- (1) Bed and Breakfast
- (2) Day Care Home
- (3) Home Business
- (4) Multi-Family Dwellings
- (5) Parks and Playgrounds

**Section 16-5-270. Lot Measurements.**

- |     |                                      |  |
|-----|--------------------------------------|--|
| (1) | Minimum Lot Area:                    | 10,000 sq. ft.   |
| (2) | Minimum Lot Dimension (linear feet): | fifty (50') feet   |
| (3) | Maximum Lot Coverage:                | forty (40%) percent  |
| (4) | Maximum Impervious Coverage:         | fifty (50%) percent  |
| (5) | Minimum Front Yard:                  | twenty (20') feet  |
| (6) | Minimum Side Yard:                   | ten (10') feet   |
| (7) | Minimum Rear Yard:                   | ten (10') feet   |
| (8) | Minimum Stream Setback:              | Eagle River: thirty (30') feet, Cross<br>Creek: fifty (50') feet |

**Section 16-5-280. Building Measurements.**

- |     |                         |                         |
|-----|-------------------------|-------------------------|
| (1) | Maximum Building Height | twenty-eight (28') feet |
|-----|-------------------------|-------------------------|

**Section 16-5-290. Additional Provisions and Limitations.**

Additional standards may apply to uses and development in this zone district. Please see Article/Division\_\_ for additional information.

**Division 5 - R-5 - Cross Creek Residential - South**

**Section 16-5-300. Intent of District.**

The purpose of the “R-5” Zone District is to provide land for and to recognize an existing development pattern of smaller, more clustered (or “cottage”) lot sizes and residential homes. The objectives of this Zone District are to 1) recognize existing development patterns established by the Trout Club residential development, 2) protect and enhance the Eagle River riparian corridor, and 3) protect and preserve the existing residential use and character of the district.

**Section 16-5-310. Permitted Uses.**

The following use(s) shall be permitted ‘by right’ in the “R-5” Zone District:

- (1) Home Occupation
- (2) Single-Family Dwellings

**Section 16-5-320. Limited Uses.**

The following use(s) may be permitted as limited uses in the “R-5” Zone District:

- (1) Accessory Buildings
- (2) Accessory Dwelling Units
- (3) Alternative Energy Production

**Section 16-5-330. Conditional Uses.**

The following use(s) may be permitted as conditional uses in the “R-5” Zone District:

- (1) Bed and Breakfast
- (2) Day Care Home
- (3) Home Business
- (4) Multi-Family Dwellings
- (5) Duplex Dwellings
- (6) Parks and Playgrounds

**Section 16-5-340. Lot Measurements.**

- (1) Minimum Lot Area: 2,500 sq. ft.
- (2) Minimum Lot Dimension (linear feet): twenty five (25’) feet
- (3) Maximum Lot Coverage: fifty (50%) percent
- (4) Maximum Impervious Coverage: sixty (60%) percent
- (5) Minimum Front Yard: twenty (20’) feet

- (6) Minimum Side Yard: five (5') feet
- (7) Minimum Rear Yard: ten (10') feet
- (8) Minimum Stream Setback: Eagle River: thirty (30') feet, Cross Creek: fifty (50') feet

**Section 16-5-350. Building Measurements.**

- (1) Maximum Building Height twenty-eight (28') feet

**Section 16-5-360. Additional Provisions and Limitations.**

Additional standards may apply to uses and development in this zone district. Please see Article/Division\_\_ for additional information.

**Division 6 – R-6 – Multi-Family District**

**Section 16-5-370. Intent of District.**

The purpose of the “R-6” Zone District is to provide sites for the development of more intense and diverse housing types and densities for duplex, townhome, four-plex and other types of attached and detached residential structures housing two or more independent, non-related families or housekeeping units. An objective of this zone district is to accommodate higher density residential uses and structures in areas where adequate parking and other on-site amenities for residents may be provided.

**Section 16-5-380. Permitted Uses.**

The following use(s) shall be permitted ‘by right’ in the “R-6” Zone District:

- (1) Home Occupation
- (2) Multi-Family Dwellings

**Section 16-5-390. Limited Review Uses.**

The following use(s) shall be permitted as Limited Uses in the “R-6” Zone District.

- (1) Accessory Buildings
- (2) Accessory Dwelling Units
- (3) Alternative Energy Production

**Section 16-5-400. Conditional Uses.**

The following use(s) shall be permitted as Conditional Uses in the “R-6” Zone District.

- (1) Bed and Breakfast
- (2) Home Business
- (3) Day Care Home
- (4) Parks and Playgrounds

**Section 16-5-410. Lot Measurements.**

- (1) Minimum Lot Area: 5,000
- (2) Minimum Lot Dimension (linear feet): fifty (50') feet
- (3) Maximum Lot Coverage: forty (40%) percent
- (4) Maximum Impervious Coverage: fifty (50%) percent
- (5) Minimum Front Yard: twenty (20') feet
- (6) Minimum Side Yard: ten (10') feet
- (7) Minimum Rear Yard: ten (10') feet
- (8) Minimum Stream Setback: thirty (30') feet

**Section 16-5-420. Building Measurements.**

- (1) Maximum Building Height twenty-eight (28') feet

**Section 16-5-430. Additional Provisions and Limitations.**

Additional standards may apply to uses and development in this zone district. Please see Article/Division\_\_ for additional information.

**Article 6 - Commercial Districts**

**Division 1 - C-1 – Grouse Creek Commercial Zone District**

**Section 16-6-10. Intent of District.**

The purpose of the “C-1” Zone District is to provide sites for the convenient delivery of and access to retail and service commercial uses for residents and visitors while

ensuring that future infill and redevelopment occurs in a manner that takes advantage of and respects the district's frontage on the Eagle River as well as State Highway 24.

The Grouse Creek area is located within the western gateway to the Town along State Highway 24 and is largely devoted to the accommodation and clustering of complimentary retail and service commercial uses and building configurations that are easily accessed from Hwy. 24.

Within the "C-1" Zone District, policy objectives aim to: 1) facilitate small business development and retention as a primary means to sustain economic vitality and diversification; 2) provide an appropriate and broad mix of goods and services for consumption by residents and visitors alike; 3) foster sales tax generation by permitting and regulating uses that are compatible and mutually supportive, such as retail, dining, office, services and institutional uses; 4) permit and encourage development redevelopment that integrates employee housing ,where parking and amenities can be provided; and, 5) to ensure that current development and future infill and redevelopment respects and enhances the Eagle River Corridor and riparian areas.

(Prior code 16-7-3)

#### **Section 16-6-20. Permitted Uses.**

The following use(s) shall be permitted 'by right' in the "C-1" Zone District:

- (1) Automobile Body Shop
- (2) Automotive Detail Shops
- (3) Automotive Parts Sales
- (4) Bakeries and Confectionaries
- (5) Bakeries and Delicatessens with Food Service
- (6) Banks and Financial Institutions
- (7) Barbershops
- (8) Beauty Shops
- (9) Business and Office Services
- (10) Bar, Taverns
- (11) Commercial Accommodations
- (12) Convenience Stores
- (13) Delicatessens and Specialty Food Stores
- (14) Drugstores and Pharmacies
- (15) Dry Cleaners - Storefront
- (16) Garden Landscaping Supply and Seed Stores
- (17) Grocery Stores

- (18) Health/Medical Offices
- (19) Health/Medical Offices (2nd level & above)
- (20) Home Occupation
- (21) Laundromats
- (22) Liquor Stores
- (23) Office Uses
- (24) Office Uses (2nd level & above)
- (25) Pawn Shops
- (26) Photographic Studios
- (27) Professional Activities
- (28) Professional Offices, Business Offices and Studios
- (29) Radio and Television Stores and Repair Shops
- (30) Restaurants
- (31) Retail Stores
- (32) Service Businesses
- (33) Small Appliance Repair Shops
- (34) Tailors and Dressmakers
- (35) Theaters
- (36) Theaters, Meeting Rooms and Convention Centers
- (37) Travel and Ticket Agencies

**Section 16-6-30. Limited Uses.**

The following use(s) shall be permitted as Limited Uses in the “C-1” Zone District:

- (1) Accessory Building
- (2) Accessory Dwelling Unit
- (3) Alternative Energy Production
- (4) Motor/Recreational Vehicle Sales, Service and Rental

**Section 16-6-40. Conditional Uses.**

The following use(s) shall be permitted as Conditional Uses in the “C-1” Zone District:

- (1) Automobile Dealership
- (2) Car Washes

- (3) Gas Stations
- (4) Home Business
- (5) Laundries
- (6) Manufacturing, Light
- (7) Retail Uses Greater than 5,000 Square Feet

**Section 16-6-50. Lot Measurements.**

- (1) Minimum Lot Area: 5,000
- (2) Minimum Lot Dimension (linear feet): fifty (50') feet
- (3) Maximum Lot Coverage: seventy (70%) percent
- (4) Maximum Impervious Coverage: eighty (80%) percent
- (5) Minimum Front Yard: twenty (20') feet
- (6) Minimum Side Yard: ten (10') feet
- (7) Minimum Rear Yard: ten (10') feet
- (8) Minimum Stream Setback: thirty (30') feet

**Section 16-6-60. Building Measurements.**

- (1) Maximum Building Height: twenty-eight (28') feet

**Section 16-6-70. Additional Provisions and Limitations.**

Additional standards may apply to uses and development in this zone district. Please see Article/Division\_\_ for additional information.

**Division 2 - C-2 – South Town Commercial Zone District/Old Town Commercial Zone District**

**Section 16-6-80. Intent of District.**

The purpose of the “C-2” Zone District is to provide sites for the convenient delivery of and access to commercial services and goods to residents and visitors while minimizing the impact, in some instances, on nearby residential uses. The “C-2” Zone District applies to two geographically separate, but similar commercially-focused areas: the Old Town Commercial area, and the South Town Commercial area.

The Old Town commercial area is intended to promote the development of the Town’s sales tax-generating retail commercial uses through the preservation of the scale

and visual quality of the State Highway 24 corridor, or Main Street, and surrounding neighborhoods.

The South Town commercial area is intended to accommodate a more eclectic mix of commercial and light manufacturing activities that are not easily accommodated in the Old Town area; which lend themselves to the establishment and/or retention of small home businesses or occupations (a live-work situation); and, which maintain and enhance the visual character and scale of the surrounding residential neighborhoods found along State Highway 24.

Within the “C-2” Zone District, policy objectives aim to: 1) facilitate small business development and retention as a primary means to sustain economic vitality and diversification; 2) provide an appropriate and broad mix of goods and services for consumption by residents and visitors alike; and 3) foster sales tax generation by permitting and regulating uses that are compatible and mutually supportive, such as retail, office, services and institutional uses.

(Prior code 16-7-3)

#### **Section 16-6-90. Permitted Uses.**

The following use(s) shall be permitted ‘by right’ in the “C-2” Zone District:

- (1) Bakeries and Confectionaries
- (2) Bakeries and Delicatessens with Food Service
- (3) Banks and Financial Institutions
- (4) Barbershops
- (5) Beauty Shops
- (6) Business and Office Services
- (7) Bar, Taverns
- (8) Commercial Accommodations
- (9) Convenience Stores
- (10) Delicatessens and Specialty Food Stores
- (11) Drugstores and Pharmacies
- (12) Garden Landscaping Supply and Seed Stores
- (13) Grocery Stores
- (14) Health/Medical Offices
- (15) Health/Medical Office (2nd level & above)
- (16) Home Occupation
- (17) Laundromats
- (18) Liquor Stores

- (19) Office Uses
- (20) Office Uses (2nd level & above)
- (21) Pawn Shops
- (22) Photographic Studios
- (23) Professional Activities
- (24) Professional Offices, Business Offices and Studios
- (25) Radio and Television Stores and Repair Shops
- (26) Restaurants
- (27) Retail Stores
- (28) Service Businesses
- (29) Small Appliance Repair Shops
- (30) Tailors and Dressmakers
- (31) Theaters
- (32) Theaters, Meeting Rooms and Convention Centers
- (33) Travel and Ticket Agencies

**Section 16-6-100. Limited Uses.**

The following use(s) shall be permitted as Limited Uses in the “C-2” Zone District:

- (1) Accessory Building
- (2) Accessory Dwelling Unit
- (3) Alternative Energy Production
- (4) Home Business
- (5) Manufacturing, Light
- (5) Multi-Family Dwellings

**Section 16-6-110. Conditional Uses.**

The following use(s) shall be permitted as Conditional Uses in the “C-2” Zone District:

- (1) Bed and Breakfast
- (2) Car Washes
- (3) Gas Stations
- (4) Laundries
- (5) Retail Uses Greater than 5,000 Square Feet

- (6) Automotive Detail Shops
- (7) Automotive Parts Sales
- (8) Motor/Recreational Vehicle Sales, Service and Rental
- (9) Parks and Playgrounds
- (10) Senior Housing

**Section 16-7-120. Lot Measurements.**

- (1) Minimum Lot Area: 2,500 sq. ft.
- (2) Minimum Lot Dimension (linear feet): twenty five (25') feet
- (3) Maximum Lot Coverage: eighty (80%) percent
- (4) Maximum Impervious Coverage: ninety (90%) percent
- (5) Minimum Front Yard: ten (10') feet
- (6) Minimum Side Yard: five (5') feet
- (7) Minimum Rear Yard: ten (10') feet
- (8) Minimum Stream Setback: thirty (30') feet

**Section 16-6-130. Building Measurements.**

- (1) Maximum Building Height (South Town): twenty-eight (28') feet
- (2) Maximum Building Height (Old Town): thirty-five (35') feet

**Section 16-6-140. Additional Provisions and Limitations.**

Additional standards may apply to uses and development in this zone district. Please see Article/Division\_\_ for additional information.

**Division 3 – C-3 – 100 Block Commercial District**

**Section 16-6-150. Intent of District.**

The purpose of the “C-3” Zone District is to provide convenient commercial services to residents and visitors and to promote the development of the Town's primary retail commercial district. Accommodation of sales tax-generating commercial uses and residential units can enhance Old Town vitality while maintaining the visual character and scale. An objective is to facilitate small business development and to promote economic vitality with land uses that are compatible and supportive, such as retail, office, institutional and residential uses, while maintaining the community scale.

**Section 16-6-160. Permitted Uses.**

The following use(s) shall be permitted as uses 'by right' in the "C-3" Zone District.

- (1) Art Gallery
- (2) Bakeries and Confectionaries
- (3) Bakeries and Delicatessens with Food Service
- (4) Banks and Financial Institutions
- (5) Barbershops
- (6) Beauty Shops
- (7) Business and Office Services
- (8) Bar, Taverns
- (9) Commercial Accommodations
- (10) Delicatessens and Specialty Food Stores
- (11) Drugstores and Pharmacies
- (12) Garden Landscaping and Supply and Seed Stores
- (13) Grocery Stores
- (14) Health/Medical Offices (second level floor and above)
- (15) Home Occupation
- (16) Laundromats
- (17) Liquor Stores
- (18) Office Uses (2nd level & above)
- (19) Pawn Shop
- (20) Photographic Studios
- (21) Professional Activities
- (22) Public Events and Mass Gatherings
- (23) Restaurants
- (24) Retail Stores

**Section 16-6-170. Limited Uses.**

The following use(s) shall be permitted as Limited Uses in the "C-3" Zone District:

- (1) Accessory Buildings
- (2) Accessory Dwelling Units
- (3) Alternative Energy Production
- (4) Bed and Breakfast

- (5) Day Care Center
- (6) Home Business
- (7) Membership Organization
- (8) Multi-family Dwellings

**Section 16-6-180. Conditional Uses.**

The following use(s) shall be permitted as Conditional Uses in the “C-3” Zone District:

- (1) Automotive Detail Shops
- (2) Automotive Parts Sales
- (3) Convenience Stores
- (4) Parks and Playgrounds

**Section 16-6-190. Lot Measurements.**

- (1) Minimum Lot Area: 2,500
- (2) Minimum Lot Dimension (linear feet): twenty-five (25’) feet
- (3) Maximum Lot Coverage: eighty (80%) percent
- (4) Maximum Impervious Coverage: ninety (90%) percent
- (5) Minimum Front Yard: zero (0’) feet\*
- (6) Minimum Side Yard: five (5’) feet
- (7) Minimum Rear Yard: ten (10’) feet
- (8) Minimum Stream Setback: thirty (30’) feet

\* Front setback may be a build-to line or zero feet from the front property line or the edge of public sidewalk space so long as the building complies with the 100-Block design standards which may require specific percentages of building frontage to step back and/or incorporate undulation so as not to present a monolithic, unbroken facade appearance along the public right-of-way or public space.

**Section 16-6-200. Building Measurements.**

- (1) Maximum Building Height: thirty-five (35’) feet\*

\*Buildings may be permitted at 35 feet so long as 100-Block design standards including minimum bulk plane and stepback requirements are met at the discretion of the Planning Commission.

### **Section 16-6-210. Additional Provisions and Limitations.**

Additional standards may apply to uses and development in this zone district. Please see Article/Division\_\_ for additional information.

## **Article 7 – Mixed-Use Zone Districts**

### **Division 1 - MU-1 – Mixed-Use District**

#### **Section 16-7-10. Intent of District.**

The “MU-1” Zone District applies to two geographically separate but similar areas where a mix of residential, service commercial, retail, professional office and light manufacturing uses complement existing neighborhood uses and character. Therefore, the purpose of the “MU-1” Zone District is to provide sites in the Old Town and Cross Creek areas for combined residential and low-impact commercial and service uses. In the Old Town area, uses and redevelopment which maintain a predominantly residential appearance and character is an objective, while the Cross Creek area is more geographically concentrated and appropriate for new development and redevelopment that creates an attractive entrance statement and economic, tax generating activity without causing significant impacts to nearby residential and open space areas.

#### **Section 16-7-20. Permitted Uses.**

The following uses shall be permitted as uses ‘by right’ in the “MU1” Zone District:

- (1) Bakeries and Delicatessens with Food Service
- (2) Banks and Financial Institutions
- (3) Barbershops
- (4) Beauty Shops
- (5) Business and Office Services
- (6) Commercial Accommodations
- (7) Drugstores and Pharmacies
- (8) Garden Landscaping Supply and Seed Stores
- (9) Grocery Stores
- (10) Home Occupation
- (11) Office Uses
- (12) Photographic Studios
- (13) Professional Activities

- (14) Professional Offices, business offices and studios
- (15) Radio and Television Stores and Repair Shops
- (16) Retail Stores
- (17) Retail Uses greater than 5,000 square feet
- (18) Service Businesses
- (19) Small appliance Repair Shops
- (20) Tailors and Dressmakers
- (21) Travel and Ticket Agencies

**Section 16-7-30. Limited Uses.**

The following uses shall be permitted as Limited Uses in the “MU1” Zone District.

- (1) Accessory Buildings
- (2) Accessory Dwelling Units
- (3) Alternative Energy Production

**Section 16-7-40. Conditional Uses.**

The following uses shall be permitted as Conditional Uses in the “MU1” Zone District.

- (1) Automotive Detail Shops
- (2) Automotive Parts Sales
- (3) Bar, Taverns
- (4) Car Washes
- (5) Convenience Stores
- (6) Day Care Center
- (7) Duplex Dwellings
- (8) Gas Stations
- (9) Health/Medical Offices
- (10) Health/Medical Offices (2nd level & above)
- (11) Home Business
- (12) Laundries
- (13) Laundromats
- (14) Liquor Stores
- (15) Multi-Family Dwellings

- (16) Office Uses
- (17) Office Uses (2nd level & above)
- (18) Parks and Playgrounds
- (19) Pawn Shops
- (21) Senior Housing
- (22) Single-Family Dwellings
- (23) Theaters
- (24) Bakeries and Confectionaries
- (25) Delicatessens and Specialty Food Stores
- (26) Restaurants

**Section 16-7-50. Lot Measurements.**

- (1) Minimum Lot Area: 5,000
- (2) Minimum Lot Dimension (linear feet): fifty (50') feet
- (3) Maximum Lot Coverage: seventy (70%) percent
- (4) Maximum Impervious Coverage: eighty (80%) percent
- (5) Minimum Front Yard: ten (10') feet
- (6) Minimum Side Yard: five (5') feet
- (7) Minimum Rear Yard: ten (10') feet
- (8) Minimum Stream Setback: thirty (30') feet (Eagle River); fifty (50') feet (Cross Creek)

**Section 16-7-60. Building Measurements.**

- (1) Maximum Building Height: twenty-eight (28') feet

**Section 16-7-70. Additional Provisions and Limitations.**

Additional standards may apply to uses and development in this zone district. Please see Article/Division\_\_ for additional information.

**Article 8 - PUD Overlay Zone Districts**

**Division 1 - Division 1 – BM PUD - Battle Mountain PUD**

### **Section 16-8-10. Intent of District.**

The purpose of the Battle Mountain Planned Unit Development (PUD) District is to govern and to direct development of the PUD through the imposition of site-specific zoning and land development guidelines, requirements and/or restrictions. Except as otherwise provided in Section 16-10-30, uses within the Battle Mountain Planned Unit Development (PUD) shall be set forth on an approved final development plan for this area.

### **Section 16-8-20. Permitted Uses**

Until such time as a final development plan is approved, property within the Battle Mountain PUD shall be used only for the following purposes:

- (1) Environmental response activities for superfund sites consistent with EPA and CDPHE process and approvals and this Article.
- (2) Forestry management and maintenance, including without limitation measures to address the infestation of pine beetles and abatement of noxious weeds.
- (3) Passive recreation activities consistent with historic practice.
- (4) Management and maintenance of the property as open space, greenbelt and wildlife habitat.
- (5) Investigation and monitoring of soils, watersheds and other components of the property and other appropriate activities in connection with the management and maintenance of the property and the preparation of the application for the final development plan for the project.
- (6) Operation, maintenance and use of water rights, water resources, water diversion structures, ditches, pipeline structures, ponds, water impoundments and associated facilities consistent with the decreed uses but subject to these restrictions.
- (7) Hunting.

(Ord. 12-2008 §2; Ord. [1-2017](#) §§3, 5.2)

## **Division 2 – BL PUD - Bolts Lake PUD**

### **Section 16-8-30. Intent of District**

The purpose of the Bolt's Lake Planned Unit Development (PUD) District is to govern and to direct development of the PUD through the imposition of site-specific zoning and land development guidelines, requirements and/or restrictions. Except as otherwise provided in Section           , uses within the Bolt's Lake Planned Unit Development (PUD) shall be set forth on an approved final development plan for this area.

### **Section 16-8-40. Permitted Uses.**

Until such time as a final development plan is approved, property within the Bolt's Lake PUD shall be used only for the following purposes:

- (1) Environmental response activities for superfund sites consistent with EPA and CDPHE process and approvals and this Article.
- (2) Forestry management and maintenance, including without limitation measures to address the infestation of pine beetles and abatement of noxious weeds.
- (3) Passive recreation activities consistent with historic practice.
- (4) Management and maintenance of the property as open space, greenbelt and wildlife habitat.
- (5) Investigation and monitoring of soils, watersheds and other components of the property and other appropriate activities in connection with the management and maintenance of the property and the preparation of the application for the final development plan for the project.
- (6) Operation, maintenance and use of water rights, water resources, water diversion structures, ditches, pipeline structures, ponds, water impoundments and associated facilities consistent with the decreed uses but subject to these restrictions.
- (7) Hunting.

(Ord. 12-2008 §2; Ord. [1-2017](#), §§3, 5.2)

## **Article 9 - Railroad Districts**

### **Division 1 - RRT - Railroad Transportation District**

The purpose of the Railroad Transportation (“RRT”) District is to maintain a viable transportation right-of-way to accommodate the long-term transportation needs of the Town and the larger community. The zone can accommodate trails, compatible recreation activities and open space uses, depending upon the current status of the railroad operations.

(Prior code 16-14-2)

### **Section 16-9-10. Permitted Uses.**

The following use(s) shall be permitted ‘by right’ in the “RRT” Zone District:

- (1) Accessory building
- (2) Accessory uses associated with allowable uses
- (3) Multi-modal transportation

- (4) Rail, light
- (5) Rail
- (6) Regional recreational and multi-use trails.

**Section 16-9-20. Limited Uses.**

There are no uses permitted as Limited Uses in the “RRT” Zone District.

**Section 16-9-30. Conditional Uses.**

There are no use(s) permitted as Conditional Uses in the “RRT” Zone District

**Section 16-9-40. Additional Provisions and Limitations.**

Additional standards may apply to uses and development in this zone district. Please see Article/Division\_\_ for additional information.

**Division 2 - RRP - Railroad Planned Unit Development District**

**Section 16-9-50. Intent of Districts.**

The purpose “RRP” Zone District, otherwise referred to in this code as the “Railroad Planned Unit Development”, is to allow for the future master planning and re-development of Union Pacific Railroad-owned properties (the “rail yard”) where train and other associated railroad uses are no longer being utilized and where historic industrial zoning no longer applies or is no longer appropriate.

It is recognized, however, that light industrial uses including outdoor and indoor contractor storage uses, as well as the hotel and restaurant (former Turntable Restaurant) have existed in this area and that the Town may provide conditional use review for the continuation or addition of such uses on a case by case basis until such time as the property owner brings forth redevelopment plans as a Planned Unit Development.

It is an objective of the Town to work with the property owner to plan and redevelop the rail yard as a master planned development that is compatible with the existing Town character. Future development and land use decisions for this area need to incorporate community input and involve an open public process. The PUD Holding Zone and the PUD review process will provide for the flexibility, innovation and public input necessary to achieve the goals and objectives of the Community Plan and this Chapter. This area has been identified in the Community Plan as an area suitable for expansion of Old Town and as a "potential Town Center" site. Development in this area needs to incorporate appropriate residential and low-impact land uses along Taylor Avenue to minimize impacts to the existing neighborhood character and scale. The rail corridor should be maintained and improved access to and across the Eagle River should be incorporated into proposed development plans.

### **Section 16-9-60. Permitted Uses.**

There are no uses permitted 'by-right' in the "RRP" Zone District. The continuance of existing commercial accommodation use, restaurant use, or contractor storage uses, as well as any future uses by right must be approved via the PUD review process and/or the Conditional Use Permit process.

### **Section 16-9-70. Limited Uses.**

There are no uses permitted as Limited Uses in the "RRP" Zone District. Any future Limited Uses must be approved via the PUD review process and/or the Conditional Use Permit process.

### **Section 16-9-80. Conditional Uses.**

The following use(s) shall be permitted as Conditional Uses in the "RRP" Zone District:

- (1) Commercial accommodations
- (2) Contractor Storage
- (3) Municipal Parking
- (4) Restaurants

### **Section 16-9-90. Additional Provisions and Limitations**

Additional standards may apply to uses and development in this zone district. Please see Article/Division\_\_ for additional information.

## **Article 10 - Public Facilities and Light Industrial Districts**

### **Division 1 – PFLI – Public Facilities and Light Industrial District**

#### **Section 16-10-10. Intent of District**

The purpose of the "PFLI" Zone District is to accommodate public facilities such as municipal and quasi-municipal buildings and operations. The "PFLI" Zone District is located in the "Lionshead" area, north of the Eagle River and the Union Pacific Railroad corridor. This area has historically been used for public facilities and operations for the Town of Minturn, as well as gravel processing and contractor storage.

An objective of the "PFLI" Zone District is to permit public facilities and operations, as well as a range of low-impact light industrial activities that are of limited duration and

intensity, such as contractor trades, research and development institutions, wholesaling and small-scale production, fabrication, assembly or processing activities to help provide a diversified employment base for the community. Uses established in this area should be screened to minimize the impact on surrounding open space and recreation areas. In addition, the purpose of the area is to limit uses to those that will not create traffic hazards, noise, dust, fumes, odors, smoke, vapor, vibration or industrial waste disposal problems, but their operating characteristics and appearance may have impacts not desirable in other areas within the Town.

(Prior code 16-11-3)

**Section 16-10-20. Permitted Uses.**

The following use(s) shall be permitted as uses 'by right' in the "PFLI" Zone District":

- (1) Public facilities and uses
- (2) Recreational facilities

**Section 16-10-30. Limited Uses.**

The following use(s) shall be permitted as Limited Uses in the "PFLI" Zone District":

- (1) Public Events and Mass Gatherings

**Section 16-10-40. Conditional Uses.**

The following use(s) shall be permitted as Conditional Uses in the "PFLI" Zone District:

- (1) Manufacturing, Light
- (2) Indoor storage

**Section 16-10-50. Lot Measurements.**

- (1) Minimum Lot Area: 10,000 square feet
- (2) Minimum Lot Dimension (linear feet): one-hundred (100') feet
- (3) Maximum Lot Coverage: forty-five (45%) percent
- (4) Maximum Impervious Coverage: No limit
- (5) Minimum Front Yard: twenty-five (25') feet
- (6) Minimum Side Yard: ten (10') feet
- (7) Minimum Rear Yard: twenty-five (25') feet
- (8) Minimum Stream Setback: thirty (30') feet

**Section 16-10-60. Building Measurements.**

- (1) Maximum Building Height twenty-eight (28') feet

**Section 16-10-70. Additional Provisions and Limitations.**

Additional standards may apply to uses and development in this zone district. Please see Article/Division\_\_ for additional information.

**Division 2 - PF - Public Facilities District**

**Section 16-10-80. Intent of District.**

The purpose of the “PF” Zone District is to accommodate public facilities such as municipal and quasi-municipal buildings and operations; school district buildings and facilities; and, accessory uses and buildings. This Zone District includes the Town of Minturn Town Hall property located in the Old Town area, as well as public lands located in the southern portion of the Town near Maloit Park and bordering Cross Creek and United States Forest Service Lands. An objective of this zone district is to provide sites for the Town’s key facilities and critical infrastructure such as the Town water tank, maintaining current civic and recreational uses, and allowing for limited, public-purpose development such as employee housing in the future.

**Section 16-10-90. Permitted Uses.**

The following use(s) shall be permitted ‘by right’ in the “PF” Zone District:

- (1) Accessory Buildings
- (2) Alternative Energy Production
- (3) Accessory Uses Customarily Associated with Allowable Uses
- (4) Athletic Fields
- (5) Duplex Dwellings
- (6) Multi-Family Dwellings
- (7) Single-Family Dwellings
- (8) Trails and Trailheads
- (9) Utility Facilities and Improvements
- (10) Water Treatment Facilities
- (11) Other Uses Determined to be Similar in Nature to Other Permitted Uses

**Section 16-10-100. Limited Uses.**

There are no Limited Uses in the “PF” Zone District.

**Section 16-10-110. Conditional Uses.**

There are no use(s) permitted as Conditional Uses in the “PF” Zone District.

**Section 16-10-120. Lot Measurements.**

- (1) Minimum Lot Area: 10,000 square feet
- (2) Minimum Lot Dimension (linear feet): one-hundred (100’) feet
- (3) Maximum Lot Coverage: forty-five (45%) percent
- (4) Maximum Impervious Coverage: No limit
- (5) Minimum Front Yard: twenty-five (25’) feet
- (6) Minimum Side Yard: ten (10’) feet
- (7) Minimum Rear Yard: twenty-five (25’) feet
- (8) Minimum Stream Setback: thirty (30’) feet

**Section 16-10-130. Building Measurements.**

- (1) Maximum Building Height twenty-eight (28’) feet

**Section 16-10-140. Additional Provisions and Limitations.**

Additional standards may apply to uses and development in this zone district. Please see Article/Division\_\_ for additional information.

**Article 11 - Recreation and Open Space Districts**

**Division 1 – OS-1/PARO- Public Access Recreation and Open Space District**

**Section 16-11-10. Intent of District.**

The purpose of the “OS-1” Zone District is to maintain attractive open space areas that reinforce the Town’s unique scenic qualities; and, to provide valuable and usable publicly accessible sites for low-impact uses such as hiking, biking, wildlife watching, and environmental education for residents and visitors. The OS-1 District includes large open space tracts of land located within the Lionshead area north of the Eagle River, as well as significant, accessible and dispersed areas located along and within the Eagle River corridor and riparian areas that traverse the Town from east to west; along the south side

of the Old Town Commercial District; and, surrounding the Public Facilities District in the Maloit Park area at the far south side of Town.

Areas located within the “OS-1” District located in the “Lionshead” area and north of the Union Pacific Railroad transportation corridor provide significant, highly visible open and scenic areas, ample passive recreational and educational opportunities. le those Areas located along or within the Eagle River channel and the riverbanks and including areas mapped within the 100-year floodplain as well as areas held in private land ownership are intended for continued public and private uses such as dispersed and low-intensity passive recreation uses, public parks, public and private river access points and gathering spaces, as well as public and private pedestrian trails and river crossings.

More generally, the purpose of the OS-1 District is to provide private and public recreational and open space amenities while respecting private property. Private use of lands within this zone should be consistent with the need to protect life and property from flood damage and potential public recreational uses nearby.

#### **Section 16-11-20. Permitted Uses.**

The following use(s) shall be permitted ‘by right’ in the “OS-1” Zone District:

- (1) Accessory Uses customarily associated with allowable uses
- (2) Alternative Energy Production
- (3) Parks and Playgrounds
- (4) Recreational Facilities
- (5) Trails, Trailheads
- (6) Utility Facilities and Improvements
- (7) Other Uses Determined to be Similar in Nature to Other Permitted Uses

#### **Section 16-11-30. Limited Uses.**

The following use(s) shall be permitted as Limited Uses in the “OS-1” Zone District:

- (1) Mobile Vendors
- (4) Public Events and Mass Gatherings

#### **Section 16-11-40. Conditional Uses.**

There are no use(s) permitted as Conditional Uses in the “OS-1” Zone District.

#### **Section 16-11-50. Lot Measurements.**

All standards with the exception of live stream setback requirements listed below are to be determined as part of any development permit application and review.

- (1) Minimum Stream Setback: thirty (30') feet

**Section 16-11-60. Building Measurements.**

- (1) Maximum Building Height N/A

**Section 16-11-70. Additional Provisions and Limitations.**

Additional standards may apply to uses and development in this zone district. Please see Article/Division\_\_ for additional information.

**Division 2 – OS-2/CL - Conservation Lands District**

**Section 16-11-80. Intent of District.**

The purpose of the “OS-2” Zone District is to provide sites for conservation-oriented private and publicly-accessed open space parcels. An objective of the “OS-2” Zone District is to provide sites where open space may permit limited passive uses such as public access trails and/or trailheads, hiking or pedestrian access in a controlled and managed manner. Lands within the “OS-2” Zone District may include private property with historic, pre-existing, but potentially non-conforming uses such as residential and accessory structures. A secondary objective, then, is to permit the ongoing use and maintenance of such uses and structures until such time as they are destroyed or otherwise removed.

**Section 16-11-90. Permitted Uses.**

The following use(s) shall be permitted ‘by right’ in the “OS-2” Zone District:

- (1) Accessory Uses customarily associated with allowable uses
- (2) Conservation Area
- (3) Conservation and Public Open Space
- (4) Trails and Trailheads

**Section 16-11-100. Limited Uses.**

There are no uses permitted as Limited Uses within the “OS-2” Zone District.

**Section 16-11-110. Conditional Uses.**

There are no uses permitted as Conditional Uses within the “OS-2” Zone District.

**Section 16-11-120. Lot Measurements.**

All standards with the exception of live stream setback requirements listed below are to be determined as part of any development permit application and review.

- (1) Minimum Stream Setback: thirty (30') feet

**Section 16-11-130. Building Measurements.**

- (1) Maximum Building Height N/A

**Section 16-11-140. Additional Provisions and Limitations.**

Additional standards may apply to uses and development in this zone district. Please see Article/Division\_\_ for additional information.

**Article 12 – Federal Lands District**

**Division 1 – F-1/FED – Federal Lands**

**Section 16-12-10. Intent of District.**

The purpose of the Federal Lands Zone District is to recognize those lands lying within the corporate limits of the Town of Minturn owned and controlled by the United States Government. Such lands are currently under the control of the United States Forest Service (USFS) and are located in three general areas: at the western entrance to the Town in the Meadow Mountain area; within the South Minturn/Martin Creek areas south of State Highway 24; and, in Cross Creek area, along the Eagle River and Hwy. 24 corridors.

Therefore, it is the intent of the F-1 Zone District to recognize such federal lands and to work with the federal government to: 1) maintain an attractive and scenic entry into Town while enhancing recreational opportunities and preserving the environmentally sensitive and culturally significant areas in the Meadow Mountain area from intensive development; 2) maintain the Martin Creek trailhead area for public access and use; 3) identify and cooperatively plan for appropriate land swaps and redevelopment opportunities in areas identified in the Community Plan for future development where services and infrastructure can logically be extended; and, 4) comment on all federal land use actions in these areas.

**Section 16-12-20. Permitted Uses.**

There are no uses permitted 'by right' in the "F-1" Zone District.

**Section 16-12-30. Limited Uses.**

There are no uses permitted as Limited Uses in the “F-1” Zone District.

**Section 16-12-30. Conditional Uses.**

There are no uses permitted as Conditional Uses in the “F-1” Zone District.

**Section 16-12-40. Lot Measurements.**

All standards with the exception of front, rear, and side-yard setbacks, in addition to live stream setback requirements listed below are to be determined as part of any development permit application and review.

- |     |                         |                                 |
|-----|-------------------------|---------------------------------|
| (1) | Minimum Front Yard      | fifty (50') feet (recommended)  |
| (2) | Minimum Side Yard       | ten (10') feet (recommended)    |
| (3) | Minimum Rear Yard       | twenty (20') feet (recommended) |
| (4) | Minimum Stream Setback: | thirty (30') feet               |

**Section 16-12-50. Building Measurement**

- |     |                         |                                       |
|-----|-------------------------|---------------------------------------|
| (1) | Maximum Building Height | twenty-eight (28') feet (recommended) |
|-----|-------------------------|---------------------------------------|

**Section 16-12-60. Additional Provisions and Limitations**

Additional standards may apply to uses and development in this zone district. Please see Article/Division\_\_ for additional information.

**Article 13 – Limited Use Standards**

**Section 16-13-10 – Limited Use Administration.**

- (a) The Planning Director shall approve the limited use based upon the submittal and review of the following material. The use shall be approved upon finding that the limited use:
- (1) Is not in conflict with applicable health, sanitation, safety or access regulations;
  - (2) Is allowed by limited review in the subject zone district; and
  - (3) Can be operated so that it is compatible with adjacent uses and negative impact to adjacent properties has been minimized.

**Section 16-13-20 – Limited Use Standards.**

The following restrictions and standards apply to limited uses within all zone districts:

(a) Accessory Dwelling Units.

- (1) Use: A maximum of one (1) accessory dwelling unit shall be permitted in conjunction with and clearly subordinate to the principal use of the lot or parcel.
- (2) Size: There are no size limits for accessory dwelling units so long as such units are clearly subordinate to and secondary in square footage to the principal use of the lot or parcel.
- (3) Location: The accessory dwelling unit may be located within or attached to the structure containing the principal use, or it may be detached from the principal use structure if it is located within or above an permitted accessory building such as a garage.
- (4) Parking: One (1) on-site parking space, additional to that number required for the principal use, shall be provided for the accessory dwelling unit.
- (5) Ownership: The accessory dwelling shall not be subdivided or sold from the primary unit on the parcel.
- (6) Water, sanitation, solid waste: Proof shall be provided that adequate water and sanitation are in place for the uses on the property. Proof shall be provided that adequate solid waste storage and removal are in place.
- (7) Dimensional limitations: Accessory dwelling units shall only be permitted on lots that conform to the minimum lot standards of the underlying zone district. The unit shall be developed so as to conform to all setback, height, building lot coverage, floor area and other dimensional limitations of the underlying zone district.

(b) Accessory building.

- (1) Size: Accessory buildings shall not exceed one thousand two hundred (1,200) square feet.
- (2) Use: Accessory buildings are for the use of the residents of the property.
- (3) Dimensional limitations: Accessory buildings shall only be permitted on lots that conform to the minimum lot standards of the underlying zone district. The building shall be developed so as to conform to all setback, height, building lot coverage, floor area and other dimensional limitations of the underlying zone district.

(c) Bed and breakfast.

- (1) Use: The use of a dwelling for a bed and breakfast shall be clearly incidental and subordinate to its use for residential purposes and shall not change the basic residential character of the parcel.
- (2) Number of units: A bed and breakfast shall be permitted a maximum of two (2) guest units in a Residential Zone District and a maximum of four (4) guest units

in a Mixed-Use Zone District. Additional units may be approved through a conditional use permit.

- (3) Parking: A bed and breakfast shall provide one (1) off-street parking space per guest unit. This requirement shall be additional to the parking required for the residential use of the property.
  - (4) Ownership: The owner of the bed and breakfast, or on-site manager employed by the owner, shall reside on the premises at all times when the use is in operation.
  - (5) Water, sanitation, solid waste: Proof shall be provided that adequate water and sanitation are in place for the uses on the property. Proof shall be provided that adequate solid waste storage and removal are in place.
- (d) Membership Organization.
- (1) Size: A Membership Organization shall not exceed one thousand (1,000) square feet. Membership Organizations larger than one thousand (1,000) square feet shall be reviewed through the conditional use process.
  - (2) Parking: One (1) off-street parking space per three hundred fifty (350) square feet of meeting area shall be required.
  - (3) Operation: A Membership Organization shall not produce noise, electrical or magnetic interference, vibration, heat, glare, odors, fumes, smoke or dust and shall not operate at such hours or in such a manner as to create a public nuisance or disturb neighbors.
  - (4) Water, sanitation, solid waste: Proof shall be provided that adequate water and sanitation are in place for the property. Proof shall be provided that adequate solid waste storage and removal are in place.
- (e) Day care center.
- (1) Licensing: Prior to operation, the day care center shall be required to provide proof that state and/or county licensing and requirements have been satisfied.
  - (2) Size: Seven (7) or more children shall be permitted; however the applicant shall demonstrate that the size of the facility is suitable for the number of children permitted.
  - (3) Operation: A day care center shall not produce noise, electrical or magnetic interference, vibration, heat, glare, odors, fumes, smoke or dust and shall not operate at such hours or in such a manner as to create a public nuisance or disturb neighbors.
  - (4) Parking: Minimum requirements shall include one (1) off-street parking space per five hundred (500) square feet of floor area, plus one (1) off-street parking space per employee.
  - (5) Water, sanitation, solid waste: Proof shall be provided that adequate water and sanitation are in place for the property. Proof shall be provided that adequate solid waste storage and removal are in place.

- (f) Home business.
- (1) Use: The use of a dwelling for a home business shall be clearly incidental and subordinate to its use for residential purposes and shall not change the basic residential character of the parcel.
  - (2) Nuisance: A home business shall not produce noise, electrical or magnetic interference, vibration, heat, glare, odors, fumes, smoke or dust and shall not operate at such hours or in such a manner as to create a public nuisance, disturb neighbors or alter the residential character of the premises.
  - (3) Signs: Signs and other outdoor structures that advertise the home business shall be limited to two (2) square feet. Illumination of the structure housing the home business shall be limited to that which is customary for the residential use of the property.
  - (4) Location: All activities associated with the home business shall be conducted indoors. Materials and equipment used in the home business shall be stored in a building.
  - (5) Sales: Incidental sales of supplies or products associated with the home business shall be permitted on the premises. A home business whose primary activity is retail sales shall be prohibited, except if the function of the home business is catalogue sales.
  - (6) A home business may serve patrons on the premises, provided that all other standards of this Section are met.
  - (7) Employees: The home business shall be conducted by persons residing on the premises. A home business may have up to two (2) employees who reside off the premises.
  - (8) Parking: A home business shall provide one (1) off-street parking space per employee and one (1) off-street parking space for patrons of the business.
  - (9) Water, sanitation, solid waste: Proof shall be provided that adequate water and sanitation are in place for the uses on the property. Proof shall be provided that adequate solid waste storage and removal are in place.
- (g) Motor/recreational vehicle sales, service and rental.
- (1) Size: Limited use review shall be limited to a maximum size of five thousand (5,000) square feet.
  - (2) Location: All activities shall be conducted indoors. Limited outdoor activity may be approved through this process.
  - (3) Parking: The applicant shall demonstrate that the number of parking spaces provided is sufficient to serve employees and patrons of the establishment.
  - (4) Operation: This use shall not produce noise, electrical or magnetic interference, vibration, heat, glare, odors, fumes, smoke or dust and shall not operate at such hours or in such a manner as to create a public nuisance or disturb neighbors.

- (5) Water, sanitation, solid waste: Proof shall be provided that adequate water and sanitation is in place for the property. Proof shall be provided that adequate solid waste storage and removal is in place.

(h) Public Events and Mass Gatherings

[insert standards]

(i) Mobile Vendor.

- (1) Size: A roadside stand seeking approval for limited use review shall not exceed five hundred (500) square feet.
- (2) Location: The applicant shall demonstrate safe access to the site.
- (3) Parking: The applicant shall demonstrate that the parking provided is adequate to serve both the vendor and clientele of the roadside stand.
- (4) Operation: A roadside stand shall not produce noise, electrical or magnetic interference, vibration, heat, glare, odors, fumes, smoke or dust and shall not operate at such hours or in such a manner as to create a public nuisance or disturb neighbors.
- (5) Water, sanitation, solid waste: Proof shall be provided that adequate water and sanitation is in place for the property. Proof shall be provided that adequate solid waste storage and removal is in place.