



**Wednesday, February 1, 2023**  
**Executive Session – 4:30pm**  
**Work Session – 5:30pm**  
**Regular Session – 6:30pm**

## **AGENDA**

### **Town Council Meeting Minturn Town Hall / Council Chambers 302 Pine St Minturn, CO**

The agenda is subject to change, including the addition of items 24 hours in advance or the deletion of items at any time. The order of agenda items listed are approximate. This agenda and meetings can be viewed at [www.minturn.org](http://www.minturn.org).

#### **MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION**

This will be an in-person meeting with access for the public to attend in person or via the Zoom link included. Zoom Link: <https://us02web.zoom.us/j/85795998650>

Zoom Call-In Information: **1 651 372 8299 or 1 301 715 8592 Webinar ID: 857 9599 8650**

Please note: all virtual participants are muted. In order to be called upon an unmuted, you will need to use the “raise hand” feature in the Zoom platform. When it’s your turn to speak, the moderator will unmute your line and you will have five (5) minutes for public comment.

**PUBLIC COMMENTS:** If you are unable to attend, public comments regarding any items on the agenda can be submitted to Jay Brunvand, Town Clerk, prior to the meeting and will be included as part of the record.

#### **1. CALL TO ORDER**

**The Minturn Town Council will open the Regular Meeting at 4:30pm for the purpose of convening into Executive Session. At (approximately) 5:30pm the Council will convene into a Work Session.**

#### **2. EXECUTIVE SESSION**

- 2.1 An Executive Session for the purposes of receiving legal advice on specific legal questions pursuant to C.R.S. 24-6-402(4)(b) and for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for

negotiations, and/or instructing negotiators pursuant to C.R.S. 24-6-402(4)(e)

- Holland & Hart Revised Waiver Request – Ryan

**The Minturn Town Council will open the Regular Meeting at 4:30pm for the purpose of convening into Executive Session. At (approximately) 5:30pm the Council will convene into a Work Session. At (approximately) 6:30pm the Council will begin the Regular Session.**

3. **WORK SESSION** The Council will suspend the Regular meeting to discuss the following Item(s)

3.1 Code Cohort Update Pg 4

4. **CALL TO ORDER**

5. **ROLL CALL & PLEDGE OF ALLEGIANCE**

6. **APPROVAL OF CONSENT AGENDA** Consent agenda items are routine Town business, items that have received clear direction previously from the council, final land-use file documents after the public hearing has been closed, or which do not require council deliberation.

6.1 January 18, 2023, Meeting Minutes Pg 106

6.2 382 Taylor Avenue – New Single Family Residence and Accessory Dwelling Unit Pg 116

7. **APPROVAL OF REGULAR AGENDA** Opportunity for amendment or deletions to the agenda.

8. **DECLARATION OF CONFLICTS OF INTEREST**

9. **PUBLIC COMMENT** Citizens are invited to comment on any item on the Consent Agenda, or not on the regular Agenda subject to a public hearing. Please limit your comments to five (5) minutes per person unless arrangements have been made for a presentation with the Town Clerk. Those who are speaking are requested to state their name and address for the record.

10. **SPECIAL PRESENTATIONS** Presentations are limited to 5 minutes. Invited presentations are limited to 10 minutes if prior arrangements are made with the Town Clerk.

11. **BUSINESS ITEMS** Items and/or Public Hearings are listed under Business may be old or new and may require review or action by the Council

11.1 Extension of Ordinance No. 05 – Series 2020; An Ordinance of the Town of Minturn, Colorado Enacting a Moratorium on the Allocation of Water Taps for New Building Construction Projects Requiring More than Three Single Family Equivalent Units Pg 159

11.2 Ordinance 02 – Series 2023 (First Reading) An Ordinance Renewing the Minturn Water Moratorium – Metteer/Sawyer Pg 165

11.3 Certificate of Appropriateness -146 N Main St; Minturn Saloon Pg 178

**12. DISCUSSION / DIRECTION ITEMS**

12.1 Location of Council Comments on Agenda

**13. STAFF REPORTS**

13.1 Manager Report Pg 192

13.2 2022 Q3 Update Pg 193

13.3 January 2023 Newsletter Pg 201

**14. COUNCIL COMMENTS & COMMITTEE REPORTS**

**15. FUTURE AGENDA ITEMS** Pg 203

**16. ADJOURN**

**INFORMATIONAL ONLY ITEMS**

Town Hall Closed:

- February 20, 2023 – President’s Day

Upcoming Council Meetings:

- February 15, 2023
- March 1, 2023
- March 15, 2023

# Eagle County Codes Cohort Memo

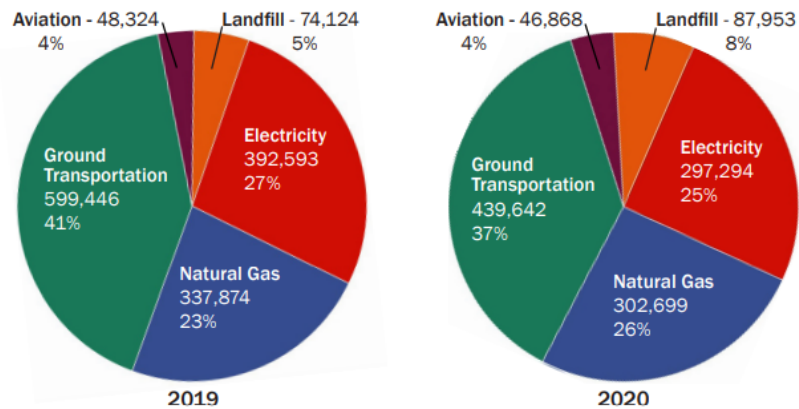
To: Town of Minturn  
From: The Eagle County Codes Cohort  
Date: January 25, 2023  
Subject: Eagle County Codes Cohort, Recommendations

## Introduction

The Town of Avon has demonstrated a strong commitment to climate action by adopting the [Eagle County Climate Action Plan 2020 Update](#) (CAP). The CAP calls for reducing greenhouse gas emissions 50% by 2030 and 80% by 2050 (from 2014 baseline levels).

In 2019, energy use in residential, commercial, and industrial buildings in Eagle County generated exactly half of all County greenhouse gas (GHG) emissions. In 2020, GHG emissions from energy use rose just slightly to 51%, but emissions produced from natural gas use surpassed the emissions from electricity use (see chart below).

4. Emissions by Sector, CO2e (metric tons), 2019 vs. 2020



New construction provides a crucial opportunity for emissions mitigation. Buildings constructed today could last 30 to 130 years<sup>[1]</sup> and could either lock in carbon emissions for generations or be used as a means for achieving emission reduction goals. Adopting above building code standards for new and remodeled residential and commercial buildings is an immediate priority action listed in the CAP due to the building decarbonization potential of code improvements. Regular updates to Town of Avon building codes are critical for future-proofing Avon's communities, accelerating clean energy use, and keeping the County resilient amid climate change.

<sup>1</sup><https://www.mckinsey.com/industries/engineering-construction-and-building-materials/our-insights/call-for-action-seizing-the-decarbonization-opportunity-in-construction>

To move forward this priority action in the CAP, Walking Mountains and a team of consultants organized an Eagle County Code Cohort, composed of all the jurisdictions (Avon, Basalt, Eagle, Eagle County, Gypsum, Minturn, Red Cliff, and Vail) within Eagle County, to review and adopt regionally consistent building codes that support climate action goals. The Code Cohort's goal is to adopt a consistent base energy code throughout the region (International Energy Conservation Code [IECC] 2021) as well as supporting amendments that support County-wide sustainability, climate, and resiliency goals. Buildings built to the 2021 IECC are 8-9% more energy efficient than buildings built to the 2015 or 2018 IECC (see *Appendix A*). Thus far, nearly 70 jurisdictions across Colorado have announced plans to adopt the 2021 IECC or have done so already.

## **Electrification**

Across Colorado, natural gas emissions have become the primary source of building energy emissions as the Colorado electric grid becomes cleaner each year. Utilities across the state and in Eagle County continue to increase their portfolios of renewable energy resources and GHG emissions from electricity use continue to fall. Holy Cross Energy has already achieved over 50% renewable energy and the utility expects to reach 100% renewably powered electricity generation by 2030. While these goals robustly address electricity emissions, natural gas emissions could continue to be a significant source of emissions in the County without intentional policy updates.

Transitioning the fuel source of new buildings from natural gas to electricity (called electrification) capitalizes on clean grid efforts from Holy Cross Energy and produces significant greenhouse gas emissions savings. Peer communities are already codifying the transition to electrification. Crested Butte passed the first ordinance in Colorado requiring all new construction to be all-electric, beginning in 2023 (with the exception of commercial kitchens). The Town of Basalt and Town of Vail each require new construction to include the pre-wiring and panel capacity for all-electric systems to be installed in the future (called electric-ready). Other jurisdictions in the state are pursuing a middle-ground strategy called electric-preferred that allows a choice of all-electric or natural gas, but requires extra efficiency in the case of natural gas.

## **State Law for Building Codes**

In 2022, the Colorado legislature passed a new bipartisan law that updates minimum energy code requirements. The state law requires that jurisdictions adopt at least the 2021 IECC, along with EV-ready, solar-ready, and electric-ready supporting amendments, when updating any other building codes after July 1, 2023. (Note: state electrical and plumbing codes are included as a building code that triggers the required update.) Then, beginning July 1, 2026, jurisdictions must adopt at least a low-energy and carbon code when they update their building code, including the State Electric and Plumbing codes. A new Energy Code Board, appointed by the Colorado Energy Office and the Colorado Department of Local Affairs, will develop the code

language for the EV-ready, solar-ready, electric-ready, and low energy and carbon code, and jurisdictions can choose to adopt that code language, something equivalent, or something stronger. The Codes Cohort is working to align EV-ready, solar-ready, and electrification amendments with what other communities in the state are adopting to ensure Eagle County communities will be in line with future state standards.

## **Town of Minturn Green Building Efforts**

The Town of Minturn has in place the Exterior Energy Offset Program which requires any building systems that “heat the outdoors” to be offset either by onsite PV or through a fee-in-lieu. Minturn is one of three communities in Eagle County with this program in place. Minturn is currently on the 2015 energy code.

## **Overview of the Code Cohort**

The Eagle County Code Cohort is made up of representatives from the Town of Avon, Town of Eagle, Eagle County, Town of Minturn, and Town of Vail. The Town of Basalt and Town of Gypsum participated as listening members in Cohort meetings, and Red Cliff received support toward the end of the Cohort process.

The goal of the Codes Cohort is to support the participating communities in adopting a consistent regional base energy code throughout the valley as well as amendments that support the region’s sustainability, climate, and resiliency goals. Reducing the patchwork of differing local energy codes has many benefits including streamlining compliance for builders and reducing workload for local government staff (because of increased compliance).

The Colorado Energy Office provided funding to a team of consultants to facilitate and lead the Cohort process. The consultants working with the Cohort through this process included Lotus Engineering and Sustainability (Lotus), Southwest Energy Efficiency Project (SWEET), and Mozingo Code Group. The grant provided consulting and facilitation services free of charge for participating communities.

## **Code Cohort Facilitation Process**

The Code Cohort was jointly led and supported by energy code and public process experts from Lotus, SWEET, the Mozingo Code Group, Walking Mountains Sustainability, and the Eagle County Climate Action Collaborative.

Eagle County Code Cohort meetings began with a kickoff on September 13, 2022, followed by three more meetings in October and November 2022. Each meeting was geared towards providing the cohort with information on each amendment including their cost and environmental impacts, and gaining consensus among the participating staff on amendments they could support as part of their jurisdictions code update. The three meeting topics were as follows:

- Solar-ready & EV-ready Amendments.
- Electrification, Efficiency, & Exterior Energy Offset Recommendations.

- Wrap-up and Finalization.

The Code Cohort was composed of building department staff and sustainability staff from each participating jurisdiction. Staff from each jurisdiction worked together to develop a set of code update recommendations that would set a new floor for building code in Eagle County, with the recognition that some communities may go further with their individual code updates. Gaining consensus and support from key staff in each jurisdiction was a crucial first step to adopting the updated codes. Following the cohort consensus meetings, community staff will be responsible for bringing the recommendations forward to their individual councils or boards to gain direction from councils on their code adoption goals.

The representatives of each jurisdiction that participated are listed below:

<b>Town of Avon</b>	Derek Place, Charlotte Lin
<b>Town of Basalt</b>	Amanda Poindexter
<b>Town of Eagle</b>	Eddie Wilson, Jackie VanEyll
<b>Eagle County</b>	John Gitchell, Jesse Meryhew
<b>Town of Gypsum</b>	Shane Gremmer
<b>Town of Minturn</b>	Madison Harris, Michelle Metteer, Earle Bidez
<b>Town of Red Cliff</b>	Ben Kleimer
<b>Town of Vail</b>	CJ Jarecki, Cameron Millard

In late 2022, a Code Language Package was finalized that included code language for each of the identified supporting amendments, along with supporting materials such as fact sheets and presentations that will support each community through their code adoption process.

### **Code Cohort Supporting Amendment Recommendations:**

The Town of Minturn has already put in place above code building standards to support offsetting exterior energy uses. The Cohort’s recommendations have been included below along with a note on what specific updates the Town of Minturn would need to make to their code in order to align with the Cohort’s recommendations.

<b>Cohort Recommendation</b>	<b>Town of Minturn Specific Action</b>
1. Adopt 2021 International Energy Conservation Code (IECC)	The Town of Minturn will need to adopt the 2021 I-Codes including the International Energy Conservation Code.

<p>2. Adopt the 2021 Solar-Ready Appendix for Residential and Commercial.</p> <p>a. Revise solar-ready appendices to cover ALL buildings.</p>	<p>The Town of Minturn will need to adopt the solar-ready appendix within the IECC for residential and commercial buildings. The Cohort made small changes to the scope of each appendix to ensure they cover all buildings that fall under the residential or commercial codes.</p>
<p>3. Adopt EV Ready Amendments</p>	<p>The Town of Minturn will need to adopt the EV-readiness amendments from the Cohort Code Package for this amendment.</p>
<p>4. Adopt Electric-Preferred Amendments</p>	<p>The Town of Minturn would need to adopt all the changes outlined in the Cohort Code Package for this amendment. Minturn does not have any electric-preferred amendment language already in place.</p> <p>This amendment will require all new buildings and homes that are not built all-electric to be pre-wired and have sufficient panel capacity for the future installation of all-electric equipment AND to implement additional efficiency elements.</p>
<p>5. Adopt Efficiency Requirements for Existing Buildings</p>	<p>The Town of Minturn would need to adopt all the changes outlined in the Cohort Code Package for this set of amendments.</p> <p>The existing building efficiency requirements include energy audits for retrofit projects, electrification analysis and bids for HVAC replacement projects, and thermostat installation requirements for HVAC replacement projects.</p>
<p>6. Adopt Efficiency Requirements for New Construction</p>	<p>The Town of Minturn would need to adopt all the changes outlined in this Cohort Code Package for this set of amendments.</p> <p>The new construction efficiency requirements include installation of programmable heat tape timers and hot water pipe insulation for all systems regardless of site. (Note, the 2021 IECC already requires some level of hot water pipe insulation, and this amendment expands the requirement to cover all buildings and all hot water piping).</p>
<p>7. Update the Exterior Energy Offset</p>	<p>The Town of Minturn has in place an Exterior</p>



<p>Program Regulations</p>	<p>Energy Offset Program (EEOP), however, this recommended amendment makes several program updates. Those updates include:</p> <ul style="list-style-type: none"> <li>● Enforcing EEOP for all buildings, including residential and commercial.</li> <li>● Updating the assumed energy consumption of the outdoor energy uses to align with studies that demonstrate the actual energy consumption of these systems.</li> <li>● Add new exterior energy uses including outdoor fire places.</li> <li>● Update the fee schedule for exterior energy uses to align with the cost to install solar on site.</li> </ul>
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The following is a summary of the Code Cohort Recommendations:

1. Adopt 2021 International Energy Conservation Code (IECC)
  - a. *To learn more see Appendix A*
2. Adopt the following supporting amendments to strengthen the IECC:
  - a. *Expanded Solar-Ready*
    - i. A Solar-Ready amendment prepares homes and buildings for the future installation of solar by requiring conduit, space on the electrical panel, adequate room and structural capacity on the roof, and permitting. The “expanded” component ensures all multifamily buildings are included in the scope.
    - ii. *To learn more see Appendix B*
  - b. *EV-Ready*
    - i. An EV-Ready amendment requires new single family homes to have one EV-ready space, and new multifamily and commercial buildings to require a percentage of EV-capable, EV-ready, and EV-installed spaces.
    - ii. *To learn more see Appendix C*
  - c. *Electric Preferred*
    - i. Electric-preferred amendments allow new construction to be either all-electric or "mixed fuel" (e.g. natural gas) but mixed fuel homes and buildings must have extra efficiency to make up for extra emissions.
    - ii. *To learn more see Appendix D*
3. Adopt the following extra efficiency measures:
  - a. *Existing Buildings: Energy Audit for Existing Building Renovations, Additions, or Alterations.*
    - i. For existing buildings undergoing a renovation where a building permit is required
    - ii. Require projects to investigate which efficiency upgrade options they could pursue
  - b. *Existing Buildings: Programmable Thermostats for HVAC Replacement*

- i. For existing buildings undergoing an HVAC upgrade where a building permit is required
    - ii. Require programmable thermostats for electric heating systems
  - c. *Existing Buildings: Electric vs. Gas Bids for HVAC Replacement*
    - i. For existing buildings undergoing an HVAC upgrade where a building permit is required
    - ii. Require a project to receive bids for both gas and electric heating
  - d. *New Construction: Heat Tape Timers*
    - i. Required for all new construction
    - ii. Require heat tape timers to be installed if heat tape is installed
  - e. *New Construction: Hot Water Insulation*
    - i. Required for all new construction
    - ii. Require hot water insulation to be installed
- 4. *Adopt and/or expand on the Exterior Energy Offset Program (EEOP):* The EEOP requires new construction with highly consumptive exterior amenities (i.e., spas & hot tubs) to offset assumed energy use.
  - a. Currently, the Town of Avon, Town of Basalt, Eagle County, and Town of Minturn, have the Exterior Energy Offset program in place. We recommend all communities adopt the EEOP and implement the following changes:
    - i. Adopt the use of the Renewable Energy Mitigation Program (REMP) calculator to calculate fees and credits for renewable energy.
    - ii. Expand the program to include commercial building exterior energy offsets. *(Already included in the REMP calculator).*
    - iii. Implement fee-in-lieu cost parity with solar. *(Already included in the REMP calculator).*
    - iv. Add the following exterior equipment to EEOP:
      - 1. Outdoor fireplaces *(Already included in the REMP calculator).*
  - b. *To learn more see Appendix E*

## Cohort Communities & Supporting Amendments

The following summary reflects the discussions and consensus gained from key staff during the Code Cohort meetings.

Community	Adopting 2021 IECC?	Adopting Supporting Amendments?					Adoption Timeline
		Solar Ready	EV Ready	Electric Preferred	Extra Efficiency Measures	EEOP	
Eagle County	X	X	X	X	X	X	TBD

Staff							
Town of Avon Staff	X	X	X	X	X	X	November 2021
Town of Vail Staff	X Adopted Spring 2022	X	X	X	X	X	March 2023
Town of Eagle Staff	X	X	X	X	X	X	February 2023
Town of Minturn Staff	X	X	X	X	X	X	March 2023
Town of Red Cliff (late participant)	TBD	TBD	TBD	TBD	TBD	TBD	TBD

*Note, observing communities were not included in the table.*

Key	
X	Community supports the amendment
(X)	Communities who support the amendment, but have concerns
*No mark*	Communities who are not considering the amendment

## **Looking Ahead & Next Steps**

The consultant team alongside Walking Mountains and the Climate Action Collaborative will be working with Eagle County jurisdictions through May of 2023 to adopt the 2021 IECC and supporting amendments.

In order to support each community's adoption process, the consultant team hosted a public webinar on January 11, 2023, to share the cohort recommendations and answer questions from the community. Following the webinar, a public survey was launched to collect input from the community on their level of support for the Cohort recommendations. These insights will be summarized and presented to Cohort communities to support their implementation processes. The webinar can be found [here](#), along with an [FAQ](#) on the cohort amendments. The survey to provide input can be found [here](#).



## Appendix A: 2021 IECC

# 2021 International Energy Conservation Code

Prepared for Eagle County Code Cohort



**About I-Codes:** Building codes improve the quality of construction of the built environment and thereby promote the health, safety, resiliency, affordability, sustainability, and general welfare of our communities. Building codes set a bare minimum construction quality that local officials deem necessary and that consumers expect. Most jurisdictions across the country adopt model building codes published by the International Code Council, and these are updated every three years in an extensive process involving builders, trades, architects, manufacturers and suppliers, low-income advocates, and, crucially, local building officials who are ultimately responsible for enforcing the codes. These codes are then adopted at local level. The 2021 codes are the most recent edition.

**About the 2021 International Energy Conservation Code (IECC):** After two previous cycles of stagnant efficiency, building officials voted overwhelmingly in favor of provisions in the latest IECC to strengthen energy efficiency. Overall, the 2021 IECC reduces energy by 8-9% (and reduces energy bills by 8-9%) compared to the previous 2018 IECC. The 2021 also includes language clean-up and clarifications, and an expanded focus on flexibility and options. Most of the changes "tighten up" provisions already in the code. Key changes for residential new construction include a better "thermal envelope" (e.g. walls, insulation, windows, doors, etc.), changes to duct testing, and increased use of lighting controls. On the commercial side, key changes include air barrier commissioning (i.e. testing and verification of the layer in walls that keeps outside air out and clean, conditioned inside air in), more efficient mechanical systems, technology for energy monitoring in larger buildings so that building operators can better measure and track their building's energy use, and increased options for additional energy efficiency "points."

**Jurisdictions with the 2021 IECC:** Arapahoe County, Aurora, Crested Butte, Denver, Dolores, Erie, Fort Collins, Golden, Larimer County, Littleton, Longmont, Louisville, Parker, Superior, and Vail. At least 66 other jurisdictions covering 70% of Colorado's population have announced plans to adopt the 2021 IECC in the next year, or are already in the process of adopting it.

**New Colorado Law (2022):** The Colorado legislature passed a new bipartisan law that updates minimum energy code requirements. Jurisdictions must adopt at least the 2021 IECC, along with EV-ready, PV-ready, and electric-ready, when updating any other building codes between July 1, 2023 and July 1, 2026. After that date, jurisdictions must adopt at least a low-energy and carbon code. A new Energy Code Board will identify code language for the EV-ready, PV-ready, electric-ready, and low energy and carbon code, and jurisdictions can choose to adopt that code language, something equivalent, or something stronger.

**Cost Discussion:** An extensive [analysis](#) from the Pacific Northwest National Labs (PNNL, the entity charged by the U.S. Congress to perform energy code cost-effectiveness studies) calculates that the increased first cost per household is \$1,470 for the 2021 IECC versus the 2015 IECC in Climate Zone 6B (as of Dec. 2021). PNNL's analysis is considered the most credible compared to other estimates because of PNNL's long-standing peer-reviewed methodology, and its absence of profit motive or conflict of interest. The majority of the first cost increase compared to the 2015 IECC is an increase in insulation levels. (Cost data is roughly similar between the 2015 and 2018 IECC, since the efficiency levels were similar.)

Increased First Cost (vs 2015)	Annual Mortgage Increase	Annual Energy Savings	Net Annual Savings	Years to Positive Savings	Lifecycle Cost Savings
\$1,470	\$59	\$119	\$51	4	\$1,144

Other studies of incremental upfront costs to builders for the 2021 IECC (not including local, state, utility, or federal incentives):

- [ICF International](#): \$333-\$2,288
- [NAHB](#) (via Home Innovation Research Lab): \$3,685-\$6,891 (note: ICF study found HIRL study used incorrect economic assumptions)

**Mild/Medium/Aggressive Rating:** Mild. The 2021 IECC is the minimum energy code required by the state of Colorado and even before the state law, jurisdictions covering half of Colorado's population had already announced plans to adopt it. As such, "mild" also includes EV-ready, PV-ready, and electric-ready as required by Colorado law. A "medium" rating would include a higher degree of electric transition – for instance, allowing a choice of either all-electric or mixed fuel new construction but requiring mixed fuel homes and buildings to pursue additional energy efficiency to make up for the extra emissions from fossil gas use onsite. An "aggressive" rating would include either all-electric requirements, the zero energy appendices, or both.

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**Prepared For:** Eagle County Code Cohort supported by the Colorado Energy Office  
**Date Updated:** January 8, 2023



## Appendix B: Solar Ready

# Expanded Solar-Ready

Prepared for Eagle County Code Cohort



**About:** Solar-Ready appendices (RB for residential and CB for commercial) are officially prepared by the International Code Council as “add-on” to the IECC. They prepare homes and buildings for the future installation of solar by requiring conduit, space on the electrical panel, space reserved on the roof free from obstructions and shady objects, adequate roof structural capacity, notation on construction documentation, and a permanent certificate. Shady roofs are exempted. The current appendices only include multifamily buildings 4-5 stories tall, so an amendment is needed to include all multifamily buildings – a provision we call “expanded solar-ready”.

**Cost Discussion:** Upfront costs are minimal (<\$200). Cost savings include avoiding the need to tear up walls, redo wiring, and potentially upgrade an electrical panel. They also avoid the situation where roof penetrations for attic vents, etc. are poorly placed in a way that prevents future solar.

**Jurisdictions with Solar-Ready:** Avon, Boulder, Boulder County, Breckenridge,\* Craig, Denver, Fort Collins, Frisco,\* Golden, Lafayette, Louisville, Superior, Vail, and Wheat Ridge. Others considering or in the process of adopting it, besides Code Cohort communities, include Eagle County (\*via Summit County sustainability program). Note: a new 2022 Colorado law requires all upcoming IECC adoptions to include solar-ready provisions equivalent to or better than a version to be identified by the state's Energy Code Board. We highly anticipate Appendices RB and CB with the multifamily fix will meet the law.

**Mild/Medium/Aggressive Rating:** Mild. A “medium” rating would require solar to actually be installed on some buildings for part of the energy load, plus a residential solar access law. An “aggressive” rating would require solar installed on all buildings for all of the energy load, a residential solar access law, and a retrofit policy.

**Prepared For:** Eagle County Code Cohort supported by the Colorado Energy Office

**Date Updated:** October 10, 2022



**Appendix C: EV Ready**

# EV-Ready

Prepared for Eagle County Code Cohort



**About:** Electric Vehicle Ready (EV-Ready) appendices prepare homes and buildings for the current transition to electric vehicles. These appendices recognize that the vast majority of all electric vehicle charging will occur at home, with some charging infrastructure needed at work or around town. New single family homes will require one EV-ready space, and new multifamily and commercial buildings will require a percentage of EV-capable, EV-ready, and EV-installed spaces depending on the building type and use.

- Note: EV-ready is especially important for multifamily buildings, for equity reasons, since renters can't retrofit their parking lot or garage to install a 240-volt outlet on their own.



Building Type	EV-Installed	EV-Ready	EV-Capable
Single-family	N/A	1 space	N/A
Multifamily	5%	10%	40%
Commercial	5%	0%	40%

**Market Discussion:** EVs comprised [9% of new vehicle sales](#) in Colorado in Q1 2022, and dealers continue to have long waitlists, especially with the recent rises in gas prices. [All major auto brands](#) have announced plans to shift the majority of their fleets to EVs by the mid-2030s or sooner. Newer models have ranges of well over 300 miles. Besides the reduced environmental impact, buyers like the faster acceleration, the low maintenance, the safety ratings, and the convenience of avoiding trips to the gas station.



**Cost Discussion:** One EV-ready space for a single-family home averages about \$325-\$400 at the time of construction. Federal and utility rebates are available. Retrofitting even just the wiring later can run \$481-\$1,493 per space (depending on the distance from the panel to the garage) plus potential costs to upgrade the electrical panel. For commercial and multifamily, costs can run \$300 for EV-capable, \$1,300 for EV-ready, and \$2,500 for EV-Installed per space, before any federal, Colorado, or utility rebates. Retrofits done later can cost several times more, and may include the need to tear up and rebuild walls (and in the case of commercial and multifamily, parking lots and landscaping), redo wiring, and upgrade the electrical panel.

**Climate Impact:** It depends on adoption by homeowners, but for an average-sized household, a new EV in Colorado reduces CO<sub>2</sub>e 8,175 pounds per year compared to new gas car (a 63% reduction), as of 2022. The CO<sub>2</sub>e reductions improve over time as Xcel's grid adds increasing levels of renewables.

**Jurisdictions with EV-Ready:** Aspen, Avon, Basalt, Boulder, Boulder County, Breckenridge, Broomfield, Crested Butte, Denver, Dillon, Durango, Eagle County, Erie, Fort Collins, Frisco, Golden, Lafayette, Lakewood, Larimer County, Louisville, Longmont, Pueblo County, Steamboat, Summit County, Superior, and Vail, Others in the Code Cohort communities are also planning to adopt it. Note: a new 2022 Colorado law requires all upcoming IECC adoptions to include EV-ready provisions equivalent to or better than a version to be identified by the state's Energy Code Board. We highly anticipate these amendments will meet the new law.

**Mild/Medium/Aggressive Rating:** Medium. A "mild" rating would have lower percentages for commercial and multifamily. An "aggressive" rating would require every space in multifamily to have some level of infrastructure, plus a policy for renovations.

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**Prepared For:** Eagle County Code Cohort supported by the Colorado Energy Office  
**Date Updated:** January 13, 2023



## Appendix D: Electric Preferred

# Electric-Ready and Electric-Preferred

Prepared for Eagle County Code Cohort



**About:** Electric-ready amendments prepare homes and buildings for the choice between electric and gas equipment and appliances by ensuring they have the wiring and panel capacity available for future electric equipment (and enough physical space, in the case of water heaters). Electric-preferred amendments, the next step, still allow new construction to be either all-electric or "mixed fuel" (e.g. natural gas) but mixed fuel homes and buildings require extra efficiency to make up for extra emissions.

**Code Amendment Specifics:** In particular, the residential amendments in the prescriptive path require mixed fuel homes to select three "additional efficiency packages" instead of one. Mixed fuel homes choosing the "Total Building Performance" pathway would similarly choose three additional efficiency packages instead of one, or have annual energy costs less than or equal to 80% of the standard reference design instead of 95%. Mixed fuel homes choosing the "Energy Rating Index" (ERI) pathway would seek a score of 51 instead of 54.\* For commercial buildings, mixed fuel buildings would choose extra efficiency options totaling an extra 10 points. The amendment also fixes two places in the commercial code where gas systems were given more points than electric.

**Market Developments:** Air source heat pumps have been commonplace in other parts of the country, and are now making inroads in Colorado thanks to rapid technological developments that allow "cold climate" heat pumps to supply heat even when outdoor temps fall to -22F. Other configurations are possible as well, such as a non-cold-climate heat pump plus extra "strip heat" that can kick in for extra cold times. (This configuration is cheaper upfront but more expensive to run in extra cold temperatures.) For water heating, heat pump water heaters are an easy replacement for a typical gas or electric hot water storage tank. Finally, on the cooking side, some homeowners may express a preference for gas, but induction stoves are proving their mettle with twice-as-fast boil times, more finely-tunable controls, safety protections (e.g. the ability to touch the burner and not get burned) and the near-elimination of harmful air pollutants that lead to increased asthma rates and other respiratory distress. Note that reliability of electric systems during a power outage is the same as for gas systems, since gas systems require electricity to run as well.

**Cost Discussion:** Upfront costs depend highly on the configuration selected by the builder. All-electric homes, depending on supply chain availability and builder/contractor familiarity, can be built at no additional cost compared to mixed fuel [1]. Although the upfront costs of an air source heat pump and heat pump water heater are typically more than gas equivalents, the big savings come from avoiding the gas connection and gas piping costs to and within the home or building, and state and utility rebates offset the cost as well. Separate market transformation efforts are underway to train builders and contractors for the transition to all-electric equipment, and the familiarity and economies of scale are expected to bring total costs down further. \* Before 5% efficiency required in R401

**(Cost Discussion Cont'd):** For mixed fuel homes, electric-ready infrastructure is estimated at \$300 for a water heater and the same for a stove (or possibly increased to \$400 each with inflation and a tight labor market). No additional costs are incurred for electric readiness for a furnace, because central air conditioning or other space cooling would be provided anyway. The cost of the additional two efficiency packages, required for mixed fuel homes, range from \$467 for the HVAC efficiency option to \$1,453 for the ventilation option (not including inflation since 2021).

**Jurisdictions with Electric-Ready and/or Electric Preferred:** Boulder, Boulder County, Crested Butte (all-electric) Denver (in progress), Fort Collins, Louisville, Superior, other Code Cohort communities (in progress). Note: a new 2022 Colorado law requires all upcoming IECC adoptions to include electric-ready provisions equivalent to or better than a version to be identified by the state's Energy Code Board. We highly anticipate these amendments will be in compliance with the law.

**Mild/Medium/Aggressive Rating:** Medium. A “mild” rating would be just electric ready – i.e. just the wiring and panel capacity. An “aggressive” rating would require all-electric heating and water heating for most residential, multifamily, and commercial buildings, or, even further, no gas connections at all.

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**Prepared For:** Eagle County Code Cohort supported by the Colorado Energy Office  
**Date Updated:** October 10, 2022



## Appendix E: Exterior Energy Offset Program

# Exterior Energy Offset Program

Prepared for Eagle County Code Cohort



**About:** The Exterior Energy Offset Program, or EEOP, is a policy designed to encourage sustainable and energy-efficient solutions for residential exterior energy uses, such as sidewalk snowmelt systems, pools, spas, outdoor heaters, and outdoor fireplaces. A similar program known as the Renewable Energy Mitigation Program, or REMP, adds additional fees for larger homes and adds commercial buildings. New homes and buildings meeting the criteria have typically have two options: pay a fee, or offset the energy use with onsite renewable energy.

**Fee Uses:** Fees collected by the jurisdiction are used to facilitate additional energy efficiency, electrification, and renewable energy within the jurisdiction. Specific uses therein can include:

- Incentives, rebates, and grants
- Free or reduced-cost home energy assessments
- Educational and outreach materials
- Staff, business, and resident trainings
- Energy coaching
- Quick install of certain weatherization measures
- Planning and design for projects
- Special consideration for projects that positively affect occupants of local affordable housing or low-income residents

### Jurisdictions with EEOP or REMP:

- Aspen (REMP)
- Avon (EEOP)
- Basalt (REMP)
- Eagle County (EEOP)
- Minturn (EEOP)
- Pitkin County (REMP)

**Offset and Fee Calculations:** For EEOP, the amount of renewable energy required or the amount of fee to be paid is based on the type and size of exterior energy use and the expected energy use over the system's lifetime. For REMP, the fee is based on the type and size of exterior energy use and the boiler efficiency, and the fee is reduced by the amount of renewable energy provided. See the chart below for specific amounts.



Item	Renewable Offsets	Fee-In-Lieu
Avon, Eagle County, and Minturn Exterior Energy Offset Program		
Snowmelt Systems >200 Sq Ft	34,425 BTUs (50% required)	\$16/ sq ft
Hot Tub / Spa >62 Sq Ft	430,000 BTUs (50% required)	\$176/sq ft
Exterior Pool	83,000 BTUs (50% required)	\$136/ sq ft
Basalt Exterior Energy Offset Program		
Snowmelt Systems	34,425 BTUs (100% required)	Fee-in-lieu not allowed
Hot Tub / Spa	430,000 BTUs (100% required)	Fee-in-lieu not allowed
Aspen and Pitkin County Renewable Energy Mitigation Program		
Snowmelt Systems (also requires min. efficiency & insulation)	\$6,241.20/kW PV (Pitkin) * \$6,865.32/kW PV (Aspen)	\$34/sq ft + boiler efficiency
Hot Tub / Spa >62 Sq Ft	\$224.65/sq ft solar thermal \$6.84/100k BTUs GSHP (Pitkin)	\$176/sq ft + boiler efficiency
Exterior Pool	\$1,400/10k BTU GSHP (Aspen)	\$136/sq ft + boiler efficiency
Home size (for homes >5,000 sq ft)	2 kW PV	\$1/sq ft

\* These are the portion of the REMP fee avoided through the use of PV, solar thermal, and ground source heat pumps (GSHPs).

**Recommended EEOP Updates:** Based on findings and experience in later-edition REMP programs, the EEOP could be improved and strengthened in three key ways:

- The BTUs and hourly use estimates for snowmelt systems rely on outdated info, and should be updated to 82,863 BTUs/sq ft/yr, as included in REMP.
- Rather than a fee-in-lieu based on cost of operation, the fee-in-lieu should align with the local cost of installing solar as an offset, and should be recalibrated every three years.
- The program could apply to both residential and commercial buildings.

**Climate Impact:** This is tough to calculate since on the jurisdiction's part it depends on how high the fees are set, how impactfully the funds are used to encourage other climate-friendly projects. From the homeowner or developer's side it depends how much the program discourages installation of these systems, or encourages higher-efficiency systems than would otherwise be used.

**Mild/Medium/Aggressive Rating:** This entirely depends on how high the fee is set, what exterior energy uses are included, and if the program covers both residential and commercial. In general, we give the current EEOP programs a ranking of mild, at least until the BTU offset and/or fees-in-lieu are raised, and commercial properties are added. We give the current REMP programs a rating of Medium..

**Prepared For:** Eagle County Code Cohort supported by the Colorado Energy Office

**Date Updated:** October 26, 2022



# 2021 International Energy Conservation Code and Supporting Amendments



**Town of Minturn  
Council Study Session  
Feb 1, 2021**

# Agenda

- Town sustainability and climate goals.
- Code Cohort background and purpose.
- Recommendations from the Cohort.
- Town-specific considerations.
- Discussion.
- Next steps and close.



# Town of Minturn Sustainability Goals

## **Minturn Strategic Plan:**

- ▶ Long-term stewardship of the natural beauty and health of Minturn's environment.

## **Minturn Energy Action Plan (2017):**

- ▶ Reduce building-related GHG emissions 5% per year, and 80% by 2050.



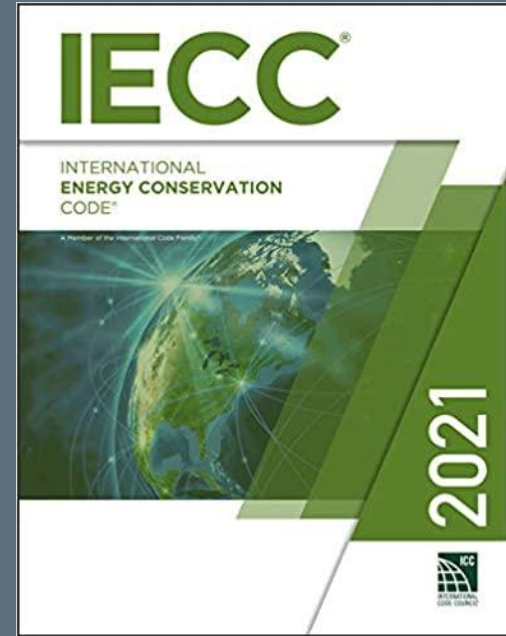
# Building Code Purpose and Background



# Background and Purpose

- Model I-Codes are updated every three years and adopted locally across the country.
- **Codes' purpose:** Improve the construction and maintenance of the built environment and thereby promote the health, safety, resiliency, affordability, sustainability, and general welfare of our community.
- **Supporting amendments' purpose:** Strategically align codes with local goals.

# 2021 International Energy Conservation Code



# 2021 IECC Overview

- 8-9% more efficient than the 2018 IECC.
  - Improved insulation, windows, lighting, air leakage testing, three new package options.
- Overwhelmingly approved by building officials across the country.
- Language clean-up and clarification.
- Continued focus on flexibility & options.
- No negative impact on overall housing affordability (more on this coming up).

# 2021 IECC – Key Changes

- Commercial:

- Air barrier commissioning for many buildings.
- More efficient mechanical systems.
- Energy monitoring for larger buildings.
- Increased options in the additional efficiency tables.

- Residential:

- Substantial jumps in thermal envelope performance.
- Solar heat gain factored into windows for CO climate zone.
- Duct testing even within thermal envelope.
- Increased use of lighting controls.

# Alignment with New Colorado State Law (HB22-1362)

- Local jurisdictions must adopt at least 2021 IECC + EV-ready, PV-ready, and electric-ready when updating other codes (Jul 1, 2023–Jul 1, 2026).
- Local jurisdictions must adopt at least low-energy and carbon code when updating other codes. (after Jul 1, 2026)
- Energy Code Advisory Board will select model code language.
- Code Cohort amendments highly expected to comply.



HOUSE BILL 22-1362

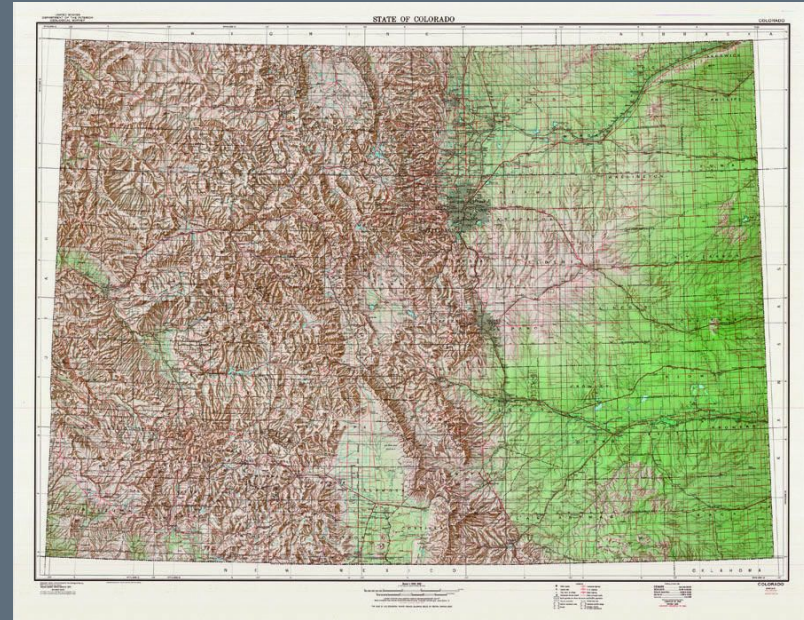
BY REPRESENTATIVE(S) Burnett and Valdez A., Amabile, Bacon, Benavidez, Bossenecker, Cutter, Froelich, Hooton, Jodeh, Kennedy, Kipp, Lindsay, Lontine, McCormick, Michaelson Jenet, Sirota, Titone, Woodrow; also SENATOR(S) Hansen and Winter, Jaquez Lewis, Moreno, Priola.

CONCERNING THE REDUCTION OF BUILDING GREENHOUSE GAS EMISSIONS, AND, IN CONNECTION THEREWITH, REQUIRING THE DIRECTOR OF THE COLORADO ENERGY OFFICE AND THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS TO APPOINT AN ENERGY CODE BOARD THAT DEVELOPS TWO MODEL CODES, REQUIRING LOCAL GOVERNMENTS AND CERTAIN STATE AGENCIES TO ADOPT AND ENFORCE CODES THAT ARE CONSISTENT WITH THE MODEL CODES DEVELOPED BY THE ENERGY CODE BOARD, CREATING THE BUILDING ELECTRIFICATION FOR PUBLIC BUILDINGS GRANT PROGRAM, CREATING THE HIGH-EFFICIENCY ELECTRIC HEATING AND APPLIANCES GRANT PROGRAM, AND ESTABLISHING THE CLEAN AIR BUILDING INVESTMENTS FUND.

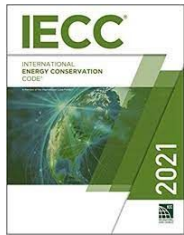
*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1.** In Colorado Revised Statutes, add part 4 to article 38.5 of title 24 as follows:

# Energy Code Adoption Status



# Status of Current Energy Codes in Colorado



## 2021 IECC

### In cohort:

- Vail adopted
- Avon, Basalt, Eagle, Eagle Cty, Mintern, Red Cliff in progress

### Others:

- 13 jurisdictions adopted
- 60+ planned
- 70% of pop.



## 2018 IECC

### In cohort:

- N/A

### Others:

- 82 jurisdictions
- Several in progress



## 2015 IECC

### In cohort:

- Avon, Basalt, Eagle, Eagle Cty, Mintern, adopted
- Gypsum in progress (or 2018 IECC)

### Others:

- 53 jurisdictions





# Goals of Code Cohort

- Joint collaboration with building departments and sustainability staff
- Region-wide adoption of the 2021 IECC
- Region-wide adoption of consistent supporting amendments.
- Streamlining for builders (reduced pathwork of local regs)
- Faster building department approvals (resulting from higher compliance)
- Compliance with state law



# Participating Cohort Communities

- Town of Avon
- Town of Basalt (observing)
- Town of Eagle
- Eagle County
- Town of Gypsum (observing)
- Town of Minturn
- Town of Red Cliff (newly joined)
- Town of Vail

# Facilitation and Code Expert Team



**LOTUS**

Engineering & Sustainability



**SWEEP**

SOUTHWEST ENERGY EFFICIENCY PROJECT



## Funded by:



**COLORADO**

Energy Office



# Code Cohort Process

- Three meetings:
  - 1) Solar-ready and EV-ready amendments for residential and commercial code.
  - 2) Electrification and efficiency amendments for residential and commercial code.
  - 3) Wrap-up, remaining questions, finalization of highly consistent amendments, and (if time) discuss solutions for better compliance and departmental efficiencies.
- Pre-/Post-work between meetings.
- Draft code package & PPT Template.
- Public outreach and engagement.
- Implementation support.

# Code Cohort Process

- 1 Review of key changes in 2021 IECC and discussion/agreement on supporting amendments
- 2 Pre- and post-meeting research
- 3 Draft code language, memo, and PPT
- 4 Outreach, public meeting, survey
- 5 One-on-one meetings with staff and consultant team
- 6 Adoption/implementation support

# Potential Future Funding for the Cohort

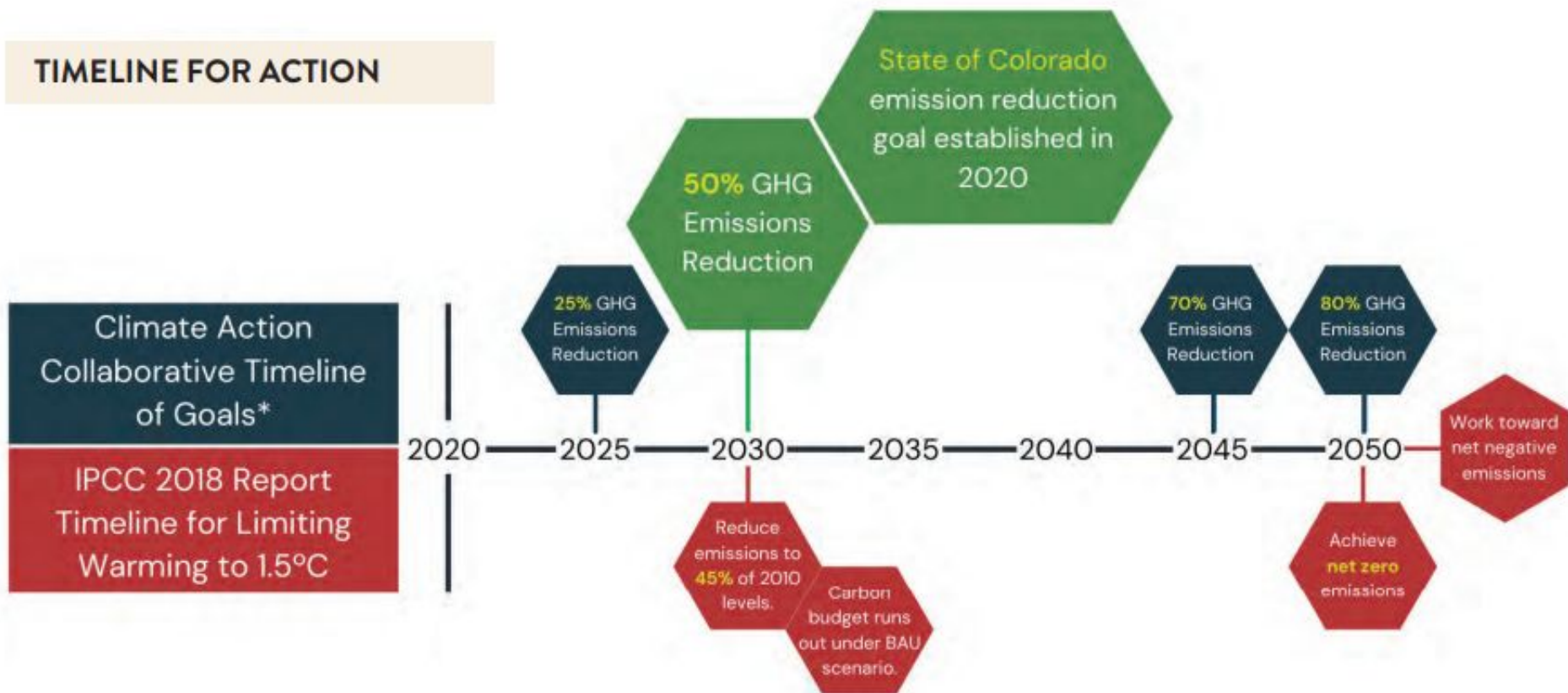
- HB22-1362, the Building Greenhouse Gas Emissions Act, legislated **\$3 million** for CEO to issue grants and provide training related to the 2021 IECC, electric and solar ready codes, and low energy and carbon codes.



# Eagle County Climate Action Collaborative



## TIMELINE FOR ACTION



\*From 2014 Baseline (see 2014 Eagle County Energy Inventory). BAU = Business as usual. GHG = Greenhouse Gas

# Eagle County Climate Action Plan



## BUILDINGS

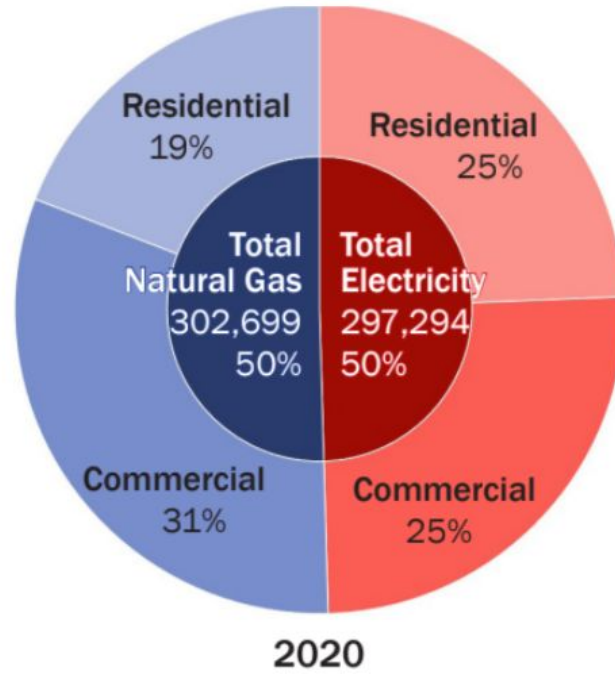
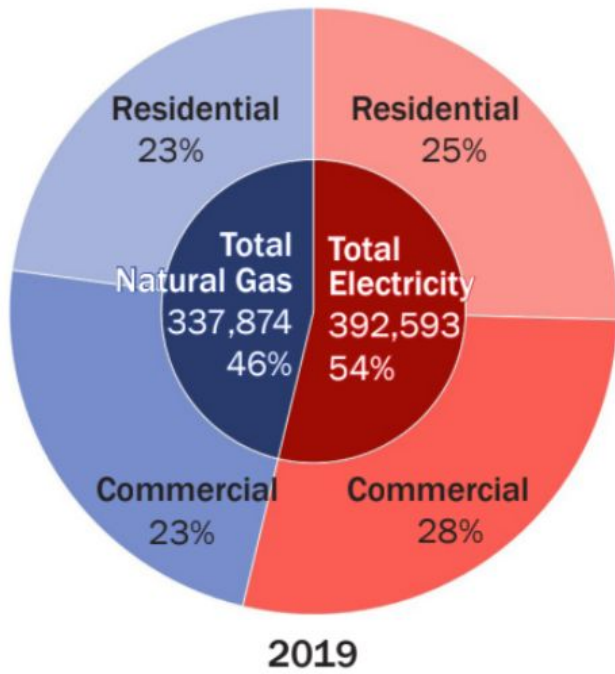
### IMMEDIATE PRIORITY ACTIONS

- ★ Beneficial Electrification for 5% of existing residential and commercial buildings each year.
- ★ For new and remodeled residential and commercial buildings, adopt 'above building code' standards and incentives, and implement net-zero or all-electric construction requirements by 2030. Work toward consistency across jurisdictional boundaries in Eagle County.
- ★ Implement a benchmarking ordinance in Eagle County for all commercial buildings 10,000 square feet or larger.

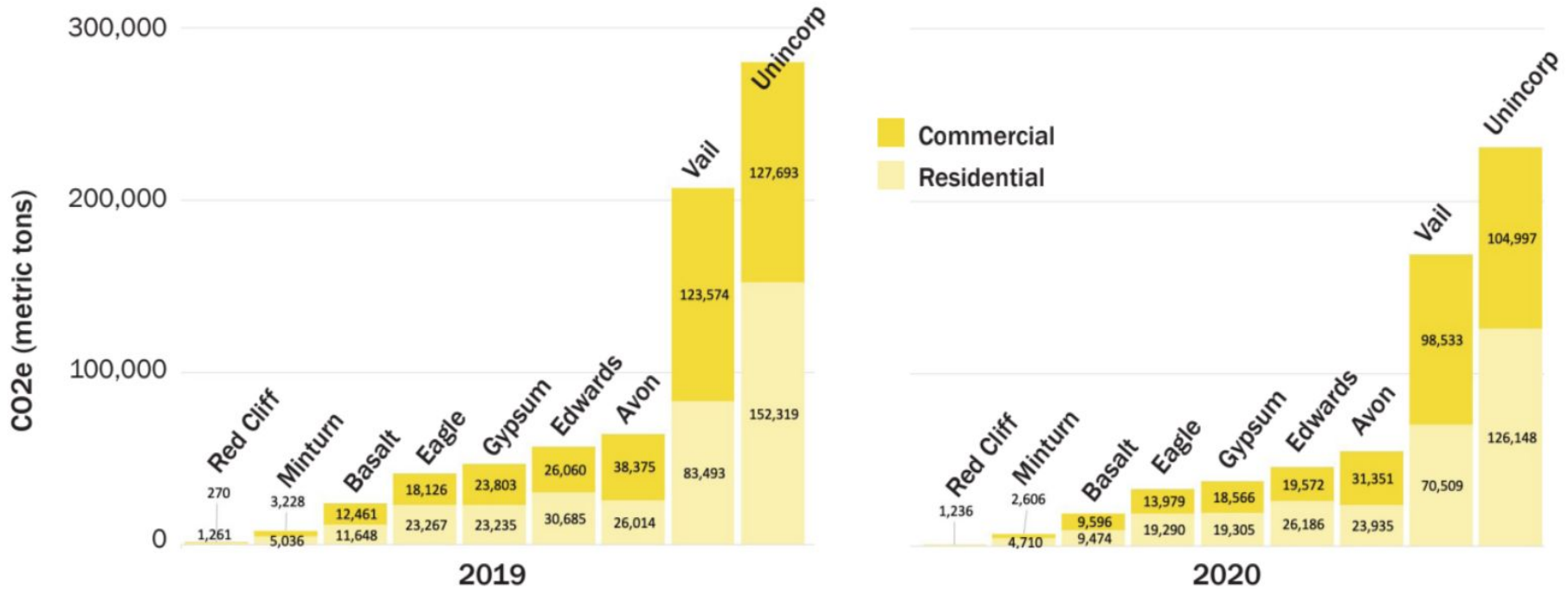




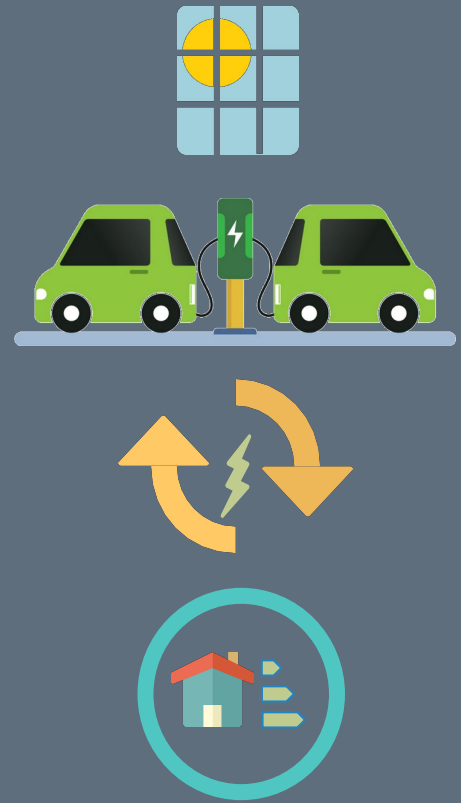
# County-wide Energy Emissions



# Commercial and Residential Energy Emissions per Community



# 2021 IECC Supporting Amendments



# Supporting Amendment Process

- 1 Understand building code plans and adoption schedules by community.
- 2 Identify amendments already widely adopted or underway, and amendments rising in interest/popularity.
- 3 Calibrate with Colorado state law (changed May 2022).
- 4 Screen and pare down as a group based on impact, cost, and simplicity.
- 5 Rework and refine based on outreach with resident and builder input.

# Why Solar-Ready, EV-Ready, and Electric-Ready?

1. Many times cheaper than retrofitting.
2. Meet resident and customer needs.
3. Future-proof homes and buildings.
4. Overcome critical barriers to adoption.
5. Equity impacts / renter benefits.
6. Climate goals.



Electrical system retrofits

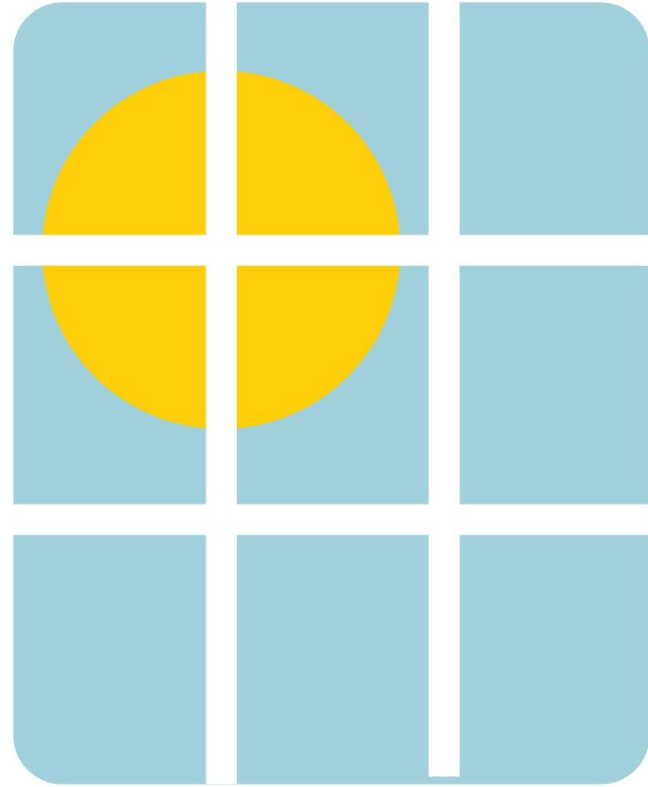


Breakage and repair of hardscapes



Soft Costs: permitting, inspection, HOA or landlord approvals, etc.

# Expanded Solar-Ready

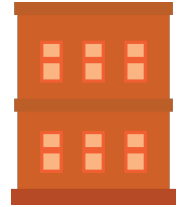


# What is Solar-Ready?

- Officially prepared by the International Code Council (ICC) as an “add-on” to the IECC (Appendices CB and RB).
- Required by new state law.
- Prepares homes & buildings for future solar.
  - Conduit, space on electrical panel, space on roof, adequate roof structural capacity; exempts shady roofs.
- **Expanded Solar-Ready** amends code language to include all multifamily.
- Cost for new home: ~\$200.

# Multifamily Gap in Solar-Ready

- Appendix RB applies to single-family, duplex, townhomes.
- Appendix CB applies to commercial buildings  $\leq 5$  stories.
- **This leaves a gap: multifamily = 3 stories or  $>5$  stories.**
- Easy amendment: RB applies to all buildings regulated under residential chapter; CB applies to all buildings regulated under commercial chapter.





# Who Has Solar-Ready Appendices?

## In Cohort:

- Avon (**residential**)
- Basalt (**residential and commercial**)
- Vail (**residential**)

## Others statewide:

- Boulder County
- Breck (via Summit Cty sust. program)
- Craig
- Crested Butte (**solar required for commercial**)
- Denver
- Erie
- Fort Collins
- Frisco (via Summit Cty sust. program)
- Golden (via sustainability stds)
- Louisville (**solar required for residential**)
- Lafayette
- Northglenn (in progress)
- Wheatridge (partial)

# Recommendations for Discussion



## Single family, duplex, townhomes:

- Adopt Appendix RB.
- Amend to apply to all buildings covered by the residential chapter.



## Commercial and multifamily:

- Adopt Appendix CB.
- Amend to apply to all buildings covered by the commercial chapter.

# Solar-Ready Ranking

## Mild



- Required by state law.
- Minimal cost.

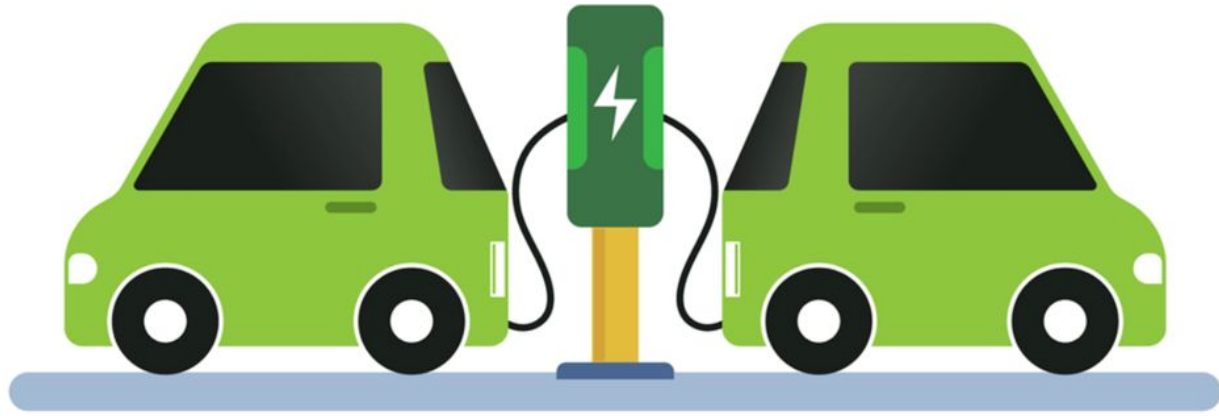
## Medium

- Solar required on some buildings for part of load.
  - Examples: Crested Butte, Basalt, Denver, Lafayette (in progress)
- Solar access law.

## Aggressive

- Solar required on all buildings for most of load (as feasible).
  - Examples: Louisville (residential), Golden (in progress)
- Solar access law.
- Roof replacements included.
  - Example: Lafayette

EV-Ready



# Why Adopt EV-Ready Codes?



(Because this isn't safe or effective)

# What is EV-Ready?

- Prepares homes & buildings for transition to EVs.
  - EVs were 10% of new vehicle sales in CO in 2022
  - All major auto brands shifting majority of fleets to EVs by 2030s.
- Vast majority of EV charging will occur at home.
- Especially important in multifamily, for equity reasons.
- Required by new state law.
- Cost for new home: ~\$325-\$400.
  - 4-6x higher for retrofits

# Terminology

## 1. “EV-Capable” parking space

Electrical panel capacity + branch circuit + raceway



## 2. “EV-Ready” parking space

EV-Capable + 240-volt outlet



## 3. “EVSE-Installed” parking space

Install a minimum number of Level 2 charging stations



# Avon EV-Ready Reqs.

## Residential EV Space Requirements

	EV-Capable Spaces	Number of EV-Ready Spaces	EVSE-Installed Spaces
1 to 6 spaces	None	1	None
7+ spaces	15% of spaces	10% of spaces	5% of spaces

## Non-Residential and Mixed-Use EV Space Requirements

	EV-Capable Spaces	EV-Ready Spaces	EVSE-Installed Spaces
1 space	None	1	None
2 to 9 spaces	None	1	1
10+ spaces	15% of spaces	10% of spaces	5% of spaces

Note: The number of electric vehicle supply equipment installed spaces may be reduced by up to five provided that the building includes not less than one parking space equipped with an EV Level III and not less than one electric vehicle Ready space

# Vail EV-Ready Reqs.

## Residential EV Space Requirements

Property Type	Space Requirements
One- and two-family dwellings, townhouses	1 EV-Capable space per dwelling

## Commercial EV Space Requirements

Property Type	Space Requirements
All commercial properties (incl. multifamily)	5% EV-Installed spaces + 50% EV-Capable spaces



# EV-Ready Costs



Source	Upfront (per garage)	Retrofit (per garage)
Utah Clean Energy	\$325	\$1,325
Fort Collins	\$400	N/A



Source	Upfront (per space)	Retrofit (per space)
Utah Clean Energy	\$750	\$2,300
City of Denver (EV-Ready)	\$1,300	\$6,300
City of Denver (EV-Capable)	\$300	\$2,500
City of Oakland		+\$2,000-\$4,500

- Removing and repairing 100-300 feet of surface parking to add conduit can cost \$11,500 to \$32,000 in demolition and repair costs.
- An EV saves \$86-\$191/mo on fuel and maintenance
- EVs expected to reach cost-parity by mid/late 2020s

# EV-Ready: Single Family

## Trend:

- 1 EV-Ready space per dwelling unit.

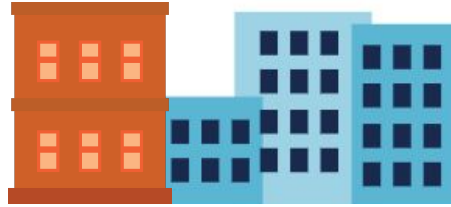
Jurisdiction	Single-Family
Aspen	1 EV-Capable (update in progress)
<b>Avon</b>	<b>1 EV-Ready space per dwelling unit</b>
<b>Basalt</b>	<b>1 EV-Ready space per dwelling unit</b>
Boulder	1 EV-Ready space per garage or carport
Boulder County	1 EV-Ready space per dwelling unit
Breckenridge	1 EV-Ready space per dwelling unit
Broomfield	1 EV-Ready space per dwelling unit
Crested Butte	1 EV-Ready space per dwelling unit
Denver	1 EV-Ready space per dwelling unit
Dillon	1 EV-Ready space per dwelling unit
Durango	1 EV-Ready space per dwelling unit (in progress)
Erie	1 EV-Ready space per dwelling unit (in progress)
Fort Collins	1 EV-Ready space per dwelling unit
Frisco	1 EV-Ready space per dwelling unit
Golden	N/A
Lafayette	1 EV-Ready space per dwelling unit
Lakewood	1 EV-Capable
Louisville	1 EV-Ready and 1 EV-Capable space per dwelling unit
Northglenn	1 EV-Ready space per dwelling unit (in progress)
Summit County	1 EV-Ready space per dwelling unit
Superior	1 EV-Ready space per dwelling unit
<b>Vail</b>	<b>1 EV-Capable space per dwelling unit</b>



# EV-Ready: Commercial & Multifamily

Jurisdiction	Multifamily	Commercial
Aspen	3% EV-C (update in progress)	Update in progress
Avon	<b>5% EV-I, 10% EV-R, 15% EV-C (7+ spaces)</b>	<b>5% EV-I, 10% EV-R, 15% EV-C (10+ spaces)</b>
Basalt	<b>1 EV-R (1-9 spaces); 1 EV-I and 1 EV-R (10-19 spaces); 1 EV-I and 1 EV-R space per 20 spaces (≥20 spaces)</b>	<b>1 EV-R (1-9 spaces); 1 EV-I and 1 EV-R Space (10-19 spaces); 1 EV-I and 1 EV-R space per 20 spaces (≥20 spaces)</b>
Boulder	5% EV-I, 15% EV-R, 40% EV-C (25+ spaces)	5% EV-I, 10% EV-R, 10% EV-C
Boulder County	2% EV-R (current, for new construction and 50% or 5,000 SF additions); 10% EV-I, 5% EV-R, 10% EV-C (Groups A, B, E, M); 2% EV-I; 0% EV-R, 5% EV-C (Groups F, I, R-3, R-4); 10% EV-I, 5% EV-R, 0% EV-C (Group S-2, parking garages) (in progress)	2% EV-R (current, for new construction and 50% or 5,000 SF additions); 10% EV-I, 5% EV-R, 10% EV-C (Groups A, B, E, M); 2% EV-I; 0% EV-R, 5% EV-C (Groups F, I, R-3, R-4); 10% EV-I, 5% EV-R, 0% EV-C (Group S-2, parking garages) (in progress)
Breckenridge	5% EV-I, 10% EV-R, 40% EV-C (10+ spaces)	5% EV-I, 10% EV-R, 40% EV-C (25+ spaces)
Broomfield	1 EV-I, 1 EV-R, 1 EV-C (1-10 spaces); 3 EV-I, 1 EV-R, 3 EV-C (11-15 spaces); 4 EV-I, 1 EV-R, 4 EV-C (16-20 spaces); 5 EV-I, 1 EV-R, 5 EV-C (21-25 spaces); 20% EV-I, 5% EV-R, 20% EV-C (26+ spaces)	1 EV-C (1-10 spaces); 1 EV-R, 3 EV-C (11-15 spaces); 1 EV-R, 4 EV-C (16-20 spaces); 1 EV-R, 5 EV-C (21-25 spaces); 1 EV-I, 5% EV-R, 20% EV-C (26-50 spaces); 2 EV-I, 5% EV-R, 20% EV-C (51-75 spaces); 3 EV-I, 5% EV-R, 20% EV-C (76-100 spaces); 4% EV-I, 5% EV-R, 20% EV-C (101+ spaces)
Crested Butte	1 EV-R space per dwelling unit	1 EV-I, 10% 10% EV-R; 1 DC fast charger (5+ spaces)
Denver	5% EV-I, 15% EV-R, 80% EV-C	5% EV-I, 10% EV-R, 10% EV-C
Dillon	5% EV-I, 10% EV-R, 40% EV-C (10+ spaces)	10% EV-R or 5% EV-I (15,000+ sq ft, all hotels/motels)
Durango	15% EV-R, 1/15 EV-I (15+ spaces)	10% EV-R or 5% EV-I (15,000+ sq ft, all hotels/motels)
Erie	15% EV-I, 5% EV-R, 40% EV-C (in progress)	10% EV-I, 5% EV-R, 10% EV-C (Groups A, B, E, M); 2% EV-I; 5% EV-C (Groups F, I, R-3, R-4); 10% EV-I, 5% EV-R, 0% EV-C (Group S-2, parking garages) (in progress)
Fort Collins	10% EV-I, 20% EV-R, 40% EV-C (in progress)	5% EV-I, 15% EV-R, 20% EV-C (Tier 1); 1% EV-I, 5% EV-R, 15% EV-C (Tier 2)
Frisco	5% EV-I, 10% EV-R, 40% EV-C (10+ spaces)	5% EV-I, 10% EV-R, 40% EV-C (25+ spaces)
Golden	1 EV-I Space per 15 parking space, 15% EV-C	1 EV-I Space per 15 parking space, 15% EV-C
Lafayette	2 spaces or 10% whichever is greater EV-R, 20% total spaces EV-C (current); 15% EV-I, 10% EV-R, 40% EV-C (in progress)	2% EV-I, 5% EV-R, 10% EV-C (current); 10% EV-I, 5% EV-R, 10% EV-C (Groups A, B, E, M); 2% EV-I; 5% EV-C (Groups F, I, R-3, R-4); 10% EV-I, 5% EV-R, 0% EV-C (Group S-2, parking garages) (in progress)
Lakewood	2% EV-I, 18% EV-C (10+ spaces)	2% EV-I, 13% - 18% EV-C (10+ spaces)
Louisville	See chart	5-10% EV-I, 10% EV-R, 10-15% EV-C (dep on sector)
Northglenn	15% EV-I, 5% EV-R, 40% EV-C (in progress)	10% EV-I, 5% EV-R, 10% EV-C (Groups A, B, E, M); 2% EV-I; 5% EV-C (Groups F, I, R-3, R-4); 10% EV-I, 5% EV-R, 0% EV-C (Group S-2, parking garages) (in progress)
Summit County	5% EV-I, 10% EV-R, 40% EV-C (10+ spaces)	5% EV-I, 10% EV-R, 40% EV-C (25+ spaces)
Superior	5% EV-I, 15% EV-R, 80% EV-C	10% EV-I, 10% EV-R, 20% EV-C
Vail	<b>5% EV-I spaces + 50% EV-C spaces</b>	<b>5% EV-I spaces + 50% EV-C spaces</b>

# EV-Ready: Commercial & Multifamily



## Trends:

- Recent adoptions have stronger requirements overall but more nuance.
- Recognition that different building types have different charging needs.
  - “Staying for a while” vs “in and out”.
- Recognition that most people prefer to charge at home overnight.
  - Stronger multifamily percentages compared to other commercial.
- Percentages rather than number of spaces.
- Certain number of “Universal Spaces” for accessibility

# Commercial & Multifamily Options for Discussion

## Option 1

Avon			
Building Type	EVSE-Installed	EV-Ready	EV-Capable
Multifamily 7+spaces	5%	10%	15%
Commercial & mixed use 2-9 spaces	1	0%	5%
Commercial & mixed use 10+ spaces	15%	5%	40%

## Option 2

Vail			
Building Type	EVSE-Installed	EV-Ready	EV-Capable
Multifamily & commercial	5%	0%	50%

# EV-Ready Ranking

## Mild

- Lower percentages for commercial and multifamily.

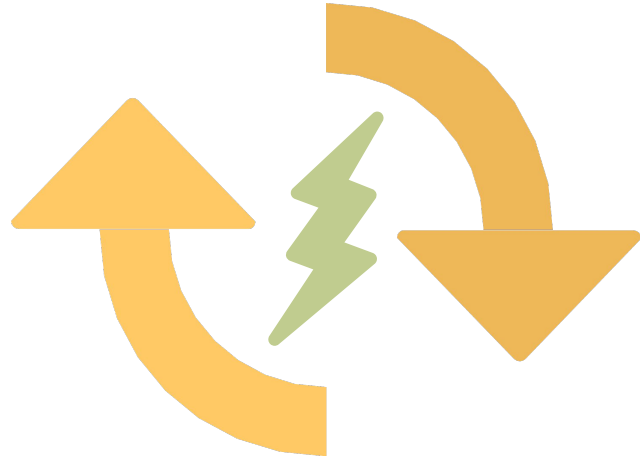
## Medium



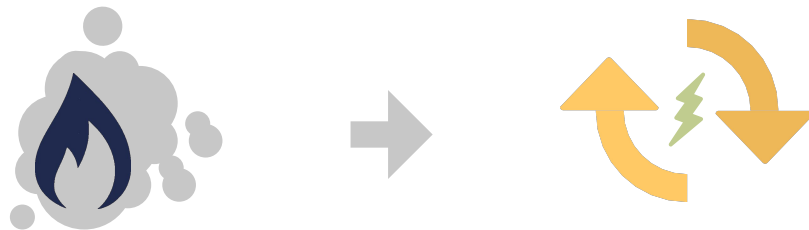
## Aggressive

- Every space in multifamily with some level of infrastructure.
- Include renovations.

Electric  
Preferred



# What is Electrification?



Electrification means upgrading appliances, equipment, or vehicles that would otherwise run on natural gas, propane, or gasoline—such as furnaces, water heating, stoves, clothes dryers, and cars—to clean and efficient electric versions.



# Why the Increased Interest?



Tech. advancement  
(low-temperature  
performance, cost)



Growth in  
renewables

Municipal & state  
emission reduction goals



Consumer preferences  
(indoor air quality,  
two-in-one unit,  
lower/stable energy bills)



# Electric-Ready / Electric-Preferred Amendment Overview

- **Electric-ready** prepares homes & buildings for the choice between electric and gas equipment.
  - Wiring, panel capacity, physical space (for water heaters).
- **Electric-ready** (at least) will be required by new state law.
- **Electric-preferred** still allows the choice, but homes & buildings with gas equipment provide must extra efficiency to make up for extra emissions.

# Electric-Ready / Electric-Preferred Amendment Specifics

Pathway	All-Electric	Mixed Fuel
Residential Prescriptive	As written: 1 add'l efficiency package	3 additional efficiency packages; electric-ready
Residential Total Building Performance	As written: 1 add'l efficiency package or <95% standard reference design	3 additional efficiency packages or 80% std ref design; electric-ready
Residential ERI (using HERS)	As written: 55 before 5% reduction	52 before 5% reduction; electric-ready
Commercial Prescriptive	As written: 10 points	20 points; electric-ready
Commercial Total Building Performance	As written	10 extra points; electric-ready
Commercial ASHRAE 90.1	As written	10 extra points; electric-ready

# Who Has Electrification Amendments?

## In Cohort:

- Avon (partial electric-ready: 200 amp panel)
- Basalt: electric-ready
- Vail: electric-ready

## Others statewide:

- Boulder: electric-preferred
- Boulder County: electric-preferred
- Crested Butte: all-electric
- Denver: electric-preferred\*
- Erie: electric-preferred\*
- Fort Collins: electric-ready
- Lafayette: electric-preferred\*
- Louisville: electric-preferred
- Northglenn: electric-preferred\*
- Superior: electric-preferred

\* adoption underway

# Electric-Preferred Costs

- All-electric option:
  - Heat pumps and heat pump water heaters cost more upfront than gas equipment – but save on gas connection and piping.
  - No separate air conditioner needed.
- Mixed fuel option:
  - Price depends on additional efficiency packages chosen (\$500-\$1,500 each).
  - Cost of electric-ready infrastructure: \$0 heat pump, \$300 water heater, \$300 stove.

# Most Common FAQs on Heat Pumps

- Are we talking about heating/cooling from the ground?
  - “Ground source heat pumps” are one type of heat pump, and they are more efficient but also more expensive than the more common “air source heat pumps.”
- Do they work in our cold winters?
  - New “cold climate” heat pumps work in temps down to -22°F. Non-cold climate heat pumps can work in temps down to 0-25°F depending on unit, and integrated “strip heat” can kick on in the colder temps.
- Can our grid handle the increased load?
  - Our grid was built for high summer cooling load, so it has room to space for extra winter heating load. Holy Cross Energy & Xcel are aware of the transition and conduct long-range planning to ensure sufficient capacity.
- What happens in a power outage?
  - They won’t work (but neither will gas furnaces since they too need electricity to run).

# Electric-Preferred Ranking

## Mild

- Just electric ready (wiring and panel capacity) as required by upcoming state law.

## Medium



## Aggressive

- All-electric heating and water heating for most residential, multifamily, and commercial buildings.

# Efficiency Strengthening Amendments





# Why Efficiency Strengthening Amendments?

- Further reduce energy consumption of a building.
  - Progresses buildings toward net zero.
- Addresses other impacts of buildings on the environment (e.g., heat island effect).
- Cost-effective.



# Who Has Add'l Efficiency Amendments?

## In Cohort:

- Avon - Natural gas equipment efficiency minimum.
- Basalt - Reflective radiant barrier on roof.

## Others statewide:

- Aspen
- Boulder
- Boulder County
- Breckenridge
- Carbondale
- Denver
- Fort Collins
- Frisco
- Golden
- Louisville
- Summit County
- Superior

# Existing Building Approaches

1. Require addition, alteration, and remodel projects to conduct an energy audit to identify efficiency upgrade options that could be pursued, and submit this in a report during permitting. **Note, no action is necessary after the audit.**
2. Install programmable thermostats for space heating systems when undergoing an HVAC upgrade.
3. When upgrading HVAC source and provide quotes for both gas and electric systems.



Something to consider:  
Requiring too much discourages remodels or encourages work without permit.

# New Construction Approaches

1. Ensure all hot water piping is insulated.  
(Amend Section R403.5.2 in IECC)
2. Install heat tape timers.



# Exterior Energy Offset Program



# Why address exterior energy use?

- Takes a lot of energy to “heat the outside.”
- Efficiency of exterior systems (pools, spas, snow melt systems) are not addressed in the current IECC.



# Who Has EEOPs?

## In Cohort:

- Avon (EEOP)
- Basalt (REMP)
- Eagle County (EEOP)
- Minturn (EEOP)

## Others statewide:

- Aspen (REMP)
- Pitkin County (REMP)

Summit County considering REMP

# Current EEOP Structure

**50% onsite solar offset** of energy used by snowmelt, spas, pools.

*OR*

**Fee-in-lieu** based on:

- Square footage thresholds for each equipment type.
- Cost of natural gas to operate the amenity over 10 or 20 years (based on 2006 prices).

Fee Snowmelt (first 200 sq ft exempt)	Fee Spa (first 64 sq ft exempt)	Fee Pool
\$16	\$176	\$136 sq ft





# REMP Overview

- **Who has REMP?**

- Pitkin County
- Aspen
- Basalt
- Summit County considering

- **How does REMP differ from EEOP?**

- Engineering firm developed calculator.
- Fee is based on cost to install solar.
- Has additional exterior energy uses including exterior heaters, heat tape, and gas fireplaces.
- Includes an option for fees for large homes or to offset interior energy use.



# Benefits of REMP Calculator

- Vetted calculator by engineering firm.
- Can be customized per community.
  - Customize offset percentages.
  - Select exterior energy uses to include.
  - Customize exemptions for sq. ft. of snowmelt or spas.
- Regionally adopted and well known tool.
- REMP calculator already has all requested updates from the Code Cohort embedded in the calculator.



# Cohort Recommended Updates

- 1) Update the assumed energy consumption of snowmelt systems to be in line with ASHRAE and REMP.
- 2) Adjust the **fee-in-lieu** to be the cost to install solar onsite.
- 3) Add **commercial buildings** to the EEOP.
- 4) Apply the EEOP to outdoor fireplaces.

# EEOP Fees

- **2,200 sqft snowmelt system**
- **36 sqft spa**
- **550 sqft pool**

<b>EEOP Options</b>	<b>Fee per SF Snowmelt (first 200 sq ft exempt)</b>	<b>Fee per SF Spa (first 64 sq ft exempt)</b>	<b>Fee per SF Pool</b>
<b>Current Fee Structure</b>	\$16	\$176	\$136
<b>New Proposed Fee</b>	\$23	\$122	\$24

# Proposed Change in Fees with REMP Calculator

- **Calculator accounts for efficiency of the system.**
- **Payment in lieu = regional cost to install solar.**
- **Also allows for credits to the total fee for heat pumps and existing PV systems.**

		Fee per SF Snowmelt (first 200 sqft exempt for EEOP, 100 sqft for REMP)	Fee per SF Spa (first 64 sq ft exempt)	Fee per SF Pool
EEOP	<b>Current Fee Structure</b>	\$16	\$176	\$136
	<b>New Proposed Fee</b>	\$23	\$122	\$24
REMP	<b>Current Residential Fee Structure at 92% efficiency</b>	\$62	\$318	\$246
	<b>Current Commercial Fee Structure at 92% efficiency</b>	\$109	\$318	\$308 85

# EEOP Update

## Mild

- Lower fees.

## Medium



## Aggressive

- Higher fees.
- Additional fees depending on home size.

# 2021 IECC Cost Discussions

# 2021 IECC Cost Discussion

## Climate Zone 6B

Pacific Northwest National Labs for Department of Energy (Dec 2021):

Increased First Cost (vs 2015)	Mortgage Increase	Annual Energy Savings	Net Savings	Years to Positive Savings	Lifecycle Cost Savings
\$1,470	\$59	\$119	\$51/yr	4	\$1,144

- PNNL analysis preferred: no profit motive, robust peer-reviewed methodology
- Majority of cost increase is insulation
- Natural gas prices have doubled since study (per EIA), improving savings



# Other Upfront Cost Studies

- U.S. DOE (via Pacific Northwest National Lab, Dec 2021): **\$1,470**
- ICF International: **\$333-\$2,288**
- NAHB (via Home Innovation Research Lab): **\$3,685 - \$6,891**
  - (Note: ICF study found the NAHB study to have used incorrect economic assumptions)

# Additional Cost Considerations

- Home purchase price determined largely by market, location, features, amenities
- Energy bills are an important component of home affordability
- Retrofitting a home later to allow climate-friendly equipment costs homeowners many times more than including this capability upfront
- NEW incentives and rebates for efficiency and/or electrification from State of Colorado, Inflation Reduction Act, Xcel, HCE, WMSC

# GHG/Climate Impacts

# Climate Impact of Amendments

Depends on adoption rates by builders/homeowners, but for an average-sized household:

- Solar-ready: PV system reduces CO<sub>2</sub>e by 11,200 lbs/yr compared to grid (2022).
- EV-ready: New EV reduces CO<sub>2</sub>e 8,175 lbs/year compared to new gas car (63% reduction).
- Electric-ready (1): Air source heat pump reduces CO<sub>2</sub>e 5,887 lbs/year compared to gas furnace (58% reduction).
- Electric-ready (2): Heat pump water heater reduces CO<sub>2</sub>e 1,289 lbs/year compared to gas water heater (69% reduction).
- As grid gets cleaner, EVs & electric get better (but solar gets less impactful).

# Other Green Building Items

- Not evaluated here; could be considered in a separate effort
- Some of these in the International Green Construction Code (IgCC) or green building certification programs
  - Construction and demolition waste
  - Sustainable landscaping
  - Water conservation
  - Improved indoor air quality
  - Embodied carbon

# Equity and Public Input

# Key Equity Considerations

- Low-income advocates are active in code development and strongly supportive of energy codes
- Renters have very little control over energy costs. They are “stuck with” the insulation levels, windows, mechanical systems, etc.
  - Highlights importance of building right the first time
- Building pollution, heat island, climate change, and climate-related disasters disproportionately harm low-income and people of color

# Public Outreach and Engagement

## Events:

- Public webinar/Q&A
- Public engagement survey

## Key Takeaways:

- 78% of survey takers believe that consistent building code across the Eagle River Valley is important.
- Survey takers were very supportive of each Code Cohort amendment. Support was slightly higher for commercial amendments than for residential.
  - For solar-ready, EV-ready, **and** electric preferred, 70% or more of survey takers indicated support.
  - Support dropped below 60% for requiring existing building projects to investigate efficiency upgrade options (res and comm).
- Generally, survey takers saw the biggest **benefits** of the supporting amendments to be reduction in carbon emissions and future-proofing buildings.
- Generally, survey takers perceived the biggest **barriers** to the supporting amendments to be upfront cost, knowledge of requirements, and (lack of) customer awareness.



# Q&A

# Next Steps

- Collect feedback on recommendations
- Provide direction and feedback on cohort recommendations
- Determine adoption timeline



# Thank you!



**LOTUS**  
Engineering & Sustainability



**SWEEP**  
SOUTHWEST ENERGY EFFICIENCY PROJECT

CLIMATE  
**ACTION**  
COLLABORATIVE

THE *Mozingo* CODE  
99 GROUP  
LLC

# Appendix



# Project Goals

1. County-wide adoption of 2021 Codes, including the International Energy Conservation Code.
2. Identification and County-wide adoption of supporting amendments that ALL Eagle County Communities can adopt to advance climate goals.
3. Alignment with state code efforts.



# Code Cohort Process

- Three meetings:
  - 1) Solar-ready and EV-ready amendments for residential and commercial code.
  - 2) Electrification and efficiency amendments for residential and commercial code.
  - 3) Wrap-up, remaining questions, finalization of highly consistent amendments, and (if time) discuss solutions for better compliance and departmental efficiencies.
- Pre-/Post-work between meetings.
- Draft code package & PPT Template.
- Public outreach and engagement.
- Implementation support.

# Code Cohort Process

- 1 Understand building code plans and adoption schedules by community.
- 2 Identify amendments already widely adopted or underway, and amendments rising in interest/popularity.
- 3 Calibrate with Colorado state law (changed May 2022).
- 4 Screen and pare down as a group based on impact, cost, and simplicity.
- 5 Rework and refine based on outreach with resident and builder input.

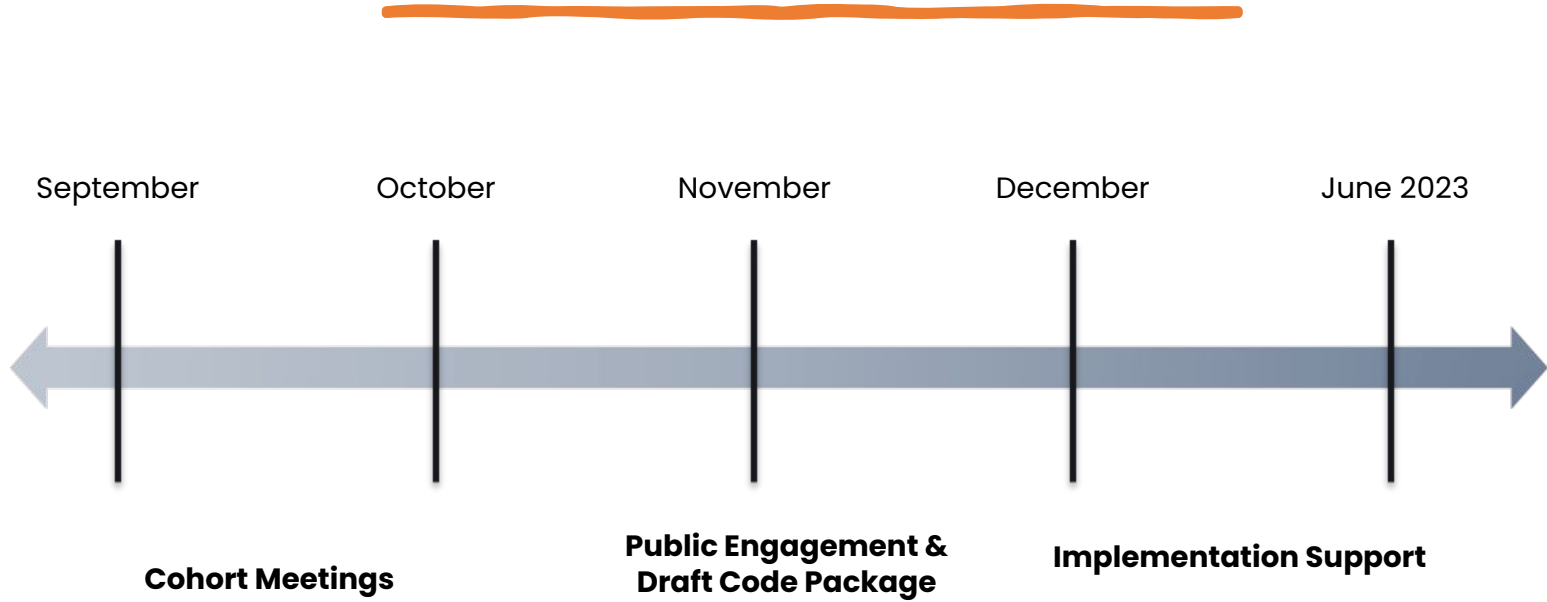
# Community Resolutions

- **Provide the community with additional hours of implementation support for supporting amendment and base code 2021 adoption.**
- Set expectation for staff that leadership approves of cohort work and staff engagement to identify consistent supporting amendments.
- Non-binding resolution to demonstrate commitment to adopt 2021 codes.
- Non-binding resolution to demonstrate commitment to pursuing consistency in supporting amendments that contribute to CAP goals.





# Timeline





**Wednesday, January 18, 2023**  
**Executive Session – 4:00pm**  
**Regular Session – 5:30pm**

**OFFICIAL MINUTES**

**Town Council Meeting Minturn Town Hall / Council Chambers**  
**302 Pine St Minturn, CO**

The agenda is subject to change, including the addition of items 24 hours in advance or the deletion of items at any time. The order of agenda items listed are approximate. This agenda and meetings can be viewed at [www.minturn.org](http://www.minturn.org).

**MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION**

This will be an in-person meeting with access for the public to attend in person or via the Zoom link included. Zoom Link: <https://us02web.zoom.us/j/87546404421>

Zoom Call-In Information: **1 651 372 8299 or 1 301 715 8592 Webinar ID: 875 4640 4421**

Please note: all virtual participants are muted. In order to be called upon an unmuted, you will need to use the “raise hand” feature in the Zoom platform. When it’s your turn to speak, the moderator will unmute your line and you will have five (5) minutes for public comment.

**PUBLIC COMMENTS:** If you are unable to attend, public comments regarding any items on the agenda can be submitted to Jay Brunvand, Town Clerk, prior to the meeting and will be included as part of the record.

**1. CALL TO ORDER**

**The Minturn Town Council will open the Regular Meeting at 4:00pm for the purpose of convening into Executive Session. At (approximately) 5:30pm the Council will convene into Regular Session.**

Mayor Earle Bidez called the meeting to order at 4:30pm.

Those present included: Mayor Earle Bidez, Mayor Pro Tem Terry Armistead (zoom), Town Council members George Brodin, Lynn Feiger, Gusty Kanakis, Kate Schifani, and Tom Sullivan (zoom).

Staff present: Attorneys Michael Sawyer, Justin Poppe, Hayley Siltanen, and Town Manager Michelle Metteer.

## **2. EXECUTIVE SESSION**

2.1 An Executive Session for the purposes of receiving legal advice on specific legal questions pursuant to C.R.S. 24-6-402(4)(b) and for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators pursuant to C.R.S. 24-6-402(4)(e)

- Holland & Hart Waiver Request – Ryan/Siltanen/Stark
- Battle Mountain – Sawyer/Plaskov

Motion by Terry A., second by George B., to convene in Executive Session for the purposes of receiving legal advice on specific legal questions pursuant to C.R.S. 24-6-402(4)(b) and for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators pursuant to C.R.S. 24-6-402(4)(e) – Battle Mountain. Motion passed 7-0.

Those present included: Mayor Earle Bidez, Mayor Pro Tem Terry Armistead (zoom), Town Council members George Brodin, Lynn Feiger, Gusty Kanakis, Kate Schifani, and Tom Sullivan (zoom).

Staff present: Attorneys Michael Sawyer, Justin Plaskov (zoom), Hayley Siltanen (zoom), Susan Ryan (zoom), Lucy Stark (zoom), and Town Manager Michelle Metteer.

Note: Terry A. and Kate S. recused themselves from the Holland and Hart Waiver Request portion of the Executive Session due to a conflict of interest.

No direction was given as a result of the Executive Session.

## **3. ROLL CALL & PLEDGE OF ALLEGIANCE**

The meeting convened in Regular Session at 5:50\_\_pm.

Those present included: Mayor Earle Bidez, Mayor Pro Tem Terry Armistead (zoom), Town Council members George Brodin, Lynn Feiger, Gusty Kanakis, and Kate Schifani.

Note: Tom Sullivan attended the Executive Session but was excused absent from the Regular Meeting.

Staff present: Attorney Michael Sawyer, Planner Scot Hunn, Town Manager Michelle Metteer, and Town Clerk/Treasurer Jay Brunvand (zoom).

## **4. APPROVAL OF CONSENT AGENDA** Consent agenda items are routine Town business,

items that have received clear direction previously from the council, final land-use file documents after the public hearing has been closed, or which do not require council deliberation.

4.1 January 4, 2023, Meeting Minutes

Motion by Gusty K., second by Kate S., to approve the Consent Agenda of January 18, 2023 as presented. Motion passed 6-0.

Note: Tom Sullivan was excused absent from the Regular Meeting.

5. **APPROVAL OF REGULAR AGENDA** Opportunity for amendment or deletions to the agenda.

Motion by Kate S., second by George B., to approve the Agenda of January 18, 2023 as presented. Motion passed 6-0.

Note: Tom Sullivan was excused absent from the Regular Meeting.

6. **DECLARATION OF CONFLICTS OF INTEREST**

7. **PUBLIC COMMENT** Citizens are invited to comment on any item on the Consent Agenda, or not on the regular Agenda subject to a public hearing. Please limit your comments to five (5) minutes per person unless arrangements have been made for a presentation with the Town Clerk. Those who are speaking are requested to state their name and address for the record.

8. **SPECIAL PRESENTATIONS** Presentations are limited to 5 minutes. Invited presentations are limited to 10 minutes if prior arrangements are made with the Town Clerk.

9. **BUSINESS ITEMS** Items and/or Public Hearings are listed under Business may be old or new and may require review or action by the Council

9.1 Ordinance 01 – Series 2023 (Second Reading) An Ordinance approving the historic landmark designation for the Saloon Building located at 146 N Main St.- Metteer

Approve the landmark designation (application 2023L-002) of 146 N Main Street (Commonly known as the Minturn Saloon) based on the criteria outlined in the Minturn Municipal Code Sec. 19-3-20, citing as findings of fact for this recommendation, public testimony and the December 20, 2022, Minturn Historic Preservation Commission unanimous recommendation for approval along with the staff report.

**CASE SUMMARY:**

Two independent nominations have been submitted for Historic Landmark status of the Saloon Michael S. presented the building located at 146 N Main Street. Staff reviewed and deemed both applications complete and to meet the Minturn landmark designation criteria. As such, staff scheduled a public hearing for the Historic Preservation Commission meeting on December 20, 2022. Adjacent

properties and the owner of 146 N Main Street were notified via certified mail, and a notice placed in the Vail Daily 10 days before the public hearing.

**DESIGNATION CRITERIA & EVALUATION; CHAPTER 19 MINTURN MUNICIPAL CODE:**

To meet landmark designation criteria, in accordance with Chapter 19, Minturn municipal Code, the application(s) must be complete, and the structure must meet the following criteria:

**MMC Sec. 19-3-20. Eligibility Criteria.**

- a. Properties or historic districts shall be at least seventy-five (75) years old and meet one (1) or more of the following criteria in order to be considered for designation:
  - 1) Association with events that have made a significant contribution to history
  - 2) Connection with persons significant in history
  - 3) Distinctive characteristics of a type, period, method of construction, or artisan
  - 4) Geographic importance
  - 5) Possibility to yield important information related to prehistory or history

Town staff found that the application(s) for designation demonstrate that the structure meets the following criteria.

- A. Association with events that have made a significant contribution to history (exemplifies cultural, political, economic, or ethnic heritage of the Town)
- B. Distinctive characteristics of a type, period, method of construction or artisan
- C. Geographic Importance (enhances the sense of identity of the Town or community)

Public Comment Opened  
No Public Comment  
Public Comment Closed

Motion by Gusty K., second by Kate S., to approve Ordinances 01 – Series 2023 (Second Reading) An Ordinance approving the historic landmark designation for the Saloon Building located at 146 N Main St. as presented. Motion passed 6-0.

Note: Tom Sullivan was excused absent from the Regular Meeting.

9.2 Resolution 05 – Series 2023 A Resolution approving the Minturn Community Plan – Hunn

Scot H. presented and introduced Gabby Voeller and Julia Randall of SE Group. This memo provides an overview of updates to the Minturn Community Plan draft following a joint meeting with Town Council and Planning & Zoning Commission on September 21st, two follow-up meetings with the Planning & Zoning Commission (October 12th and 26th), and a meeting with Town Council on January 4th. A full revised version of the plan is provided in the meeting packet. This final version includes the plan appendices. The Minturn Community Plan is a visioning document that synthesizes public input, technical research, mapping, and graphics. The document summarizes existing issues, strengths, and priorities for the Town and is intended to serve as a

guide to policymaking in the Town of Minturn for the next 10+ years. The adoption of a Community Plan and its associated recommendations is not a rezoning process. Rather, the Planning Commission and Town Council should use the recommendations of the Community Plan to inform future amendments to zoning during the useful life of the plan. The project team would like to thank the Planning Commission, Town Council, and members of the public for their thoughtful feedback to date. The consultant team would specifically like to thank the Town Manager and planning staff for their significant contributions to and support for this planning process.

Discussion ensued as to the recommended zoning maps. It was noted this only creates a planning document it does not change zones or uses currently enjoyed. Ms. Voeller expressed an option to create the recommended zoning maps. Michelle M. noted she has received comments from the public to include this option.

Julia R. reviewed the memo outlining the salient sections.

Lynn F. thanked all for their in-depth and hard work. She is satisfied that the plan allows for flexibility and does not remove or inhibit property owner rights. Two issues, inconsistency with what the plan is today and what it will be interpreted as in the future. She asked that foot notes be added.

Earle B. reiterated the process of reviewing the master plan and apply it to the code is a second long public process with plenty of opportunity for public comment and input. Scot H. outlined the communication piece to use this plan to update Chapter 16 of the Code. He stated this would take the better part of a year.

Public Comment opened

Mr. Frank Lorenti, 1181 Main St, submitted an email which the mayor read and is as follows:

*Hi*

*Thanks for the response.*

*I'm very upset with this community plan and I'm upset that property owners affected weren't told.*

*I want to protest this change as I have a business at this address.*

*This needs to be further reviewed and affected property owners need to be informed, before any vote takes place.*

*I am opposed to this community plan.*

*Plus, council wants to pass something and they have no clue what MU2 even will be. This is blatantly dishonest and not fair to property owners.*

*How can council vote on something and they have no clue what they are voting on?*

*Please read this email at tonight's meeting*

*Thanks  
Frank Lorenti*

Michelle M. noted a second comment from Mr. Michael Boyd and stated this letter was included in a previous packet.

Public Comment Closed

Gabby V. noted we will have a general map of primary uses of the areas.

Discussion ensued as to Lynn F.'s concerns and were addressed with an amendment which was .

Motion by George B., second by Gusty K., to approve Resolution 05 – Series 2023 a Resolution approving the Minturn Community Plan as amended. Motion passed 6-0.

Amendment: Add recreation to the designated uses around the cemetery and Public Works Building and to allow PUD's for use as open space and recreation and to include the future land use maps in the plan.

Note: Tom Sullivan was excused absent from the Regular Meeting.

## **10. DISCUSSION / DIRECTION ITEMS**

### 10.1 Riverview Cemetery Fence and Wildlife conflicts – Community Request

Michelle M. noted we have had at least three incidents where an animal has been impaled and/or killed when jumping the fence surrounding the cemetery. With this most recent incident she stated on the morning of Wednesday, January 11, 2023, Colorado Department of Wildlife District Manager Devin Duvall was called to the scene of a bull moose who had impaled himself on the Riverview Cemetery fence. The bull moose was alive at the time and in distress. With no other options available, Devin put the moose down. The Riverview Cemetery was annexed into the town of Minturn via Ordinance 06 – Series 2018. The fence was installed prior to the Ordinance/Annexation. No files have been found identifying the approval of a fence.

Minturn's fence regulations identify the following: *MMC Sec. 10-8-280 – Barbed wire fences prohibited.*

*It shall be unlawful for any person to construct or maintain within the Town any fence, cellar or window guard containing barbs, barbed wire, sharpened nails or any other pointed or sharpened thing or metallic substance.*

This section of code may need further clarification to ensure the town is not allowing the spearhead posts.

Devin Duvall, Colorado Dept of Wildlife (CDW), spoke of the most recent incident where a bull moose had been impaled on the fence and was euthanized. He discussed the event and has coordinated with Michelle M. and representatives from the Cemetery. He noted this is a very disturbing issue but they desire to resolve by working with the town and the cemetery.

Discussion ensued as to the number of moose in the area; approximately 20 with 2-3 of those males.

Terry A. asked about the documentation taken by CDW when a moose is killed by hunt or other. Mr. Duval outlined the process and difference. She discussed the potential need to better publicize or document when an event of a large animal encounter that CDW could provide to the town when it is localized within the town such as this. She thanked all involved for their interest in resolving this issue so it doesn't occur again.

Michael S. stated the town has a fence code. He stated potentially this is a nuisance and could be prosecuted in Municipal Court. He stated we can look at the fence code. Terry A. asked that the town investigate how other towns address this. Michelle M. stated the fence was installed prior to the code. Michael S. stated although the fence is grandfathered it could be addressed under the nuisance law.

Mr. John Sheehan, Cemetery Board, stated they did months of work prior to install to deal with height etc. He stated he felt they were in compliance. He stated they will work with Devin, this is a sad event and will work to resolve this issue so it doesn't happen again.

Discussion ensued on the leash law and how that might be enforced. Terry A. cited examples and how an education push is made to inform the public of the leash law and wild animals

Mr. Jim Gonzalez, 472 Main, witnessed the event and called Devon. He posted pictures and asked the spikes be removed or even take the fence down. Much of this can be done with volunteers. (He showed pictures to the Council.)

Mr. Kelly Toon, 531 Main St, he stated he and many friends would be happy to help via volunteer. He stated there have been many more than three similar events and that the fence is not good for wildlife. He felt the simplest fix would be to cut the spears off the top of the fence down to the top crossbar.

Mr. Casey McKenna, 661 Main St, was upset this is a repeated event. He was in favor of adapting the fence.

Lynn Teach, 253 Main St, thanked all for getting in front of this and moving for action.

Mr. Sheehan thanked all for coming out and speaking on this. They are trying to secure the cemetery and this will be included. He felt the main gate can be closed and the man-gate used to access the cemetery. This would dissuade the animals from going into the burial area and getting trapped. He said the issue is always when the animals try to jump out of the cemetery, rarely do they jump the fence to get in.



Discussion ensued as to quick repairs that would lead to long term solutions.

## 10.2 Eagle County School District (ECSD) Fee in Lieu - ECSD Representatives

Michelle M. introduced Tom Braun, ECSD Planner, and Jon Lengel, ECSD Land Appraiser.

Many local governments require dedication of land to the local school district or a fee in lieu in order to offset impacts of additional density on school facilities. This ordinance adds such a requirement to the Town's subdivision code, Chapter 17, that the applicant for a subdivision either dedicate a certain amount of land to the school district or pay a fee in lieu thereof. The amount of land to be dedicated is determined by an equation in the ordinance based on the number of residential units being constructed on the subdivided lots. If the Town decides to collect a fee in lieu of land, that amount is determined by valuing the amount of land that would otherwise be dedicated based on an average land value set by the Town Council. That amount will be set at the next Council meeting by resolution. Minturn and Red Cliff are the only remaining Eagle County communities without a School District Land Dedication Policy.

The proposed Ordinance would apply to any residential subdivision (not individual single-family homes or ADU's) – this is consistent with other Ordinances in the County.

Ms. Sandra Farrell, Chief Operations Officer of the Eagle County School District, spoke. Mr. Tom Braun reviewed a PowerPoint of what the fee would be used for and how much could realistically be garnered, stating this would be a relatively minor fee for a PUD. He associated the PowerPoint as to how it would look in ordinance form and noted the communities that have adopted a similar ordinance as to what is proposed for Minturn.

Lynn F. asked that this was for development to pay for the school impact and asked about reported declining student enrollment trends. Ms. Farrell stated they do have a declining population, however, the units being developed would generate student populations. Her concern expressed was applying school fees to affordable or lower income housing for locals because it would add to the expense.

George B. spoke that this would not affect Minturn directly, Mr. Braun stated Minturn kids would benefit even though they attend outside of the town because most of the in-town students attend schools out of the town limits.

Terry A. felt this was valuable for the community even though she felt it would be adding to building costs.

Michael S. stated that most of his represented municipalities have a similar ordinance(s) in place. He noted it is normal for school districts to cover multiple jurisdictions. He supported a single land valuation over other alternatives. He stated the cost estimates discussed last year were wildly false. He noted the fee would be evaluated at least annually when all town fees are reviewed.

Terry A. asked if our staff has the bandwidth to work on this at this time but was otherwise in general support.

Lynn F. felt that second homes didn't result in significant additional students enrolled in Eagle County schools, but I thought it was unfair to target just homes with students.

Direction given by Council: Council supports this in general and directed Staff to move forward with development of an Ordinance for Minturn participation with the Eagle County Schools as for Council consideration.

## **11. STAFF REPORTS**

Michelle M. updated:

- Implementation of a new business license process for online renewals. She is recommending a 30day extension to the renewal period, the date this year would be May 1.
- Michelle M. thanked Mike Martinez, Public Works, for his work directing the water from the current water leak down and out the storm sewer system. In response to questions, Michelle M. outlined the process to repair the leak.

## **12. COUNCIL COMMENTS & COMMITTEE REPORTS**

George B. had a report in the packet for the Transit Authority

Michelle M. asked of the desire to move the Council Comments back to the front of the meeting. This will be a discussion item on an upcoming agenda.

Discussion on the size of large packets and how it could be better viewed.

Gusty K. noted a discussion with HDR held by the water committee to discuss alternatives to our water plant. This information will be compiled and reviewed then presented to the Council.

Earle B. thanked Gusty, Jill, and everyone that helped with the Christmas tree fire.

## **13. FUTURE AGENDA ITEMS**

- Future discussion of leash law – leash vs voice control

## **14. ADJOURN**

Motion by Kate S., second by Gusty K., to adjourn the meeting at 8:09 pm.

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Earle Bidez, Mayor

ATTEST:

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Jay Brunvand, Town Clerk

**INFORMATIONAL ONLY ITEMS**

Upcoming Council Meetings:

- February 1, 2023
- February 15, 2023
- March 1, 2023
- March 15, 2023



To: Mayor and Council  
From: Madison Harris, Planner I  
Date: January 26, 2023  
Agenda Item: Recent Planning Commission Recommendations and Actions

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**REQUEST:**

Review and ratification of Planning Commission actions from their regular meeting of January 11, 2023. The following actions were taken by the Planning Commission, acting as the Minturn Design Review Board, which may be called-up for further review by the Minturn Town Council:

**382 Taylor Avenue**

- Final Plan DRB Application for New Single Family Residence and Accessory Dwelling Unit

Please note that unless there are revisions or additions to the conditions proposed by staff during decision by the Planning Commission, staff will no longer be writing cover memos for items on the Consent Agenda. In this case there was an addition to the conditions recommended by staff.

**INTRODUCTION:**

***382 Taylor Avenue***

At their regular meeting of January 11, 2023, the Planning Commission, acting as the Town of Minturn Design Review Board, reviewed the final plans for a new residence and accessory dwelling unit located at 382 Taylor Avenue. The plans approved by the DRB are for:

- **New Single-Family Residence and Accessory Dwelling Unit**

Site plans (exterior elevation renderings and floor plans) are attached for reference.

No neighbors spoke at the DRB hearing where the DRB discussed proposed exterior materials, as well as the proposed roof forms and massing in context to Chapter 16 – *Zoning*, and Appendix ‘B’ *Design Review Standards and Guidelines*, of the Town of Minturn Municipal Code (MMC).

The DRB unanimously supported the proposed construction as meeting the objectives and requirements of the MMC and design standards.

Ultimately, the DRB voted 4-0 to recommend approval of the proposal as a Final Plan review, with four conditions proposed by Town Staff, plus two conditions implemented by the Planning Commission:

1. The Applicant shall address the comments provided by the Town Engineer in the letter from Intermountain Engineering, Inc., dated December 22, 2022 with the exception of comment 4 under Architectural Plans prior to building permit issuance.

2. The Applicant shall address Public Works comments contained in this staff report prior to building permit issuance.
3. The Applicant shall submit and receive approval for a Minor Subdivision: Amended Final Plat to vacate the interior lot line and effectively combine Lots 5 and 6, Block C of the Taylor Addition to Minturn Subdivision prior to building permit issuance.
4. The Applicant shall submit and receive approval for a Limited Use application for the Accessory Dwelling Unit prior to building permit issuance.
5. The Applicant shall meet with the Town Clerk and Treasurer to discuss and ensure adequate water for the project.
6. The Applicant shall follow Appendix B (II)(B) which states, in part: “A second framing and foundation ILC will be submitted with all the planning requirements such as height, location of building, square footage of building and setbacks. A Certificate of Occupancy is issued after the second ILC is approved and after it has been determined the builder has met all the zoning requirements. The building, foundation location, building height, setbacks, driveway access, topographic and finished grade and utility easements information would be shown on the final ILC.”

**ANALYSIS:**

In reviewing the application, the Planning Commission considered the criteria and findings required by the Minturn Municipal Code, as well as testimony of staff and the Applicant. No members of the public spoke at the DRB hearing.

The proposal meets the requirements of Chapter 16 including Appendix B - Design Guidelines and Standards.

**COMMUNITY INPUT:**

No members of the public spoke at the DRB hearing. Public notice was provided in accordance with the Minturn Municipal Code as a matter of posting of the official agenda and packet materials for public review prior to the hearing, and following Section 16-21-610 Public notice.

**BUDGET / STAFF IMPACT:**

N/A.

**STRATEGIC PLAN ALIGNMENT:**

The Planning Commission’s review of proposed development projects and their actions to approve final plans for individual projects, acting as the Town of Minturn Design Review Board, aligns with the following key strategies:

**PRACTICE FAIR, TRANSPARENT AND COMMUNICATIVE LOCAL GOVERNMENT**

THE TOWN WILL SEEK TO MAKE INFORMED, DATA-BASED DECISIONS WITH A STANDARD OF “DOING IT RIGHT.” WITH AN HONEST APPROACH TO ALL ASPECTS OF LOCAL GOVERNMENT AND A FOCUS ON THE PUBLIC PROCESS, THE TOWN COUNCIL AND STAFF ARE COMMITTED TO SERVING MINTURN WITH THE HONESTY AND INTEGRITY EXPECTED OF A SMALL-TOWN GOVERNMENT.

**ADVANCE DECISIONS/PROJECTS/INITIATIVES THAT EXPAND FUTURE OPPORTUNITY AND VIABILITY FOR MINTURN**

The ability for Minturn to approach development as **resilient, sustainable, creative and diverse** will allow the town to continue embracing what has “**made Minturn, Minturn.**” The town can further leverage its crossroads location as a valley-wide benefit and **competitive advantage.**

**RECOMMENDED ACTION OR PROPOSED MOTION:**

Approve the following application on consent:

1. 382 Taylor Avenue – New Single Family Home and Accessory Dwelling Unit

**ATTACHMENTS:**

- Staff Report
- Proposed exterior elevation drawings and site plans for 382 Taylor Avenue

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



**Minturn Planning Commission**  
Chair – Lynn Teach  
Jeff Armistead  
Michael Boyd  
Elliot Hovey  
Sage Pierson  
Tom Priest

## Design Review Board Hearing

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### Final Plan Review for New Single Family Home and Accessory Dwelling Unit

**382 Taylor Street**

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<b>Hearing Date:</b>	January 11, 2023
<b>File Name and Process:</b>	Single-Family Residence and Accessory Dwelling Unit Final Plan Review
<b>Owner/Applicant:</b>	Dom Panetta
<b>Representative:</b>	Luis Vazquez, TAB Associates
<b>Legal Description:</b>	Subdivision: Taylor Add to Minturn Block: C Lot: 5 and Lot: 6
<b>Address:</b>	382 Taylor Street
<b>Zoning:</b>	Game Creek Character Area – Residential Zone District
<b>Staff Member:</b>	Madison Harris, Planner I
<b>Recommendation:</b>	<b>Approval, with Conditions</b>

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### Staff Report

#### **I. Summary of Request:**

The Applicant requests Final Plan review of a new, four-bedroom, 2,924 square foot single-family residence and a new, two-bedroom, 1,041 square foot accessory dwelling unit (ADU) located at 382 Taylor Street in the Game Creek Residential Zone District. Although the DRB has not reviewed any conceptual plans, the Applicant’s representative, Luis Vazquez, has been proactive in meeting with Town staff prior to submitting plans for a new home and ADU and has provided a relatively complete and thorough set of site, landscaping, and architectural plans allowing staff to conduct a final plan level review of the project.

#### **Proposed Plans**

The plans show a three-level structure with a max height measured to the midpoint of the roof of 26.4375 feet above proposed grade on the east side of the lot and a max height for the ADU of 22.5625 feet on the west side of the lot. The height of the proposed structures appear to be within the maximum 28-foot allowable within the Game Creek 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.

Parking is adequate, with five off-street spaces provided (two in the garage and three surface spaces in front of the garage). The single family residence requires three spaces, and the ADU requires one which leaves an extra space provided above the requirements.

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

Staff believes that the Applicant 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 and a new accessory dwelling unit 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.

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.

### **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 382 Taylor Street meet or can be revised to meet the required findings ‘a,’ ‘b,’ and ‘c’ or subparagraph 3 – *Necessary findings*.

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

#### **Zoning**

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

- (a) *The Taylor Avenue neighborhood is characterized by a traditional lot-and-block layout with **single-family residences**. The residences are typically one (1) and two (2) stories, without buildings and good views to the west. The existing residential neighborhood overlooks the rail yard or the Game Creek PUD Holding Zone.*
- (b) ***The purpose of this area is to provide for continued residential use and redevelopment that preserve the small town residential character and scale of the neighborhood. An objective is to retain the residential areas as a quiet and safe neighborhood while **allowing for accessory apartments** and limited home-based occupation to encourage permanent residency.***

*- Town of Minturn Town Code Section 16-12-20*

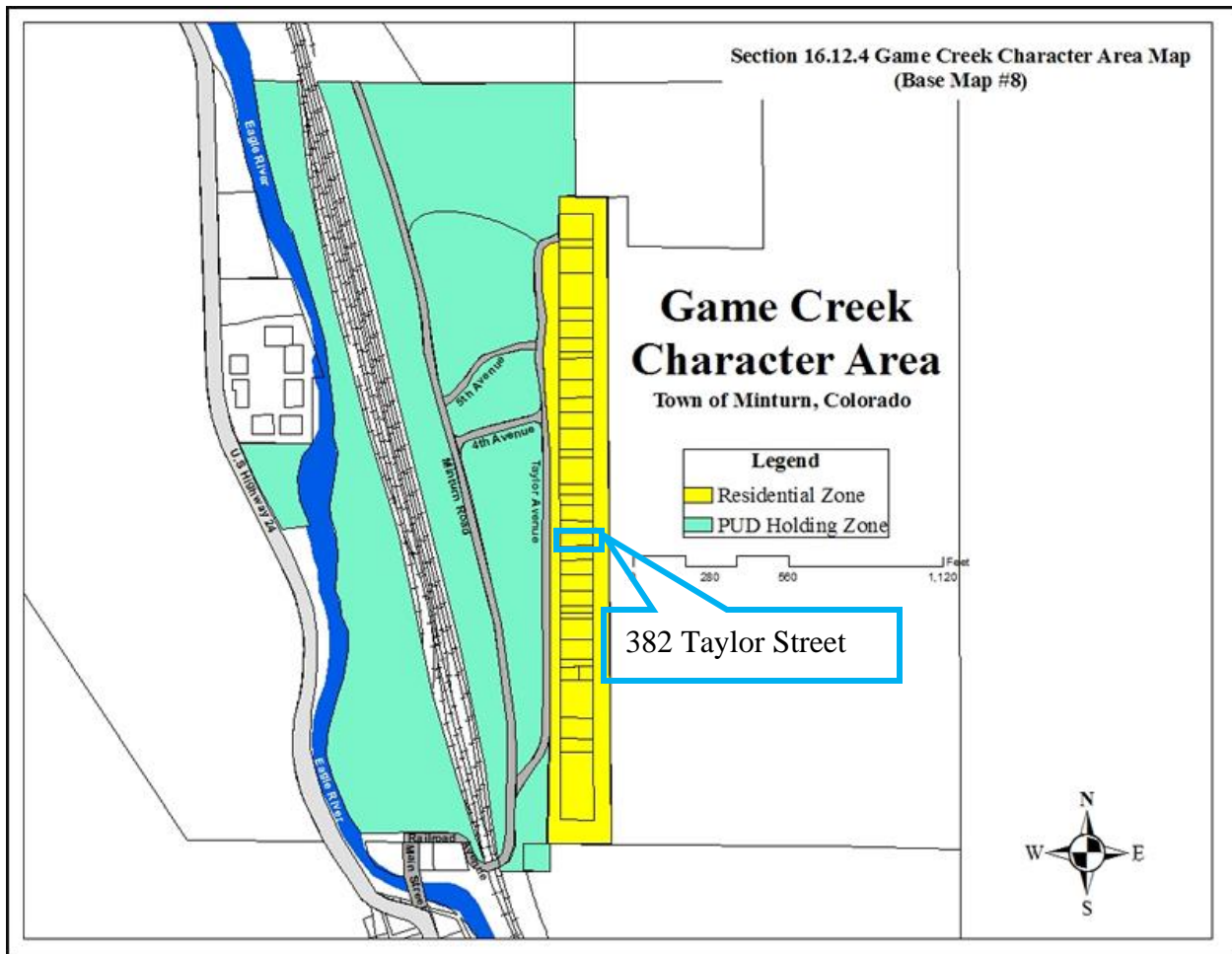


Figure 1: Game Creek Character Area Zoning Map

**Dimensional Limitations and Development Standards**

The following table summarizes the lot, development and dimensional standards and limitations applicable to the subject property pursuant to Sections 16-2-40. - *General lot requirements and dimensional standards* and 16-16-20 – *Parking Required for Residential and Lodging Uses*.

Regulation	Allowed/Required	Proposed/Existing
Minimum Lot Area:	5,000 sq. ft.	7,013.16 sq. ft. (.161 ac.)
Maximum Building Height:	28 feet	26.4375 feet (Single Family) 22.5625 feet (ADU)
Minimum Front Setback:	20 feet	20+ feet
Minimum Side Setback:	5 feet	5 feet
Minimum Rear Setback:	10 feet	10+ feet
Maximum Lot Coverage:	40% (2,805.264 sq. ft.)	2,091.5 sq. ft. (29.82%) Proposed
Maximum Impervious Coverage:	50% (3,506.58 sq. ft.)	3,490 sq. ft. (49.76%) Proposed

Minimum Snow Storage Area:	5% of Driveway (1,340 sq. ft. x .05 = 67 sq. ft.)	245 sq. ft.
Parking:	4 spaces	5 spaces

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

$$\text{Lot 5/6} = .161 \text{ acres} \times 43,560 \text{ sq. ft./acre} = 7,013.16 \text{ sq. ft.}$$

$$1,340 \text{ sq. ft. parking area} \times .05\% = \underline{67} \text{ sq. ft. (Required Snow Storage)}$$

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

**Design**

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

**Final Site, Grading and Drainage 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 – to street frontages and neighboring properties – is considered.

The proposed design maintains the structures within required setbacks, thus allowing for full use of side yard areas for snow shed and drainage. Likewise, the site plan and final grading details generally demonstrate that proper (positive) grading will be directed in swales away from the structure; that drainage is handled on the subject property. The Town Engineer has provided a comment in the attached letter dated December 22, 2022 regarding drainage.

**Mass and Form**

The following excerpts from the Design Guidelines should be considered by the Design Review Board when reviewing the proposed project:

*Appendix B(II)(C)(1)(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.”*

Appendix B (II)(C)(2)(b) – Façade

*“Vast expanses of a blank facade are not considered appropriate in Minturn due the mass and scale of the existing buildings in the Town. Therefore, facades must be interrupted every 15' at minimum. This interruption can occur through the use of projections and recessions for doors and windows, balconies or porches or any other element that creates visual interest. The use of architectural elements such as horizontal and vertical architectural details and floor articulation (delineation of 'floors' in a building) can be utilized to create a vertical human scale to the structure.*

*Windows and doors offer the opportunity to provide individual character and refinement of scale by introducing openings and patterns on otherwise blank walls. Consideration should be given to locating doors and windows in order to establish symmetry on primary facades, while being responsive to interior functions and views. The location of windows and doors can also be utilized as a unifying element with adjacent structures.*

*In order to maintain a smaller scale and to avoid the use of vast expanses of large windows, window openings should be composed of multiple panes of glass that are consistent with the scale of the building. Mirrored or reflective glass is prohibited.*

*Shutters and window boxes are encouraged to create visual interest and to reinforce the Town ambiance.”*

Appendix B (II)(C)(3)(a) – Materials

*“The use of building materials is essential to the design and appearance of a structure, therefore the use of materials is indicative of the adjacent community character. Materials shall be consistent with adjacent properties and the natural environment. The Town of Minturn does not seek to limit or prohibit the use of specific building materials, however the use of non-reflective materials are strongly encouraged. Highly reflective roofing materials are not allowed.*

*The historic character of Minturn is exhibited in the use of wood siding and native stone, therefore the use of these particular materials are encouraged. Many modern equivalents can be found which mimic the natural materials, and the Design Review Board may approve such materials if their appearance is found to be compatible with adjacent material and consistent with the intent of these standards and guidelines.”*

**Staff Response:**

Staff believes that the design and scale of the proposed structures incorporate 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. Proposed roof forms and pitches, materials and textures are compatible and complimentary to the surrounding built and natural environments. While the roof eave does encroach into the side setbacks at certain points, Sec. 16-2-50(k) allows the roof eave up to eighteen (18) inches into these setbacks.

**V. Issues and Areas of Non-Conformance:**

**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:

**Combining Lots**

As shown in the Improvement Survey Plat provided by the Applicant, 382 Taylor is comprised of Lot 5 and Lot 6. There is no record of these lots having been combined through a lot line vacation/minor subdivision, so, much like recent projects that have worked through the process, before a building permit can be issued, the Applicant will need to vacate the interior lot line through the minor subdivision process.

**Limited Use**

The Accessory Dwelling Unit is a Limited Use within the Game Creek Character Area Residential Zone District. This is a separate, administrative process that needs to be applied for, however that should have little impact on the Design Review Board's review of the project as a whole.

**Public Works**

Public Works has commented that the curbstops location needs to be in a safe place, and that the water meter reader/AMI box needs to be on the front of the house in a safe, accessible location and not placed under a sloping roof line where snow has a tendency to shed.

**Driveway Grade**

Staff referred this final plan to the Town Engineer (Inter-Mountain Engineering) for comments, and that letter dated December 22, 2022 is attached. In that letter the Town Engineer discusses the requirements and recommendations in Appendix C of the Minturn Municipal Code concerning the grade of the driveway. Appendix C recommends, but does not require, north facing driveways to have a maximum of 8% grade and south facing driveways to have a maximum of 10% grade. This driveway faces west and a portion of it is 10% grade. While this is above the recommended maximum, staff does not believe a variance is required. However, the Applicant should address this concern during the public hearing.

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

Staff suggests that the Final Plans for 382 Taylor Street **comply** with applicable provisions of Chapter 16 and the Town of Minturn Design Standards (Appendix 'B') of the Minturn Town Code.

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

1. The Applicant shall address the comments provided by the Town Engineer in the letter dated December 22, 2022 with the exception of comment 4 under Architectural Plans prior to building permit issuance.
2. The Applicant shall address Public Works comments contained in this staff report prior to building permit issuance.
3. The Applicant shall submit and receive approval for a Minor Subdivision: Amended Final Plat to vacate the interior lot line and effectively combine Lots 5 and 6 of the Block C Taylor Addition to Minturn prior to building permit issuance.
4. The Applicant shall submit and receive approval for a Limited Use application for the Accessory Dwelling Unit prior to building permit issuance.

December 22, 2022

Madison Harris  
Town of Minturn Planner  
PO Box 309  
Minturn, CO 81645

Re: Lots 6 & 7 Block C, Taylors Addition to Minturn, CO.  
382 Taylor Street  
DRB resubmittal comments  
Project No. 22-0001

Dear Madison:

We reviewed the DRB resubmittal for 382 Taylor Street and offer the following comments:

**Survey:**

1. The resubmittal includes an Improvement Survey Plat which meets the boundary survey requirements of Section 16-21-615 (C) (2) Design Review Requirements in the Minturn Municipal Code.

**Architectural Plans:**

1. Please add dimensions to locate the proposed improvements on the property.
2. The site plan shows a drainage swale between the two structures. The Site Section on Sheet A1.3 shows the ground surface sloping towards the lower unit. Positive drainage must be provided away from all structures.
3. The pipe from the area drain located in the back yard passes under the rear structure. We recommend the pipe be routed around the building.
4. Driveway grades exceed MMC Appendix C Chapter 4 requirements:
  - 1.03 - Driveways
    - A. Access by Emergency Vehicles: All dwellings and other structures shall be accessible by emergency vehicles. A maximum grade of eight (8) percent and a minimum centerline radius of forty-five (45) feet are recommended for driveways on north-facing slopes. On south-facing slopes, a maximum grade of ten (10) percent and a minimum centerline radius of forty-five (45) feet is recommended. Curves should be widened generously in both circumstances.

**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)

December 22, 2022

Madison Harris

Re: Lots 6 & 7 Block C, Taylors Addition to Minturn, CO.

382 Taylor Street

DRB resubmittal comments

Project No. 22-0001

#### 2.02 – Permissible Intersection Grades

Grades for all streets at intersections should be a maximum of four percent (4%).

The driveway grade of 4 % at the intersection with Taylor Avenue meets MMC Code requirements, however it transitions to a section with a 10% grade. The driveway has a westerly exposure, and the 10% grade does not meet Code requirements. While west facing, the driveway should have good solar exposure and the Town could consider a variance.

Please feel free to contact us if you have additional questions.

Respectfully,

Inter-Mountain Engineering (Town Engineer)

A handwritten signature in blue ink, appearing to read 'Jeffery M. Spanel'. The signature is stylized with large loops and a long horizontal stroke extending to the right.

Jeffery M. Spanel PE

CC: Michelle Metteer, Scot Hunn





# 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:

382 Taylor St Main Unit & ADU

## Project Location

Street Address: 382 Taylor St Minturn, CO 81657

Zoning: **Residential**

Parcel Number(s): **210326203002**

## Application Request:

Approval for a new SFH & ADU

## Applicant:

Name: **Luis Vazquez**

Mailing Address: 56 Edwards Village Blvd #210  
 Edwards, CO 81632

Phone: **(970) 766-1470 x105**

Email: **luis@tabassociates.com**

## Property Owner:

Name: **Dom Panetta**

Mailing Address: 301 Boulder St #1231  
 Minturn, CO 81645

Phone: **616 724-0470**

Email: **panettd@gmail.com**

## Required Information:

Lot Size: <b>.161 Acres</b> <b>7013 sf</b>	Type of Residence (Single Family, ADU, Duplex) <b>Single Family + ADU</b>	# of Bedrooms <b>Main-4</b> <b>ADU-2</b>	# On-site Parking Spaces <b>5</b>
# of Stories: <b>Main-3</b> <b>ADU-2</b>	Snow storage sq ft: <b>146</b>	Building Footprint sq ft: <b>1167 &amp; 824</b>	Total sq ft Impervious Surface: <b>3490</b>

## Signature:

**Luis Vazquez 9/20/2022**

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

## **TAB Associates, Inc.**

*The Architectural Balance*

0056 Edwards Village Boulevard  
Suite 210, Edwards, Colorado 81632  
(970) 766-1470 (970) 766-1471 fax  
www.tabassociates.com tab@vail.net



# Letter of Intent

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Project: 382 Taylor St

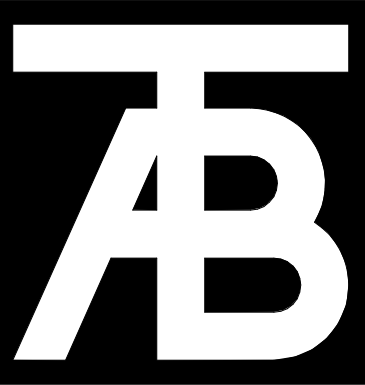
Project No: **2172**

Date: 9/19/2022

The project is a new construction that consists of a 4 bedroom Main Unit and 2 bedroom ADU. The Main unit will be located closer to the street side with the ADU sitting behind it. Currently there is an existing home on the site that would be demolished as part of the construction. The intent is to have the 4 Bedroom unit as a rental with the property owner inhabiting the ADU. The existing structure is dilapidated and does not utilize the site effectively. The current proposal also works in line with the Towns goal of increasing housing units available.

# 382 TAYLOR ST MAIN UNIT & ADU

382 TAYLOR ST MINTURN, CO 81657



**TAB Associates**  
The Architectural Balance  
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Civil Engineer  
Structural Engineer  
Mechanical Engineer  
Electrical Engineer

Seal

**382 Taylor St  
Main Unit & ADU  
Minturn CO 81657**

Revisions:		
No	Description	Date

Issue Dates:  
DRB 9/12/2022

Sheet Title:  
**Cover**

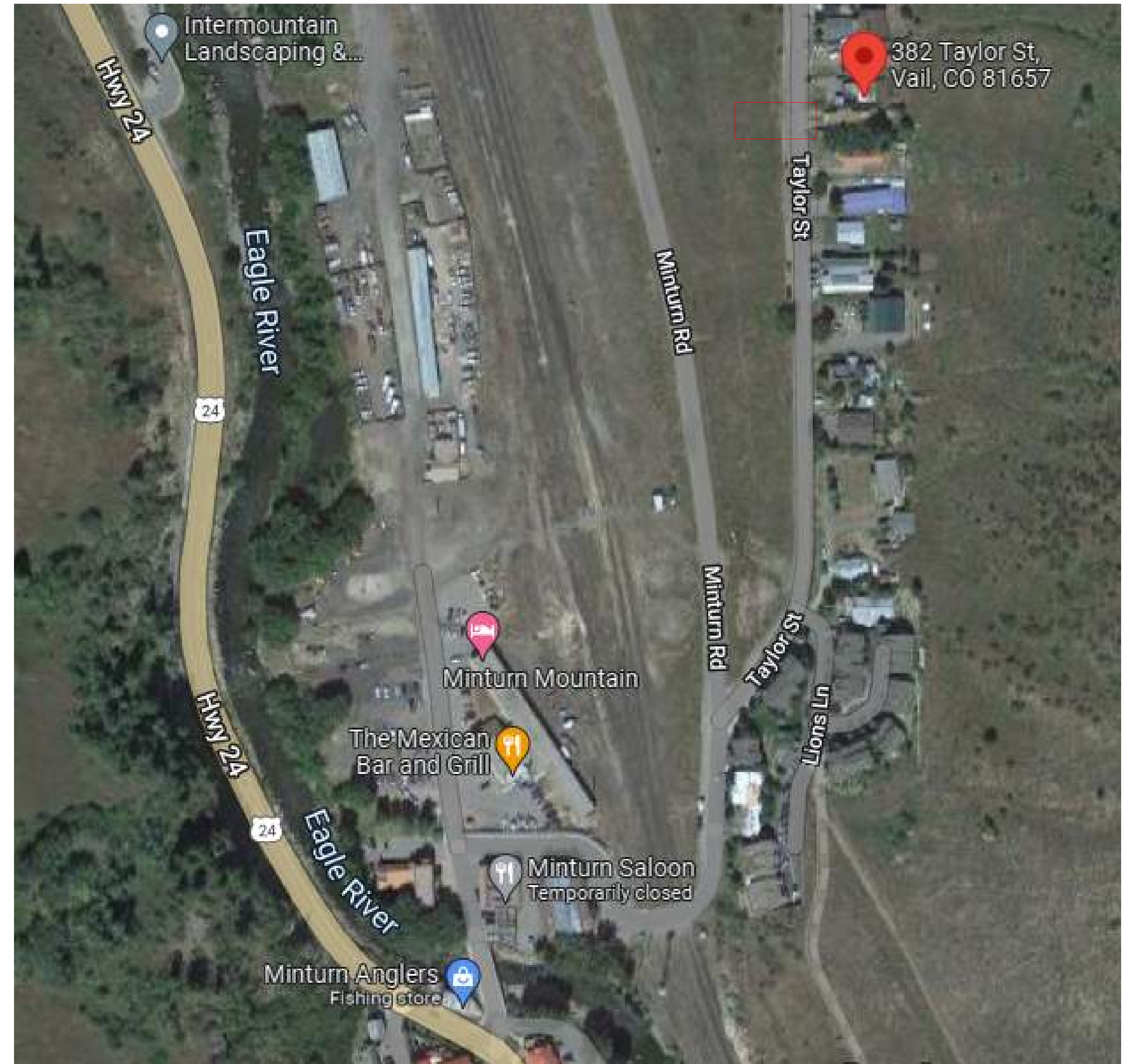
Project No:  
2172

Sheet No:  
**A0.0**

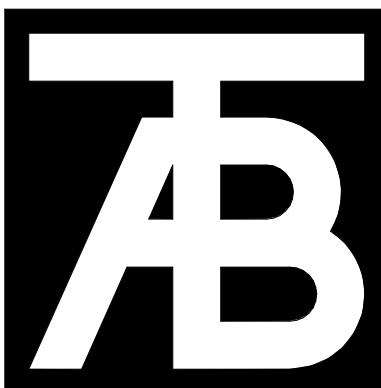
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SHEET LIST	
Sheet Number	Sheet Name
A0.0	Cover
A1.0	Survey
A1.1	Site Demo Plan
A1.2	Site & Landscape Plan
A1.3	Site Section
A2.1	Main Unit Floor Plans
A2.2	ADU Floor Plans
A2.3	Roof Plan
A3.1	Main Unit Exterior Elevations
A3.2	ADU Exterior Elevations
A3.3	Material Board
A3.4	Aerial Views
A3.5	Aerial Views
A5.1	Details

**DRB SUBMISSION  
9/12/2022**



**VICINITY MAP**   
ZONING CODE R



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Revisions:

No.	Description	Date

Issue Dates:

DRB 9/12/2022

Sheet Title:

Survey

Project No:

2172

Sheet No:

A1.0

# IMPROVEMENT SURVEY PLAT LOTS 5 AND 6, BLOCK C, TAYLORS ADDITION TO THE TOWN OF MINTURN TOWN OF MINTURN, COUNTY OF EAGLE, STATE OF COLORADO

NOTES:

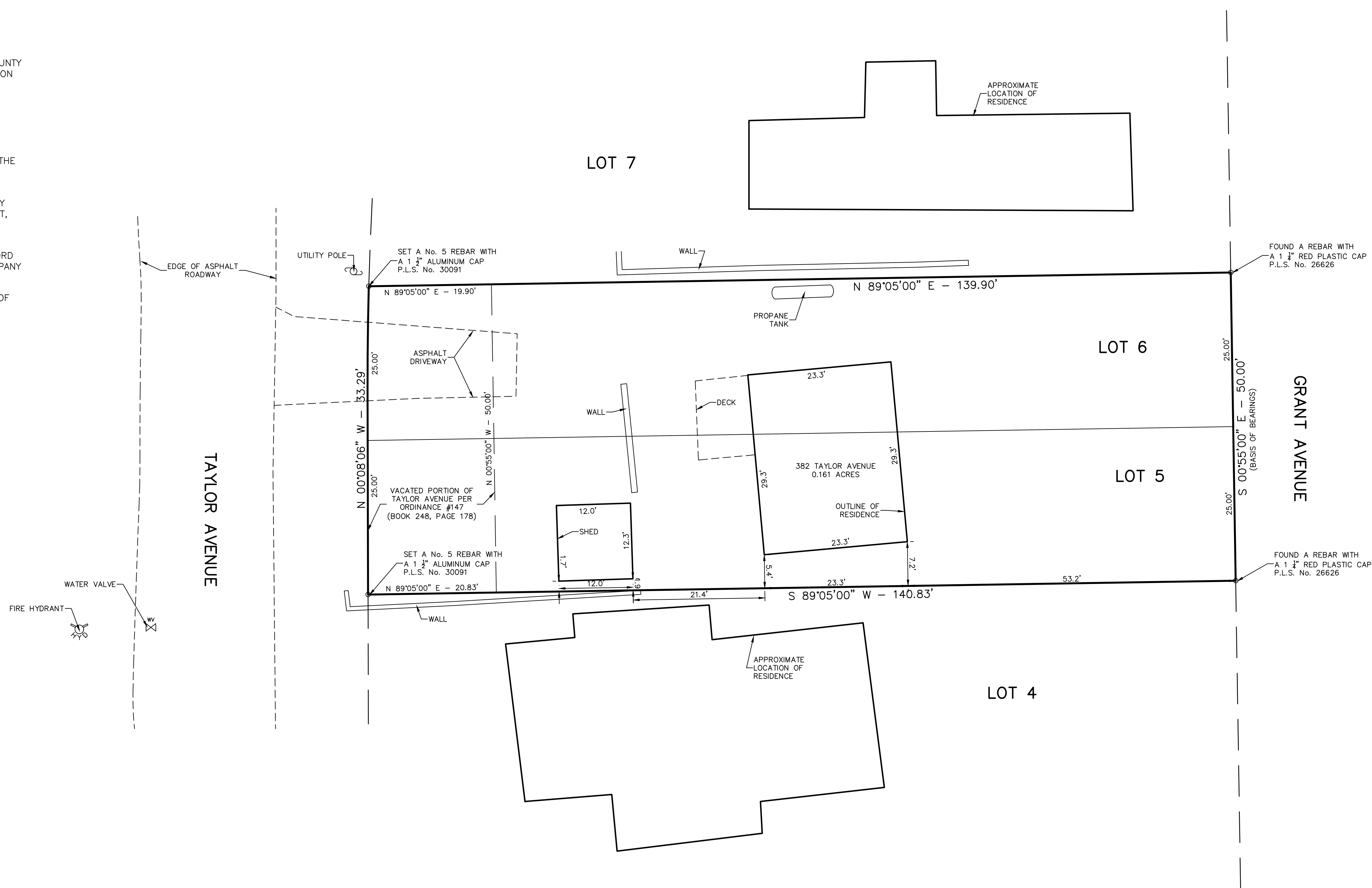
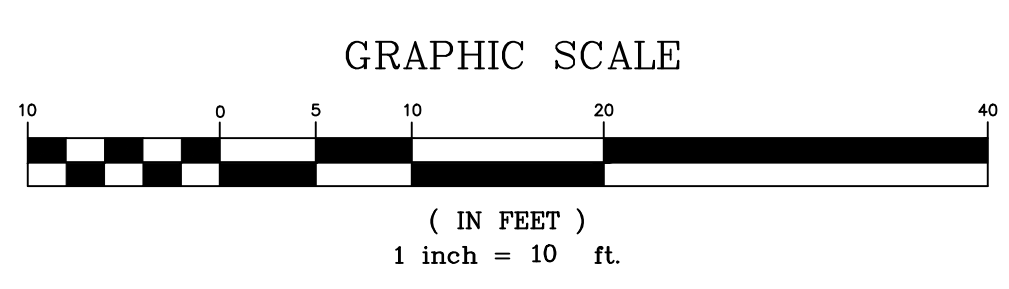
- 1) PROPERTY DESCRIPTION: LOTS 5 AND 6, BLOCK C, TAYLOR'S ADDITION TO THE TOWN MINTURN, COUNTY OF EAGLE, STATE OF COLORADO, PER THE PLAT THEREOF RECORDED JUNE 8, 1981, UNDER RECEPTION No. 9555 IN THE OFFICE OF THE EAGLE COUNTY CLERK AND RECORDER.
- 2) DATE OF FIELD LOCATIONS: 03/29/2022
- 3) BEARINGS BASED UPON THE LINE CONNECTING THE MONUMENTS FOUND IN PLACE MARKING THE NORTHEASTERLY CORNER AND SOUTHEASTERLY CORNER OF THE SUBJECT PROPERTY, BEING A No. 5 REBAR WITH A 1 1/4" RED PLASTIC CAP, P.L.S. No. 26626, SAID BEARING BEING S00°55'00"E, PER THE PLAT OF TAYLOR'S ADDITION TO THE TOWN MINTURN, COUNTY OF EAGLE, STATE OF COLORADO, PER THE PLAT THEREOF RECORDED JUNE 8, 1981, UNDER RECEPTION No. 9555 IN THE OFFICE OF THE EAGLE COUNTY CLERK AND RECORDER.
- 4) NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER 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.
- 5) THE BOUNDARY DIMENSIONS, EASEMENTS AND RIGHTS OF WAY SHOWN HEREON ARE PER THE RECORD PLAT FOR THE SUBJECT PROPERTY AND TITLE COMMITMENT PROVIDED BY LAND TITLE GUARANTEE COMPANY WITH AN EFFECTIVE DATE OF NOVEMBER 3, 2022.
- 6) ALL REFERENCES TO RECORD DOCUMENTS ARE TO THOSE REAL ESTATE RECORDS OF THE OFFICE OF THE EAGLE COUNTY CLERK AND RECORDER.
- 7) LINEAL UNITS INDICATED HEREON ARE IN U.S. SURVEY FEET.

SURVEYOR'S CERTIFICATE

I, SAMUEL H. ECKER, A PROFESSIONAL LAND SURVEYOR LICENSED TO PRACTICE IN THE STATE OF COLORADO, HEREBY CERTIFY TO DOMINIC PANETTA, THAT THIS IMPROVEMENT SURVEY PLAT IS BASED UPON THE PROFESSIONAL LAND SURVEYOR'S KNOWLEDGE, INFORMATION AND BELIEF, THAT SUCH PLAT HAS BEEN PREPARED IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE, AND THAT SUCH PLAT IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

IN WITNESS WHEREOF, I HAVE SET MY HAND AND SEAL THIS 5TH DAY OF DECEMBER, A.D., 2022.

SAMUEL H. ECKER  
COLORADO P.L.S. No. 30091  
FOR AND ON BEHALF OF  
GORE RANGE SURVEYING LLC



DRAWN BY:	SE	DATE:	12/5/2022
CHECKED BY:	SE	DRAWING NO.:	22-1429 ISP
JOB NO.:	22-1429	SHEET:	1 OF 1

# Improvement Location Certificate

## Legal description:

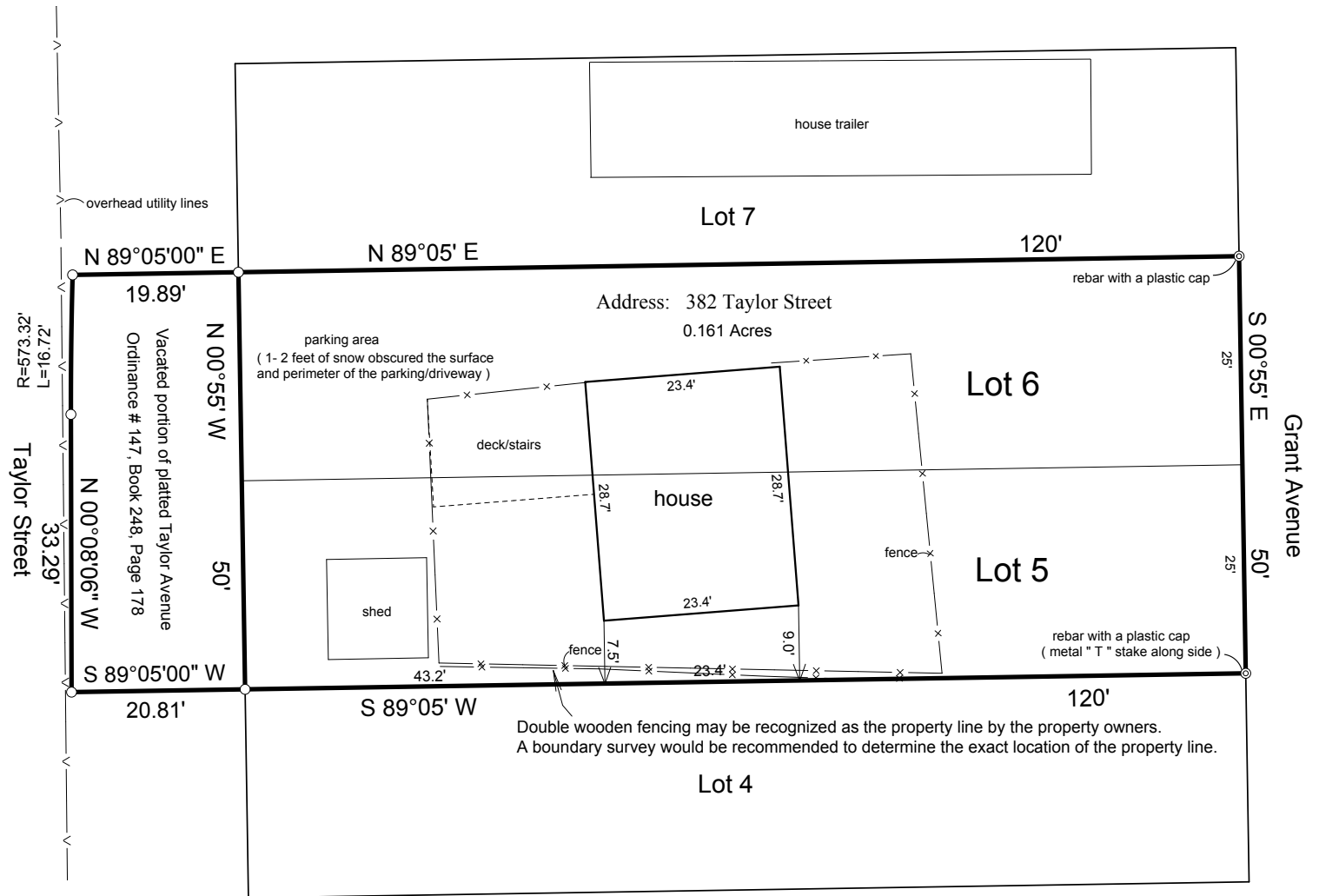
**Lots 5 and 6, Block C, Taylor's Addition to Minturn, according to the plat recorded June 08, 1891 under Reception No. 9555, County of Eagle, State of Colorado.**

I hereby certify that this IMPROVEMENT LOCATION CERTIFICATE was prepared for Harold Macdonald and Land Title Guarantee Co., that it 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 improvement lines. This certificate is valid only for use by the above named clients and describes the parcel's appearance on 1/15/20.

I further certify that the improvements on the above described parcel on this date, January 15, 2020, 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 are no apparent evidence of any easement crossing or burdening any part of said parcel, except as noted.



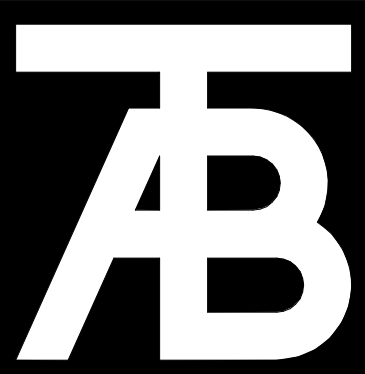
Scale 1"=20'



## Notes:

1) Recorded information and the legal description was provided by Land Title Guarantee Co.. The easements listed on Order No. V50055498 that lie within the subject property and are described in a way that allows them to be drawn, are shown on the drawing.

Note: According to Colorado law, you must commence any legal action based upon any defect on this certificate within three years after you first discover 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.



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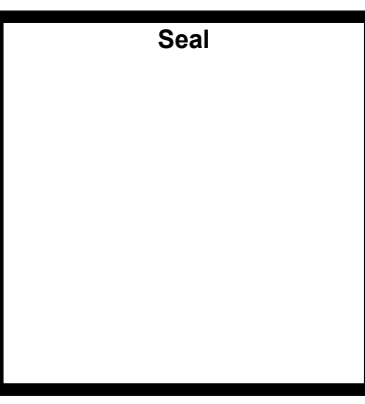
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Structural Engineer

Mechanical Engineer

Electrical Engineer

Seal



**382 Taylor St  
Main Unit & ADU**  
Minturn CO 81657

Revisions:

No.	Description	Date

Issue Dates:

DRB 9/12/2022

Sheet Title:

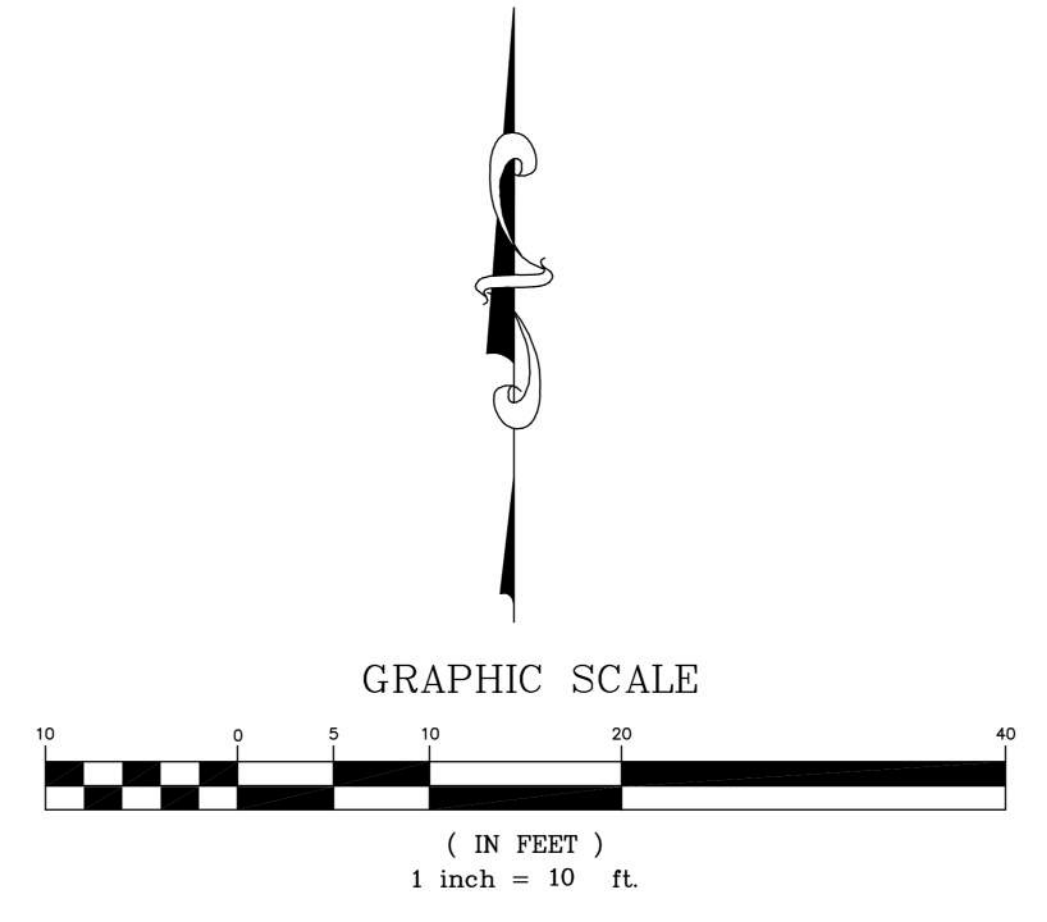
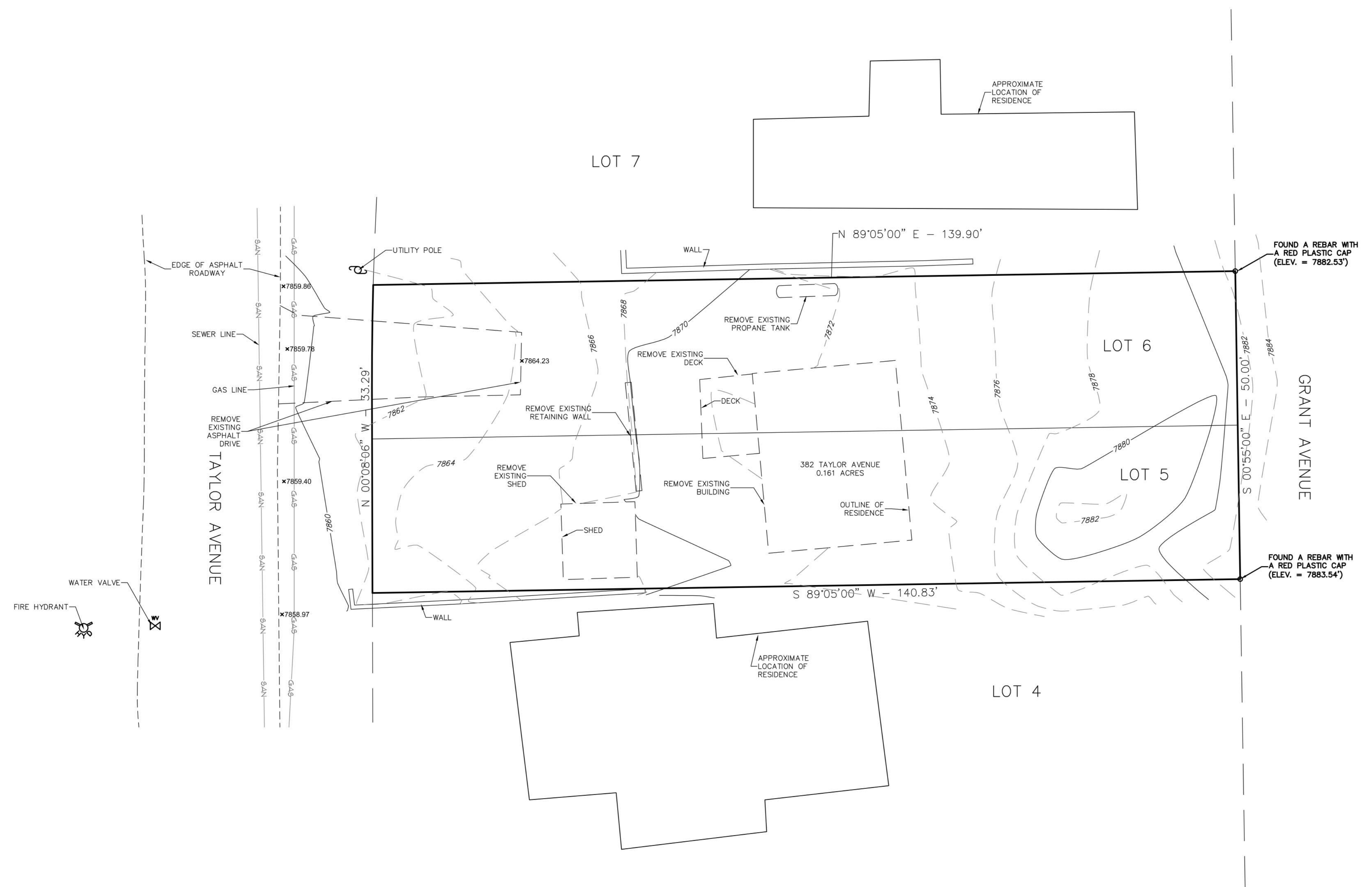
**Site Demo Plan**

Project No:

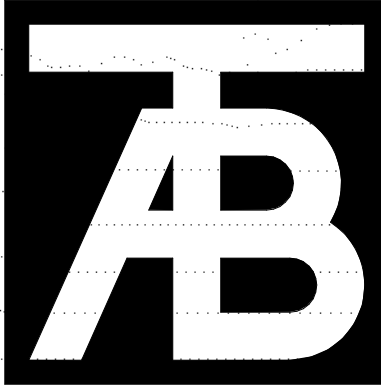
2172

Sheet No:

**A1.1**



**1 SITE DEMO PLAN**  
A1.1/ 1" = 10'-0"



**TAB**  
Associates

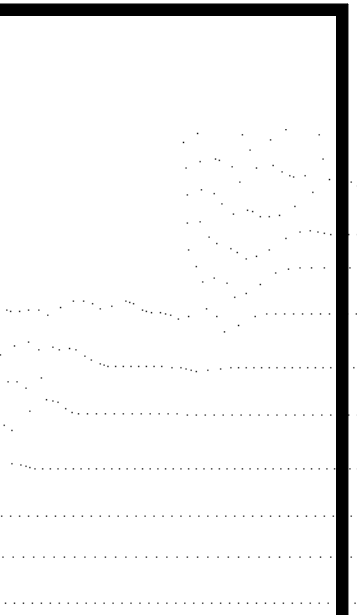
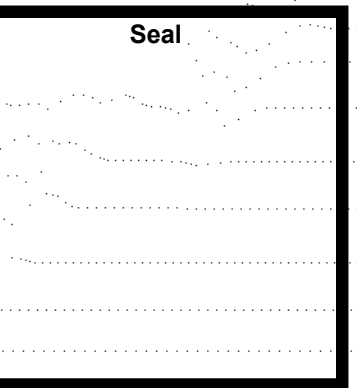
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Civil Engineer

Structural Engineer

Mechanical Engineer

Electrical Engineer



**382 Taylor St**  
**Main Unit & ADU**  
Minturn CO 81657

**NOTES:**

**COVERAGE TOTALS:**

LOT TOTAL	7013	SF
BUILDING LOT 40%	2805	SF
IMPERVIOUS COVERAGE 50%	3506	SF

**BUILDING LOT COVERAGE:**

ADU	824	SF
50% ADU DECK	59	SF
MAIN UNIT	1167	SF
50% MAIN DECK	120	SF
<b>TOTAL:</b>	<b>2091.5</b>	<b>SF</b>
	29%	

**IMPERVIOUS SURFACE COVERAGE:**

DRIVEWAY	1340	SF
WALKWAY	159	SF
MAIN UNIT	1167	SF
ADU	824	SF
<b>TOTAL:</b>	<b>3490</b>	<b>SF</b>
	49.7%	

**SNOW STORAGE:**

DRIVEWAY:	1340	SF
SNOW STORAGE REQUIRED @ 5%:	67	SF
SNOW STORAGE PROPOSED:	245	SF

**SNOW STORAGE:**

DRIVEWAY:	1340	SF
SNOW STORAGE REQUIRED @ 5%:	67	SF
SNOW STORAGE PROPOSED:	245	SF

**PLANTING LEGEND:**

- (A) (1) COLORADO BLUE SPRUCE/PICEA PUNGENS 'GLAUCA'
- (B) (5) QUAKING ASPEN/POPULUS TREMULOIDES
- NATIVE GRASS MIX TO MATCH EX. ALL DISTURBED AREAS

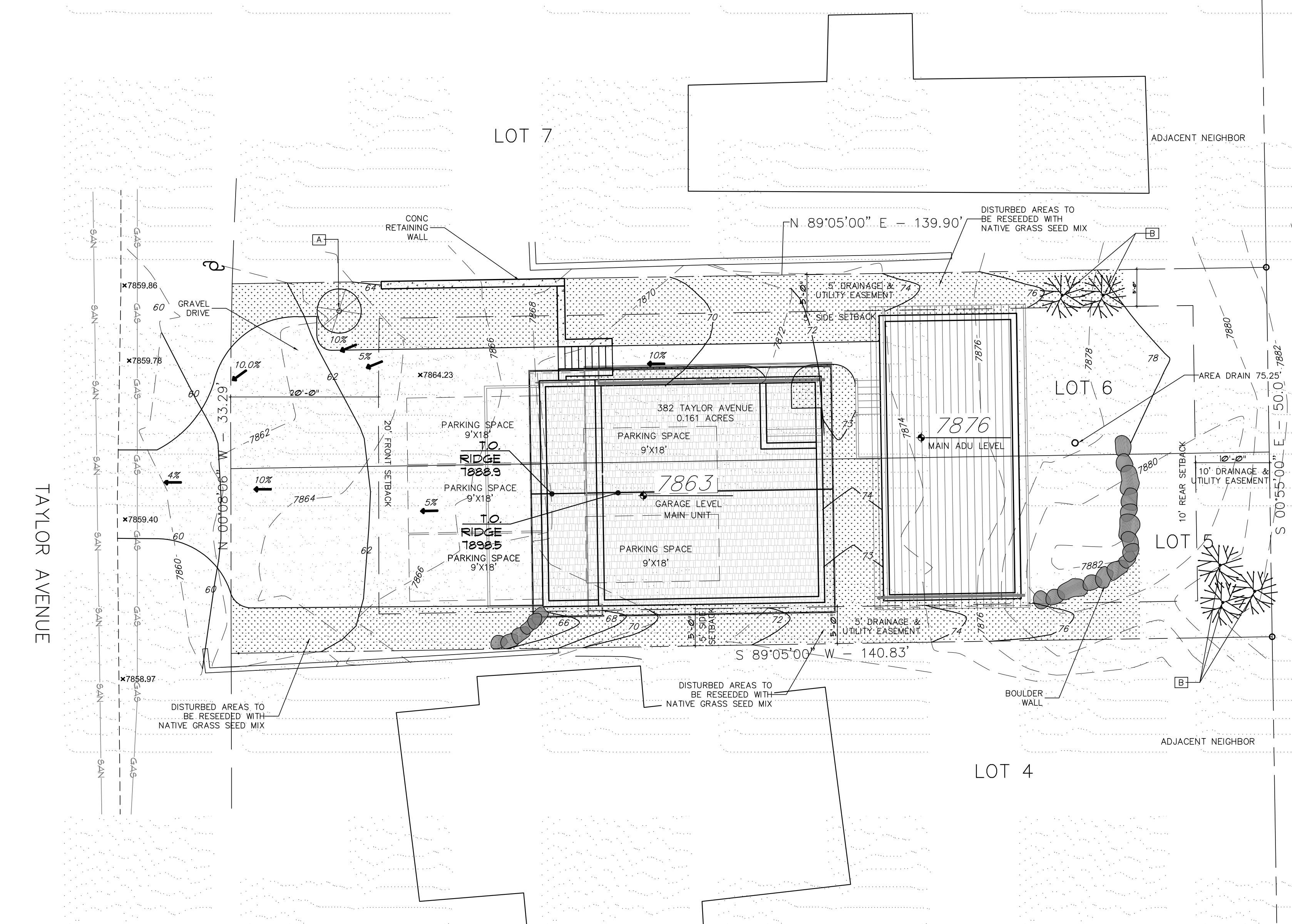
**PERMEABLE WALKWAY PROPOSAL:**

GEOTELL GROUND GRID OR SIMILAR ALTERNATIVE

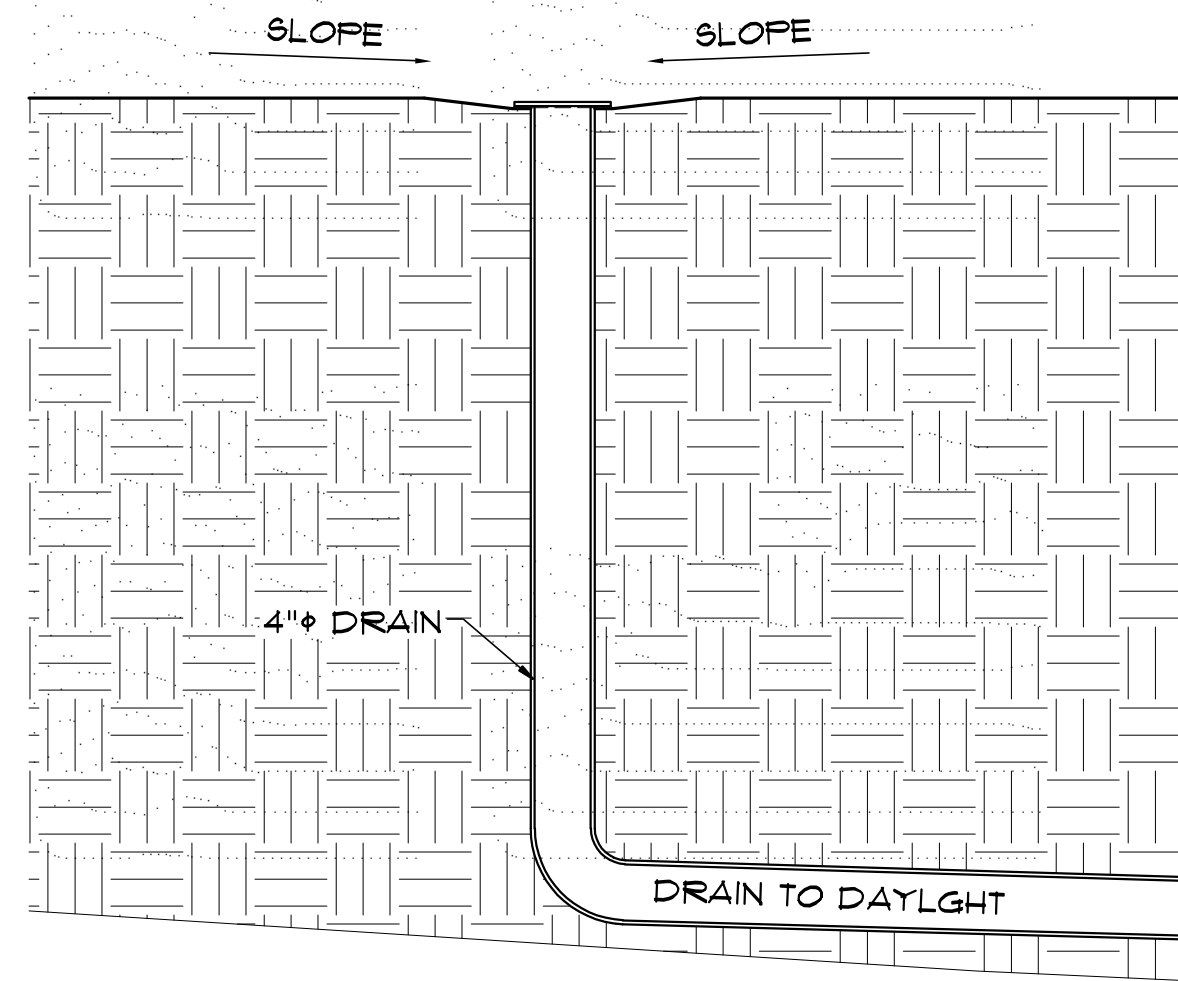
PAVER SECTIONS TO BE FILLED WITH GRAVEL TO ALLOW FOR PERMEABLE WALKING SURFACE



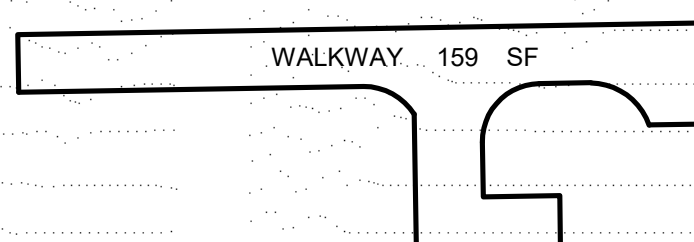
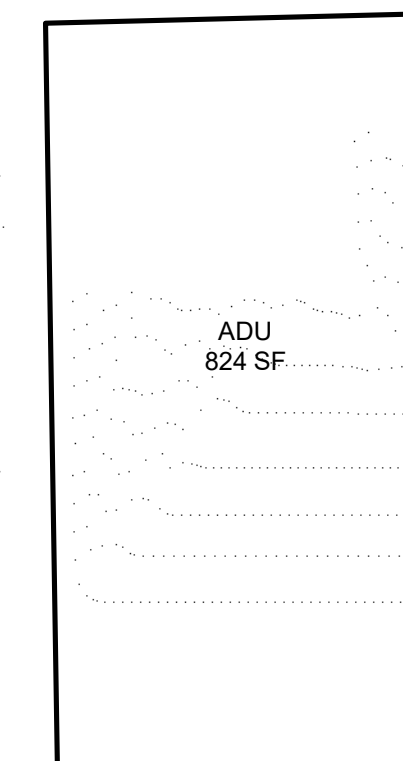
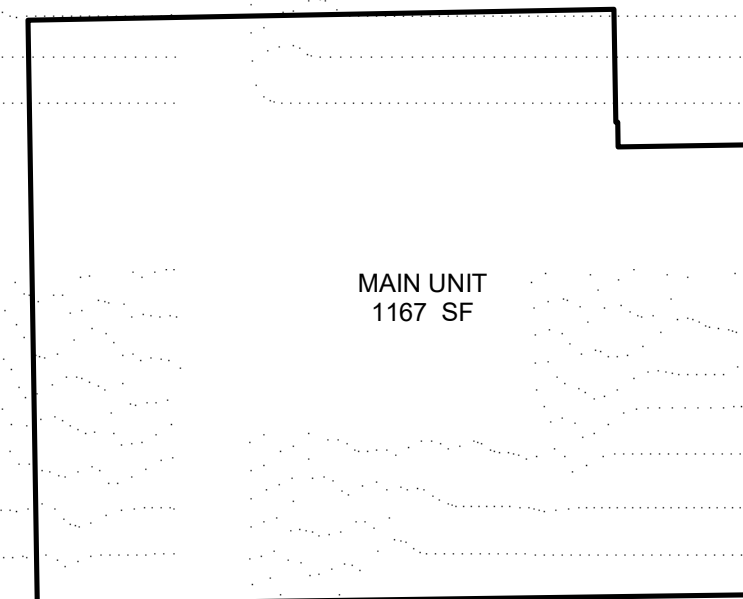
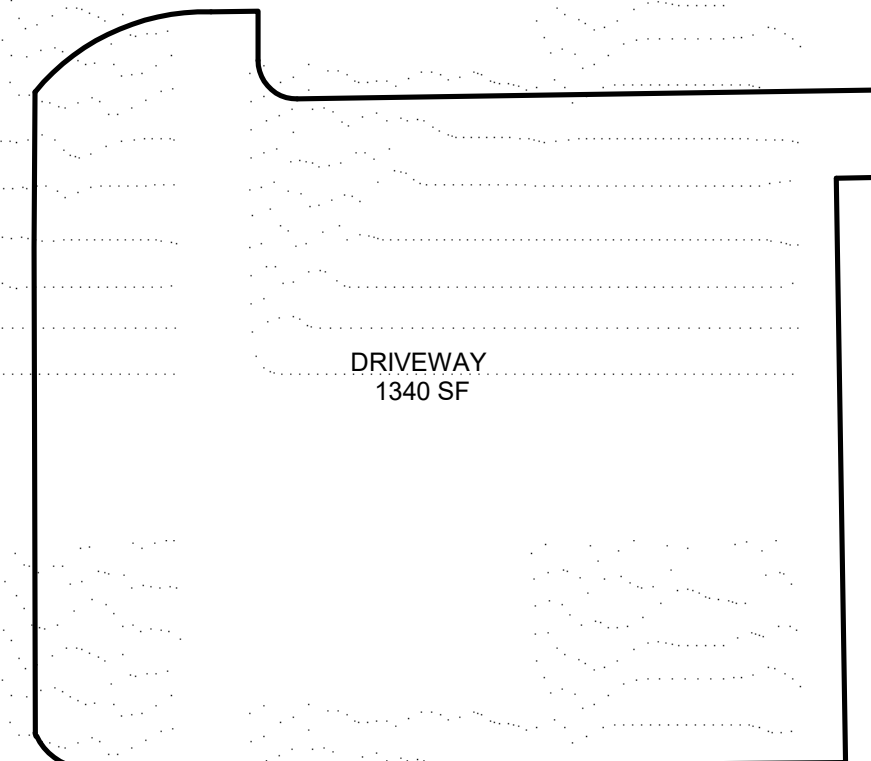
**1 SITE PLAN**  
A1.2/ 1" = 10'-0"



**2 LANDSCAPE PLAN**  
A1.2/ 1" = 10'-0"



**3 AREA DRAIN DETAIL**  
A1.2/ 1" = 10'-0"



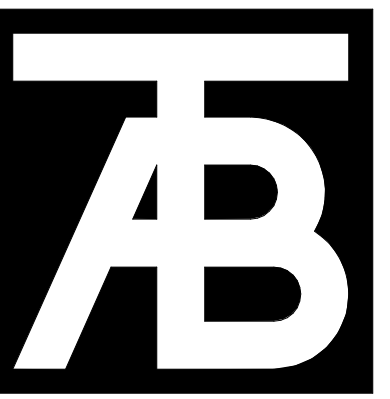
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No.	Description	Date

Issue Dates:  
DRB 9/12/2022

Sheet Title:  
**Site & Landscape Plan**

Project No:  
2172

Sheet No:  
**A1.2**



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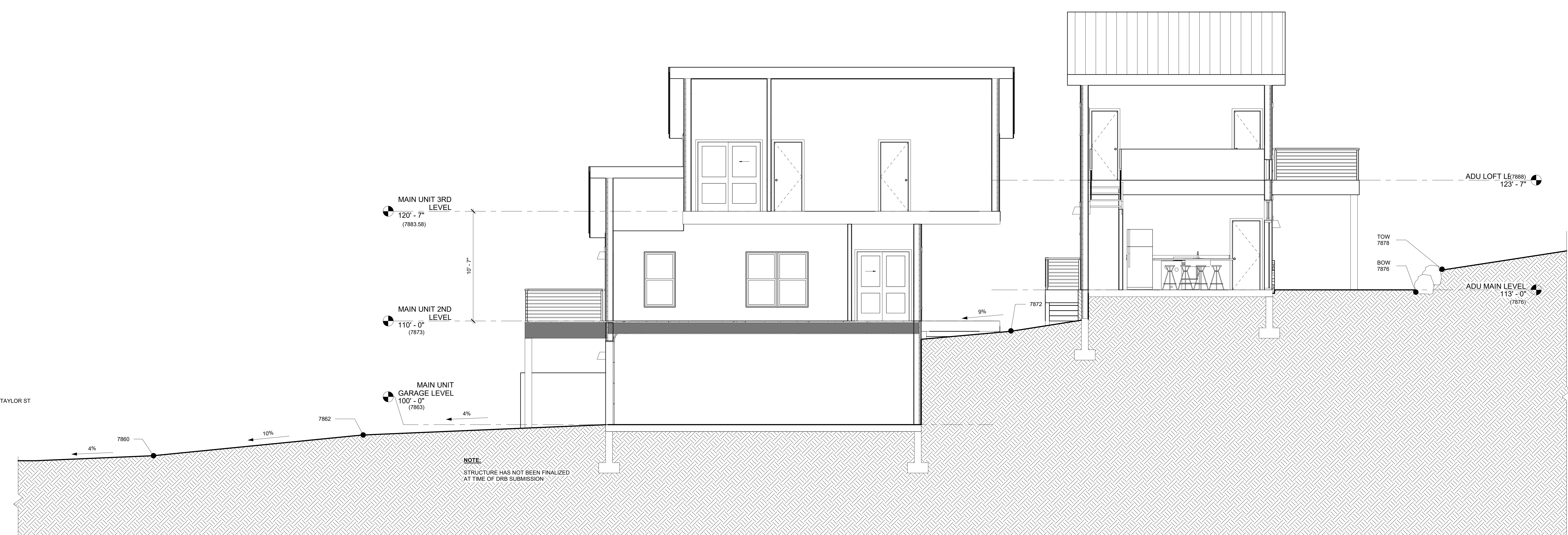
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No	Description	Date

Issue Dates:  
DRB 9/12/2022

Sheet Title:  
**Site Section**

Project No:  
2172

Sheet No:  
**A1.3**



1 SITE CROSS SECTION  
A1.3 1/4" = 1'-0"

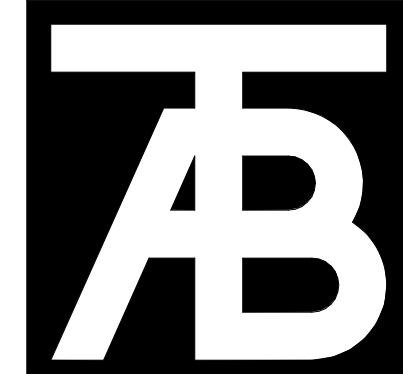
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NOTES:

- FLOOR PLAN GENERAL NOTES:**
- PATCH EXISTING CONSTRUCTION SCHEDULED TO REMAIN. REPAIRED SURFACES TO BE FLUSH WITH ADJACENT FINISH SURFACES. TO SAME QUALITY AS NEW CONSTRUCTION PRIOR TO INSTALLING NEW FINISHES. REFER TO THE FINISH MANUFACTURER'S GUIDELINES FOR INSTALLATION.
  - PATCH EXISTING FIRE-RATED WALLS, FLOOR CEILING, ETC. SO AS TO MAINTAIN THE FIRE-RATING. ADD FIRE-SMOKE DAMPERS WHERE NEW DUCTS CROSS. ADD FIRE STOP AT ALL.
  - PATCH WALLS AT REMOVED RECEPTACLE OPENINGS SO AS TO RECEIVE SUBSEQUENT WORK.
  - PATCH AND LEVEL FLOOR SUBSTRATES TO RECEIVE NEW WORK AS SCHEDULED.
  - COORDINATE ALL FLOOR CORE DRILLING WITH EXISTING.
  - DO NOT SCALE DRAWINGS.
  - IN ROOMS WITH FLOOR DRAINS, SLOPE CONCRETE SURFACE WITHIN 1/8" RADIUS AT 1/4" PER FOOT TOWARD FLOOR DRAIN, UNLESS OTHERWISE INDICATED.
  - ALL SPOT ELEVATIONS SHOWN ON THE FLOOR PLANS OUTSIDE THE BUILDING RELATE TO USGS ELEVATIONS. ALL SPOT ELEVATIONS INSIDE THE BUILDING REFER TO BUILDING REFERENCE ELEVATIONS. NOTIFY ARCHITECT IMMEDIATELY SHOULD CONDITIONS BE FOUND CONTRADICTORY TO THESE DRAWINGS.
  - ALL ANGLES SHOWN ON THE FLOOR PLANS ARE 90 DEGREES UNLESS OTHERWISE NOTED.
  - ALL DIMENSIONS ARE TO GRID LINE, FACE OF CONCRETE OR MASONRY, OR FACE OF GYPSUM BOARD, UNLESS OTHERWISE NOTED.
  - ALL FLOOR PLAN DIMENSIONS TO MASONRY ARE NOMINAL DIMENSIONS, UNLESS NOTED AS ACTUAL.
  - "TB" NEW CORK TACKBOARDS OR "MB" NEW MARKERBOARDS
  - PROVIDE EXIT DOOR NUMBERS PER DOOR SIGNAGE SHEET AT ALL EXIT DOORS.



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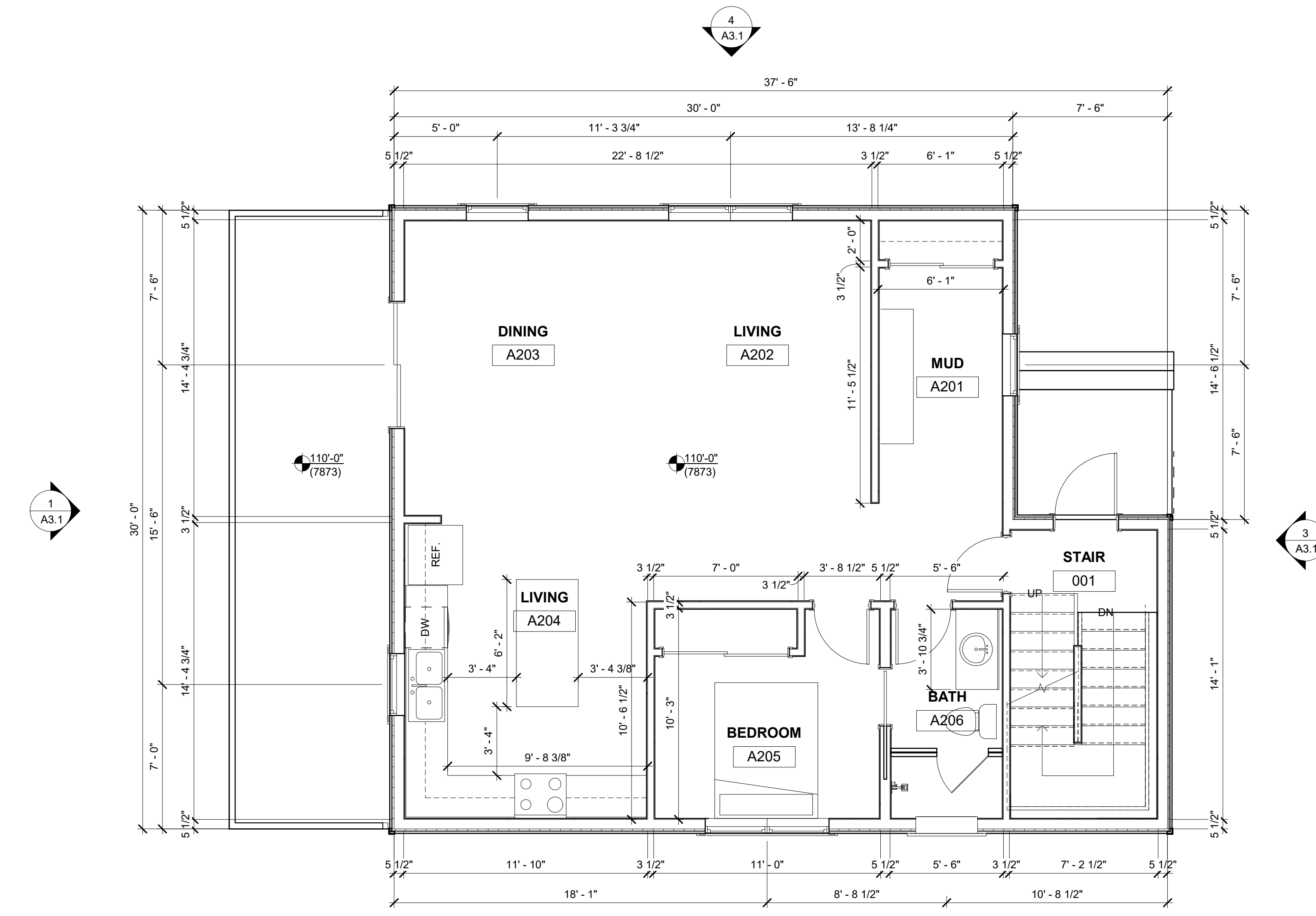
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No.	Description	Date

Issue Dates:  
 DRB 9/12/2022

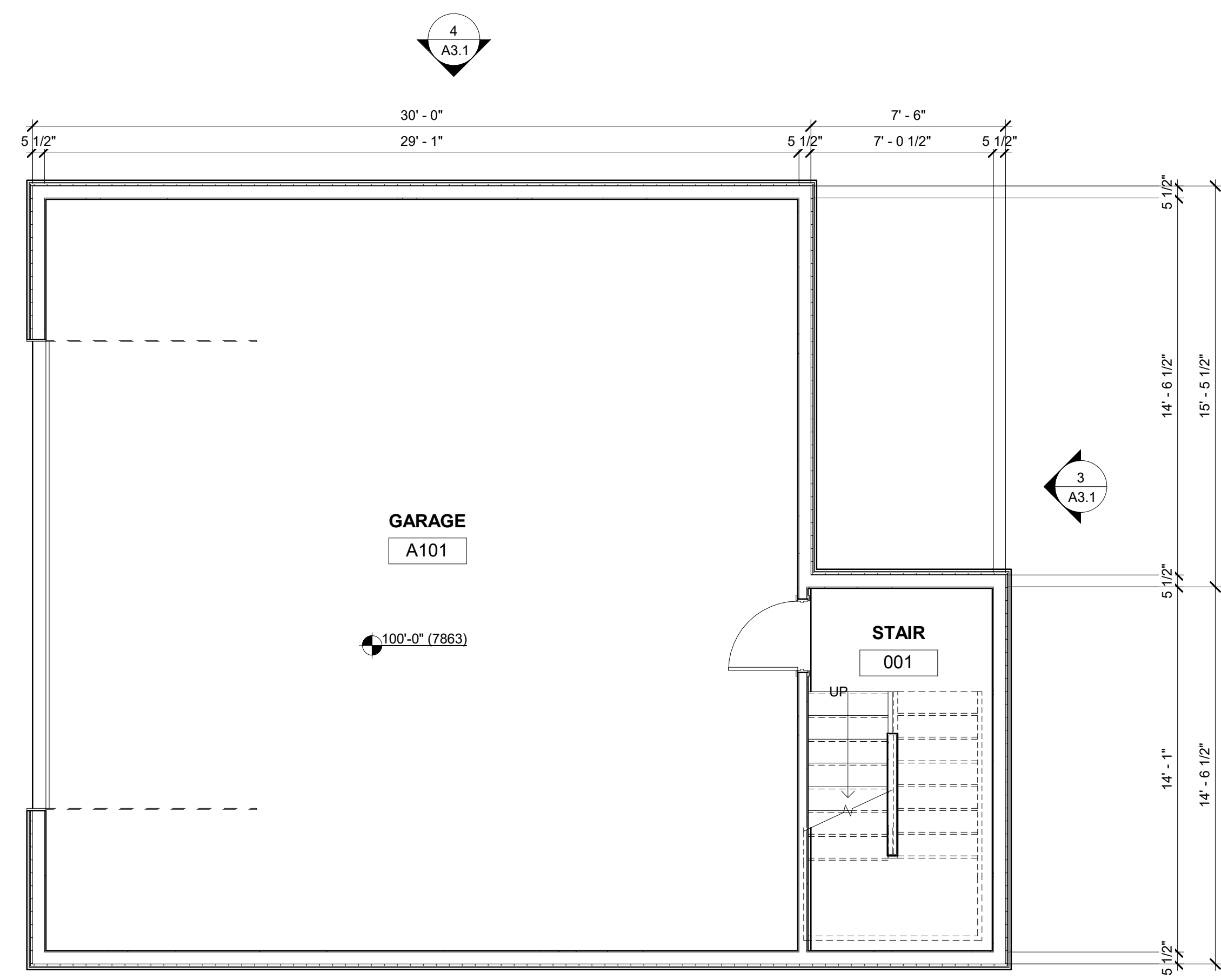
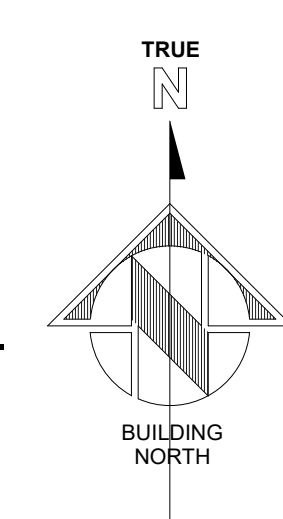
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**Main Unit  
 Floor  
 Plans**

Project No:  
 2172

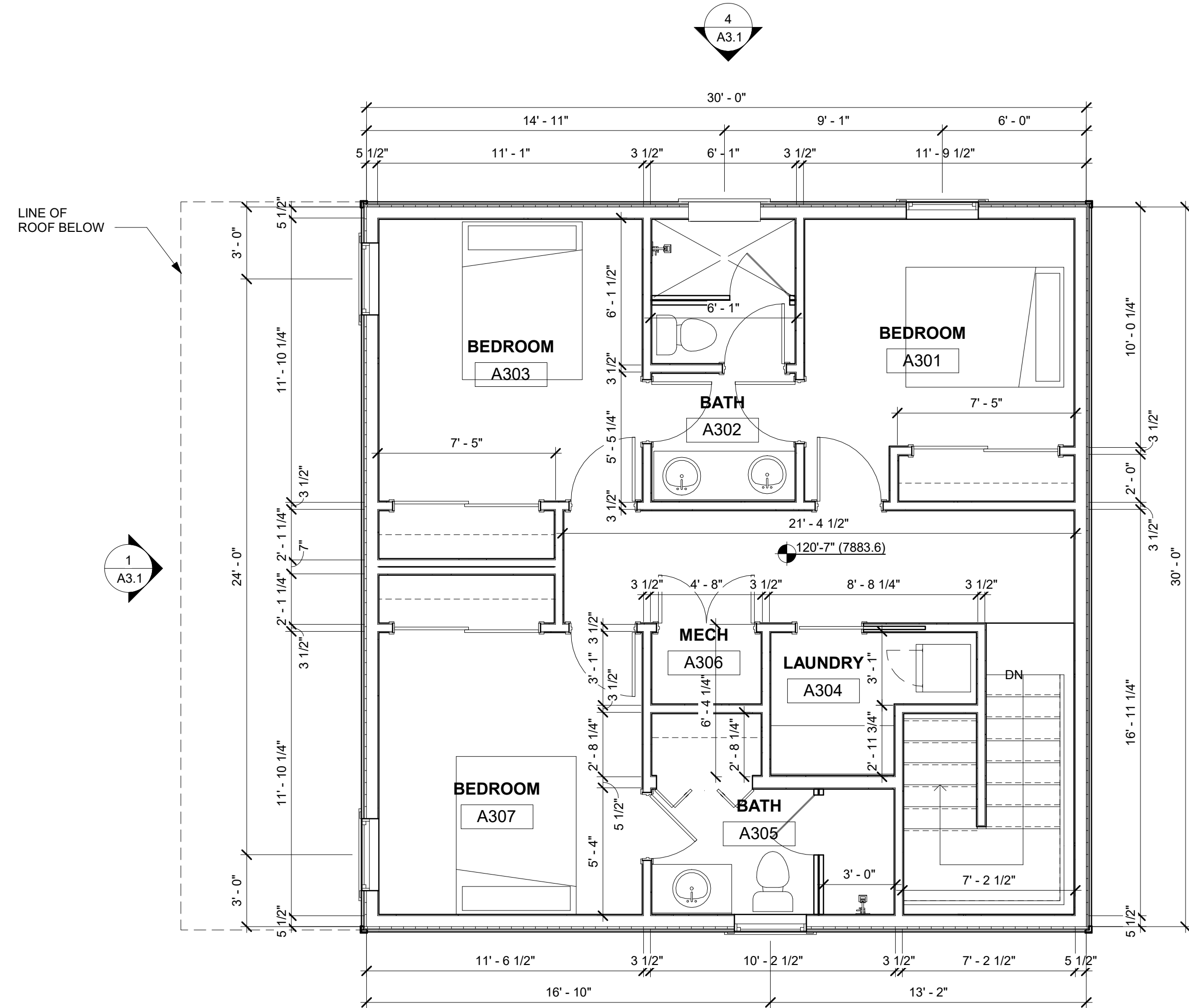
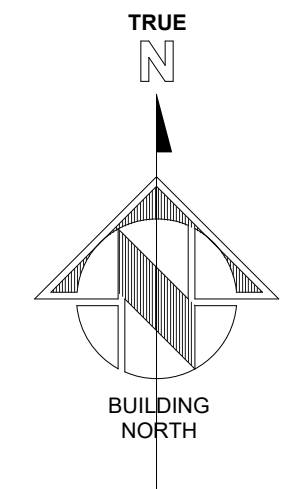
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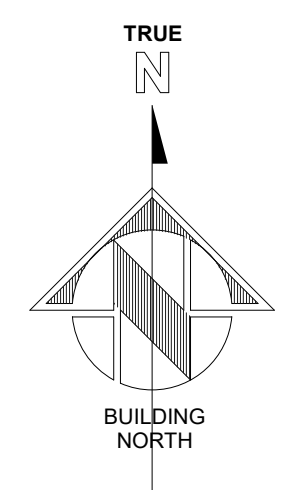
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 1/4" = 1'-0"



**1 MAIN UNIT GARAGE LEVEL PLAN**  
 1/4" = 1'-0"



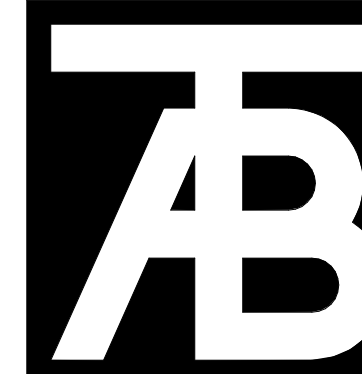
**3 MAIN UNIT 3RD LEVEL PLAN**  
 1/4" = 1'-0"



NOTES:

**FLOOR PLAN GENERAL NOTES:**

- PATCH EXISTING CONSTRUCTION SCHEDULED TO REMAIN. REPAIRED SURFACES TO BE FLUSH WITH ADJACENT FINISH SURFACES. TO SAME QUALITY AS NEW CONSTRUCTION PRIOR TO INSTALLING NEW FINISHES. REFER TO THE FINISH MANUFACTURERS' GUIDELINES FOR INSTALLATION.
- PATCH EXISTING FIRE-RATED WALLS, FLOOR CEILINGS, ETC. SO AS TO MAINTAIN THE FIRE-RADIATING. ADD FIRE-SMOKE DAMPERS WHERE NEW DUCTS CROSS. ADD FIRE STOP AT ALL.
- PATCH WALLS AT REMOVED RECEPTACLE OPENINGS SO AS TO RECEIVE SUBSEQUENT WORK.
- PATCH AND LEVEL FLOOR SUBSTRATES TO RECEIVE NEW WORK AS SCHEDULED.
- COORDINATE ALL FLOOR CORE DRILLING WITH EXISTING.
- DO NOT SCALE DRAWINGS.
- IN ROOMS WITH FLOOR DRAINS, SLOPE CONCRETE SURFACE WITHIN 18" RADIUS AT 1/4" PER FOOT TOWARD FLOOR DRAIN, UNLESS OTHERWISE INDICATED.
- ALL SPOT ELEVATIONS SHOWN ON THE FLOOR PLANS OUTSIDE THE BUILDING RELATE TO USGS ELEVATIONS. ALL SPOT ELEVATIONS INSIDE THE BUILDING REFER TO BUILDING REFERENCE ELEVATIONS. NOTIFY ARCHITECT IMMEDIATELY SHOULD CONDITIONS BE FOUND CONTRADICTORY TO THESE DRAWINGS.
- ALL ANGLES SHOWN ON THE FLOOR PLANS ARE 90 DEGREES UNLESS OTHERWISE NOTED.
- ALL DIMENSIONS ARE TO GRID LINE, FACE OF CONCRETE OR MASONRY, OR FACE OF GYPSUM BOARD, UNLESS OTHERWISE NOTED.
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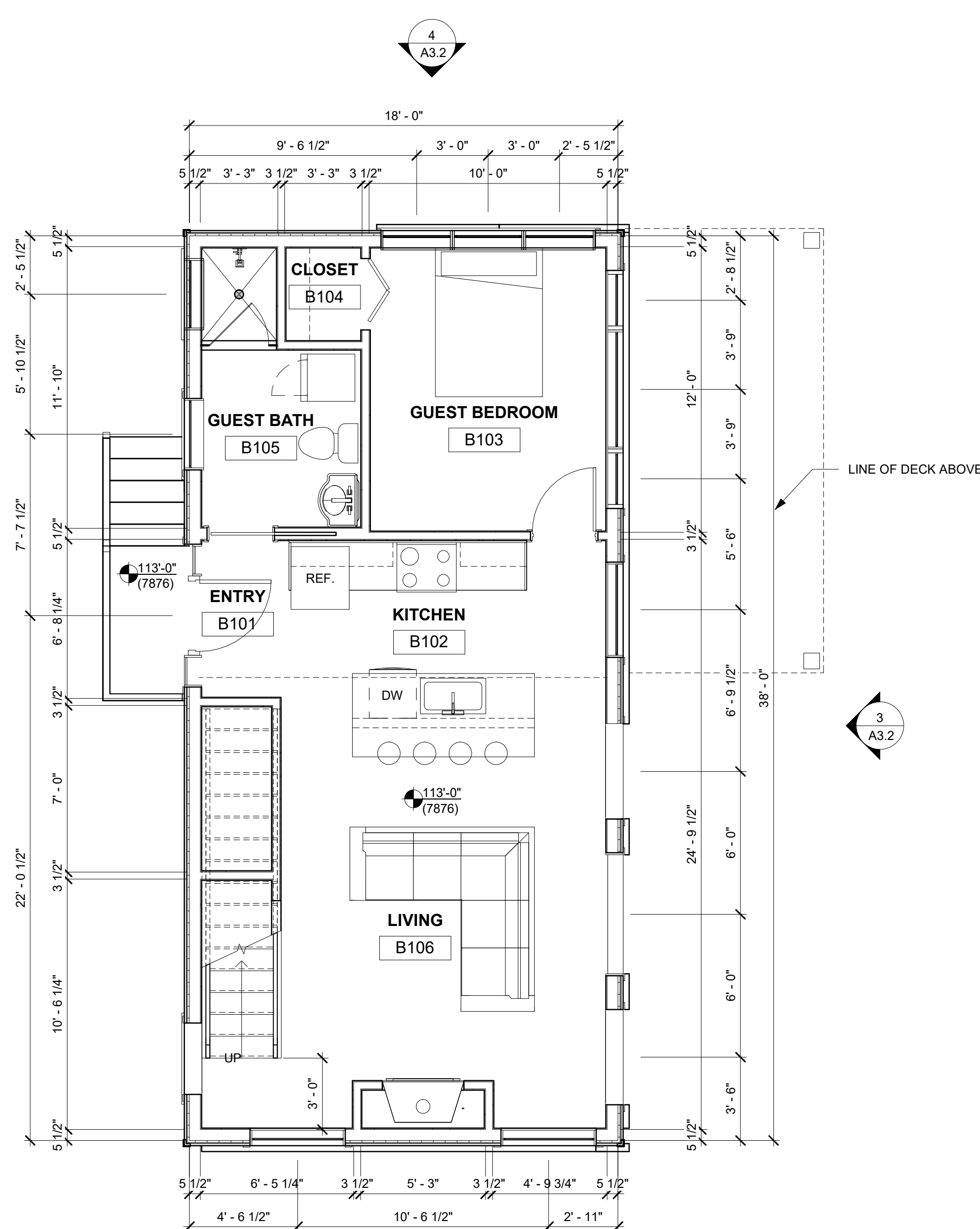
Revisions:		
No	Description	Date

Issue Dates:  
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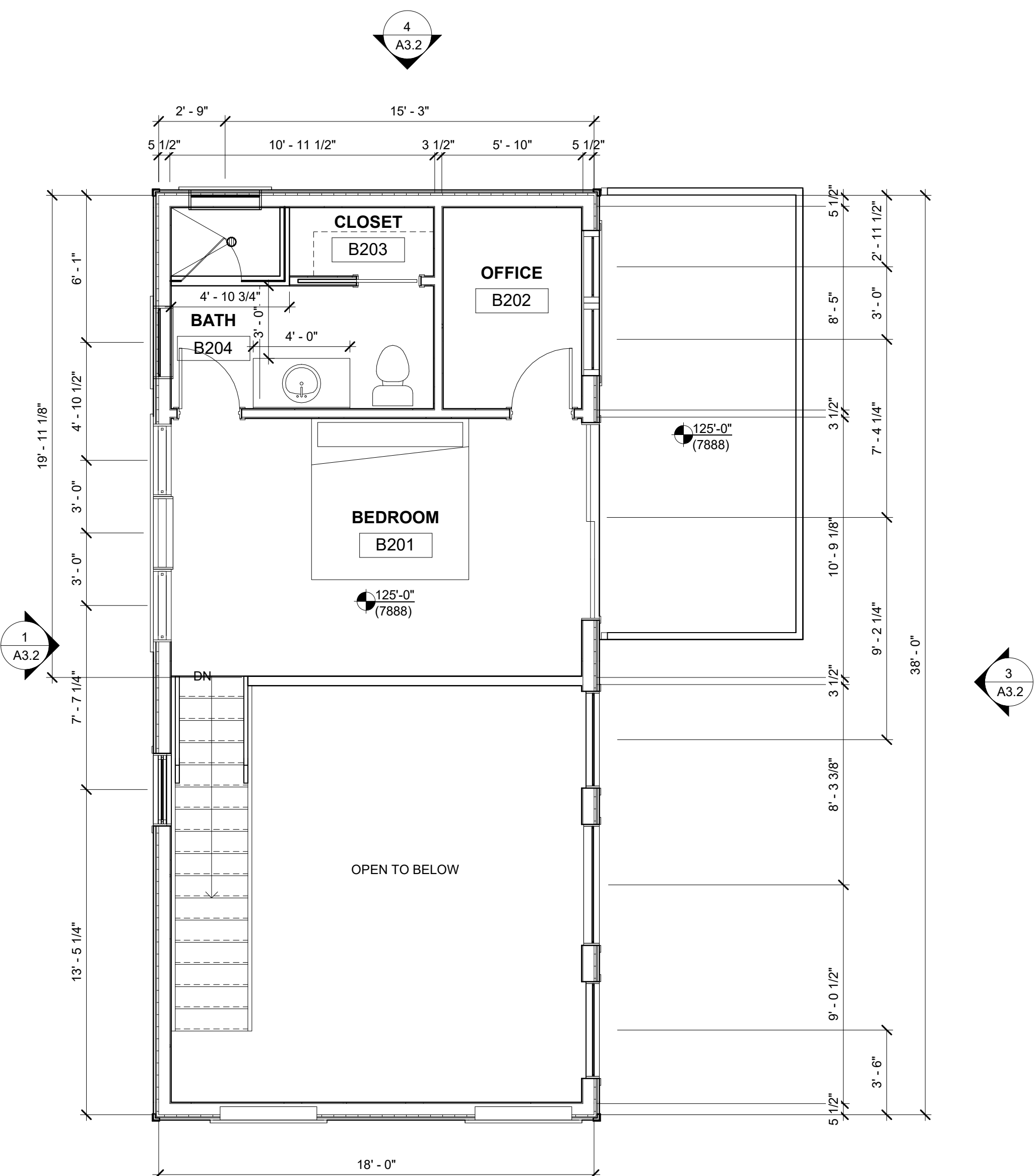
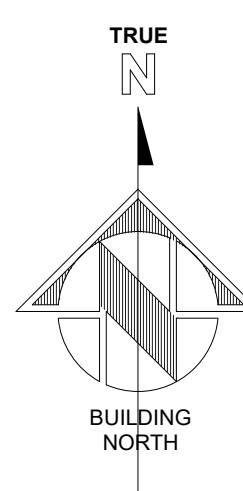
Sheet Title:  
**ADU Floor Plans**

Project No:  
 2172

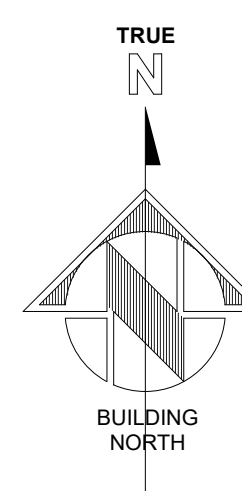
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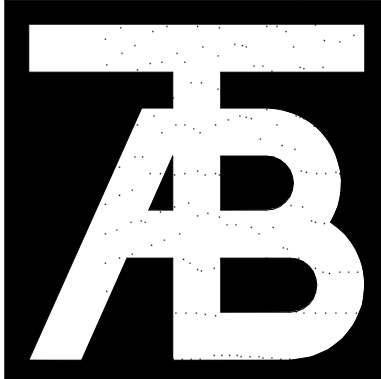


**1 ADU MAIN LEVEL PLAN**  
 1/4" = 1'-0"



**2 ADU LOFT LEVEL PLAN**  
 1/4" = 1'-0"





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Revisions:		
No.	Description	Date

Issue Dates:  
DRB 9/12/2022

Sheet Title:  
**Main Unit Exterior Elevations**

Project No:  
2172

Sheet No:  
**A3.1**

**NOTES:**

**EXTERIOR ELEVATION GENERAL NOTES:**

- EXTERIOR FINISHES INDICATED ON ELEVATIONS SEE "EXTERIOR MATERIAL LEGEND" FOR MATERIALS.
- REFERENCE ROOF PLAN FOR LOCATIONS OF ROOF COMPONENTS NOT INDICATED ON EXTERIOR ELEVATIONS.
- REFER TO MEP AND STRUCTURAL DRAWINGS FOR ANY ADDITIONAL WORK.
- PROVIDE ALLOWANCE TO SEAL AND CAULK VARIOUS WALL PENETRATIONS AND HOLES AROUND EXTERIOR PERIMETER OF BUILDING. SIMILAR AREAS SUCH AS HOSE BIBS, PIPES, ETC.
- WHEN A PORTION OF A WALL IS PAINTED ASSUME THE ENTIRE WALL IS PAINTED TO INSIDE OR OUTSIDE CORNERS.
- DO NOT SCALE DRAWINGS.
- ALL ANGLES SHOWN ON THE FLOOR PLANS ARE 90 DEGREES UNLESS NOTED OTHERWISE.

**EXTERIOR MATERIAL LEGEND:**

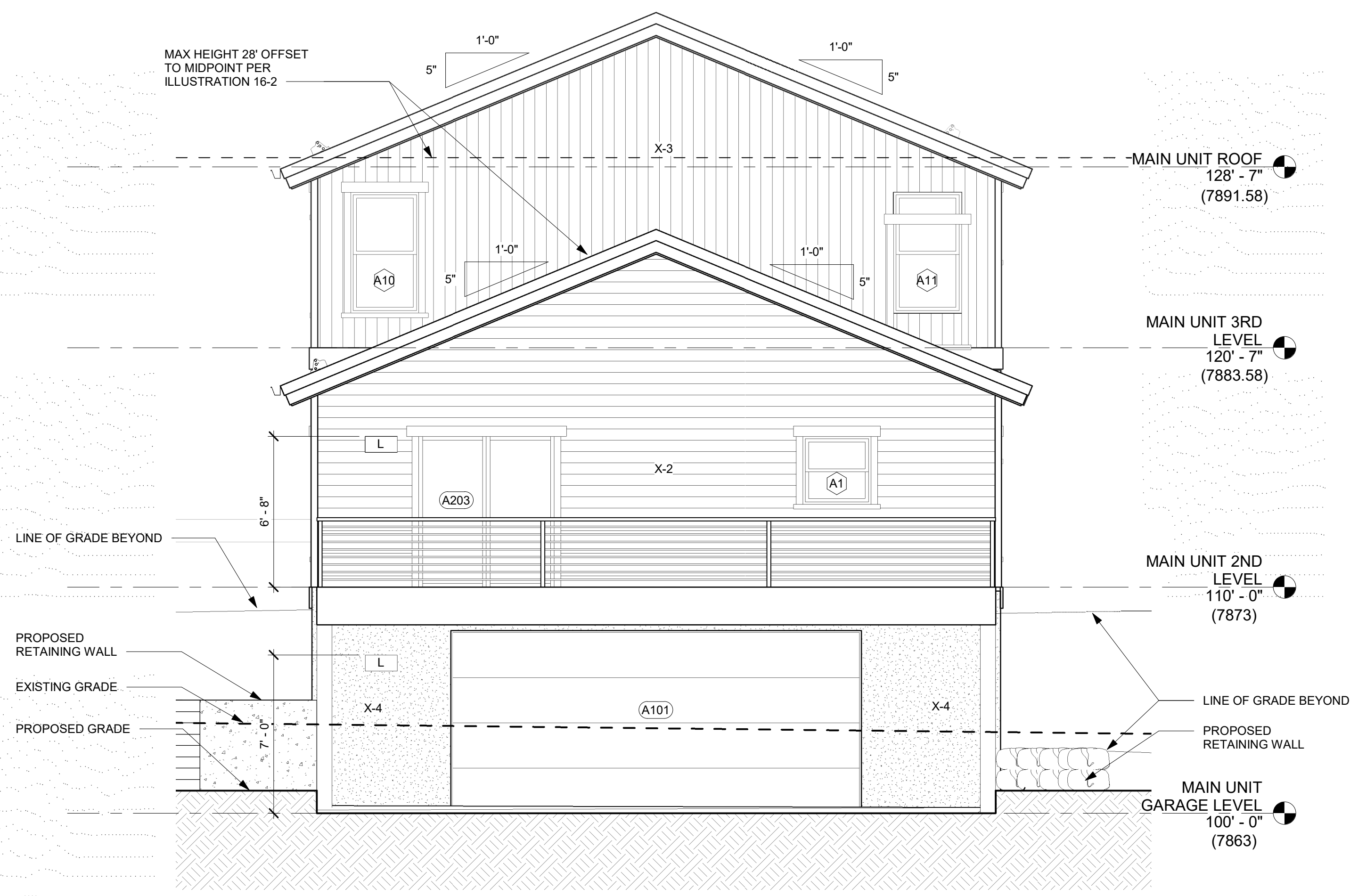
- X-1 STONE FINISH,
- X-2 HORIZONTAL LAP SIDING,
- X-3 HARDIPANEL VERTICAL SIDING,
- X-4 STUCCO FINISH W/ INTEGRAL COLOR,
- R-1 NEW ASPHALT SHINGLE ROOF,
- R-2 NEW STANDING SEAM METAL ROOF,
- L EXTERIOR LIGHT FIXTURE

**WINDOW SCHEDULE MAIN UNIT**

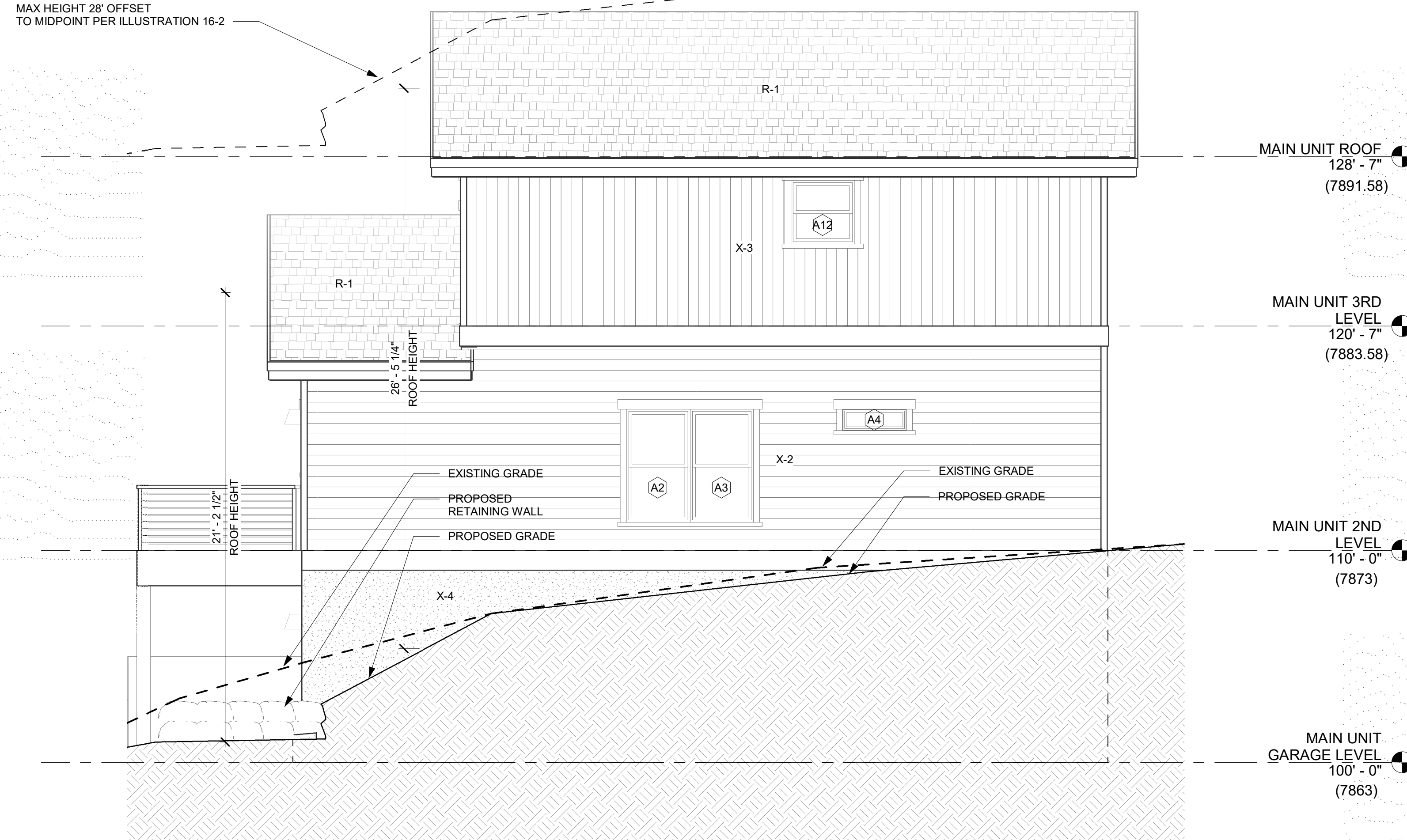
WINDOW MARK	WIDTH	HEIGHT
A1	3'-0"	3'-0"
A2	3'-0"	5'-4"
A3	3'-0"	5'-4"
A4	3'-0"	1'-0"
A6	3'-0"	5'-4"
A7	3'-0"	5'-4"
A8	3'-0"	5'-4"
A9	3'-0"	5'-4"
A10	3'-0"	5'-4"
A11	3'-0"	5'-4"
A12	3'-0"	3'-0"
A13	3'-0"	5'-4"
A14	3'-0"	1'-0"

**DOOR SCHEDULE MAIN UNIT**

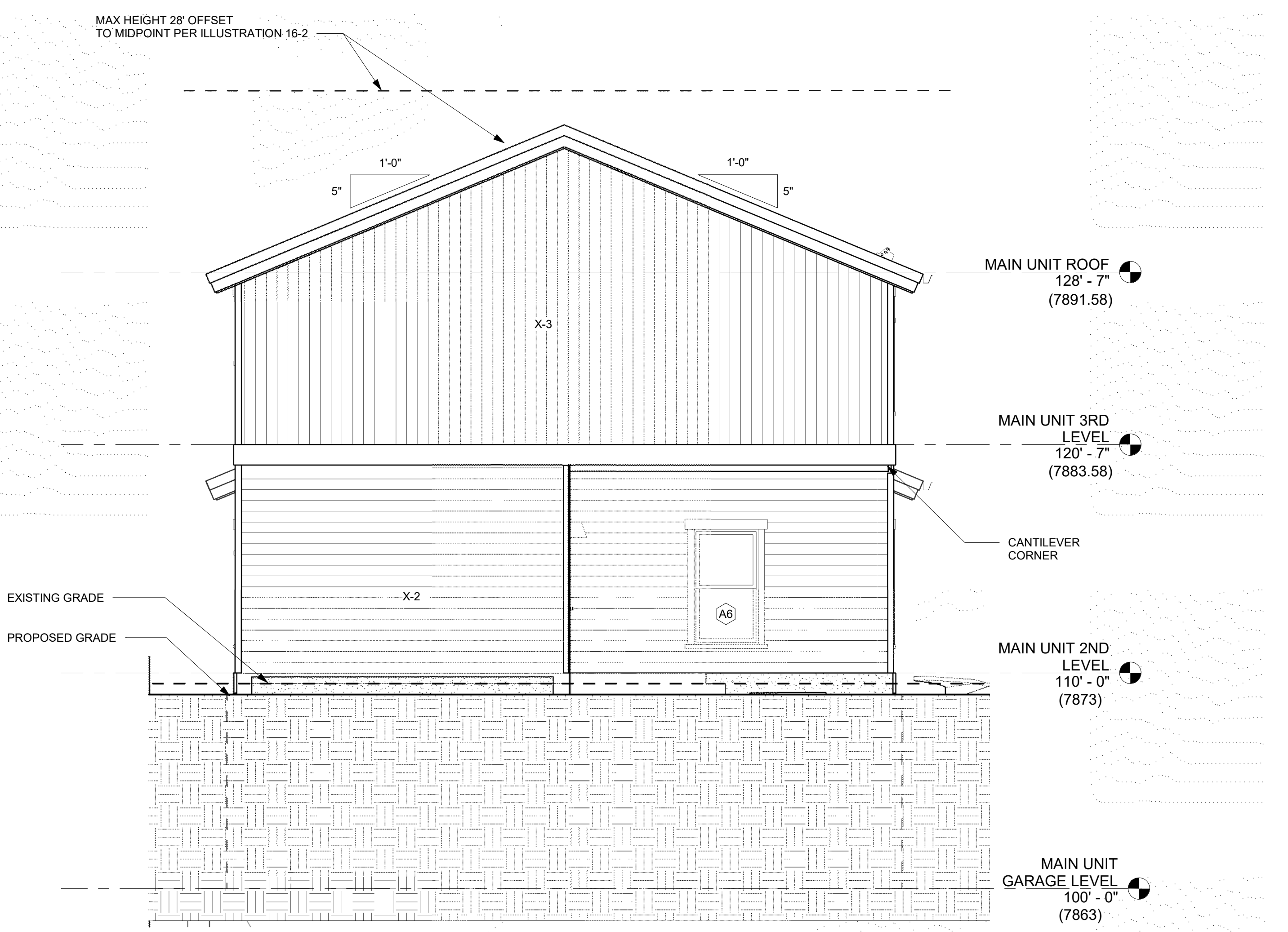
DOOR NO.	WIDTH	HEIGHT
001A	3'-0"	6'-8"
A101	18'-0"	8'-0"
A203	6'-0"	6'-8"



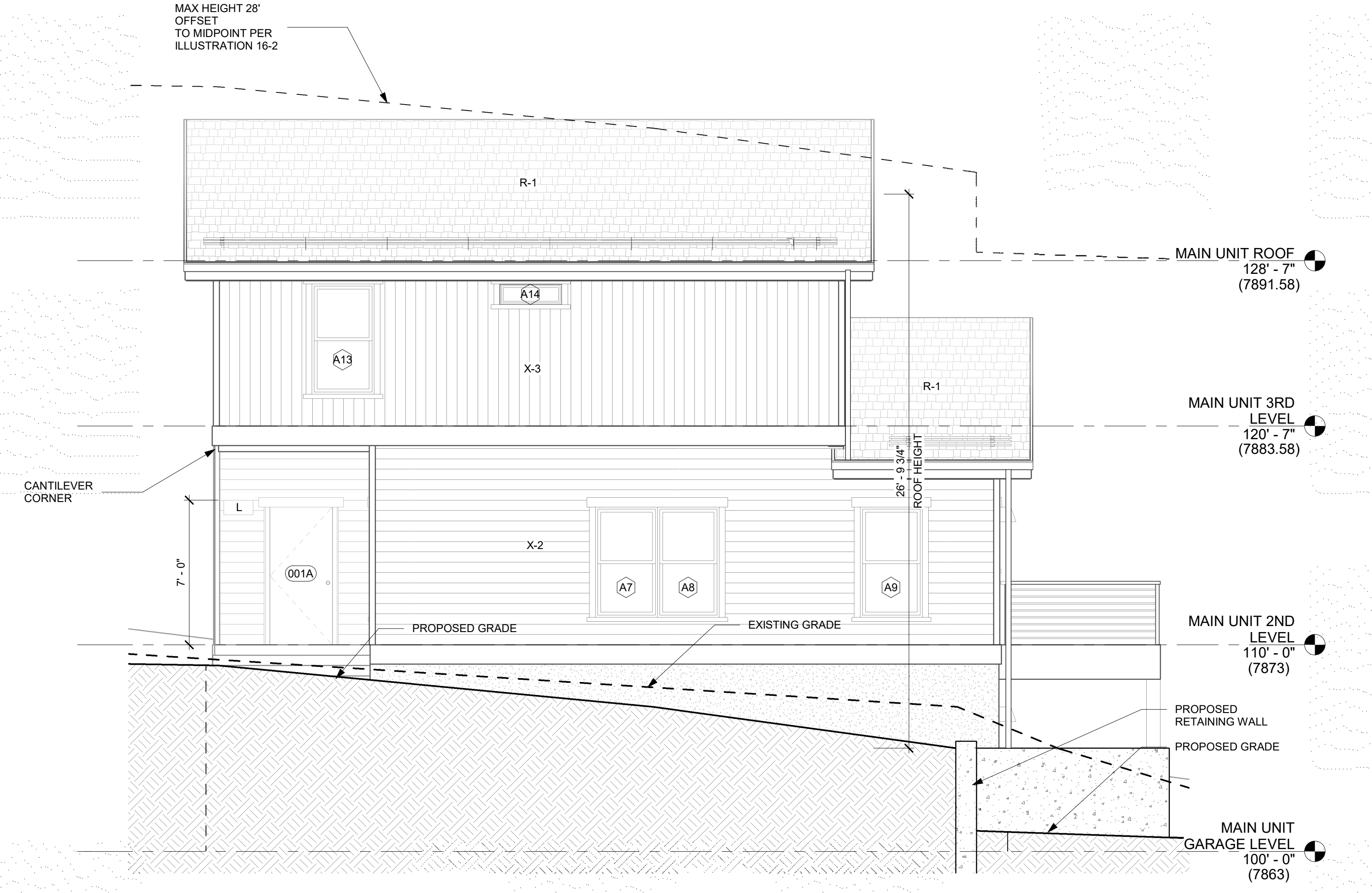
**1 MAIN UNIT WEST ELEVATION**  
A3.1 1/4" = 1'-0"



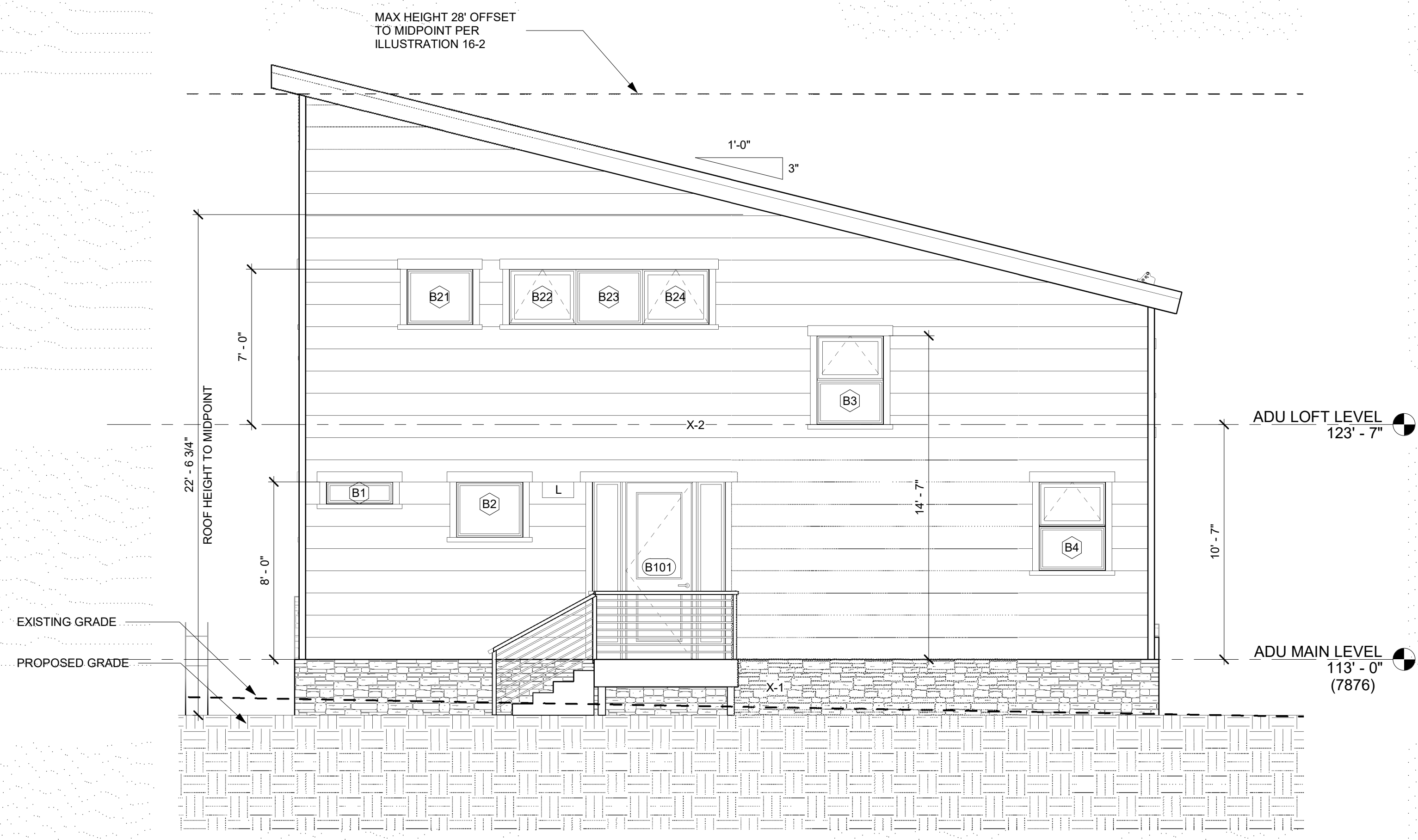
**2 MAIN UNIT SOUTH ELEVATION**  
A3.1 1/4" = 1'-0"



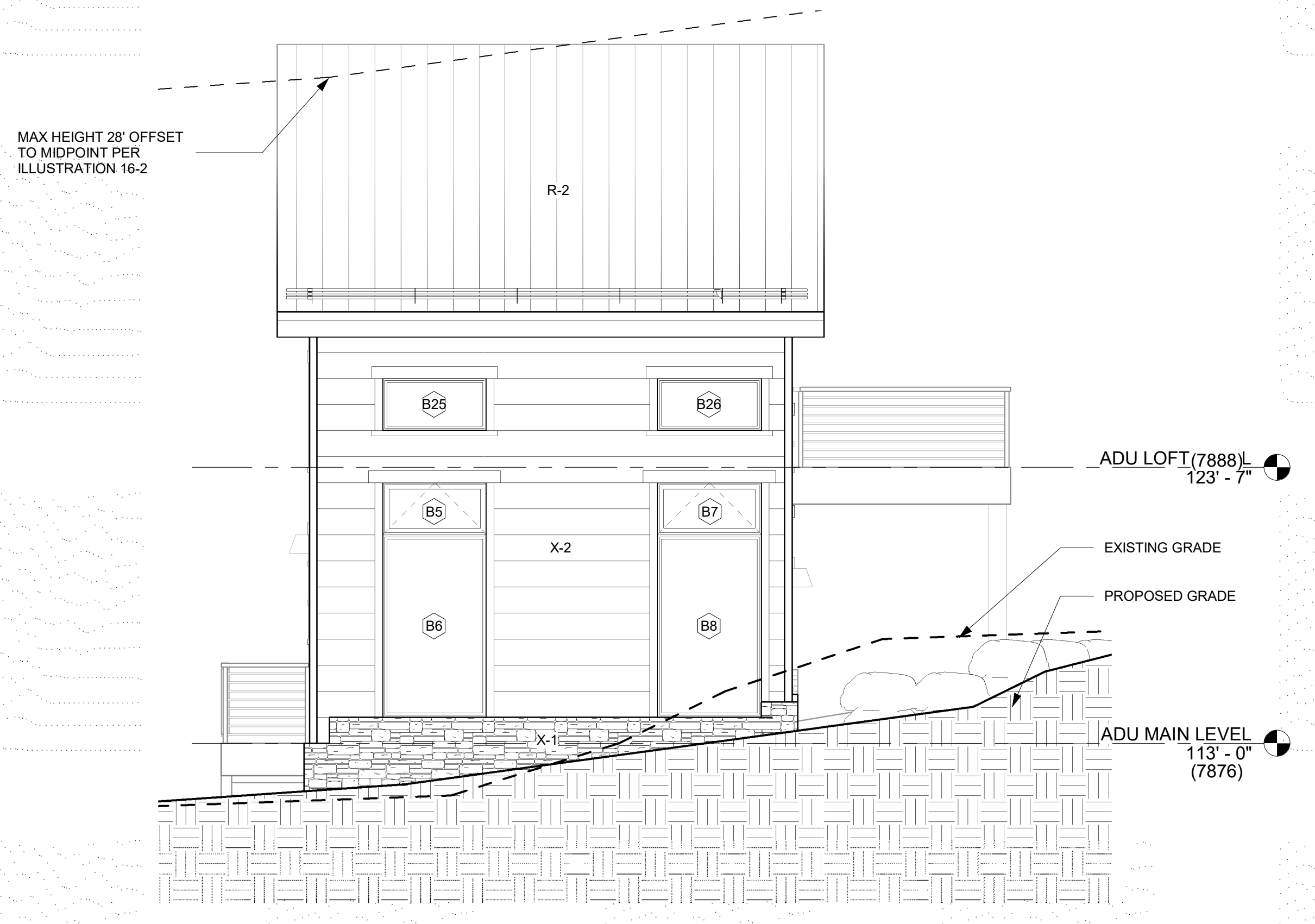
**3 MAIN UNIT EAST ELEVATION**  
A3.1 1/4" = 1'-0"



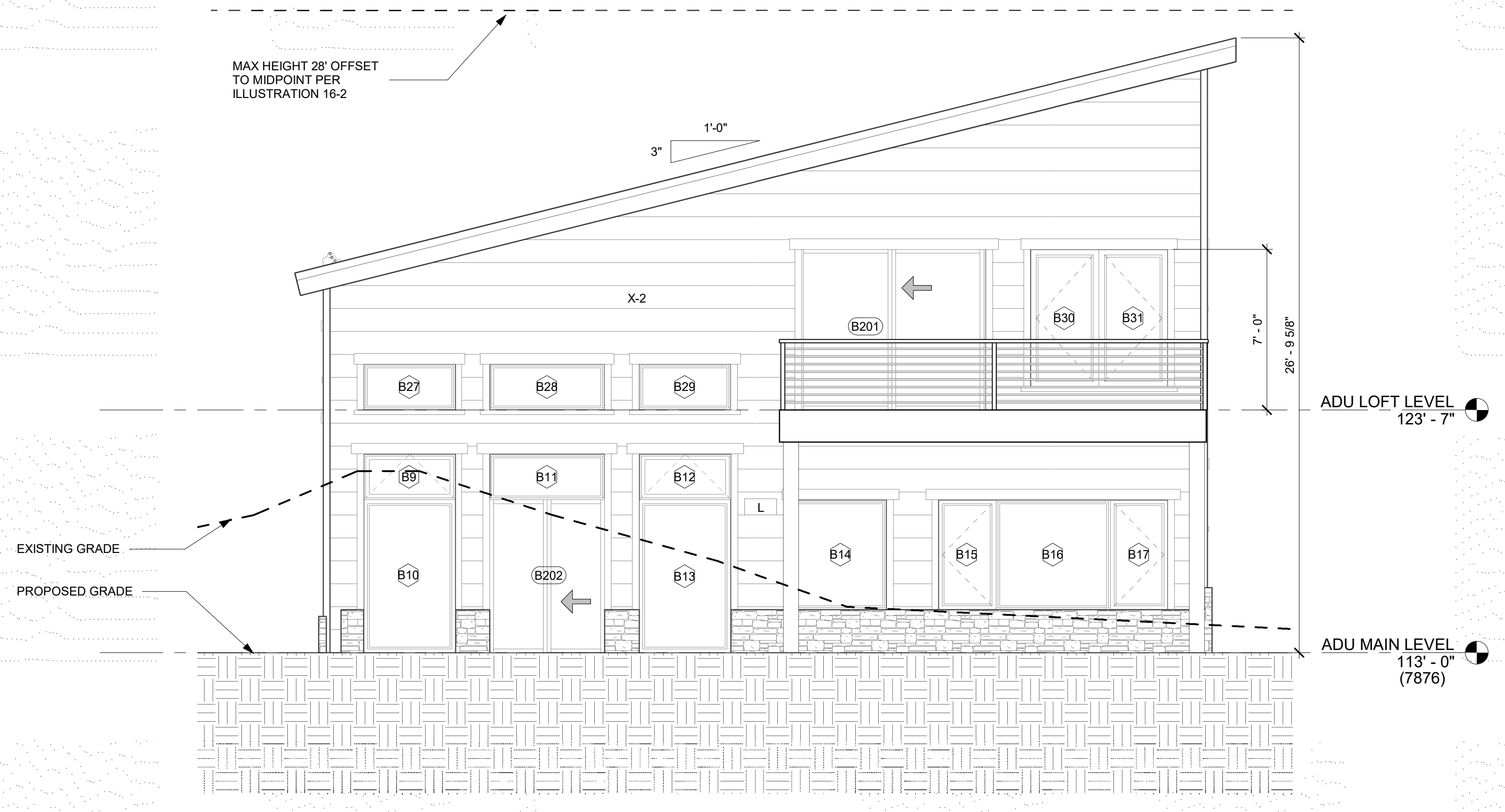
**4 MAIN UNIT NORTH ELEVATION**  
A3.1 1/4" = 1'-0"



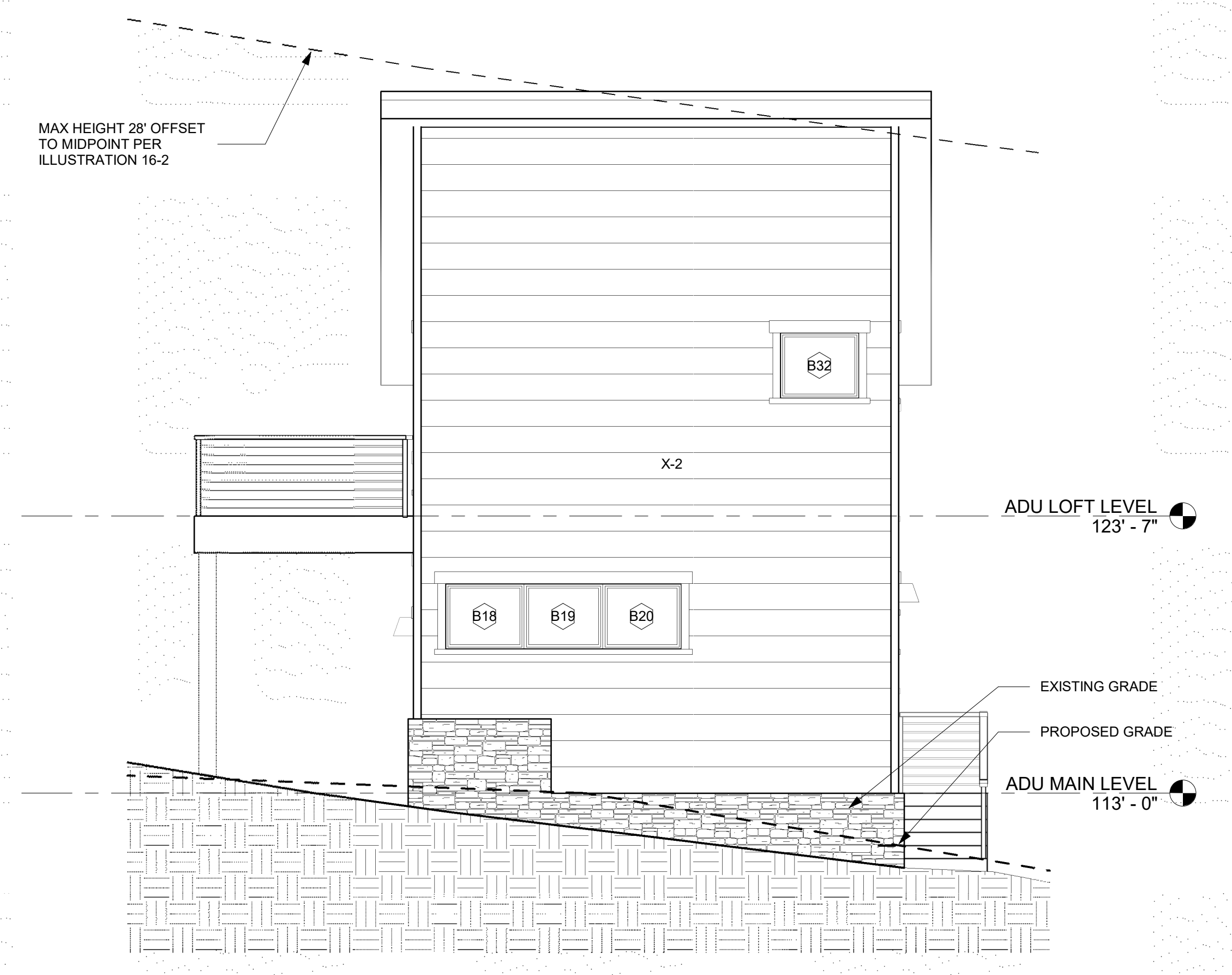
1 ADU WEST ELEVATION  
A3.2 1/4" = 1'-0"



2 ADU SOUTH ELEVATION  
A3.2 1/4" = 1'-0"



3 ADU EAST ELEVATION  
A3.2 1/4" = 1'-0"



4 ADU NORTH ELEVATION  
A3.2 1/4" = 1'-0"

- NOTES:**
- EXTERIOR ELEVATION GENERAL NOTES:**
- EXTERIOR FINISHES INDICATED ON ELEVATIONS SEE "EXTERIOR MATERIAL LEGEND" FOR MATERIALS.
  - REFERENCE ROOF PLAN FOR LOCATIONS OF ROOF COMPONENTS NOT INDICATED ON EXTERIOR ELEVATIONS.
  - REFER TO MEP AND STRUCTURAL DRAWINGS FOR ANY ADDITIONAL WORK.
  - PROVIDE ALLOWANCE TO SEAL AND CAULK VARIOUS WALL PENETRATIONS AND HOLES AROUND EXTERIOR PERIMETER OF BUILDING, SIMILAR AREAS SUCH AS HOSE BIBS, PIPES, ETC.
  - WHEN A PORTION OF A WALL IS PAINTED ASSUME THE ENTIRE WALL IS PAINTED TO INSIDE OR OUTSIDE CORNERS.
  - DO NOT SCALE DRAWINGS.
  - ALL ANGLES SHOWN ON THE FLOOR PLANS ARE 90 DEGREES UNLESS NOTED OTHERWISE.

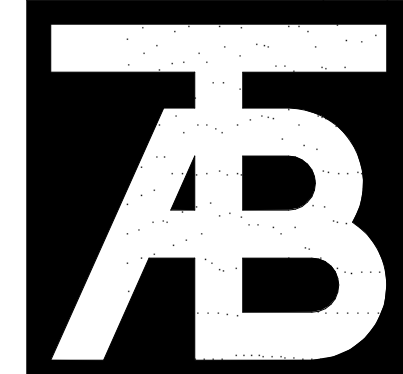
- EXTERIOR MATERIAL LEGEND:**
- X-1 STONE FINISH.
  - X-2 HORIZONTAL LAP SIDING.
  - X-3 HARDPANEL VERTICAL SIDING.
  - X-4 STUCCO FINISH W/ INTEGRAL COLOR.
  - R-1 NEW ASPHALT SHINGLE ROOF.
  - R-2 NEW STANDING SEAM METAL ROOF.
  - L EXTERIOR LIGHT FIXTURE

**WINDOW SCHEDULE ADU**

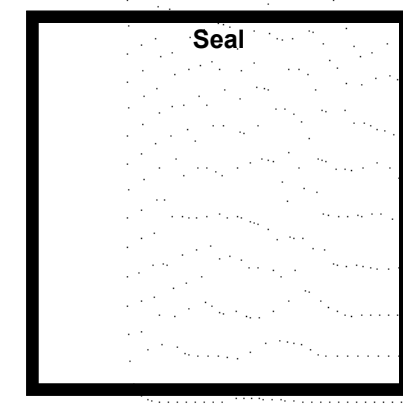
WINDOW MARK	WIDTH	HEIGHT
B1	3'-0"	1'-0"
B2	3'-0"	2'-6"
B3	3'-0"	2'-0"
B4	3'-0"	2'-0"
B5	4'-0"	2'-0"
B6	4'-0"	7'-0"
B7	4'-0"	2'-0"
B8	4'-0"	7'-0"
B9	4'-0"	2'-0"
B10	4'-0"	6'-8"
B11	5'-0"	2'-0"
B12	4'-0"	2'-0"
B13	4'-0"	6'-8"
B14	4'-0"	4'-9 1/2"
B15	2'-6"	4'-9 1/2"
B16	5'-0"	4'-9 1/2"
B17	2'-8"	4'-9 1/2"
B18	3'-0"	2'-6"
B19	3'-0"	2'-6"
B20	3'-0"	2'-6"
B21	3'-0"	2'-6"
B22	3'-0"	2'-6"
B23	3'-0"	2'-6"
B24	3'-0"	2'-6"
B25	4'-0"	2'-0"
B26	4'-0"	2'-0"
B27	4'-0"	2'-0"
B28	5'-0"	2'-0"
B29	4'-0"	2'-0"
B30	3'-0"	6'-0"
B31	3'-0"	6'-0"
B32	3'-0"	2'-6"

**DOOR SCHEDULE ADU**

DOOR NO.	WIDTH	HEIGHT
B101	3'-0"	8'-0"
B201	8'-0"	7'-0"
B202	5'-0"	6'-8"
B203	2'-8"	6'-8"



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Civil Engineer  
Structural Engineer  
Mechanical Engineer  
Electrical Engineer



382 Taylor St  
Main Unit & ADU  
Minturn CO 81657

**Revisions:**

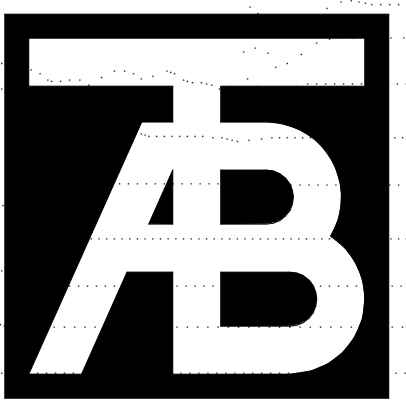
No	Description	Date

Issue Dates:  
DRB 9/12/2022

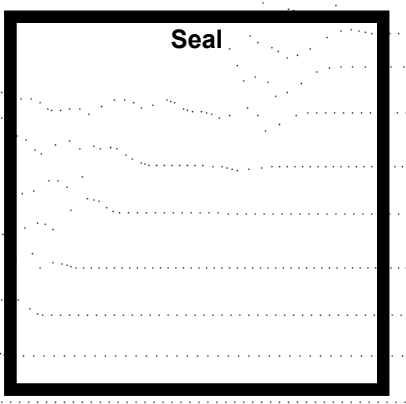
Sheet Title:  
**ADU Exterior Elevations**

Project No:  
2172

Sheet No:  
**A3.2**



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**382 Taylor St  
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Revisions:

No	Description	Date

Issue Dates:  
 DRB 9/12/2022

Sheet Title:  
**Material Board**

Project No:  
 2172

Sheet No:  
**A3.3**



R-1  
 ASPHALT SHINGLE GRAY

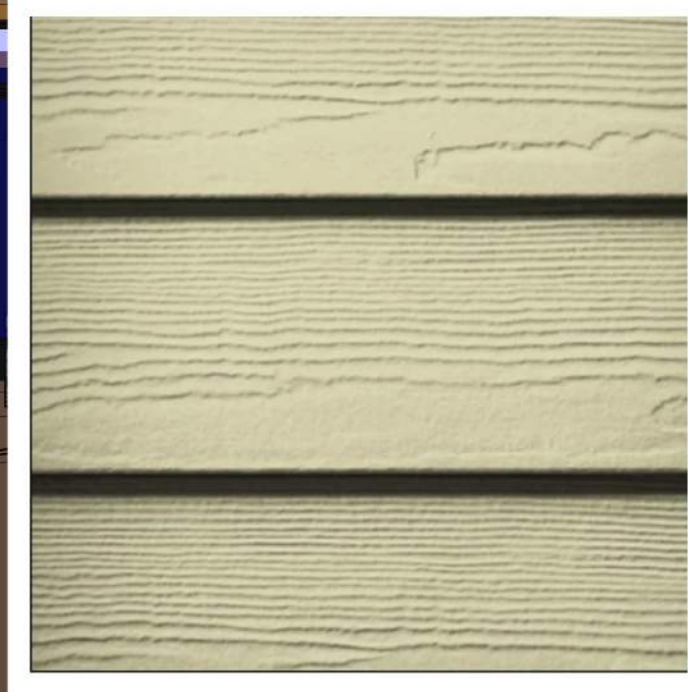
R-1  
 ASPHALT SHINGLE GRAY



X-3  
 HARDIPANEL VERTICAL SIDING  
 TIMBER BARK



TIMBER BARK



X-2  
 HORIZONTAL LAP SIDING NAVAJO BEIGE



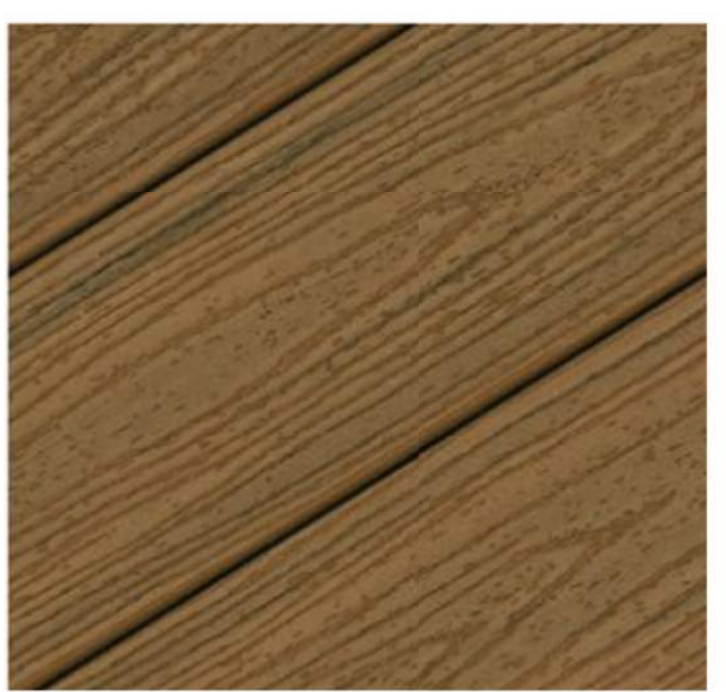
X-4  
 STUCCO WITH INTEGRAL  
 COLOR GREY, SIM TO X-3



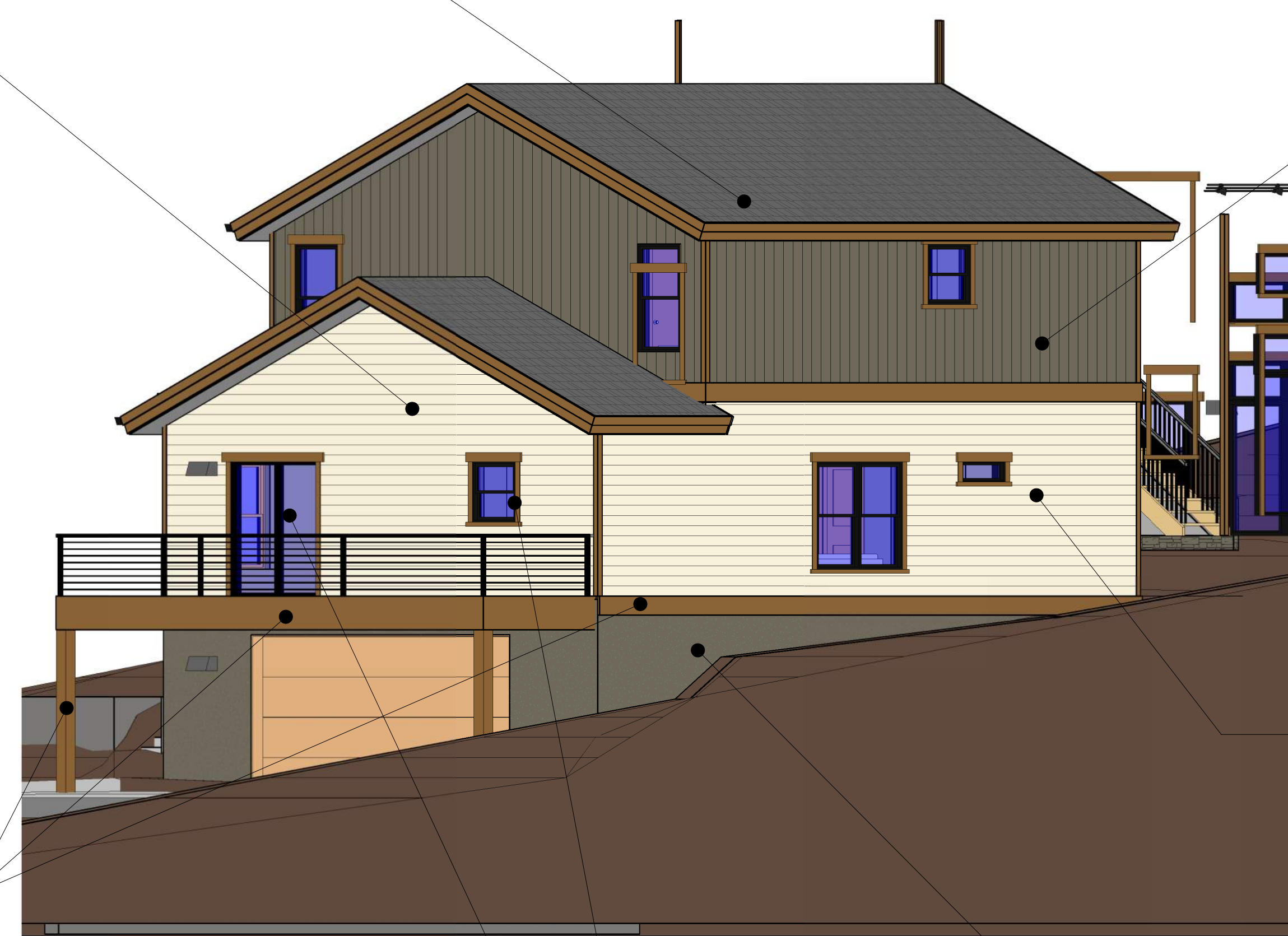
R-2  
 STANDING METAL SEAM BARN  
 RED



NEW WINDOW FRAME  
 RAILING  
 FLASHING  
 DARK BRONZE



TREX COMPOSITE 12" DECK BOARD  
 BELLY BAND  
 COLUMNS  
 DECK FASCIA  
 STAIN:  
 SIM TO HAVANA GOLD



**2 MAIN UNIT MATERIALS**

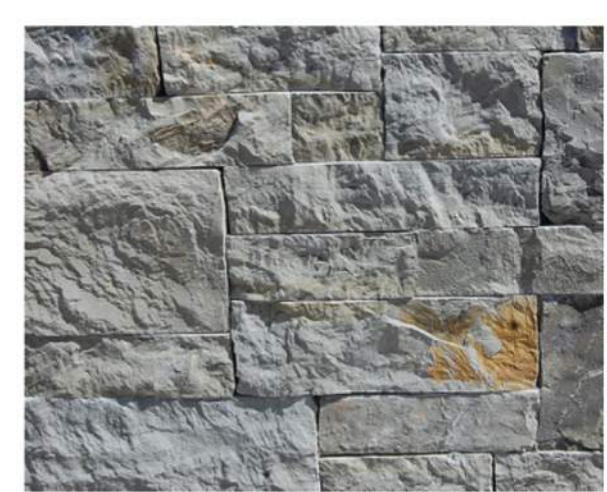
A3.3



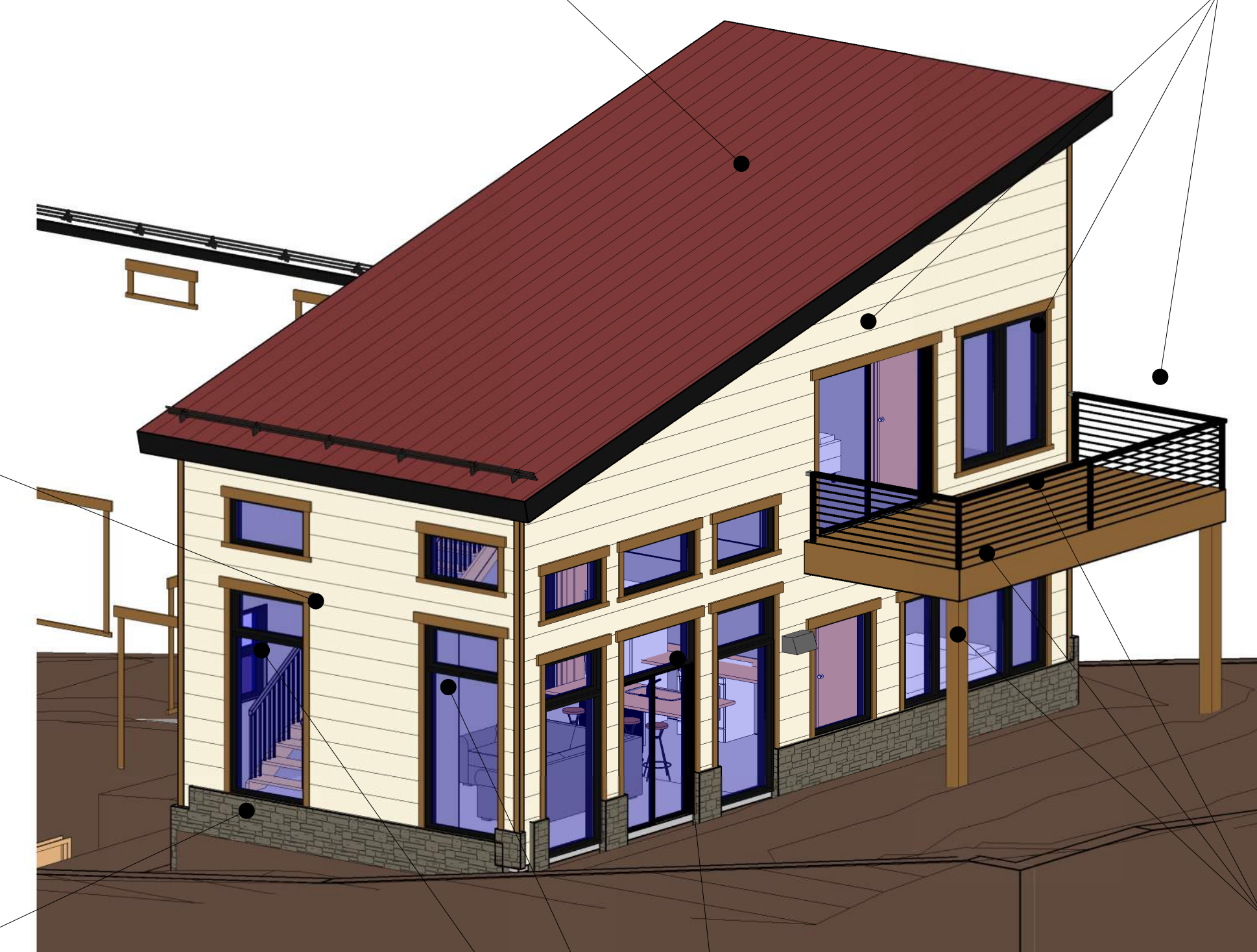
NEW WINDOW FRAME  
 RAILING  
 DARK BRONZE



X-2  
 HORIZONTAL LAP SIDING  
 NAVAJO BEIGE



X-1  
 TIMBER RIDGE SANDSTONE



**1 ADU MATERIALS**

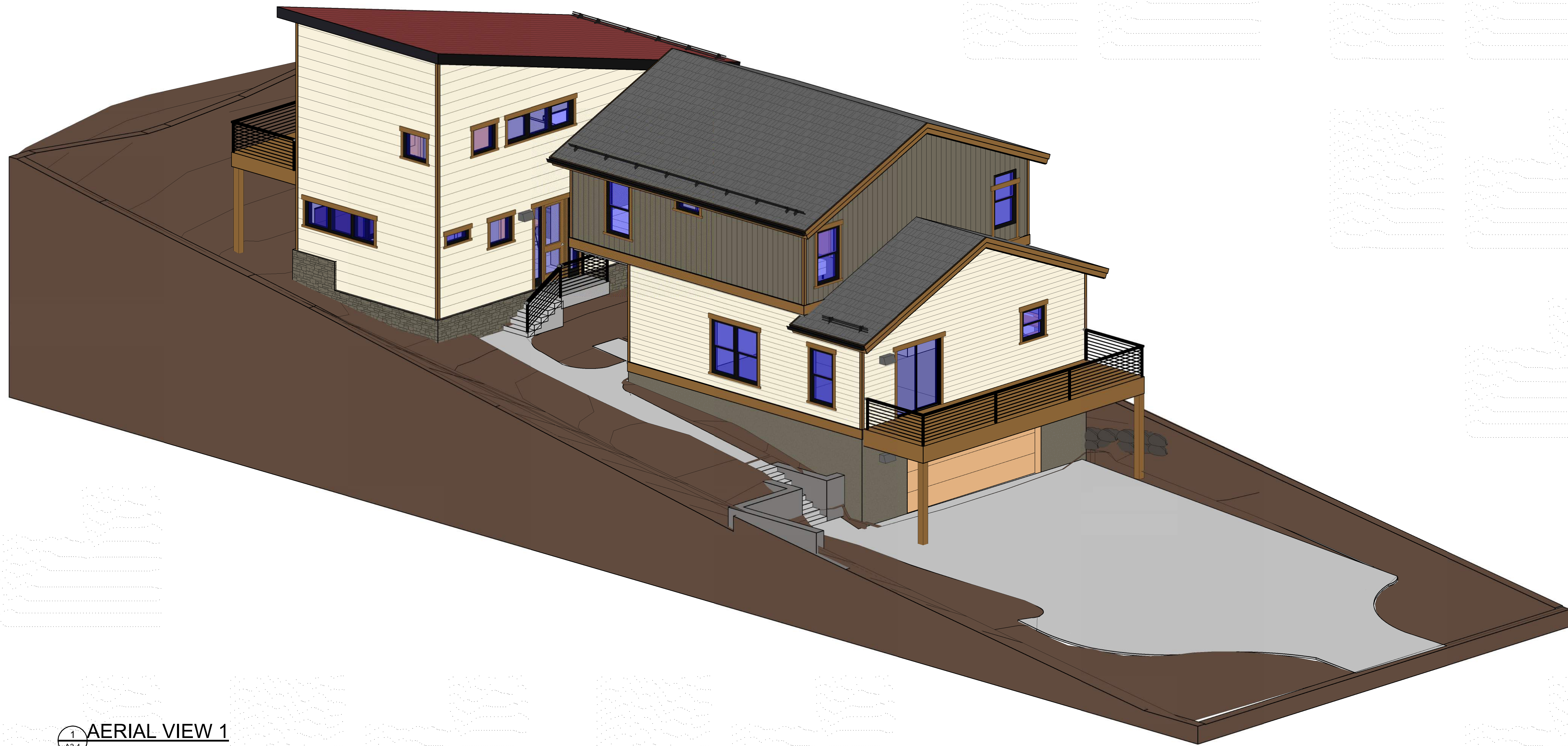
A3.3



TREX COMPOSITE 12" DECK BOARD  
 BELLY BAND  
 COLUMN  
 DECK FASCIA  
 STAIN:  
 SIM TO HAVANA GOLD



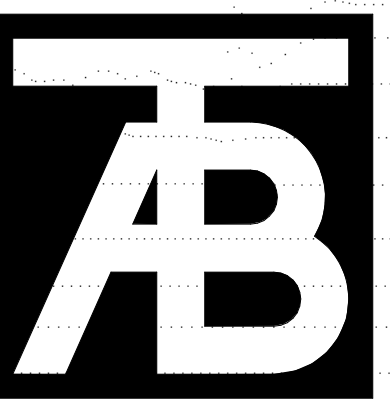
NEW WINDOW FRAME  
 RAILING  
 DARK BRONZE



1 AERIAL VIEW 1  
AS.4



3 AERIAL VIEW 3  
AS.4



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Structural Engineer

Mechanical Engineer

Electrical Engineer

Seal

**382 Taylor St  
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Revisions:

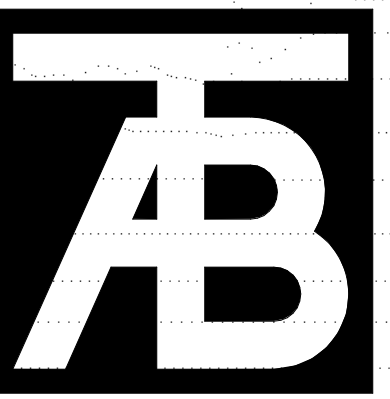
No.	Description	Date

Issue Dates:  
DRB 9/12/2022

Sheet Title:  
**Aerial Views**

Project No:  
2172

Sheet No:  
**A3.4**



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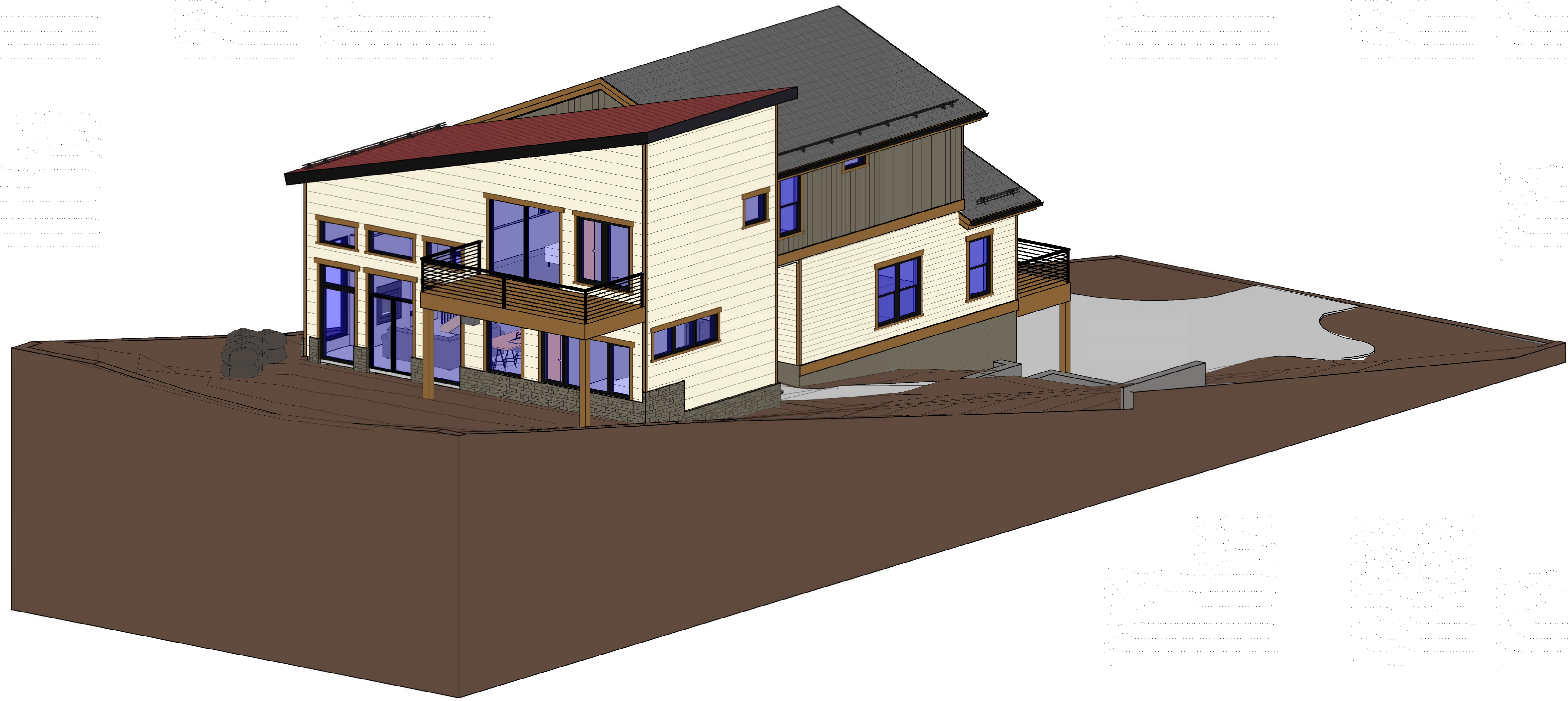
Revisions:		
No.	Description	Date

Issue Dates:  
 DRB 9/12/2022

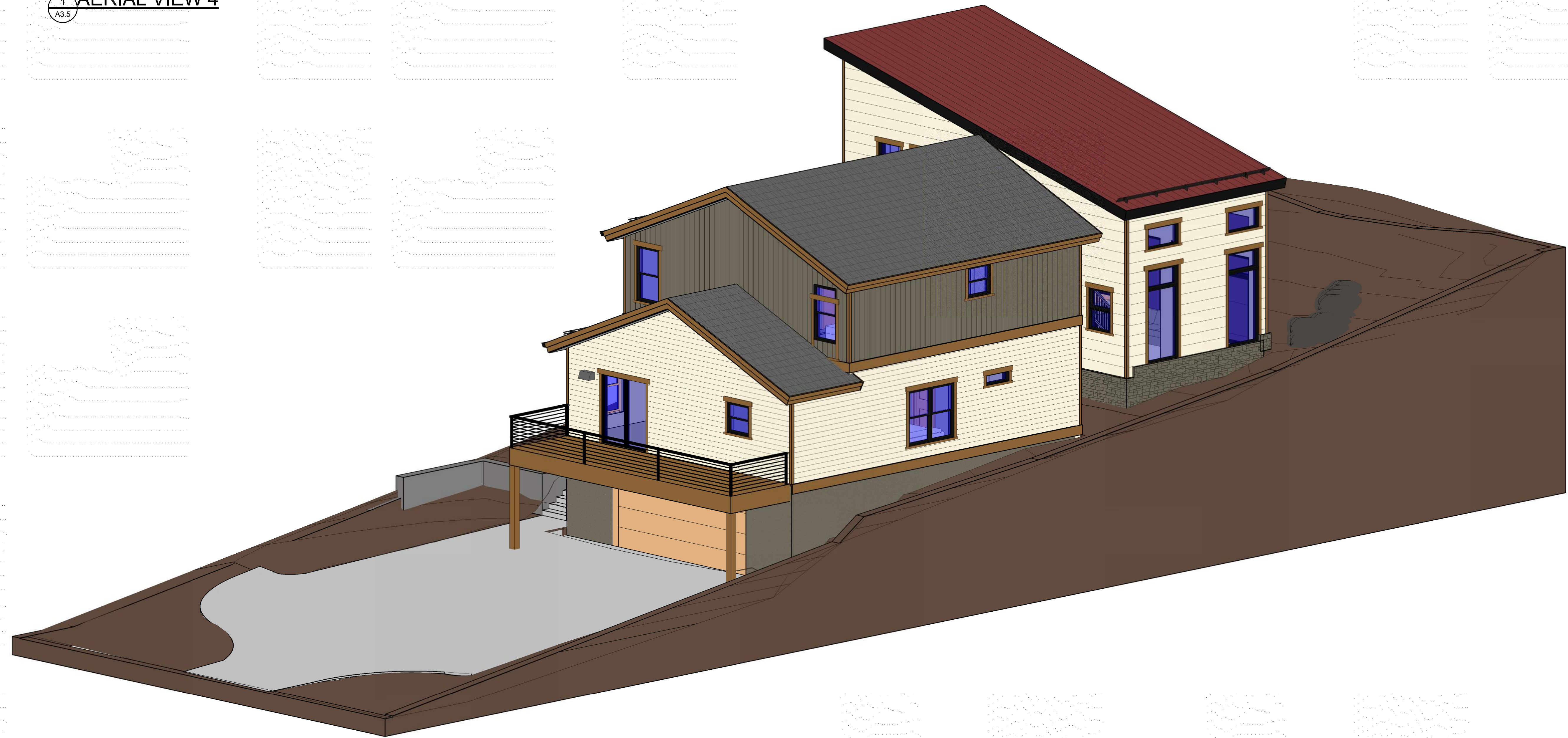
Sheet Title:  
**Aerial Views**

Project No:  
 2172

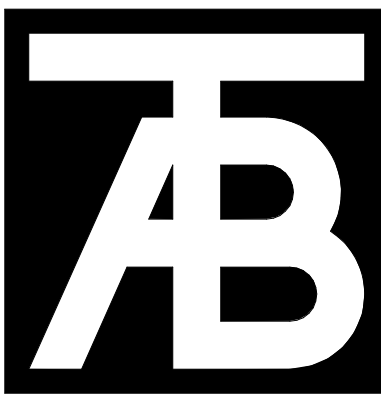
Sheet No:  
**A3.5**



1 AERIAL VIEW 4  
 A3.5



2 AERIAL VIEW 2  
 A3.5



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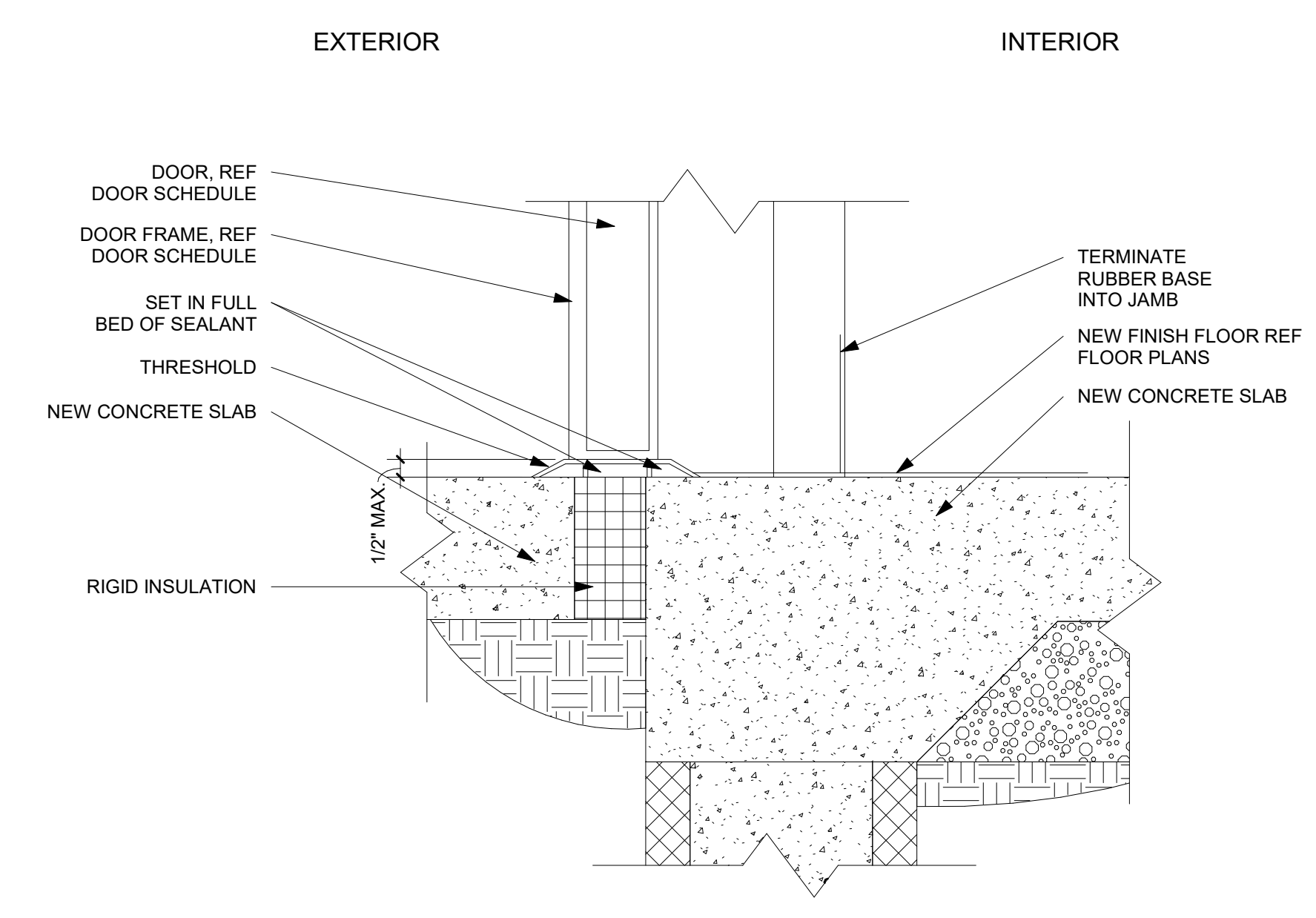
Revisions:		
No	Description	Date

Issue Dates:  
 DRB 9/12/2022

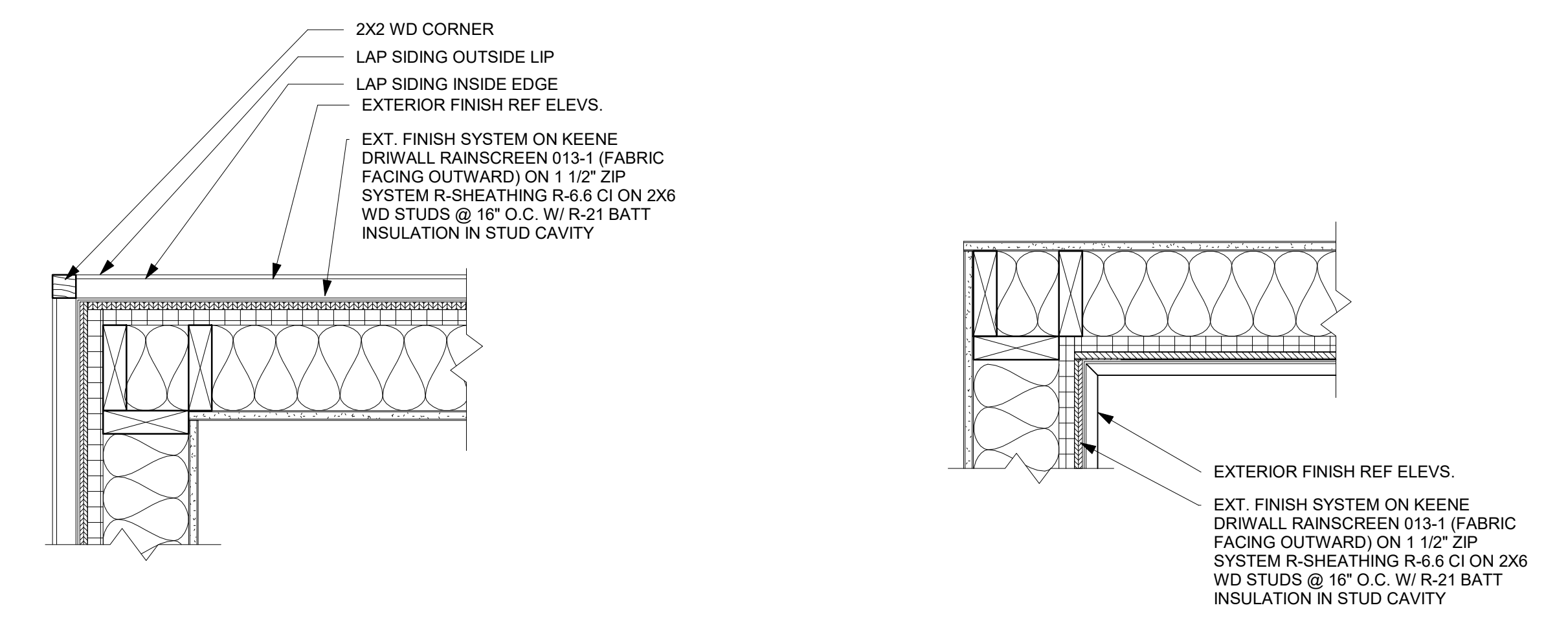
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**Details**

Project No:  
 2172

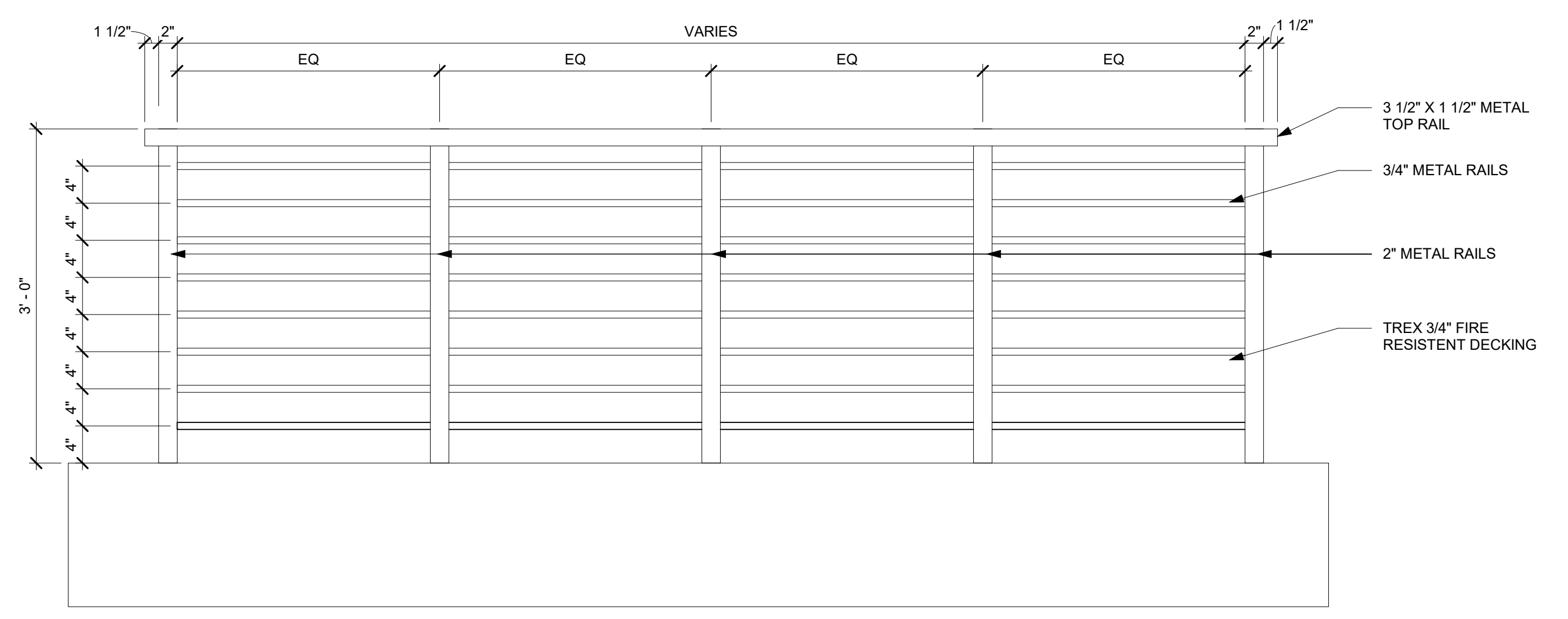
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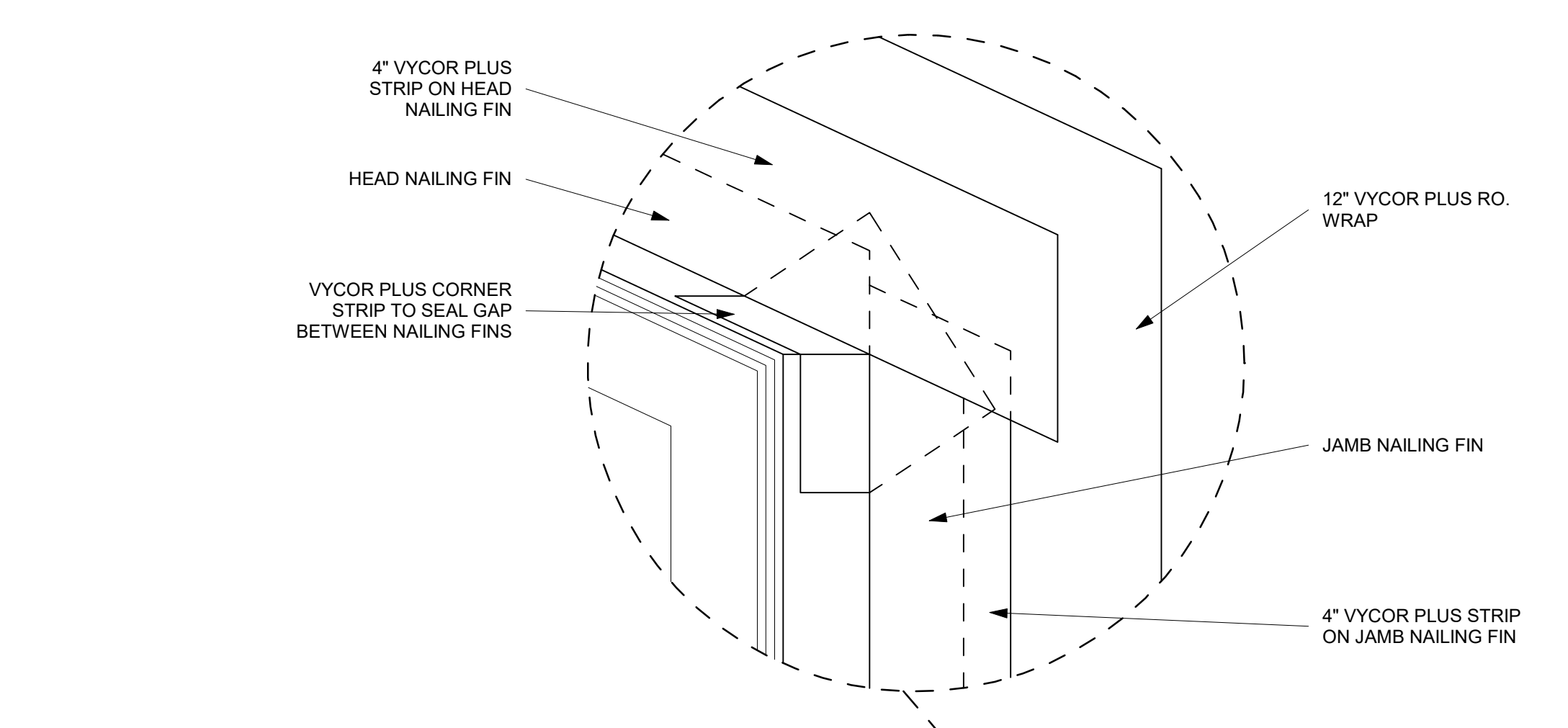
**3 INT/EXT DOOR THRESHOLD**  
 AS.1 3" = 1'-0"



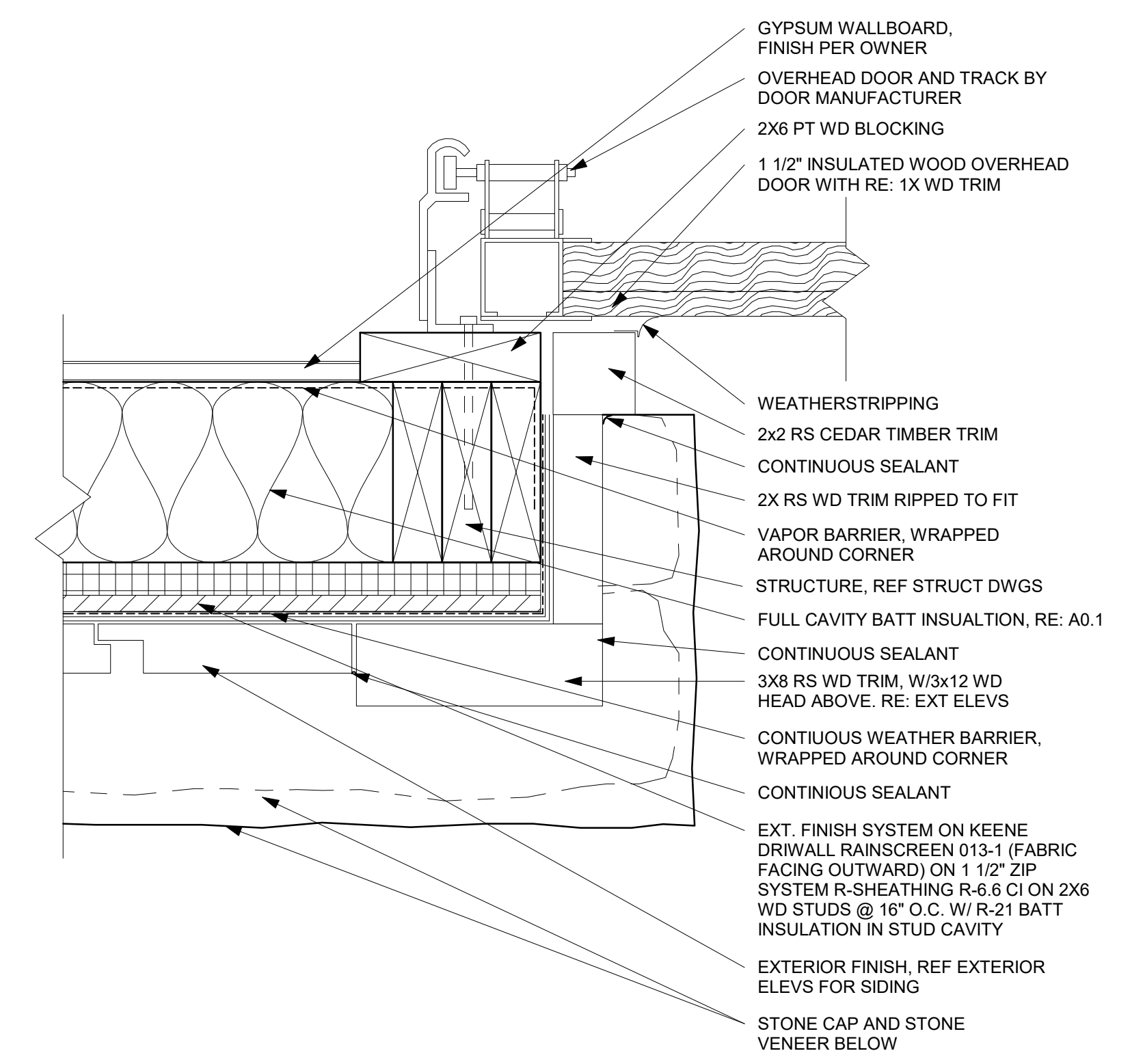
**1 EXTERIOR CORNER LS** 1 1/2" = 1'-0"  
**2 INTERIOR CORNER LS** 1 1/2" = 1'-0"



**4 TYP RAILING**  
 AS.1 1" = 1'-0"



**5 WINDOW WATERPROOFING**  
 AS.1 1 1/2" = 1'-0"



**6 GARAGE DOOR IN SIDING**  
 AS.1 3" = 1'-0"



# Colorado Sandstone



#339 Aspen Bark Sandstone **TV RM**



**RM TV #349** Timber Ridge Sandstone



#356 Flagg Creek Squares and Rectangles **TV RM**



**RM TV #358** Flagg Creek Ledge Stained and Chopped



**Colorado Buff Strip Thin Veneer**

**TV** indicates that this material is available in a Thin Stone Format

**RM** indicates that this material is Regional (within 500 miles of our Stone Yard)

Samples of natural stone are indicative of color, markings and general texture of the variety named.

The amount of variation is subject to the type of material, size and current quarry conditions.

Please note that sample panels may be located at either our Wolcott Office or Gypsum Stone Yard.

Please call in advance for locations of specific panels.



# HardiePlank®

Sleek and strong, HardiePlank® lap siding is not just our best-selling product – it's the most popular brand of siding in America.

With a full spectrum of colors and textures, homeowners can enjoy protection from the elements and the versatility to make their dream home a reality. From Victorians to Colonials, HardiePlank lap siding sets the standard in exterior cladding.

HardieTrim®  
Boards  
Arctic White

HardiePlank®  
Lap Siding  
Select Cedarmill®  
Khaki Brown

A classic look for  
**THE HOME OF THEIR DREAMS.**

# HardiePlank®

Thickness 5/16 in  
Length 12 ft planks

## SELECT CEDARMILL® & SMOOTH

Width	5.25 in	6.25 in	7.25 in	8.25 in	9.25 in*	12 in*
Exposure	4 in	5 in	6 in	7 in	8 in	10.75 in
Prime Pcs/Pallet	360	308	252	230	190	152
ColorPlus Pcs/Pallet	—	280	252	210	—	—
Pcs/Sq	25.0	20.0	16.7	14.3	12.5	9.3

## SELECT CEDARMILL®



## SELECT CEDARMILL®

Width	5.25 in	6.25 in	7.25 in	8.25 in	9.25 in*	12 in*
STATEMENT COLLECTION™				✓		
DREAM COLLECTION™		✓	✓	✓		
PRIME	✓	✓	✓	✓	✓	✓

## SMOOTH



## SMOOTH

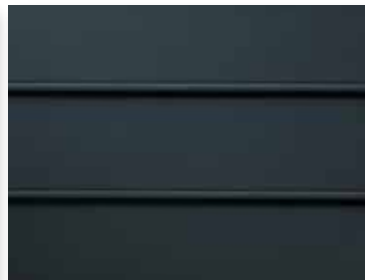
Width	5.25 in	6.25 in	7.25 in	8.25 in	9.25 in*	12 in*
STATEMENT COLLECTION™						
DREAM COLLECTION™		✓	✓	✓		
PRIME	✓	✓	✓	✓	✓	✓

\*9.25 in and 12 in widths do not feature the drip edge

## BEADED CEDARMILL®



## BEADED SMOOTH



## BEADED CEDARMILL® & BEADED SMOOTH

Width	8.25 in	STATEMENT COLLECTION™	_____
Exposure	7 in	DREAM COLLECTION™	_____
Prime Pcs/Pallet	240	PRIME	✓
ColorPlus Pcs/Pallet	210		
Pcs/Sq	14.3		

## RUSTIC CEDAR



## RUSTIC CEDAR

Width	6.25 in	8.25 in	STATEMENT COLLECTION™	_____
Exposure	5 in	7 in	DREAM COLLECTION™	_____
Prime Pcs/Pallet	308	240	PRIME	✓
ColorPlus Pcs/Pallet	—	—		
Pcs/Sq	20	14.3		

# STATEMENT COLLECTION™

Make your next home stand out with our Statement Collection™ products. Carefully curated by our design experts specifically for your market, the collection brings together the most popular James Hardie ColorPlus® siding and trim styles, textures, and colors. This stunning selection is locally stocked and designed for simplicity - making it easier than ever to get a beautiful, long-lasting home exterior.

## ColorPlus® Technology

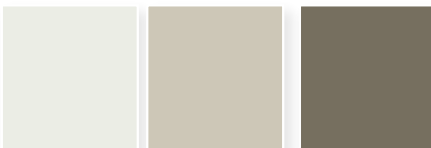
### Plank, Panel, Shingle and Batten Color Offering



### Trim Color Offering



### Soffit Color Offering



Colors shown are as accurate as printing methods will permit. Please see actual product sample for true color.

# HardiePanel®

---

HardiePanel® vertical siding delivers style and substance. When combined with HardieTrim® boards, it achieves the rustic board-and-batten look that defines cottage charm. The covered seams contribute to a well-insulated home.

Its crisp, clean lines make HardiePanel vertical siding a smart choice for strong, contemporary designs.



HardiePanel®  
Vertical Siding  
Evening Blue

HardieTrim®  
Batten Boards  
Evening Blue

True to your needs of  
**PERFORMANCE AND BEAUTY.**

# STATEMENT COLLECTION™

Make your next home stand out with our Statement Collection™ products. Carefully curated by our design experts specifically for your market, the collection brings together the most popular James Hardie ColorPlus® siding and trim styles, textures, and colors. This stunning selection is locally stocked and designed for simplicity - making it easier than ever to get a beautiful, long-lasting home exterior.

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### Plank, Panel, Shingle and Batten Color Offering



### Trim Color Offering



### Soffit Color Offering



Colors shown are as accurate as printing methods will permit. Please see actual product sample for true color.

# HardiePanel®

Thickness 5/16 in

## SELECT CEDARMILL®, SMOOTH, STUCCO & SIERRA 8

	Size 4 ft x 8 ft	4 ft x 9 ft	4 ft x 10 ft
Prime Pcs/Pallet	50	50	50
ColorPlus Pcs/Pallet	50	–	50
Pcs/Sq	3.2	2.8	2.5

### SELECT CEDARMILL®



	Size 4 ft x 8 ft	4 ft x 9 ft	4 ft x 10 ft
STATEMENT COLLECTION™			✓
DREAM COLLECTION™	✓		✓
PRIME	✓	✓	✓

### SMOOTH



	Size 4 ft x 8 ft	4 ft x 9 ft	4 ft x 10 ft
STATEMENT COLLECTION™			
DREAM COLLECTION™	✓		✓
PRIME	✓	✓	✓

### STUCCO



	Size 4 ft x 8 ft	4 ft x 9 ft	4 ft x 10 ft
STATEMENT COLLECTION™			
DREAM COLLECTION™	✓		✓
PRIME	✓	✓	✓

### SIERRA 8

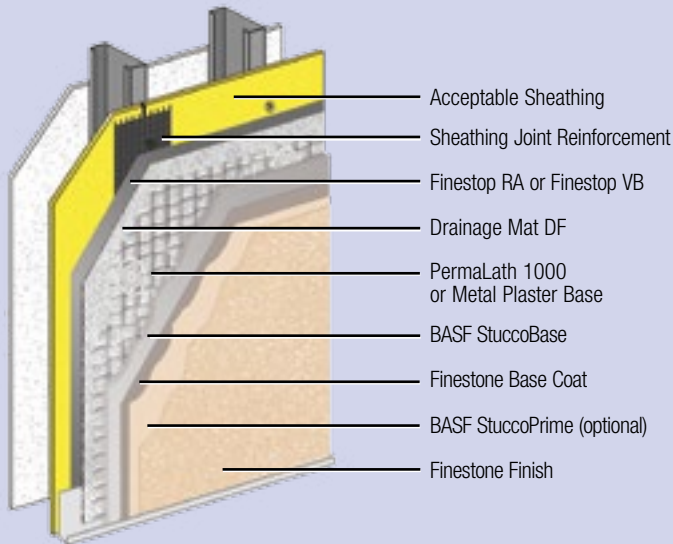


	Size 4 ft x 8 ft	4 ft x 9 ft	4 ft x 10 ft
STATEMENT COLLECTION™			
DREAM COLLECTION™			
PRIME	✓	✓	✓

# Stucco Wall Systems

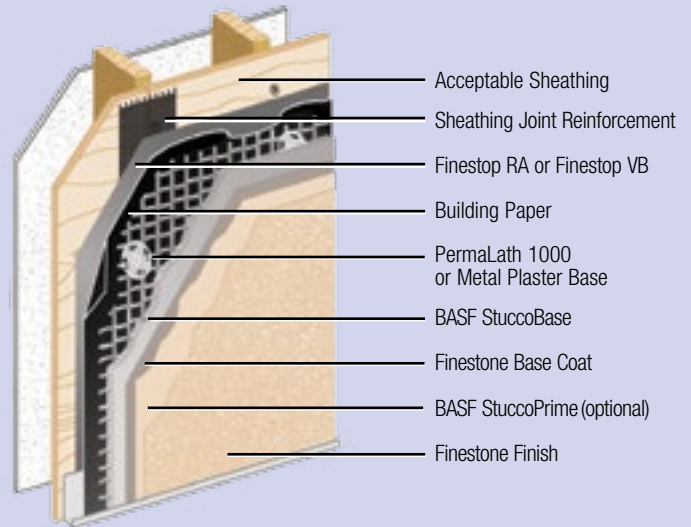
Impact and puncture resistant, cement plaster/stucco systems used in new or retrofit commercial, institutional and residential low-rise construction such as hotels, hospitals, retail centers, schools, multi-family apartments and condominiums, and government facilities.

## Finestone Stucco Ultra



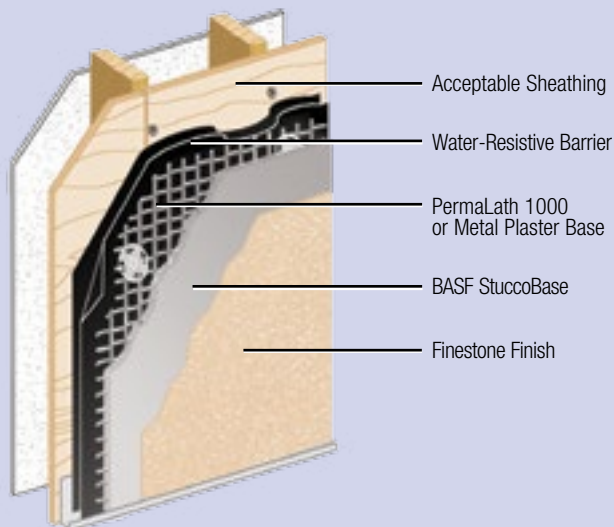
FINESTONE STUCCO ULTRA is a highly advanced Portland cement-based exterior wall system. Its features include a rainscreen design, a fluid applied air/water-resistive barrier, drainage mat, available rustproof fiberglass lath, a base coat and textured finishes for maximum water management security.

## Finestone Stucco Plus



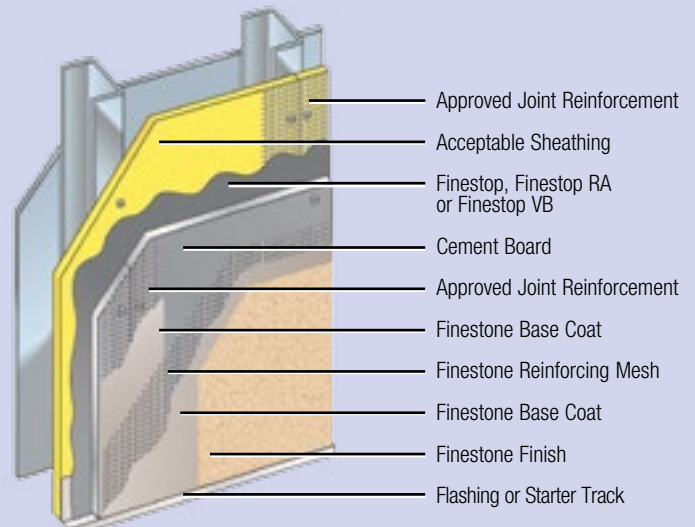
FINESTONE STUCCO PLUS is a highly advanced Portland cement-based exterior wall system. It features a fluid applied air/water-resistive barrier, available rustproof fiberglass lath, a base coat and textured finishes.

## Finestone Stucco



FINESTONE STUCCO is a Portland cement-based exterior wall system.

## Finescreen 1000



FINESCREEN 1000 is a highly impact and puncture resistant wall system with the look of stucco.



# LANDMARK<sup>®</sup> SERIES

Designer Roofing Shingles



*Landmark, shown in Weathered Wood*



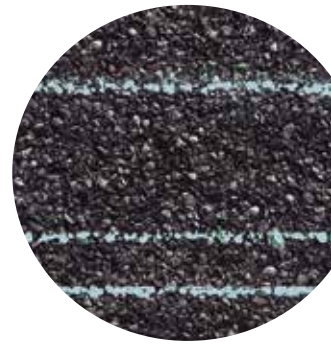
# NailTrak<sup>®</sup>

Fast, Accurate, Visible

The new and improved **NailTrak** nailing line, a feature on CertainTeed designer shingles.

Now **NailTrak** is brighter than ever before, with high-visibility lines that stand out whether it's daybreak or dusk.

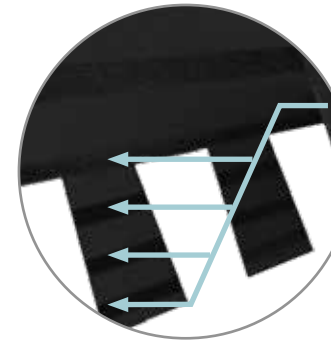
**NailTrak** removes the guesswork with three separately defined lines, creating a large area to guide your nailing and a smaller area for extreme steep-slope applications.



# QuadraBond<sup>™</sup>

Advanced Layering

CertainTeed's specially formulated adhesive adheres shingle layers at four points, more than any other manufacturer. This superior bond provides greater protection against shingle delamination to maximize performance over the life of the shingle in any climate.



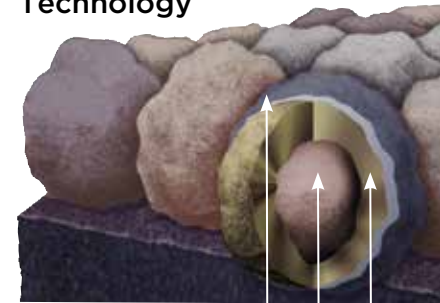
# StreakFighter<sup>®</sup>

Algae Resistance

The ultimate in stain protection.

Those streaks you see on other roofs in your neighborhood? That's algae, and it's a common eyesore on roofing throughout North America. CertainTeed's **StreakFighter** technology uses the power of science to repel algae before it can take hold and spread. **StreakFighter's** granular blend includes naturally algae-resistant copper, helping your roof maintain its curb appeal and look beautiful for years to come.

**Granule with StreakFighter Technology**



Ceramic coating  
Mineral core  
Copper layer

Diagram for illustrative purposes only.

# CertaSeal<sup>™</sup>

Uplift Protection

**CertaSeal<sup>™</sup>** is a fast-activating modified asphalt sealant with a 20-year record of proven performance. Designed to seal shingles together upon installation, it protects roofs from wind uplift and shingle blow-off so that homes stay safe and dry. It's also engineered to remain flexible after installation, unlike harder sealants that can dry out and crack over time.



# LANDMARK® Solaris® CoolRoof COLOR PALETTE



Solaris Crystal Gray  
CRRC Product ID 0668-0058



Solaris Aged Cedar  
CRRC Product ID 0668-0055



Solaris Weathered Wood  
CRRC Product ID 0668-0119

# LANDMARK® COLOR PALETTE



Silver Birch  
CRRC Product ID 0668-0072



Georgetown Gray



Weathered Wood



Moire Black



Black Walnut



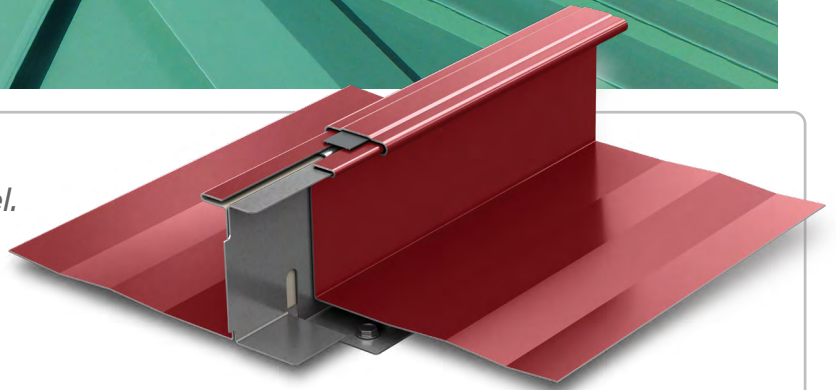
Heather Blend

# Berridge Tee-Lock Panel

## STANDING SEAM SYSTEM



*The Berridge Tee-Lock Panel is a symmetrical architectural and structural standing seam panel. The Tee-Lock panel has a highly visible profile and offers enhanced performance in both solid deck and open framing applications.*



### Materials

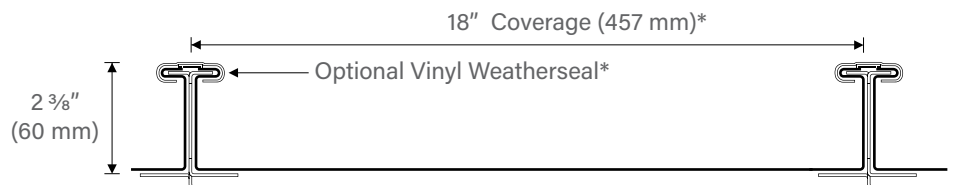
24 and 22 Gauge Steel  
0.032 and 0.040 Aluminum

### Specifications

Uses: Roofing, Fascia\*\*  
Coverage: 18"  
Finishes: Striated, optional smooth  
Fasteners: Concealed  
Applications: Open framing, solid sheathing  
Seam: 2 3/8" standing mechanically seamed sidelap  
Optional: Extruded vinyl weatherseal\*\*\*

### Installation

- Panel is available from the factory in continuous lengths to a maximum of 40'
- May be site formed in continuous lengths with the Berridge TP-24 Roll Former
- Tee-Lock Seam Cap is available from the factory in continuous lengths to a maximum of 40'
- Seam caps can be spliced in the field for panel applications longer than 40'
- Panel seams can be removed for panel replacement.
- Panel is mechanically seamed in the field using the Tee-Lock Panel Seamer



- Use Stainless Steel Tee-Lock Clip with Aluminum panels
- Use Continuous Tee-Rib Clip for high uplift and on open-framing applications

#### Note:

- \* Consult Berridge Manufacturing Company for other panel exposures
- \*\* Requires flashing break from roof to fascia
- \*\*\* Vinyl weatherseal required for open framing applications as well as watertightness warranties

#### Pictured Above

Project: Orlando Lift Station #3  
Architect: Hazen and Sawyer  
General Contractor: Wharton-Smith, Inc.  
Installing Contractor: Architectural Sheet Metal, Inc.  
Color: Forest Green

# BERRIDGE TEE-LOCK PANEL TESTING AND CERTIFICATION SUMMARY CHART

CATEGORY	CHARACTERISTIC	TEST METHOD	PURPOSE	RESULT
<b>PERFORMANCE</b>	<input type="checkbox"/> Underwriters Laboratories	UL 580/UL 1897	Test method to determine uplift resistance of roof assemblies	See Load Chart on Berridge website
	<input checked="" type="checkbox"/> Uplift Resistance	ASTM E-1592	Test method to determine uplift resistance of open framing systems	See Load Chart on Berridge website
<b>FIRE</b>	<input type="checkbox"/> Room Fire Performance	UL 790	Test methods for fire tests of roof coverings	Class A Rating
<b>ENVIRONMENTAL</b>	<input type="checkbox"/> Impact Resistance	UL 2218	Impact resistance of prepared roof coverings	Class 4 Rating
<b>AIR AND MOISTURE</b>	<input type="checkbox"/> Water Penetration	ASTM E-1646 ASTM E-331	Test method for water penetration of metal roofs by uniform static air pressure difference	No Leakage at 6.24 PSF Pressure Differential
	<input type="checkbox"/> Air Leakage	ASTM E-1680 ASTM E-283	Test method for rate of air leakage through exterior metal roofs	Less than 0.01 CFM at 6.24 PSF Pressure Differential
<b>ROOF LISTINGS</b>	<input type="checkbox"/> Underwriters Laboratories	UL 580 Uplift Class 90	Standard for Tests for Uplift Resistance of Roof Assemblies	Construction No. 268 (Purlins-Steel Only) Construction No. 268A (Steel Deck) Construction No. 268B (Plywood)
	<input checked="" type="checkbox"/> Factory Mutual Global	FMG 4471	Approval Standards for Class 1 Roofs	Roofnav # 459261-0-0 (I-150 SH Wind-Steel Deck) Roofnav # 459264-0-0 (I-240 SH Wind-Purlins)
	<input type="checkbox"/> TDI Listed	UL 580 ASTM E-1592	Texas Department of Insurance Listing for wind capacities	RC-502 (24 GA-Purlins) RC-503 (24 GA-Steel Deck) RC-504 (24 GA-Plywood) RC-562 (0.032 AL-Insulated Metal Deck)
	<input type="checkbox"/> Florida Product Approval	TAS 125	Local and state approval of products and systems for compliance with the structural requirements of the Florida Building Code	FL# 20321.2 (24 GA-Insulated Metal Deck) FL# 20321.1 (24 GA-Plywood) FL# 24225.1 (24 GA-Purlins) FL # 20321.3 (0.032 AL-Insulated Metal Deck)

- Steel only     - Steel and Aluminum  
 For further details please visit [www.Berridge.com](http://www.Berridge.com)



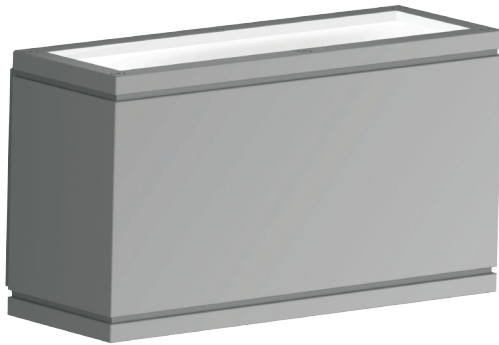
**CORPORATE HEADQUARTERS**  
 2610 Harry Wurzbach Road  
 San Antonio, TX 78209  
 (800) 669-0009  
[www.Berridge.com](http://www.Berridge.com)

# RUBIX - model: WS-W2509, WS-W2510

LED Wall Mount

# WAC LIGHTING

Responsible Lighting®



Fixture Type:

Catalog Number:

Project: \_\_\_\_\_

Location: \_\_\_\_\_

## PRODUCT DESCRIPTION

Available in single- and twin-light configurations, this die cast aluminum LED wall luminaire is wet location listed for a broad range of exterior lighting applications. Designed with an oblong profile, this version of Rubix mounts upwards or downwards.

## FEATURES

- Energy Star® rated
- CEC Title 24 Compliant
- Mounts Up or Down
- IP65 Rated, ETL & cETL Wet Location Listed
- Die-Cast Aluminum Construction
- Universal Voltage Input (120V - 277V)
- Dimming: ELV (120V) or 0-10V
- ADA Compliant

## SPECIFICATIONS

**Construction:** Aluminum with etched glass.

**Power:** Integral driver in luminaire. 120V - 277V input.

**Light Source:** High output LED

**Mounting:** Mounts directly to junction box

**Dimming:** 0-10V Dimming: 100%-10%

ELV Dimming: 100%-15% (120V only)

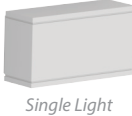
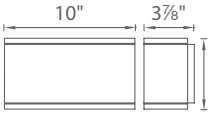
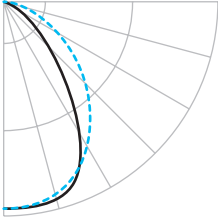

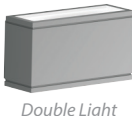
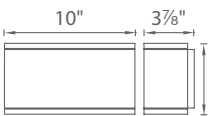
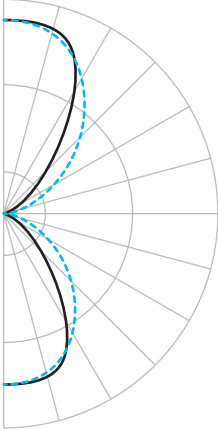
**Finish:** Brushed Aluminum (AL), Black (BK), Bronze (BZ), Graphite (GH), White (WT)

**Color Temp:** 3000K

**CRI:** 90

**Rated Life:** 70,000 hours

**Standards:** Energy Star® rated, IP65 Rated, ETL & cETL Wet Location Listed, CEC Title 24 Compliant, Dark Sky Friendly, ADA Compliant

	Beam	Photometry	Voltage	Watt	Lumens	Finish
 <p>Single Light</p>  <p><b>WS-W2509</b> Dark Sky Friendly 86° Energy Star®</p>			120V - 277V	16W	805	<p>AL Brushed Aluminum</p> <p>BK Black</p> <p><b>BZ Bronze</b></p> <p>GH Graphite</p> <p>WT White</p> 
 <p>Double Light</p>  <p><b>WS-W2510</b> 86°</p>			120V - 277V	30W	1385	

-

Example: **WS-W2510-GH**

wacighting.com

Phone (800) 526.2588

Fax (800) 526.2585

Headquarters/Eastern Distribution Center

44 Harbor Park Drive

Port Washington, NY 11050

Central Distribution Center

1600 Distribution Ct

Lithia Springs, GA 30122

Western Distribution Center

1750 Archibald Avenue

Ontario, CA 91760

**TOWN OF MINTURN, COLORADO  
ORDINANCE NO. 05 – SERIES 2020**

**AN ORDINANCE OF THE TOWN OF MINTURN,  
COLORADO ENACTING A MORATORIUM ON THE  
ALLOCATION OF WATER TAPS FOR NEW BUILD  
CONSTRUCTION PROJECTS REQUIRING MORE  
THAN THREE SINGLE FAMILY EQUIVALENT UNITS.**

**WHEREAS**, the Town of Minturn (“Town”) is a legal and political subdivision of the State of Colorado for which the Minturn Town Council (“Town Council”) is authorized to act; and

**WHEREAS**, new construction projects and projects increasing the footprint or the area of an existing structure proposed to be undertaken within the Town are subject to a water service application review pursuant to Section 13-2-10 et.seq. of the Minturn Municipal Code (“Code”) and to pay a water system improvement fee in order to connect to the Town’s water system; and

**WHEREAS**, the Town Council approved Resolution 40 – Series 2019 A Resolution to approve a Capital Improvements Plan (CIP) for the Minturn Water Plant and system within the Town of Minturn to address water system capacity issues; and

**WHEREAS**, the 2019 Water System CIP Table 3 Development Summary acknowledges approximately 70 remaining water taps, or Single-Family Equivalent (“SFE”) units for use within the Town of Minturn with the current water infrastructure and single water source utilized; and

**WHEREAS**, the 2019 Water System CIP Table 3 Development Summary acknowledges the approximately 70 remaining taps are in addition to the already allocated 120 remaining taps to be designated for the Eagle County School District Maloit Park area as outlined in Ordinances 1-4, Series 2011; and

**WHEREAS**, Resolution 40 – Series 2019, Section 1 acknowledges the adoption of “Option 2” by the Minturn Town Council to implement water system capital improvements that will support the growth scenario of an additional 330 SFEs; and

**WHEREAS**, Ordinance 11 – Series 2019 An Ordinance adopting the fee schedule for fiscal year 2020, adopted the water utilities fee schedule based on the Option 2 growth scenario water rate modeling conducted by Ehlers Municipal Financial; and

**WHEREAS**, in recognition of the capacity issues associated with the Town’s water system, Council passed Resolution 22 – Series 2019 limiting new water uses to meet water rights dedication requirements by paying a cash in lieu of fee.

**WHEREAS**, Minturn Crossing LLC (the “Applicant”) conducted pre-application meetings for the Minturn Crossing Conceptual Development Plan for Planned Unit Development with the Town on September 4, 2019 and October 24, 2019; and

**WHEREAS**, the Applicant submitted a Conceptual Development Plan for PUD application (the “Concept Plan”) to the Town on November 18, 2019; and

**WHEREAS**, the Applicant participated in required public conceptual plan review meetings during regularly scheduled Minturn Planning Commission meetings on the following dates: December 11, 2019 and January 8, 2020 and received approval; and

**WHEREAS**, the Applicant participated in a voluntary public conceptual plan review meeting at a regularly scheduled Minturn Town Council meeting held on December 18, 2019 and received conceptual level support; and

**WHEREAS**, at its regularly scheduled meeting of January 8, 2020, the Minturn Planning Commission voted unanimously to recommend to the Town of Minturn Planning Director that the Conceptual Plan met the standards for a Conceptual Development Plan for PUD pursuant to the Code, and that the Applicant should proceed to Preliminary Plan for PUD application; and

**WHEREAS**, the Town received an application (the “Application”) for the Minturn Crossing Preliminary Plan for PUD (the “PUD”) on March 13, 2020; and

**WHEREAS**, the Code requires the Town to determine completeness of the Application within ten (10) business days following receipt of a land use application; and

**WHEREAS**, the Application is for a residential PUD in general conformance with the Concept Plan and proposes up to 162 SFEs or a total buildout of 184 single-family, duplex, and multi-family dwelling units to be constructed in multiple phases, with the first phase to consist of a maximum of 70 dwelling units or SFEs; and

**WHEREAS**, based upon water system capacity, the water necessary to serve the first phase of the PUD is currently available; and

**WHEREAS**, should the Application be approved by the Town Council following the processes for review and approval of Preliminary Plan for Planned Unit Development outlined within the Code, the Town may enter into an Agreement with the Applicant that commits the Town water system to serve the first phase of the PUD up to 70 SFEs in exchange for the pre-payment of water system improvement fees by the Applicant; and

**WHEREAS**, the pre-paid water system improvement fees shall be used in accordance with the provisions of Resolution 40 – Series 2019; and

**WHEREAS**, due to water system limitations, the Town lacks the water system capacity to serve additional multiple SFE development projects until such time that capital improvements are completed and the Town of Minturn in conjunction with its water consultants determine quantifiable increases in water capacity and ability to serve new building construction projects; and

**WHEREAS**, Minturn desires that landowners and developers understand that they may



process land use development applications during the term of this moratorium so that development can occur as soon as sufficient water capacity exists to serve new multi-SFE projects; and

**WHEREAS**, municipalities have the authority to enact moratoria in order to preserve the status quo and promote orderly development so long as it is not contrary to a statewide regulatory scheme or policy; and

**WHEREAS**, the Town Council hereby finds and determines that a moratorium on the issuance of water taps for new projects requiring more than 3 SFEs after April 8, 2020 preserves the status quo in such a manner as to promote orderly development within the Town and is not contrary to any statewide regulatory schemes or policies, and furthermore provides sufficient assurance as to the availability of water taps for a pending application while protecting the Town's ability to adequately serve existing utility customers, thereby protecting the Town's water infrastructure and water source.

**NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO:**

SECTION 1. The foregoing recitals are incorporated herein as if set forth in full.

SECTION 2. A moratorium commencing on April 8, 2020 is hereby imposed on the acceptance and processing by the Town of land use development applications submitted pursuant to Minturn Municipal Code Chapter 16 for new construction projects within the Town's water service area that will require more than three (3) new Single Family Equivalents, as defined in Minturn Municipal Code Chapter 13, Article 1, unless the applicant signs an agreement with the Town acknowledging that physical water service for the proposed development may not be available in sufficient quantity to serve all lots or development proposed in the application and that the Applicant assumes such risk.

SECTION 3. The acceptance of applications for connection to the Town's water system as provided in Section 13-2-10 et. seq. is limited to no more than three SFEs for new water use for an entire property or collection of adjoining properties as legally configured on the date of this Ordinance that are owned by the same or related owners. This limitation may be modified on a case-by-case basis by the Town Council based upon a specific application.

SECTION 4: Until such time as this moratorium is lifted by Council, the terms of Section 3 in Resolution 22 – Series 2019 are hereby amended to state that “Cash in lieu fees may be approved by Town staff for new water use that does not exceed three SFEs for an entire property or collection of adjoining properties owned by the same or related owners.”

SECTION 5: This Ordinance shall be reviewed by Council every twelve months and may be continued (including continued with modifications) for an additional twelve month period by a majority vote.

SECTION 6: If any section, subsection, clause, phrase, or provision of this ordinance, or the application thereof to any person or circumstance shall to any extent be held by a court of

competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections, clauses, phrases and provisions of this ordinance, or the application thereof to any person or circumstance, shall remain in full force and shall in no way be affected, impaired or invalidated.

**INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THE 15<sup>th</sup> DAY OF APRIL, 2020. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 6<sup>TH</sup> DAY OF MAY, 2020 AT 6:30p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.**

**TOWN OF MINTURN, COLORADO**

  
\_\_\_\_\_  
**John Widerman IV, Mayor**

**ATTEST:**

By:   
\_\_\_\_\_  
**Jay Brunvand, Town Clerk**




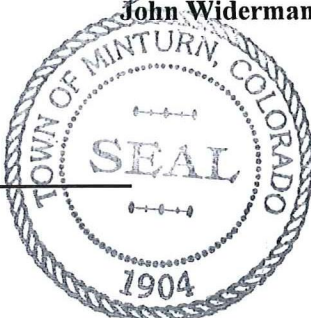
**THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THIS 6<sup>TH</sup> DAY OF MAY, 2020.**

**TOWN OF MINTURN, COLORADO**

  
\_\_\_\_\_  
**John Widerman IV, Mayor**

**ATTEST:**

By:   
\_\_\_\_\_  
**Jay Brunvand, Town Clerk**



Ad Number 0000574183-01  
Ad Size 1 X 66 li

Modular Ad Size

Order Start Date 04/18/2020  
Order Stop Date 04/18/2020  
Placement LEGALS CMN  
Position CMN Legal  
Products 8INTA8VD

TOWN OF MINTURN, COLORADO ORDINANCE  
NO. 05 - SERIES 2020

AN ORDINANCE OF THE TOWN OF MINTURN,  
COLORADO ENACTING A MORATORIUM ON THE  
ALLOCATION OF WATER TAPS FOR NEW BUILD  
CONSTRUCTION PROJECTS REQUIRING MORE  
THAN THREE SINGLE FAMILY EQUIVALENT  
UNITS.

INTRODUCED, READ BY TITLE, APPROVED ON  
THE FIRST READING AND ORDERED PUBLISHED  
BY TITLE ONLY AND POSTED IN FULL ON  
THE OFFICIAL TOWN WEBSITE THE 15th DAY  
OF APRIL 2020. A PUBLIC HEARING ON THIS  
ORDINANCE SHALL BE HELD AT THE REGULAR  
MEETING OF THE TOWN COUNCIL OF THE  
TOWN OF MINTURN, COLORADO ON THE 6TH  
DAY OF MAY 2020 AT 6:30p.m. AT THE MINTURN  
TOWN HALL 302 PINE STREET, MINTURN  
COLORADO 81645.

TOWN OF MINTURN, COLORADO

John Widerman IV, Mayor

ATTEST:

By: Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO  
ORDINANCE NO. 04 - SERIES 2020

AN ORDINANCE FOR THE REGULATION OF  
TRAFFIC BY THE TOWN OF MINTURN  
COLORADO; ADOPTING BY REFERENCE THE  
2020 EDITION OF THE "MODEL TRAFFIC CODE"  
REPEALING ALL ORDINANCES IN CONFLICT  
THEREWITH; AND PROVIDING PENALTIES FOR  
VIOLATION HEREOF.  
INTRODUCED, READ BY TITLE, APPROVED ON  
THE FIRST READING AND ORDERED PUBLISHED  
BY TITLE ONLY AND POSTED IN FULL ON  
THE OFFICIAL TOWN WEBSITE THE 15th DAY  
OF MARCH 2020. A PUBLIC HEARING ON THIS  
ORDINANCE SHALL BE HELD AT THE REGULAR  
MEETING OF THE TOWN COUNCIL OF THE  
TOWN OF MINTURN, COLORADO ON THE 15th  
DAY OF APRIL, 2020 AT 6:30p.m. AT THE MIN-  
TURN TOWN HALL 302 PINE STREET, MINTURN  
COLORADO 81645.

TOWN OF MINTURN, COLORADO

John Widerman IV, Mayor

ATTEST:

By: Jay Brunvand, Town Clerk

Published in the Vail Daily on April 18, 2020.  
0000574188

Ad shown is not actual print size.

TOWN OF MINTURN, COLORADO  
ORDINANCE NO. 04 - SERIES 2020

AN ORDINANCE FOR THE REGULATION OF TRAFFIC BY THE TOWN OF MINTURN, COLORADO, ADOPTING BY REFERENCE THE 2020 EDITION OF THE MODEL TRAFFIC CODE, REPEALING ALL ORDINANCES IN CONFLICT THEREWITH, AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF AND PURSUANT TO AMENDMENTS TO THE MODEL RELATING TO THE OPERATION OF VEHICLES WITHIN THE TOWN.

THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THIS 6TH DAY OF MAY, 2020.

TOWN OF MINTURN, COLORADO

JOHN WOODBRITT IV, Mayor

ATTEST:

Sgt. Jay Brumback, Town Clerk

TOWN OF MINTURN, COLORADO  
ORDINANCE NO. 07 - SERIES 2020

AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO AMENDING CHAPTERS 6 AND 18 OF THE MINTURN MUNICIPAL CODE FOR THE PURPOSE OF ADOPTING INCLUSIONARY ZONING FOR AFFORDABLE HOUSING.

INTRODUCED, READ BY TITLE, APPROVED ON THE 6TH READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE ON MAY 11TH OF MAY, 2020. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETINGS OF THE TOWN COUNCIL ON THE 20TH DAY OF MAY, 2020 AT 8:30 P.M. AT THE MINTURN TOWN HALL 505 PINE STREET, MINTURN, COLORADO 81242.

TOWN OF MINTURN, COLORADO

JOHN WOODBRITT IV, Mayor

ATTEST:

Sgt. Jay Brumback, Town Clerk

TOWN OF MINTURN, COLORADO  
ORDINANCE NO. 08 - SERIES 2020

AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO ENACTING A MORATORIUM ON THE ALLOCATION OF WATER TAPS FOR NEW SINGLE CONSTRUCTION PROJECTS REQUIRING MORE THAN THREE SINGLE FAMILY EQUIVALENT UNITS

THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THIS 6TH DAY OF MAY, 2020.

TOWN OF MINTURN, COLORADO

JOHN WOODBRITT IV, Mayor

ATTEST:

Sgt. Jay Brumback, Town Clerk

TOWN OF MINTURN, COLORADO  
ORDINANCE NO. 08 - SERIES 2020

AN ORDINANCE AMENDING THE 2020 BUDGET AS SET FORTH IN THE FOLLOWING EXHIBIT AND TO UNAPPROPRIATE GENERAL FUND REVENUES IN THE AMOUNT OF \$87,081.00 AND UNAPPROPRIATING SAME AT THIS POINT.

Glenwood Springs – Main Office

201 14<sup>th</sup> Street, Suite 200  
P. O. Drawer 2030  
Glenwood Springs, CO 81602

Aspen

0133 Prospector Rd.  
Suite 4102J  
Aspen, CO 81611

Montrose

1544 Oxbow Drive  
Suite 224  
Montrose, CO 81402

Office: 970.945.2261

Fax: 970.945.7336

*[\\*Direct Mail to Glenwood Springs](#)*

DATE: January 26, 2023  
TO: Minturn Mayor and Council  
FROM: Karp Neu Hanlon, P.C.  
RE: Continuation of Water Moratorium

---

Council is presented an ordinance continuing the existing water moratorium, albeit with some substantive modifications.

Background

In May 2020, the Council passed Ordinance No. 5, Series 2020 enacting a moratorium on the allocation of new SFEs of water service from the Town’s water system. The moratorium has been in place since 2020 having been renewed in February 2022. The 2020 water moratorium was in reaction to analyses of the Town’s capacity to supply water undertaken as part of the 2019 Capital Improvement Plan. The bases for the moratorium were both limitations on the Town’s ability to treat water (the aging water treatment plant) and limitations on the Town’s senior water rights (legal ability to divert water for use within the Town).

In the three years since the moratorium was enacted, additional data has been gathered and new circumstances arisen which require the Town to re-evaluate the water supply limitations in the 2020 moratorium. Specifically, the Town has hired the HDR Engineering to provide a more detailed analysis of the ability of the Town’s existing water treatment plant to meet current and future service needs. Further, the Town has continued to obtain guidance from water rights engineers Martin & Wood as to the Town’s capacity to provide water under the Town’s water rights. Updated information from both technical consultants is provided with this memorandum.

Limits on the Town’s Ability to Provide Water Service

The Town faces two significant obstacles to increasing water service beyond the current levels. These obstacles are legal limits on the Town’s ability to divert water from Cross Creek and limitations on the existing water treatment plant’s ability to deliver potable water to users.

With respect to the Town’s legal water rights, the Town currently only has infrastructure that can divert water from Cross Creek. While Cross Creek provides excellent quality source water most of the time, the Creek is subject to turbidity and water quality issues during certain periods of the year. In order to provide acceptable source water to the water treatment plant, the Town takes water from a mixture of the Town’s Cross Creek surface diversion and wells located along Cross Creek.

Increasingly, the wells located on Cross Creek provide an indispensable source of supply that is capable of being treated by the Town's aging water treatment plant. **See Memorandum of Martin & Wood dated January 26, 2023.**

The Town's senior water rights – the surface diversion and two wells – are subject to consumptive use limitations imposed by the Water Court in Case No. 07CW225. The consumptive use limitations restrict the Town's ability to divert water from the senior water rights: (a) in annual amounts, (b) in monthly amounts, and (c) by individual structure. As discussed in the Martin & Wood memorandum, the Town historically derived approximately 30% of its source water from the two wells and consumptive use limitations were imposed based on that. Now, the Town is relying more heavily on the wells and is currently using them to provide at least 50% of the water supply each month. As a result, the Town has reached the annual consumptive use limitation for one of the wells twice in the last 7 years.

The consumptive use limitations imposed by the Water Court create a material constraint on the Town's ability to serve additional growth in Minturn with Cross Creek water. While the Town has junior water rights, including for wells, which are not subject to the consumptive use limitations, these junior water rights require augmentation which is most likely needed in the summer and fall months (when Town water service is most in demand). The Town does not have infrastructure in place to deliver augmentation water to its points of diversion on Cross Creek. As such, the use of the Town's junior water rights to supply additional growth is unreliable.

As discussed in the Martin & Wood memorandum, the Town currently has an approximate 10% buffer on the monthly consumptive use limitations. The addition of 70 SFEs (an SFE is indoor and outdoor water usage for one residential unit) plus 120 in-door only water services connections which were reserved to the Eagle County School District in Ordinance No. 3 Series 2011, places the Town close to the 10% buffer.

The Town's water treatment plant is around 60 years old. It primarily utilizes slow sand filter technology – a treatment method that today is only used in 3 municipalities in Colorado. The Town also has a temporary Cartridge Filter and the ability to chlorinate water pumped from the wells. The water treatment plant has three filter beds. However, due to age and restrictions imposed by CDPHE, the two outdoor slow sand filters have been decommissioned, leaving only one filter bed operational. That leaves the Town's ability to treat water to meet service needs significantly restricted.

HDR Engineering has undertaken an analysis of the Town's ability to meet service needs, including growth, under "constrained" and "worst case" conditions. **See Memorandum of HDR dated January 24, 2023.** Consideration of restricted conditions at the Town's water treatment plant are critical due to the age of the infrastructure. HDR's "constrained" and "worst case" scenarios look at treatment capacity if Filter 3 is off-line (due to turbidity in the source water) and one of the Town's two wells cannot operate due to the consumptive use limitations imposed by Case No. 07CW225. HDR concludes that under the "worst case" scenario, the Town is able to meet the existing average daily demand and the maximum daily demand (assuming no growth). Under the "constrained"

scenario, the Town can meet the average daily demand (including limited growth) but not the projected maximum daily demand. Maximum daily demands can be managed by imposing outdoor watering restrictions (maximum daily demands occur during the summer when irrigation is occurring) during temporary periods until the additional treatment capacity is brought back on-line.

The Town believes that a “worst case” scenario would be limited to a few weeks and short term water supply shortages can be addressed by irrigation limitations. The “constrained” scenario is an occurrence that could last for longer durations and therefore imposes a greater limitation on water service for additional growth. The limitations proposed in the proposed ordinance fall within the supply conditions of the constrained scenario.

### The Proposed Moratorium Ordinance

Town Staff has concluded that the updated analysis of limitations on the Town’s water system requires enacting a new water moratorium. The proposed moratorium ordinance contains the following provisions:

- A. Section 3 limits connections to the Town’s water system to the historic number of SFEs used on a property (or collection of properties under the same or related ownership) *plus one SFE*. This is a reduction from the allowance provided in Ordinance 5, Series 2020 of historic use plus three SFEs. The “plus one” SFE will allow limited infill such as a homeowner adding an ADU to an existing house or the construction of a 1 SFE house on a vacant lot.
- B. Section 4 continues a moratorium on the processing of land use development applications which would result in water use exceeding the historic number of SFEs plus one SFE.
- C. Section 5 amends Resolution 22 – Series 2019 limiting the number of in-lieu water right dedication fees that can be paid to one SFE.
- D. Section 6 continues allocation of 70 SFEs of water service for the Minturn North project (if such project is approved). However, Section 6 terminates the reservation if a preliminary plan for the Minturn North project is not obtained by August 31, 2023.
- E. Section 7 grandfathers certain development applications into provisions of Ordinance No. 5, Series 2020. The developments are: Minturn North, Belden Place, and Midtown Village. These three developments have approved concept development plan. This Section allows these three developments to continue with land use approval applications and to qualify for the historic use *plus three* SFEs. It should be noted that Belden Place cannot currently process land use applications because of the “automatic stay” provisions in the Town Code as a result of pending litigation.
- F. Section 8 modifies a provision in Ordinance No. 5, Series 2020 that allowed for applications to seek relief from the moratorium. No deviations from the moratorium are permitted under the ordinance as presented.

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Staff recommends approval of the water moratorium ordinance in order to protect the health, safety and welfare of Minturn's water users.



TOWN OF MINTURN, COLORADO  
ORDINANCE NO. 2 - SERIES 2023

AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO CONTINUING A  
MORATORIUM ON THE CONNECTION TO THE TOWN'S WATER SYSTEM AND  
ALLOCATION OF WATER SERVICE FOR PROJECTS IN EXCESS OF THE HISTORIC  
WATER USE.

**WHEREAS**, the Town of Minturn ("Town") is a legal and political subdivision of the State of Colorado for which the Minturn Town Council ("Town Council") is authorized to act; and

**WHEREAS**, the Town has founded an enterprise for the purpose of operating the Town's water treatment and distribution system; and

**WHEREAS**, the Town's water treatment plant was constructed in the 1960s using slow sand filter technology; and

**WHEREAS**, the Town's water treatment plant has reached the end of its useful life; of the three slow sand filter trays only one remains operational placing limits on the Town's ability to treat water for existing and new users; and

**WHEREAS**, the Town's water rights are the subject of Consolidated Case Nos. 06CW264 and 07CW225 which impose annual and monthly consumptive use limitations on the Town's ability to divert and use water within its service area; and

**WHEREAS**, the Town has come close to exceeding the consumptive use limitations imposed by Consolidated Case Nos. 06CW264 and 07CW225; and

**WHEREAS**, further growth in the number of users of the Town's water resources will cause the Town to exceed the reliable capacity of the water treatment plant and the Water Court imposed limitations in Consolidated Case Nos. 06CW264 and 07CW225; and

**WHEREAS**, new construction projects and projects increasing the footprint of landscaping or the area of an existing structure proposed to be undertaken within the Town are subject to a water service application review pursuant to Section 13-2-10 et.seq. of the Minturn Municipal Code ("Code") and to pay a water rights dedication fee, a tap fee and a water system improvement fee in order to connect to the Town's water system; and

**WHEREAS**, the Town Council approved Resolution 40 – Series 2019 A Resolution to approve a Capital Improvements Plan (CIP) for the Minturn Water Plant and system within the Town of Minturn to address water system capacity issues; and

**WHEREAS**, the 2019 Water System CIP Table 3 Development Summary acknowledges approximately 70 Single Family Equivalent ("SFE") units of service can be provided with the current water infrastructure and single water source utilized in addition to the already allocated

120 remaining taps to be designated for the Eagle County School District Maloit Park area as outlined in Ordinances 1-4, Series 2011; and

**WHEREAS**, Minturn Crossing LLC submitted a Concept Development Plan for PUD application from property located in north Minturn (between Taylor Ave. and Minturn Road) to the Town on November 18, 2019; and the Town received an application (the “Application”) for the Minturn Crossing Preliminary Plan for PUD on March 13, 2020 (“Minturn North Project”); and

**WHEREAS**, the Application originally proposed up to 162 SFEs or a total buildout of 184 single-family, duplex, and multi-family dwelling units which application was amended by submittal of an amended preliminary plan application dated December 16, 2022 which contemplates full buildout of 76 SFEs (including historic use); and

**WHEREAS**, the Town enacted Ordinance No. 05 Series 2020 enacting a water moratorium on connection to the Town’s water system and the allocation of new taps (or SFEs) of water service on May 6, 2020; and

**WHEREAS**, Ordinance No. 05 Series 2020 limited the allocation of new SFEs of water service to historic use plus three additional SFEs; and

**WHEREAS**, Ordinance No. 05 Series 2020 reserved 70 SFEs of water service for the Minturn North Project; and

**WHEREAS**, the moratorium was continued for an additional year on February 16, 2022; and

**WHEREAS**, based upon current information about constraints of the water treatment plant and limitations on the Town’s water rights, an extension and modification of the existing moratorium is required; and

**WHEREAS**, the allocation of SFEs from the Town’s water system beyond what is provided for this this moratorium will result in health and safety risks to the Town and its population resulting from the inability to reliably provide water service; and

**WHEREAS**, municipalities have the authority to enact moratoria in order to preserve the status quo, protect public health and safety, and promote orderly development so long as it is not contrary to a statewide regulatory scheme or policy; and

**WHEREAS**, the Town Council hereby finds and determines that a moratorium on the allocation of SFEs in conformance with this Ordinance preserves the status quo in such a manner as to protect public health and safety, and promote orderly development within the Town and is not contrary to any statewide regulatory schemes or policies.

**NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO:**

SECTION 1. The foregoing recitals are incorporated herein as if set forth in full.

SECTION 2. Upon the effective date of this Ordinance, Ordinance No. 5, Series 2020 is repealed and replaced.

SECTION 3. A moratorium is hereby continued on the acceptance of applications for connection to the Town's water system or allocation of SFEs as provided in Section 13-2-10 et. seq. and is limited to no more than the historic number of SFEs used plus one additional SFE for new water use for an entire property or collection of adjoining properties as legally configured on the date Ordinance No. 05 Series 2020 was passed that are owned by the same or related owners.

SECTION 4. A moratorium is hereby continued on the acceptance and processing by the Town of land use development applications submitted pursuant to Minturn Municipal Code Chapters 16 and 17 that will result in water use exceeding the historic number of SFEs plus one additional SFE for a property or collection of adjoining properties as legally configured on the date Ordinance No. 05 Series 2020 was passed that are owned by the same or related owners.

SECTION 5. Until such time as this moratorium is lifted by Council, the terms of Section 3 in Resolution 22 – Series 2019 are hereby amended to state that “Cash in lieu fees may be approved by Town staff for new water use that does not exceed one SFE for an entire property or collection of adjoining properties owned by the same or related owners.”

SECTION 6. Up to 70 SFEs of available water service are reserved for the Minturn North Project. In the event that a preliminary plan is not approved for the Minturn North Project on or before August 31, 2023, the reservation of SFEs for the Minturn North Project shall automatically terminate and Council may amend this Ordinance to reallocate available SFEs for other water service.

SECTION 7. Any property or collection of adjoining properties that has received a PUD Concept Development Plan approval (per Section 16-15-120) shall: (a) be permitted to receive connection to the Town's water system and allocation of SFEs in the amount of the historic number of SFEs used plus three additional SFE for new water use for an entire property or collection of adjoining properties as legally configured on the date Ordinance No. 05 Series 2020 was passed that are owned by the same or related owners, and (b) be permitted to process land use development applications pursuant to Minturn Municipal Code Chapters 16 and 17 that will result in water use not to exceed the historic number of SFEs plus three additional SFEs for property or collection of adjoining properties as legally configured on the date Ordinance No. 05 Series 2020 was passed that are owned by the same or related owners.

SECTION 8. The Town may accept no applications for connection to the Town's water system or allocation of SFEs that differ from the content of this ordinance.

SECTION 9. If any section, subsection, clause, phrase, or provision of this ordinance, or the application thereof to any person or circumstance shall to any extent be held by a court of competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections,

clauses, phrases and provisions of this ordinance, or the application thereof to any person or circumstance, shall remain in full force and shall in no way be affected, impaired or invalidated.

INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THE 18 DAY OF JANUARY 2023. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 1ST DAY OF FEBRUARY 2023 AT 5:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO

\_\_\_\_\_  
Earle Bidez, Mayor

ATTEST:

By: \_\_\_\_\_  
Jay Brunvand, Town Clerk

THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THIS \_\_\_ DAY OF FEBRUARY 2023.

TOWN OF MINTURN, COLORADO

\_\_\_\_\_  
Earle Bidez, Mayor

ATTEST:

By: \_\_\_\_\_  
Jay Brunvand, Town Clerk



## Memorandum

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**To:** Mike Sawyer, Town Attorney and Michelle Metteer, Town Manager  
**From:** Cristy Radabaugh, P.E.  
**Date:** January 26, 2023  
**Subject:** Minturn Consumptive Use Limits and Growth Evaluation

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Minturn primarily uses three water rights to provide water for Minturn's Water Service Area. These water rights are referred to as Minturn's "senior water rights" and include its Minturn Water System Ditch water right, its water right for the Town of Minturn Well No. 1 (currently diverted at Minturn Well No. 3), and its water right for the Town of Minturn Well No. 2 (currently diverted at Minturn's Well No. 4). This memo provides information on the consumptive use limits associated with the senior water rights and information related to growth that can be supported within the limits.

### Consumptive Use Limitations on Senior Water Rights

There are limitations on Minturn's senior water rights related to consumption of the water. These consumptive use limits result in restrictions on Minturn's diversions and well pumping under the senior water rights on a monthly, seasonal, and annual basis (Table 1). Consumptive use is calculated from the metered water deliveries to customers and based on how the water is used (indoor uses are less consumptive than outdoor uses). The total consumption is allocated between each of the senior water rights based on daily diversion and pumping data.

If a consumptive use limit shown in Table 1 is reached, Minturn must cease diversions and/or pumping associated with the senior water right that has hit a consumptive use limit. In that circumstance, Minturn may either divert under its junior water rights from the same structure or may temporarily cease diversions and/or pumping. For example, if the annual consumptive use limit is reached in August at one of Minturn's wells, Minturn would choose between 1) no longer using that well until the annual use under the limit resets, or 2) using the well to pump water associated with a different, more junior water right. If Minturn chooses to pump water associated with its junior water right from the well, then Minturn will likely be required to make

augmentation replacements to prevent impacts to more senior downstream water rights holders on Cross Creek, the Eagle River, and/or the Colorado River.

**Table 1**  
**Consumptive Use Limits for Minturn’s Senior Water Rights**

<b>Monthly Consumption Limits (af)</b>			
<b>Month</b>	<b>Maximum</b>	<b>Month</b>	<b>Maximum</b>
Nov	0.75	May	3.5
Dec	0.75	Jun	9.75
Jan	0.75	Jul	11.5
Feb	0.75	Aug	8.5
Mar	0.75	Sep	5.0
Apr	1	Oct	2.25
<b>Seasonal Consumption Limit (af)</b>			
June through August			27.5
<b>Annual Consumption Limits (af)</b>			
Well No. 3 (from Well No. 1 water right)			9.0
Well No. 4 (from Well No. 2 water right)			2.31
Annual Limit from All Senior Water Rights			38.0

Notes:

1. The monthly and seasonal limits apply to the combined consumption associated with the three senior water rights (Minturn Water System Ditch, Well No.1 water right at Well No. 3, Well No. 2 water right at Well No. 4).
2. The seasonal limit is less than the sum of its associated monthly limits, and the annual limit is less than the sum of the monthly limits.
3. The annual consumption limit by well applies only to the respective well/water right and is an additional limit specific to those senior water rights.

While Minturn has augmentation supplies along the Eagle River and the Colorado River, Minturn does not currently have augmentation supplies that can be used on Cross Creek. This currently makes the use of Minturn’s junior water rights along Cross Creek unreliable. If Minturn is using its junior water rights and cannot provide augmentation water to Cross Creek, Minturn may be ordered to stop diverting/pumping under its junior water rights to prevent injury to a senior water right on Cross Creek. Therefore, Minturn currently plans to maintain its water use within the consumptive use limits in order to avoid a situation where an augmentation replacement is due to Cross Creek.

The monthly consumptive use limits are most likely to be reached or exceeded in warm, dry months, when outdoor watering is typically high. In the last 10 years, the Town came within 10% of a monthly consumptive use limit in September of 2017 and 2022. The Town implemented some watering restrictions beginning in 2021 and adjusted its rate schedule in 2022 to encourage the efficient use of water, which may provide for lower consumption in the future. Without these changes, it is anticipated that Minturn's consumption under the senior water rights in September 2022 would have been more than 90% of the monthly limit. We will continue to monitor Minturn's consumption associated with the senior water rights, and additional years of water use data will be helpful in evaluating the impacts of the restrictions and rate schedule changes. Minturn may wish to consider further restrictions.

The Town reached the annual consumptive use limit on the Well No. 2 senior water right (based on pumping at Well No 4), twice in the last 10 years. The consumptive use limits, which were based on historical data, indicate that an average of 30% of Minturn's water historically came from wells and the remaining water came from the Minturn Water System Ditch. Relying more heavily on well water, because of intermittent water quality issues on Cross Creek or other factors, has increased the likelihood of reaching or exceeding a consumptive use limit associated with Minturn's wells.

### **Staying within the Limits**

Minturn is planning for future growth and intending to use additional water supplies in the future. Until Minturn can further reduce or eliminate the need to augment Cross Creek, Minturn is limiting growth.

I understand that Minturn's 2020 Water Moratorium allows growth for 70 single-family equivalents (SFE) for indoor and outdoor water use at Minturn North, if approved by the Council, and also for 120 SFE for indoor use on the Eagle County School District property. This is a combined 190 SFE. The 70 SFE that include outdoor use will represent approximately a 9.6% increase to Minturn's existing approximate 730 SFE. These 70 SFE and 120 SFE can be reasonably expected to consume water in alignment with existing customers, and therefore are expected to put Minturn very close to the monthly consumptive use limits at times. If the 190 SFE had been using water last year along with the existing customers, it is estimated that Minturn would have been at 99.8% of the monthly consumptive use limit in September 2022.

Based upon the existing data used for calculation of consumptive use under Minturn's water right decrees, it is anticipated that the planned 190 SFE of growth is all the additional water consumption that can be handled under the monthly consumptive use limits.



# Technical Memo

Date: Tuesday, January 24, 2023

Project: Minturn WTP Design

To: Michelle Metteer, Town of Minturn

From: HDR Engineering, Inc

Subject: **Water Treatment Plant Production Capacity**

The existing Minturn WTP comprises of two surface water treatment trains as well as two groundwater wells. The surface water treatment includes one slow sand filter (Filter 3) capable of producing 60 gpm under ideal raw water quality conditions as well as one 1.0 micron cartridge filter capable of producing 50 gpm of treated water. Groundwater wells #3 and #4 provide water to the WTP clearwell where chlorine is applied for disinfection. Wells #3 and #4 can produce 80 gpm each of treated water. Raw water quality as it relates to the treatment limitations at the WTP and secured junior and senior water rights in Cross Creek are the basis for evaluating scenarios with restricted production capacity of Minturn’s WTP.

The anticipated worst-case scenario comprises both compromised water quality in Cross Creek (e.g., spring runoff when Cross Creek turbidity is highest) as well as Minturn conserving use of its senior water rights from the wells. The constrained scenario comprises the same water quality compromises but Well #4 is used, thereby providing additional water to the system. The constrained and worst-case scenarios regarding the total production of treated water from the existing WTP are summarized in the following table.

Water Supply	Constrained Scenario		Worst-Case Scenario		Comments
	Status	Production	Status	Production	
Surface Water Supplies					
Filter 3	Offline	-	Offline	-	Unable to meet turbidity compliance
Cartridge Filter	Online	50 gpm	Online	50 gpm	Absolute filtration by manufactured filter element
Groundwater Supplies					
Well #3	Online	80 gpm	Online	80 gpm	-
Well #4	Online	80 gpm	Offline	-	Typically, the Town will delay use of this water right due to consumptive use limitations. Well #4 could be brought online if needed.
<b>Total Production</b>	<b>210 gpm / 304,000 gpd</b>		<b>130 gpm / 187,000 gpd</b>		Does not account for water loss in distribution system which reduces the delivery to customers
<b>Estimated Delivery to Customers</b>	<b>243,000 gpd</b>		<b>150,000 gpd</b>		Based on a 20% loss from treatment to customer deliveries





Minturn’s existing water treatment plant is estimated to be able to reliably produce up to 187,000 gallons per day under the worst-case scenario and 304,00 gpd under the constrained scenario. If a conservative water loss factor capturing distribution system leaks of 20% is applied to the WTP production, the actual production available to customers under the worst-case scenario is 150,000 gpd and under the constrained scenario is 243,000 gpd.

Minturn’s Capital Improvements Plan (CIP), completed in 2019 while slow sand filters #1 and #2 were still operational, identified existing and future water demands, which are presented in the following table.

**Water demands based on 2019 Minturn Capital Improvements Plan**

	Existing Demand	Future Demand
Average	147,000 gpd	196,000 gpd
Maximum	333,000 gpd	441,000 gpd
Notes		An additional 190 SFEs are planned for Minturn North and the School District
Production Capacities		Constrained: 243,000 gpd Worst Case: 150,000 gpd

Under the worst-case production scenario, the Town is able to meet the existing average demand but is unable to meet the future average demand. The maximum daily demands cannot be satisfied under the worst-case scenario and are closer to being met under the constrained scenario. Under the constrained scenario, the Town is able to meet the existing average demand and 75% of the existing maximum demand

The Town can impose water restrictions disallowing or reducing the use of water for irrigation purposes. Irrigation water use contributes to max day demand conditions and thus validates the use of average day demand conditions as the measuring stick for the ability of the Town to produce enough water to meet those demands.

**Acronyms**

- WTP – Water Treatment Plant
- gpm/gpd – Gallons per minute / gallons per day
- CIP – Capital Improvements Plan



To: Mayor and Council  
From: Madison Harris, Planner I  
Date: January 26, 2023  
Agenda Item: Certificate of Appropriateness - 146 N Main Street - Minturn Saloon

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**Request:**

Review of Historic Preservation Commission (HPC) actions from the regular meeting of January 24, 2023. Additionally, add as a condition of approval the requirement for the execution of an Encroachment Agreement. The following actions were recently taken by the HPC which has been put on the agenda for review by the Minturn Town Council:

**146 North Main Street, Minturn Saloon – Certificate of Appropriateness Approval**

**Introduction:**

At their regular meeting of January 24, 2023, the HPC reviewed the plans for the reconstruction of an awning that had to be removed due to integrity issues while replacing the roof, as well as the addition of two penetrations in the roof for a grease fan and a bathroom fan. Plans call for the replacement of the awning as similarly as possible to the original construction. A staff report and exterior elevation renderings are attached for reference.

The HPC discussed the proposed reconstruction in context to the Secretary of the Interior’s *Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings*, as adopted by the Town of Minturn Municipal Code Section 19-5-30. The HPC unanimously supported the proposed project as meeting the objectives and requirements of the MMC and the Secretary of Interior’s Guidelines.

Ultimately, the HPC voted 4-0 to issue a Certificate of Appropriateness to the Applicant, choosing Option 1 of the two given options describing methods of construction of the awning. Option 1 was represented as the sturdier option of construction of the two.

**Community Input:**

One citizen spoke during the public hearing in favor of Option 1.

Public notice was provided in accordance with the Minturn Municipal Code as a matter of posting of the official agenda and packet materials for public review prior to the hearing, and following Section 19-5-20 Alteration hearing.

**Analysis:**

In reviewing the application, the HPC considered the criteria and findings required by the Minturn Municipal Code, as well as the testimony of staff, the Applicant, and Lynn Teach of Pine Street who provided testimony.

Discussion by the HPC focused on the proposal's overall conformance with the requirements of Chapter 19 – *Historic Preservation* of the Town of Minturn Municipal Code, and the Secretary of the Interior's *Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings*.

**Condition of Approval:**

An encroachment agreement is required as part of this project is occurring within the public right of way. Staff recommends approving the certificate of appropriateness upon condition of a completed encroachment agreement. The encroachment fee is set at \$16.00/sf. The encroachment area is 241.01 sq. ft., therefore the encroachment fee per year would be \$3856.16. Staff recommends this fee be waived annually so long as the public value of an accessible, covered walkway remains for the extent of the encroachment.

**Budget/Staff Impact:**

TBD.

**Strategic Plan Alignment:**

The Historic Preservation Commission's review of Certificate of Appropriateness applications, aligns with the following key strategies:

**PRACTICE FAIR, TRANSPARENT AND COMMUNICATIVE LOCAL GOVERNMENT**

THE TOWN WILL SEEK TO MAKE INFORMED, DATA-BASED DECISIONS WITH A STANDARD OF "DOING IT RIGHT." WITH AN HONEST APPROACH TO ALL ASPECTS OF LOCAL GOVERNMENT AND A FOCUS ON THE PUBLIC PROCESS, THE TOWN COUNCIL AND STAFF ARE COMMITTED TO SERVING MINTURN WITH THE HONESTY AND INTEGRITY EXPECTED OF A SMALL-TOWN GOVERNMENT.

**ADVANCE DECISIONS/PROJECTS/INITIATIVES THAT EXPAND FUTURE OPPORTUNITY AND VIABILITY FOR MINTURN**

The ability for Minturn to approach development as resilient, sustainable, creative and diverse will allow the town to continue embracing what has "made Minturn, Minturn." The town can further leverage its crossroads location as a valley-wide benefit and competitive advantage.

**Recommended Action or Proposed Motion:**

Ratify the Town of Minturn HPC action to issue a Certificate of Appropriateness to 146 N Main Street - Minturn Saloon.

**Attachments:**

- Staff Report
- Certificate of Appropriateness application

To: Minturn Historic Preservation Commission  
From: Michelle Metteer  
Date: January 20, 2023  
Agenda Item: Certificate of Appropriateness for 146 N Main Street (Minturn Saloon)



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**REQUEST:**

Review the Certificate of Appropriateness application of 146 N Main Street (Commonly known as the Minturn Saloon) based on the criteria outlined in the Minturn Municipal Code Sec. 19-5-30, citing as findings of fact for this recommendation, and public testimony.

**Address:** 146 N Main Street  
**Zoning:** Old Town Character Area – Commercial Zone  
**Owner:** Los Amigos – Property Company LLC (locally Connie and Anthony Mazza)  
**Applicant(s):** Nick Brechtel, Pierce Austin Architects

**CASE SUMMARY:**

A Certificate of Appropriateness application has been submitted for the Historic Landmark located at 146 N Main Street known as the Minturn Saloon. Staff reviewed and deemed the application complete. As such, staff scheduled a public hearing for the Historic Preservation Commission meeting on January 24, 2023. Adjacent properties, the applicant, and the owner of 146 N Main Street were notified via certified mail, and a notice placed in the Vail Daily 10 days before the public hearing.

**CERTIFICATE OF APPROPRIATENESS CRITERIA & EVALUATION; CHAPTER 19 MINTURN MUNICIPAL CODE:**

To be granted a Certificate of Appropriateness, in accordance with Chapter 19, Minturn municipal Code, the application must be complete, and the proposal must meet the following criteria:

**MMC Sec. 19-5-30. Review Criteria.**

- (a) Compliance with any Historic Preservation Design Guidelines adopted by the Town Council for historic properties and/or contributing properties within historic districts.
- (b) Compliance with the Secretary of the Interior’s Standards for the Treatment of Historic Properties, including the Standards for Rehabilitation.

**CRITERIA EVALUATION**

Town staff found that the application for Certificate of Appropriateness demonstrates that the proposal meets the following criteria.

**A. Rehabilitation**

*The Secretary of the Interior defines rehabilitation as the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values. (U.S. Dept. of*

the Interior, 2017)

According to the standards for rehabilitation as set forth by the Secretary of the Interior, the following standards staff believes are met:

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships.

**Response:** The Saloon has been in business since 1901, and it continues to operate as that. This has required little change to its distinctive materials, features, spaces and spatial relationships.

2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.

**Response:** Unavoidably due to structural integrity issues, the previous awning had to be removed from the building to ensure public safety. Since the awning is a distinctive characteristic and recognizable feature of the building, the Applicant proposes to replace this portion of the structure with the design and material similar in nature to the original awning.

5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.

**Response:** While the awning might not be original to the building from 1901, it should still be classified as a feature with historic significance to the building and should be preserved. The contractor proposes to recreate the original awning with a similar design and materials as the original.

6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

**Response:** The new feature proposed (as depicted on Sheet A0.00) proposes to match the old awning as much as possible. As part of the rehabilitation of the interior there will also need to be two roof penetrations for the grease and bathroom fan. This is shown on Sheet A7.00 and will need to be approved through the Certificate of Appropriateness process as it affects the exterior of the building.

## **B. Restoration**

*Restoration is defined as the act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of the removal of*

*features from other periods in its history and reconstruction of missing features from the restoration period. The limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a restoration project. (U.S. Dept. of the Interior, 2017)*

According to the Secretary of the Interior's standards for restoration:

1. A property will be used as it was historically or be given a new use that interprets the property and its restoration period.

**Response:** The Saloon has been in business since 1901, and it continues to operate as that. This has required little change to its distinctive materials, features, spaces and spatial relationships.

6. Deteriorated features from the restoration period will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture and, where possible, materials.

**Response:** The Minturn Saloon reflects the "false front" style of architecture that was reminiscent of buildings around the time of the California gold rush in the 1860's and shortly thereafter. The preface of this architecture was to make simple sheds and gable roof buildings appear larger and more important. This also allowed for easier visualization of signs on storefronts as the false front would block the view of everything behind it.

False fronts can be seen on many of the buildings from Minturn's original Main Street and is primarily utilized for commercial purposes but rarely seen on residential structures. The Saloon's flat roof, decorative brickwork and flush entrance are all architectural examples from the early 20<sup>th</sup> century architectural era. (Walker, 2015)



Photo Credit: Vail Daily, December 2021

As seen in this photo, the awning provided a covered walkway for pedestrians north of Bellm Bridge. This is a distinctive feature of the building and business that has operated since the early 1900's.

### **C. Reconstruction**

*Reconstruction is defined by the Secretary of the Interior as the act or process of depicting, by means of new construction, the form, features, and detailing of a non-surviving site, landscape,*

*building, structure, or object for the purpose of replicating its appearance at a specific period of time and in its historic location. (U.S. Dept. of the Interior, 2017)*

According to the standards for reconstruction by the Secretary of the Interior, staff believes the following are met:

1. Reconstruction will be used to depict vanished or non-surviving portions of a property when documentary and physical evidence is available to permit accurate reconstruction with minimal conjecture and such reconstruction is essential to the public understanding of the property.

**Response:** This awning was previously standing only a few months ago, and there are many photos (like the one included above) that depict the Saloon with this awning.

4. Reconstruction will be based on the accurate duplication of historic features and elements substantiated by documentary or physical evidence rather than on conjectural designs or the availability of different features from other historic properties. A reconstructed property will re-create the appearance of the non-surviving historic property in materials, design, color and texture.

**Response:** The awning required removal in late 2022 due to structural issues, but the Applicant is proposing to reconstruct the awning/walkway in the same location and in as similar a manner as possible (see Sheet A0.00 for the rendering of the proposed project and Sheet S1.02c for the comparison of the original interior structure and the new proposed).

**PUBLIC REVIEW PROCESS:**

Town staff has met all posting and notification requirements delineated in Chapter 19, Sec 19-4-10 identifying legal notice procedures follow established guidelines as set forth in MMC. Sec. 16-21-610. Adjacent properties, the applicant, and the owner of 146 N Main Street were notified via certified mail by January 14, 2023, and a notice placed in the Vail Daily 10 days before the public hearing.

**PUBLIC COMMENTS:**

Public comments are being accepted via [planner1@minturn.org](mailto:planner1@minturn.org) until January 24, 2023 at 4:00 p.m. via letter to the Planning Department at 301 Boulder St #309, Minturn, CO 81645 by January 24, 2023 at 4:00 p.m., or in person at the public hearing on January 24, 2023 at 5:30 p.m.

**RECOMMENDED ACTION OR PROPOSED MOTION:**

Grant a Certificate of Appropriateness for the Saloon located at 146 N Main Street for the proposed plans.

**ATTACHMENTS:**

- Certificate of Appropriateness Application



## REFERENCES:

- U.S. Department of the Interior, National Park Service, & Technical Preservation Services. (2017). *The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings* (A. Grimmer, Ed.) [Review of *The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings*]. National Park Service; U.S. Department of the Interior, National Park Service. <https://www.nps.gov/orgs/1739/upload/treatment-guidelines-2017-part1-preservation-rehabilitation.pdf>, <https://www.nps.gov/orgs/1739/upload/treatment-guidelines-2017-part2-reconstruction-restoration.pdf>.
- Walker, Lester. (March 10, 2015). *American Homes: The Landmark Illustrated Encyclopedia of Domestic Architecture*. Black Dog & Leventhal.



# CERTIFICATE OF APPROPRIATENESS APPLICATION

TOWN OF MINTURN PLANNING AND ZONING DEPARTMENT

P.O. Box 309/302 Pine Street Minturn, Colorado 81645-0309

970-827-5645 | planner1@minturn.org

## Do I Need this Form?

Certificate of Appropriateness means a certificate issued by the Commission authorizing any proposed repair, restoration, alteration, construction, relocation, or demolition of a historic property, or an element within a historic district pursuant to Chapter 19 of the MMC.

Before carrying out any new construction, alteration, relocation, or demolition involving the exterior of any historic property, or contributing property within a historic district, applicants and/or owner(s) must submit and obtain approval for an application for the proposed work by the Planning Department and HPC under this Article. The application shall include anything HPC deems necessary, including, without limitation and as applicable, a description of the type of work proposed and its effect or impact upon the historic property or historic district and plans and specifications showing the proposed exterior appearance, with finishes, materials, samples of materials, and architectural design and detail. The application shall not relieve the applicant from the responsibility to apply for any other permit required by the MMC.

### HPC Certificate of Appropriateness Review:

- a. HPC shall: (1) Approve the applications; (2) Approve the application with conditions; or (3) Deny the applications.
- b. Any decision of HPC to approve the application or approve the application with conditions shall be included on an agenda of the Town Council within thirty (30) days. The Town Council may call up for review any final decision reached by HPC. After review, Town Council may affirm, deny, or affirm with additional conditions the decision of HPC. No Certificate of Appropriateness shall be issued before HPC's decision has been included on an agenda of the Town Council.
- c. If HPC approves or approves the application with conditions, HPC shall issue a Certificate of Appropriateness to the applicant and a copy will be placed in the appropriate Town records. If approved with conditions, such conditions shall be stated in the Certificate of Appropriateness.
- d. If HPC denies the application, HPC shall notify the applicant in writing and a copy will be placed in the appropriate Town records.
- e. The application form shall have a section for HPC to set forth HPC's reasons for the approval, approval with conditions, or denial of the application.
- f. HPC may issue an order continuing the application process if HPC would like additional information necessary to make a decision. If the hearing is continued, the time, date, and place of the continuation shall be established and announced to those present when the current session is to be adjourned. In no case shall a hearing be continued more than forty-five (45) days without the express consent of the applicant.
- g. The applicant and/or owner(s) may resubmit an amended application that takes into consideration the recommendations of HPC.
- h. If an application for a Certificate of Appropriateness is denied after final action upon the application by HPC, no person may submit a subsequent application for the same Section 19-5-10(a) activity within one (1) year from the date of the final action.
- i. If a Certificate of Appropriateness has been issued on the permit application and the proposed work conforms thereto, the Town shall process the application in accordance with all other applicable provisions of the Code. If no Certificate of Appropriateness has been issued, or if the Town determines that the permit application does not conform, the Town shall not approve the permit application and shall not issue any other permit until a Certificate of Appropriateness has been issued and the permit application conforms thereto.



# CERTIFICATE OF APPROPRIATENESS APPLICATION

TOWN OF MINTURN PLANNING AND ZONING DEPARTMENT

P.O. Box 309/302 Pine Street Minturn, Colorado 81645-0309

970-827-5645 | planner1@minturn.org

## Section 1 - Basic Property Information:

Historic Name of Property (if applicable) and any other names:

THE MINTURN SALOON

### Address of Property

Street Address:

146 N MAIN ST

Legal Description of Property:

SUBDIVISION: BOULD BLOCK: B LOT: 5 AND: - LOT 6, TOGETHER W/ 20'x50' OF LAND ADJOINING SOUTH END OF LOTS 5 & 6

### Brief Description of Project:

THIS APPLICATION IS TO REPLACE THE SHED ROOF AT THE FRONT WALKWAY. THE ROOF WAS DEMO'D BEFORE IT SHOULD HAVE BEEN, BUT WILL BE REPLACED WITH A NEW ROOF. WE ARE WORKING WITH STRUCTURAL ENGINEERS TO SIZE STRUCTURAL MEMBERS WITH THE INTENT OF MATCHING CHARACTER AS CLOSE AS POSSIBLE.

### Property Owner Information:

Name: ANTHONY AND CONNIE MAZZA

LOS AMIGOS PROPERTY COMPANY LLC

Mailing Address: 245 PARK AVE, FL. 44, NEW YORK, NY

Email: theminturnsaloon@gmail.com

Phone: (914) 886-8851

### Applicant Information (if different):

Name: NICK BRECHTEL, PIERCE AUSTIN ARCHITECTS LLC

Mailing Address: 2077 N FRONTAGE RD W, SUITE G, VAIL, CO 81657

Email: nick@vailarchitects.com

Phone: (970) 476-6342

### Is property listed on the National Register of Historic Places or the State Register of Historic Properties?

Yes / No (pick one) ~~Yes~~ No

If yes, please provide date and registration number. Date: \_\_\_\_\_ Registration #: \_\_\_\_\_

### For Official Use:

Date Received: \_\_\_\_\_ Planner: \_\_\_\_\_

Historic Preservation Commission -  Approval  Denial

Comments:



# CERTIFICATE OF APPROPRIATENESS APPLICATION

TOWN OF MINTURN PLANNING AND ZONING DEPARTMENT

P.O. Box 309/302 Pine Street Minturn, Colorado 81645-0309

970-827-5645 | planner1@minturn.org

## Section 2 - Impacts:

Detail the effects or impacts on the historic property or historic district that this project would cause.

THIS PROJECT IS TO BRING THE MINTURN SALOON BACK TO ITS FORMER GLORY. THE PROPOSED ROOF AT THE FRONT WALKWAY IS DESIGNED TO MATCH THE CHARACTER OF THE FORMER ROOF WHILE BEING MORE RESISTANT TO THE ELEMENTS AND STRUCTURALLY STRONGER.

### Please Provide:

- Plans and specifications showing proposed exterior appearance:
  - Finishes
  - Materials
  - Samples of Materials
  - Architectural Design and Detail

Signature:









To: Minturn Town Council  
From: Michelle Metteer  
Date: February 1, 2023  
RE: Town Manager Update

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### **Water Service Line Leak & Remediation**

A primary goal for staff is for uninterrupted, safe, quality water service to the residents and businesses of Minturn. Unfortunately, that goal was recently not met, and water service was turned off for most of the day on Thursday, January 19<sup>th</sup>. The culprit was an improperly abandoned service line from decades ago. Additionally, it was difficult to locate the line as it had not been capped at the corporation valve and thus the leak detection system was less efficient than usual. More of these “ghost service lines” exist. Minturn staff will work this summer to proactively locate these lines, where possible, and cap in advance of additional leaks.

### **Additional Water Service Line Leak Location Efforts**

An additional waterline leak has been detected within the system and the team is currently working to determine the leak’s location.

### **Eagle River Community Watershed Plan (ERCWP) & NWCCOG Water Efficiency**

The ERCWP is nearing its final stages of completion. Community members have been working on this plan since 2018 and the Eagle River Watershed Council will be presenting this plan to Minturn with the request of adopting the aspirational goals outlined therein. As part of the plan, a request is identified to recognize the [NWCCOG Model Water Quality Protection Standards for Local Governments](#).

### **Christmas Tree Bonfire**

Special thanks to Gusty and Jill Kanakis for volunteering to help with the Christmas Tree Bonfire this year, it was a success!

### **Business License Renewal – Date Extension Reminder**

Online business license management software is being incorporated into the [www.minturn.org](http://www.minturn.org) website. We anticipate this online service to be operable by March, 2023. For all business holders in Minturn the deadline for business license renewals is being extended to May 1, 2023, for use of the new system.

### **Snow Removal – Free Snow Dump Available to Residents**

It’s been a great year for snow, but things are getting a little crowded. So where should everyone put all that snow? As a reminder, the town of Minturn offers a **free snow dump to residents** (not to plow companies). All residents are welcome to haul any additional snow to the upper parking lot at Little Beach Park for legal snow dumping. Give it a try! It’s far better than shoving all that snow onto Main Street!

### **Maloit Park Road**

Maloit Park Road is maintained by the Eagle County School District (ECSD). For questions or concerns regarding road maintenance please contact ECSD at: 970-328-1324 between 6am and 2:30pm.





# TOWN OF MINTURN QUARTERLY REPORT Q3 2022

Photo by Scott Cramer  
@adventure\_photo

January 24, 2023

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# QUARTERLY REPORT TABLE OF CONTENTS



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## TOWN OF MINTURN QUARTERLY REPORT\* Q3 2022

*\*The Quarterly Report is created to provide the Minturn community with an update of Town operations and the execution of the Strategic Plan.*

## Strategic Plan Summary

Since its inception in 1904, Minturn has been a resilient and proud mountain town that full-time, working-class residents call home. With the closing of the Gilman mine and the decommissioning of the rail-lines, **Minturn has new opportunity within the mountain resort economy.** Today, **having an ideal location as a valley-wide intersection,** Minturn embraces the “basecamp position” geographically within the Eagle County region.

Core to Minturn’s values is its **strong identity as a small mountain-town community.** In the Colorado Rockies, sandwiched between two world-class resorts, this value requires maintaining **principles** and a **desire to lead by example.** Through a **willingness to confront issues while maintaining high standards in following the public process,** Minturn will work to stay true to this core value.

The Town is committed to providing a respectful and responsive government that follows a solutions-based approach rooted in the municipal code. To sustain community **trust,** we strive to follow a consistent **public process** in all areas of municipal government.

Town of Minturn staff and elected officials will **support activities outlined in this strategic plan and work toward sustaining a great mountain town** by taking a **proactive approach** to municipal government. With an **engaged community** and a **safe, family-friendly environment,** Minturn endeavors to remain one of the **last great mountain towns.**

### Mission:

“In collaboration with our community, foster the authentic small town character that is Minturn.”

### Vision:

“Lead Minturn to long-term viability while preserving its unique character and genuine mountain town community.”

### True North:

“Leverage Minturn’s assets to benefit and maintain our funky, proud, uniquely classic mountain town where people grow roots through creating opportunities and community engagement.”\* \*Keeping in mind we are Minturn



# QUARTERLY REPORT ADMINISTRATION



## TOWN MANAGER

- Amended the Ordinance 17—Series 2017 to eliminate Minturn’s liability exposure regarding a 15’ - wide easement on private property. This effort was supported by Colorado Dept of Wildlife.
- Awarded \$1.4M via the Revitalize Main Streets CDOT grant toward the phase 2 construction of sidewalks, curb, gutter and drainage along Main St/HWY 24 from (approximately) the 900 Block to just north of the Boneyard Open Space.
- Awarded \$240k via the Department of Local Affairs, EIAF grant for matching funds toward the phase 2 construction of sidewalks, curb, gutter and drainage along Main St/HWY 24.
- Represented Minturn in discussions with the Eagle County Sheriff’s Office for focus on the following matters: speeding, wrong way down one-way streets, failure to stop at stop signs.
- Represented Minturn in the Eagle County Transit Authority Technical Committee meetings.
- “War room” preparation in event of discovery pending Battle Mountain litigation.
- Investigating opportunities with Downtown Colorado Inc. for visioning the organization of the Downtown Minturn commercial core. Potential for a Downtown Development Authority.
- Worked toward the creation of a new Chapter 19—Historic Preservation in the MMC.
- Upon Council approval, implemented a new Historic Preservation Commission.
- Explored water infrastructure grant opportunities including principal forgiveness through the State Revolving Loan Fund and grant/loan match opportunities through the Colorado Water Conservation Board.
- Participated in the update to Minturn’s 100 Block Design Guidelines.
- Represented Minturn in State sessions gathering feedback on Colorado’s Water Plan.
- Collaborated with HDR for the creation of Minturn’s water treatment plant Funding Report.
- Represented Minturn in the Eagle River Community Watershed Plan creation (when able).
- In coordination with Jay Brunvand, began work on the 2023 Minturn town budget.
- Held first Minturn Historic Preservation Commission meeting.
- Represented Minturn in the Eagle Mine quarterly stakeholder meeting.
- Toured Minturn WTP with two engineering firms for potential bid opportunities on new plant construction.



# QUARTERLY REPORT PLANNING



## DEVELOPMENT PROJECTS:

- 23698 Hwy 24 Unit E1 – Eagle River Distillery – Conditional Use Permit
- 542 Main Street – New Single Family Residence
- 162 Main Street – Enlarged Windows
- 962 Main Street – Changes to approved plans

## LONG RANGE PLANNING / OTHER PROJECTS:

Staff worked with the Community Plan consultant group to start diving into drafts of the community plan chapters. An open house was held at Town Hall on September 27, 2022. The draft chapters were distributed to the Steering Committee for their input and feedback.

## MORATORIUMS:

Ordinance 14 – 2021 and Ordinance 15 – 2021 enacted moratoriums on the acceptance and procession of applications for Design Review, Conditional Use Review, Limited Use Review or the processing and issuance of a business license for non-retail and non-commercial accommodations uses on the street level within the 100 Block Commercial Zone of the Old Town Character Area, or the acceptance and processing of applications for demolition permits within the 100 Block Commercial Zone of the Old Town Character Area until August 31, 2022. These moratoria were enacted to allow the Town to set Design Standards for the 100 Block in place and to establish a Historic Preservation policy. In August 2022, an emergency ordinance was passed to extend the moratorium on the acceptance and processing of applications for Design Review, Conditional Use Review, Limited Use Review or the processing and issuance of a business license for non-retail uses on the street level within the 100 Block Commercial Zone of the Old Town Character Area until November 15, 2022 as Design Standards had not been adopted yet.

## HISTORIC PRESERVATION UPDATE

- The Historic Preservation Commission (HPC) is formed July 6, 2022: Ken Halliday and Kelly Toon appointed to 3 year terms (through July 31, 2025), Larry Stone and Kenneth Howell appointed to 2 year terms (through July 31, 2024), and Tracy Andersen appointed to a 1 year term (through July 31, 2023)
- The first HPC meeting is held on July 26, 2022. Ken Halliday is chosen as the Commission Chair and Larry Stone is chosen as the Commission Vice Chair.
- A Historic Landmark Nomination Form and a Certificate of Appropriateness Form are decided upon by the HPC

# BUILDING DEPARTMENT STATISTICS

CONTRACTOR LICENSES  
**54 Active,  
4 New**

### PERMITS

# 12

### FEEES COLLECTED

## \$67,889

### VALUATION

## \$2,784,557

### INSPECTIONS

# 28



# QUARTERLY REPORT FINANCE

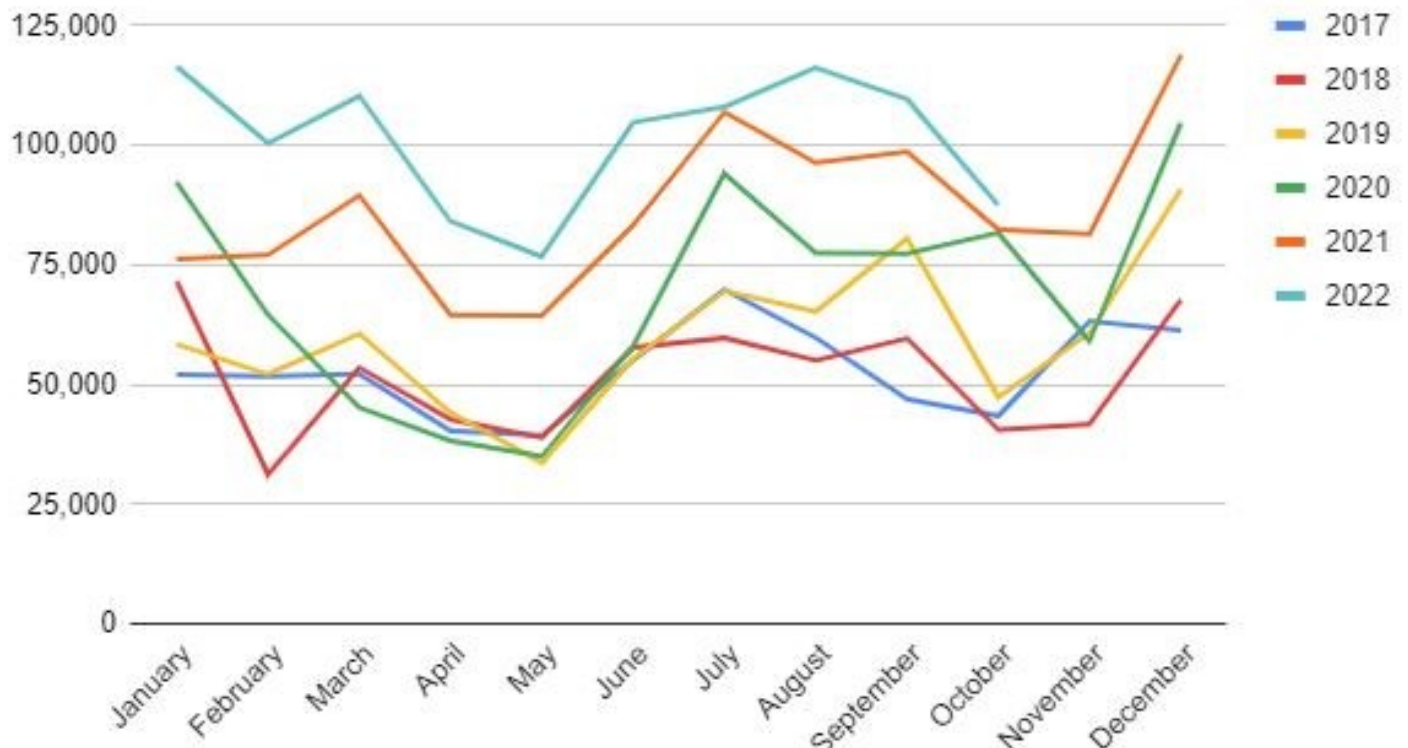


## FUND BALANCES AT NOV 30, 2022

FUND	AUDITED FUND BALANCE DECEMBER 31, 2021	FUND ACTIVITY JAN-NOV 2022	FUND BALANCE NOV 30, 2022
Gen Fund (01)	1,970,490	257,937.00	2,228,427
Ent Fund (02)	1,293,243	-191,732	1,101,510
CTF Fund (03)	48,801	10,402	59,203
Debt Service Fund (04)	11,249	1148	12,397
Market Fund (05)	25,237	5120	30,357
Capital Projects Fund (06)	493,756	-144,027	349,728
Gen Imp Dist Fund (07)	2,959.00	0.00	2,959.00
Scholarship Fund (08)	348,640	-86,386	262,254
Battle Mtn Resort Fund (09)	105,154	1450	106,604

## SALES TAX ANALYSIS

2017 - 2022





# QUARTERLY REPORT TOWN CLERK

## CLERK / FINANCE UPDATES:

- Liquor Licenses: Minturn has 13 liquor licenses in the town of various classes that renew throughout the year. Since June there have been 8 renewals. The town also approved two special licenses, a distillery and a wine tasting room.
- Sales Tax: It is estimated that 2022 Minturn sales tax will be approximately 15% over 2021 receipts, for a total of \$1.2m. Approximately 25% of the annual sales tax is brought in by on-line sales.
- Lodging tax: as of November Minturn has collected almost \$17,500, a full \$3,000 over 2021.

### BUSINESS LICENSES

# 101

### STR LICENSES

# 24

### CONTRACTOR LICENSES

# 54 Active, 4 New

## SUSTAINABILITY

- The 2022 Minturn Market was a Zero Waste event, which included composting and recycling (with supervision by Walking Mountains), and with stricter vendor guidelines for sustainability (eliminating single-use plastics and styrofoam).
- Recycled 200 lbs. of e-waste at the 2022 Town Cleanup Day.
- The installation of the new public areas wildlife-proof dual trash / recycling containers had to be postponed as the bins all arrived damaged. The replacement bins will arrive in November. We will place bins at Town Hall and downtown this winter, and in the spring we will place the bins designated for the parks. These bins were purchased as part of the CDPHE RREO (Recycling Resources Economic Opportunity) Grant Program.





## QUARTERLY REPORT GRANTS



### GRANTS

#### Colorado Tourism Office Reimagine Destinations Program

Minturn and Red Cliff recently participated in collaboration, in the CTO Restart Destinations Program. The Reimagine Destinations Program is a continuation of this, and we are currently participating in this program (beginning July 2022). The grant award includes 100 hours of free consulting from the CTO, and a one-day in person workshop with the CTO (to be held in November 2022) and a core team of local participants / tourism stakeholders. Once we complete the program – it also includes \$20,000 for marketing asset creation (photo shoot). Between this award, and the asset creation dollars from the Restart Program, Minturn and Red Cliff will have a total of \$30,000 to be used for a photo (and possibly video) shoot to help with tourism promotion. The Reimagine Destinations Program runs through June 2023.

The consulting hours and workshop have been focused on generating content ideas for an outdoor recreation guide / visitor guide, with a focus on responsible outdoor recreation.

The Towns will be applying for grant funding to help offset the costs of the actual creation (design and print) of said recreation guide.



## QUARTERLY REPORT MINTURN FITNESS CENTER

### MINTURN FITNESS CENTER

- Q2 to Q3 2022 Membership Increase = 13% increase in paid memberships
- Q3 2021 to Q3 2022 (YOY) Membership Increase = 94% increase in paid memberships
- Current Classes:
  - Performance Circuit Monday and Friday 9am
  - Free Weight Fundamentals Wednesday 9am
  - Yoga Saturday 8:30am
  - Spin Circuit Monday and Thursday 6:30am
- Digital entry system is working well, member feedback has been very positive



# QUARTERLY REPORT EVENTS



## Q3 EVENTS

There were 20 private events held at Little Beach Park in summer 2022

The 2022 Minturn Market was a success. Although attendance was down somewhat to 2021, vendor sales were mostly up or even.

Ongoing 3rd party event partnerships include:

- Vail Rec District
- Vail Valley Foundation / GoPro Games
- Bravo! Vail

The Town is in discussions with Blue Starlite Cinema regarding possibly bringing back the drive-in movies.

The Town is in discussions with Vail Valley Foundation regarding the 2023 GoPro Mountain Games dual slalom race.

Bravo! Vail will again host a family concert in summer 2023 (narrated story chamber music performance) on July 15th at Little Beach Park Amphitheater.

The Barn (Formerly PLAY—Peace Love Aerial Yoga) will again be hosting The Greatest Show in Minturn (aerial circus) in July at Little Beach Park Amphitheater.

## UPCOMING EVENTS (Q4)

- Hometown Throwdown
- Minturn Halloween
- Town Tree Lighting

## VAIL RECREATION EVENTS IN MINTURN (In partnership with the Town of Minturn)

- Meadow Mountain Skimo (February)
- Maloit Park Short Track MTB Race (May)
- Minturn Downriver Whitewater Race (June)
- Kids Minturn Mini MTB Race (July)
- Dynafit Town of Minturn Meadowgold 5K and 10K (September)
- Mighty Marmot kids trail running race at the Mini Mile (September)
- Looking to add a Dynafit Vail to Minturn 26K Trail Run (Date TBD)





# MINTURN JANUARY 2023 NEWSLETTER



## CHRISTMAS TREE DROPOFF, PICKUPS AND BONFIRE



The Town of Minturn Annual Christmas Tree Bonfire will take place on Friday, January 13th, from 6-7:30pm at upper Little Beach Park. The Town will be providing hot cocoa and supplies for s'mores roasting.

Regarding tree dropoff - You may start dropping off trees at upper Little Beach Park anytime (you will see a small pile already started, just outside the parking area gate above the amphitheater). You may dropoff from now until the bonfire on the 13th.

Regarding pickups - Our Public Works team will be picking up trees where possible, based on need - the week of January 9th. If you can drop off your tree, please do. If you cannot (seniors or those who need assistance), we will pick it up. However, due to snow plowing demands and due to being short-staffed (Public Works is currently at half-staff due to injuries), we are asking that residents try to drop their trees at the bonfire location vs. having them picked up.

Pickups will occur through Friday morning the 13th (**reminder that trees MUST be curbside to be picked up**). Any questions, please contact Cindy Krieg (970-445-2415, [events@minturn.org](mailto:events@minturn.org)).

## GIVING TREE THANK YOU!!!

The Minturn Community Fund and the Town of Minturn would like to extend a huge thank you to our community members who donated gifts for this year's Giving Tree. The generosity this year was overwhelming and the recipients were truly touched. The Neighbors in Need program could not exist without the generosity of our local residents and businesses. Thanks for making it such a success.

## MCF COMMUNITY DINNERS

Join the Minturn Community Fund for a Community Pot Luck dinner at Town Hall. Community Dinners have returned and will be running January through March 2022. Dinners will take place in Town Hall at 6pm the 2nd Monday of each month.

The January Dinner was held on January 9th, and the February and March dinners are scheduled for February 13<sup>th</sup> (February theme is "Foods You Love") and March 13<sup>th</sup> (Italian theme). The main dish will be provided by the Minturn Community Fund and our Community Dinner volunteer committee. Guests should bring an appetizer, salad, side dish or dessert. The dinner will be held from 6 – 7:30pm at the Minturn Town Hall.

Launched in January 2019, the Community Potluck is designed to connect neighbors during the winter months with a little food and fellowship.

## TOWN HALL HOLIDAY CLOSURE

Please note that Minturn Town Hall will be closed on Monday, January 16<sup>th</sup> in honor of Martin Luther King, Jr. Day.

## EAGLE VALLEY REGIONAL TRANSIT AUTHORITY (RTA) SALES TAX

Beginning January 1, 2023, businesses in several towns and parts of unincorporated Eagle County will need to start collecting a 0.50% sales tax for the newly created Eagle Valley Regional Transportation Authority.

The sales tax needs to be collected by businesses in areas where the RTA was approved by voters. These include:

- Unincorporated Eagle County (except the Roaring Fork Valley portion of the county)
- Town of Avon
- Town of Eagle
- Town of Minturn
- Town of Red Cliff
- Town of Vail
- Beaver Creek Metropolitan District

The RTA sales tax will be administered by the Colorado Department of Revenue in the same manner as the state sales tax already collected by local businesses. The RTA will follow all of the State of Colorado's exemptions, including on food for domestic consumption and gas and electric for residential use. A list of exemptions can be found here, which is updated at the end of December and the end of June each year. Additional information about state-collected sales tax can be found at [tax.colorado.gov](http://tax.colorado.gov).

The RTA sales tax rate is 0.50% and is separate from Eagle County sales tax. Please do not submit as part of the Eagle County sales tax.

The RTA's board met on December 16 for its first meeting. The RTA board will meet on the second Wednesday of each month from 12:30 to 2 o'clock at Avon Town Hall. The meetings are open to the public. The next meetings will be Wednesday, January 11, and February 8, 2023.

For more information about the RTA, please visit [EagleValleyRTA.org](http://EagleValleyRTA.org). The site will include information, agenda and announcements for board meetings, updates on the RTA's service goals, and other information as the RTA begins to take shape.

## HPC UPDATES

The Town of Minturn initiated the nomination for Historic Landmark status for the Minturn Water Tank that is located on the hillside above the 100 Block. The Historic Preservation Commission recommended approval of this to the Town Council at their November 8, 2022 meeting, and the Town Council designated the Water Tank as a Historic Landmark via Ordinance 22 – Series 2022 making this structure the first to be added to the Town's Historic Register.

## SLASH PILE BURN ON MEADOW MOUNTAIN

Eagle Valley Wildland is tentatively planning to burn 15-20 large slash piles on Battle Mountain above Gilman. Ignitions are planned for Jan 10th and 11th. Smoke will likely be visible from the HWY 24 Corridor, Minturn, Red Cliff, and Vail Mtn (Blue Sky).

For more information, visit the Eagle Valley Wildland Facebook page [HERE](#).

## RAIL JAM – SAVE THE DATE!



Hovland Snowskates is bringing back the Rail Jam! Save the Date for Saturday, March 4<sup>th</sup>. There will be men's and women's categories in amateur and pro divisions. There will also be vendor and sponsor tents, and free demos. Registration

will begin at 9am, and the contest is tentatively scheduled from 12-6pm. The event will also feature live music and more. Details to follow soon.

## EC ALERTS

Don't be "that" person! Sign up for Eagle County alerts and be in the know. Relying on (often) misinformation from word of mouth or social media does not make one an informed resident. Get accurate and timely information with EC Alerts. These alerts provide important updates regarding weather and traffic emergencies, road closures, utility outages, fire information / planned burns, and much, much more.

Eagle County Alert is an emergency communication system which sends notifications to your landline phone, cell phone, and/or email account based on your location and the alert categories that you have chosen. The system offers free enrollment with normal text message charges incurred per your text messaging plan. To subscribe to this service go to [www.ecalert.org](http://www.ecalert.org). This system provides voice notification commonly referred to as the "Reverse 911" system. If you have a hard line phone in your home, you should automatically receive these calls. More information can be found [HERE](#).

## WINTER REMINDERS FROM EAGLE COUNTY EMERGENCY MANAGEMENT

- Your home is your most important asset and it's vital that you protect it. Winter is a great time to check in on your insurance coverage. Call your agent or insurance company annually to discuss your policy limits and to make sure that your policy reflects the correct square footage and features in your home. You can also find winter wildfire tips [HERE](#).
- It is avalanche season in Colorado--understand current conditions and educate yourself on how to recreate safely in the backcountry. More information can be found [HERE](#).

## PLANNING UPDATES

Town Council reviewed the draft Community Plan document for the final time on Wednesday, January 4<sup>th</sup>, giving direction to staff and consultants (SE Group) to make final edits and bring the plan back to Council for adoption via resolution.

The Community Plan, in its final format, will be presented to Council on January 18<sup>th</sup> for adoption.

The 100 Block Design Guidelines and Standards (Ord 11-2022) were adopted by the Minturn Town Council on October 19, 2022. The guidelines document can be found [HERE](#).

Ordinance No. 17, 2022, Waterwise Landscape Standards, was adopted by Town Council on second reading, at the October 19<sup>th</sup> regular meeting. The updated information can be found [HERE](#).

## 2023 TOWN BUDGET AND FEE SCHEDULE

The 2023 Budget and Fee Schedule are now final, and can be found on the Town Website. Click [HERE](#) for the budget and [HERE](#) for the fee schedule.

## COMING SOON!

Most Minturn accounts have made the jump to the new water meters. New water meter users will soon have access to WaterSmart, through ERWSD. WaterSmart is a free service to provide customers with the best tools to manage and understand their specific water use and bills as an online feature. This new feature will allow users to monitor their water usage on as much as a daily basis.

Additionally, the prior policy on paying for leaks is being eliminated.

## NEW RECYCLE STATIONS

The Town of Minturn has recently installed two new bear-proof dual trash / recycle bins at Town Hall. Please continue to use the recycle drop site for cardboard or large amounts of recycling.



Additional bins will be installed downtown over the winter, and at our parks in the spring.

## SHOOTING RANGE CLOSED FOR WINTER SEASON

A reminder that the Two Elk Shooting Area is closed for the season (open season is April 15 – November 30). Please respect closure dates. Thank you!

## RUFF CUTS ANNOUNCEMENTS

Ruff Cuts (102 Main St), would like to remind the community that they carry horse food and supplements, as well as Scratch n Peck chicken feed. They can also order other supplies by request as a local source. Delivery also available. For more info, contact Dawn at Ruff Cuts Grooming, 970-393-2760, [my\\_dog\\_has\\_more\\_character@yahoo.com](mailto:my_dog_has_more_character@yahoo.com)

## POOP FAIRY



There is no such thing as a poop fairy. Town staff have been spending lots of time picking up dog poop around Town Hall, at certain trailheads, and several other places around town. Please pick up after your dog, whether on town property, your neighbor's property, or anywhere in town. Thank you for your cooperation!

## GORE RANGE GRAVITY ALLIANCE – 2<sup>ND</sup> ANNUAL BEACON HUNT AT MEADOW MOUNTAIN SATURDAY, JANUARY 14<sup>TH</sup> 12-4PM

Put your safety and beacon skills to the test! Enjoy a coffee thanks to Vail Mountain Coffee or a beer from Vail Brewing Co and compete amongst friends while brushing up on avalanche rescue techniques. Free gear demos thanks to Weston Backcountry! Great prizes thanks to our generous sponsors. Event starts at 12pm with an info piece from Vail Ski Patrol then will kick off the timed trials. We'll also have Friends of the CAIC there to talk about how to check the avy forecast, and potentially a team member from Vail Mountain Rescue as well. The digging competition will be in teams of three starting after the beacon hunt wraps around 2:30 or so. Lots of fun to participate OR watch!

If you don't have rescue gear yet, don't fret! We'll not only have the gear there for you to use but people to show you how to use it.

For more info, or to sign up, visit <https://www.gorerangegravityalliance.com/2023events>.



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## **FUTURE MEETING AGENDA ITEMS**

Below reflects proposed topics to be scheduled at future Town Council meetings and is informational only. Dates and topics are subject to change.

### **February 1, 2023**

- Review/Renewal of Ordinance 05 – Series 2020; An Ordinance Renewing the Minturn Water Moratorium
- 5:30 pm Work Session – Code Cohort Update
- Historic Preservation – Certificate of Appropriateness Application; Minturn Saloon

### **February 15, 2023**

- Review/Renewal of Ordinance 05 – Series 2020 (Second Reading); An Ordinance Renewing the Minturn Water Moratorium
- Special Presentation – Chapter 16 Project Outline - Hunn
- Consent Agenda – Resolution supporting the RAISE grant application
- Ord \_\_\_ - Series 2023 – Bolts Reservoir IGA (First Reading) – Tentative
- Discussion/Direction – Railroad Property Lease Options

### **March 1, 2023**

- Ord \_\_\_ - Series 2023 – ECSD Impact Fee in lieu
- Special Presentation – Eagle County Sheriff's Office annual report
- Discussion/Direction – Leash Law (pending Animal Control availability)
- Discussion/Direction - Assessment UPRR Leasing options
- Ord \_\_\_ - Series 2023 – Bolts Reservoir IGA (Second Reading) - Tentative

### **March 15, 2023**

- Proclamation – One Book One Valley
- Discussion/Direction – Raw water irrigation systems
- Discussion/Direction - Enterprise Fund deficit discussion

### **April 5, 2023**

- Discussion/Direction - Water Infrastructure Analysis

### **Dates to be Determined**