



**Planning Commission Agenda
Wednesday March 8, 2023 – 6:30 PM
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 and times of agenda items listed are approximate. This agenda and meetings can be viewed at 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/81201265200>

Zoom Call-In Information: **1 651 372 8299 or 1 301 715 8592 Webinar ID: 823 0216 5200**

Please note: all virtual participants are muted. In order to be called upon and be 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 Madison Harris, Planner I, prior to the meeting and will be included as part of the record.

- 1. CALL TO ORDER – 6:30 PM**
- 2. ROLL CALL & PLEDGE OF ALLEGIANCE**
- 3. APPROVAL OF MINUTES**
3.1 February 22, 2023
- 4. APPROVAL OF AGENDA** *Opportunity for amendment or deletions to the agenda.*
- 5. DECLARATION OF CONFLICTS OF INTEREST**
- 6. PUBLIC COMMENT** *Citizens are invited to comment on any item 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 Planner. Those who are speaking are requested to state their name and address for the record.*
- 7. SPECIAL PRESENTATIONS**
7.1 Minturn Forward – Chapter 16 Update Presentation

8. DESIGN REVIEW AND LAND USE PUBLIC HEARINGS

8.1 Ordinance TBD – Series 2023 Amending Chapter 16 and Appendix B of the MMC continued from February 22, 2023 meeting

9. DISCUSSION / DIRECTION

9.1 2023 Community Plan Review – Chapter 1

10. STAFF REPORTS

11. PLANNING COMMISSION COMMENTS

12. FUTURE MEETINGS

12.1 March 22, 2023

12.2 April 12, 2023

13. ADJOURN



**Planning Commission Official Minutes
Wednesday February 22, 2023 – 6:30 PM
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 and times of agenda items listed are approximate. This agenda and meetings can be viewed at 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/84641903415>

Zoom Call-In Information: **1 651 372 8299 or 1 301 715 8592 Webinar ID: 846 4190 3415**

Please note: all virtual participants are muted. In order to be called upon and be 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 Madison Harris, Planner I, prior to the meeting and will be included as part of the record.

1. CALL TO ORDER – 6:30 PM

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

2. ROLL CALL & PLEDGE OF ALLEGIANCE

Those present at roll call: Planning Commission Chair Lynn Teach and Planning Commission Members Jeff Armistead, Michael Boyd, Sage Pierson, Elliot Hovey, and Tom Priest.

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

3. APPROVAL OF MINUTES

3.1 February 8, 2023

Motion by Michael B., second by Jeff A., to approve the minutes of February 8, 2023 as presented. Motion passed 5-0.

Note: Sage P. is attending in her status as an alternate.

4. APPROVAL OF AGENDA Opportunity for amendment or deletions to the agenda.

Motion by Jeff A., second by Tom P., to approve the agenda as presented. Motion passed 5-0.

Note: Sage P. is attending in her status as an alternate.

5. DECLARATION OF CONFLICTS OF INTEREST

No conflicts of interest.

- 6. PUBLIC COMMENT** *Citizens are invited to comment on any item 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 Planner. Those who are speaking are requested to state their name and address for the record.*
No public comment.

7. SPECIAL PRESENTATIONS

8. DESIGN REVIEW AND LAND USE PUBLIC HEARINGS

8.1 Ordinance TBD – Series 2023 Amending Chapter 16 and Appendix B of the MMC Scot H. introduced the ordinance. The attached ordinance contains several amendments and updates to certain sections of Chapter 16, Zoning, of the Minturn Municipal Code. This ordinance is being presented to the Minturn Planning Commission for review and comment prior to presenting the same to the Minturn Town Council for approval.

The proposed amendments to Chapter 16 are targeted at several aspects of the Town’s design review procedures and application submittal requirements - what gets submitted to the Town for new applications requiring Design Review Board review and approval; how the DRB conducts its review; and what actions the DRB can take, including recommendations for approval or denial to the Town Council, or the granting of a conceptual approvals.

Additionally, staff is proposing long overdue yet relatively minor revisions and clarifications to certain definitions specifically related to the Town’s building height definition (inclusive of methods of for calculation), grade (existing, natural, or established grade around a structure) and ordinary high water mark. In all cases of proposed changes to definitions, staff is attempting to clarify intent as well as language to aid in interpretation and to reduce confusion or potential legal challenges in the future.

Briefly, the following amendments are proposed:

Section 16-2-20 - Definitions:

Changes to Article 2, *Definitions* include revisions to the following terms and methods of calculation that the Town uses when reviewing development proposals:

Building Height: Removed contradictory language precluding “any part” of a structure exceeding height limitations

Grade: Added new definitions for established grade (“Grade, established”), finished grade (“Grade, finished”) and natural grade (“Grade, natural”) to aid applicants, staff, and Planning Commission in determining building height.

Ordinary High Water Mark: Revised this definition to be consistent with other text in the Minturn Municipal Code and to eliminate confusion regarding requirements for survey

preparation by a professional land surveyor. Removed sentence requiring the Town to choose a surveyor. This is not practiced, is not practical or desired by staff, and most surveyors who do work in the Eagle River Valley are competent in delineation of water marks.

Section 16-2-50 - Specific lot requirements and dimensional standards:

In relation to proposed revisions to the Town’s definition of Ordinary High Water Mark, staff is proposing complimentary, clarifying language revisions to Section 16-2-50 to make clear that surveys must be prepared by a professional land surveyor licensed in the State of Colorado.

Section 16-21-460 - Action by Planning Commission:

This section is being amended to clarify the alternative actions that the Planning Commission may take to approve, approve with conditions, deny, table or grant conceptual approval for an application. These changes are in relation to other changes proposed for Section 16-21-615 aimed at clarifying and adding to submittal requirements for all Design Review Board applications, review requirements, and construction requirements (see below).

Section 16-21-615 - Design Review applications:

Staff has spent considerable time formulating and analyzing a number of revisions to this section of the Code, all aimed at the following goals:

- Ensuring that DRB submittal and review requirements are located in one place in the Minturn Municipal Code (currently they are listed in at least two different sections of the code, Section 16-21-615 and Appendix “B” Design Standards and Guidelines). The proposed changes include removing application submittal requirement language from Appendix “B” and relocating it in Section 16-21-615.
- Beefing up DRB submittal requirements and making language and terms consistent and clear. Please note additional language aimed, in some cases, at ensuring a higher level of details are provided on plans submitted to the Town in the future.
- Enhancing requirements and clarifying procedures for building permit/construction process, particularly with regard to required inspections and requirements for Improvement Location Surveys/Land Survey Plat documents as part of foundation inspections, framing inspections, and final inspections to ensure that all structures permitted by the Town and approved by the DRB are constructed according to plans.
- Striking non-regulatory or suggestive language (“should”) and replacing it with enforceable language (“shall”) in certain circumstances.

Appendix B - Design Standards and Guidelines:

In relation to and as a result of moving DRB submittal requirements out of Appendix B - Design Standards and Guidelines and into Section 16-21-615, changes to Appendix B in the ordinance show striking through (removing) Section “A” - Design Review Board, and Section “B” - Submittal Information from the Town’s Design Standards and Guidelines.

These sections are not needed and/or conflict with existing language elsewhere in the Code that establishes the Planning Commission as the DRB, provides processes and rules for the Planning Commission when reviewing applications, and/or provides detailed direction on submittal requirements (see above).

Many of the proposed amendments are items that staff has identified over the years, and several relate back to conversations between staff and the Planning Commission regarding confusing or unclear language, or desired *additional* language to ensure that the Town is able to properly interpret and apply the provisions of Chapter 16.

Jeff A. appreciates the clarity this provides. Would like to change the boundary survey requirement in 16-21-615 date requirement to 90 days from 5 years. Appreciates the construction process being codified.

Elliot H. appreciates the tightening up of the definitions.

Lynn T. would like to change Board of Trustees to the Town Council. Does not agree with striking the language requiring color chips and a materials board.

Michael B. said that when we get to the point where we address snow storage, we should change it back to 5% of the lot area rather than parking area.

Tom P. would like to be more black and white about the building height definition. Would like to modify the last sentence rather than strike it “no midpoint should exceed applicable building height” rather than “no portion of the structure should exceed applicable building height”. Would like to add more of a roadmap within the definition for Building Height. Concerning the definition for Ordinary High Water Mark should include language stating that this is different from High Water Mark and 100 year event in order to mitigate conflict.

- Scot H. suggested staff creating a helpful guide with illustrations and definitions for Ordinary High Water Mark and Building Height.

Sage P. likes the idea of a helpful guide that speaks in laymen’s terms.

Motion by Jeff A., second by Elliot H., to continue Ordinance TBD – Series 2023 Amending Chapter 16 and Appendix B of the MMC to March 8, 2023. Motion passed 5-0.

Note: Sage P. is attending in her status as an alternate.

Note: 5 minutes recess called at 7:44 pm.

9. DISCUSSION / DIRECTION

9.1 2023 Community Plan Review

Scot H. presented the objectives and action items that are most relevant to the planning commission.

Tom P. asked where is it laid out that applications that are submitted needs to conform to

the 2023 Community Plan?

- Scot H. said that it depends on the process. PUDs require conformance with the Master Plan, but DRB applications do not. Not everything is required to conform with the Community Plan.
- Tom P. said that maybe this should be referenced in the opening of the code. He requested that there be findings for applications that come before the Planning Commission if something does or does not conform to the Community Plan.

Scot H. gave an update on his plan to tackle the Chapter 16 Update.

Jeff A. asked that agendas moving forward have a placeholder for the Community Plan and the Planning Commission should discuss it 30 minutes a meeting.

- Elliot H. suggested that we list which chapter we are going to talk about on the agenda to give people a heads up of what will be discussed.

10. STAFF REPORTS

11. PLANNING COMMISSION COMMENTS

12. FUTURE MEETINGS

12.1 March 8, 2023

12.1.1 Tom P. will be zooming in.

12.2 March 22, 2023

12.2.1 Tom P. will be zooming in.

13. ADJOURN

Motion by Tom P., second by Jeff A., to adjourn the regular meeting of February 22, 2023 at 8:46 pm. Motion passed 5-0.

Note: Sage P. is attending in her status as an alternate.

Lynn Teach, Commission Chair

ATTEST:

Scot Hunn, Planning Director



To: Mayor and Council
From: Scot Hunn, Planning Director
Date: February 24, 2023
Agenda Item: Minturn Forward Code Update Project Kickoff

REQUEST:

Staff to present the Minturn Forward Land Use and Subdivision Code Update project.

INTRODUCTION:

The Town has for several years identified the completion of a comprehensive update and overhaul to Chapters 16 and 17, Zoning and Subdivision regulations, respectively, of the Minturn Municipal Code as a strategic priority.

Having started and stopped code update work several times over the past five years, and following the adoption of the new 2023 Minturn Community Plan, staff is now in a better position to re-start and complete a comprehensive assessment and update to Chapters 16 & 17.

Project goals include:

1. Align the code with the Town’s Strategic Plan.
2. Implement policies and strategies of the 2023 Minturn Community Plan.
3. Create a more complete, consistent, and user friendly set of land use and development regulations using clear graphics and non-technical writing/terms wherever possible.
4. Craft regulations and processes that fit Minturn and address important community issues.

The project is anticipated to take 12-14 months to complete. Staff is proposing a four phase process:

Phase	Key Tasks	Timeline
Phase I: Kickoff & Public Outreach	<ul style="list-style-type: none">● Public Information Campaign● Stakeholder Groups● Focus Groups● Advisory Committee	March - July 2023
Phase II: Code Assessment	<ul style="list-style-type: none">● Technical Code Assessment● Code Assessment Report - present to Planning Commission and Council● Produce “Road Map” for drafting new regulations (establish priorities for drafting)	May - August 2023

Phase III: Drafting	<ul style="list-style-type: none"> • Prepare and present drafts of specific chapters/sections based on roadmap • Review initial drafts first with Planning Commission prior to presenting final drafts to Council 	Aug. 2023 - Jan. 2024
Phase IV: Public Review & Adoption	<ul style="list-style-type: none"> • As draft code updates are finalized, those will be reviewed publicly by the Planning Commission before being presented for adoption by the Council • All meetings to review proposed code amendments will be advertised • Any amendments including changes to zoning or any other standard affecting private property rights will require notice sent to individual property owners 	January - March 2024

ANALYSIS:

The Town’s land use, zoning, and subdivision code chapters and sections are a barrier to efficient, transparent governance. These chapters and sections, like many municipal zoning and subdivision codes, were originally adopted decades ago and have been amended numerous times creating conflicting and inconsistent language and policies, as well as confusing and inefficient situations for citizens, staff, developers, and decision makers when interpreting intent and applying requirements fairly across all land use proposals.

The Minturn Forward Code Update Project will directly address the 2023-25 Strategic Plan as well as the newly adopted 2023 Minturn Community Plan. Specific and relevant strategies and objectives of both plans include:

2023-25 Strategic Plan:

- *Funding permitting - Complete the Minturn Municipal Code Chapter 16 rewrite for better communication regarding code expectations across all zoning areas.*
- *Implement the 2022 Community Plan short-term goals and strategies while continuing to refine prioritization of medium- and long-term goals and strategies as funding allows.*

2023 Community Plan:

- Objective 1.1: Provide and follow a cohesive, forward-thinking land use plan for the Town.*
- Objective 1.2: Promote a fairer, simplified development process in Minturn.*
- Objective 1.3: Increase resident accessibility to zoning and land use information.*
- Objective 2.5: Support the vitality and affordability of the 100 Block by incentivizing second-story residential development, ADUs and infill.*

- Objective 3.3: Pursue land use changes that support Minturn’s tax base and economic growth; plan future development on important catalyst sites, including Dowd Junction.*
- Objective 3.6: Ensure that the Town’s zoning and development code supports and encourages commercial development and redevelopment in key commercial districts while preserving historic character.*
- Objective 4.1: Continue implementing the recommendations of the 2019 Housing Action Plan.*
- Objective 4.6: Prioritize housing for full-time residents; ensure that residents of all ages and income levels are able to find housing.*
- Objective 4.8: Ensure that PUD regulations and policies contain provisions that will create full-time resident housing, particularly at Dowd Junction and Martin Creek.*
- Objective 5.2: Refine development regulations and standards and pursue other initiatives to promote efficiency and sustainable practices in residential and commercial buildings.*
- Objective 5.3: Prioritize resilience by proactively preparing for and mitigating potential impacts of natural hazard.*
- Objective 6.1: Develop shared parking and curbside management strategies in the 100 Block area based on parking management study.*
- Objective 6.2: Identify Minturn’s role in a regional transit authority and in facilitating expansions to ECO Transit service and/or Town of Vail transit service; capitalize on the growth of mass transit infrastructure and ridership to support infill and/or transit-oriented development in Minturn.*
- Objective 6.3: Envision an interconnected network of sidewalks and trails for walking and biking that connects Minturn’s neighborhoods, commercial areas, and recreational opportunities.*
- Objective 6.7: Monitor impacts to Highway 24.*
- Objective 7.1: Encourage a vibrant public realm in Minturn that emphasizes arts, stewardship, access to the Eagle River, and outdoor fun.*
- Objective 7.5: Encourage safe and responsible access to trails and recreation opportunities on forest service land adjacent to Minturn.*
- Objective 7.6: Support the growth of Little Beach Park and the surrounding area as a hub for recreation and community events.*
- Objective 8.1: Implement the objectives of this community plan in a thoughtful and collaborative manner.*
- Objective 8.2: Inform & engage residents in community development.*

Achievement of project goals will result in an intuitive, right-sized, and easily accessible and understood set of land use, development, and subdivision regulations and processes.

COMMUNITY INPUT:

The Minturn Community Plan Update project included significant public outreach and opportunities for members of the community to provide input during the year-long project. Similarly, the Minturn Forward Code Update Project will be built around multiple community engagement opportunities throughout the process.

During the first phase of the project, staff will facilitate a coordinated public information campaign using the Town's website, direct mailings, and the Town newsletter to announce the kick-off to the project and to inform stakeholders about project timelines, milestones and opportunities to get involved. Information will be updated during the project using these same tools.

Community input will be solicited during the project as well through the use of stakeholder groups, focus groups, and the formation of an advisory committee to guide the project. Additionally, input will be gathered as drafts of the new code sections are presented to the Planning Commission during public meetings and workshops.

Importantly, prior to the adoption of any new land use or subdivision regulations affecting private property rights, public notice will be provided to all affected residents, and staff will present proposed code revisions to the Planning Commission and the Town Council in public meetings and/or work sessions.

BUDGET / STAFF IMPACT:

Staff anticipates minimal budgetary impacts stemming from the Minturn Forward Code Update project as they relate to direct purchasing of equipment or materials, or the need for significant outside professional consultation services. Rather, much of the work to coordinate and implement public outreach and meeting facilitation will be done in-house. Direct mailings and other communications requiring printing or other materials may have a small impact on the budget.

Staff impacts include staff time and resources directly related to community outreach and advertisement of meetings. Additionally, a significant amount of Planning Department resources will be necessary to oversee the project, facilitate outreach and the gathering of community input, performing a code assessment, as well as drafting and presenting reports and new code sections for review.

STRATEGIC PLAN ALIGNMENT:

The comprehensive review and updating of the Town's land use and subdivision regulations and processes 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:

No motion necessary.

ATTACHMENTS:

None.

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

To: Planning Commission
From: Scot Hunn, Planning Director
Date: March 2, 2023
Re: Ordinance No. TBD, Series 2023 - Update

The Planning Commission reviewed the attached ordinance which includes amendments and updates to certain sections of Chapter 16, Zoning, of the Minturn Municipal Code, at their regular meeting of February 22, 2023. This ordinance is being presented to the Minturn Planning Commission for review and comment prior to presenting the same to the Minturn Town Council for approval.

The Planning Commission provided feedback and suggested a few minor revisions:

1. Update the requirement for surveys - to be completed or dated no more than ninety (90) days prior to submission of any application or inspection that requires a survey.
2. Require color and materials boards with all Design Review Board applications.
3. Change all references to “Town Board” to “Town Council.”
4. Clarify building height definition to require all mid-points on all structures to comply with the height requirements. Staff removed “strikethrough” language and added the following language:

“No portion of any structure included in building height measurements where height is measured to a mean or mid-point shall exceed the applicable building height limitation contained in this Code.”

Other suggestions related to the Town’s definition of building height, specifically to make determination of building height easier to administer, or to ensure that reference to other sections of the Code that address building height are easier to find and use, will be addressed as the Town works on a more comprehensive update of Chapter 16.

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

To: Planning Commission
From: Scot Hunn, Planning Director
Date: February 16, 2023
Re: Ordinance No. TBD, Series 2023

The attached ordinance contains several amendments and updates to certain sections of Chapter 16, Zoning, of the Minturn Municipal Code. This ordinance is being presented to the Minturn Planning Commission for review and comment prior to presenting the same to the Minturn Town Council for approval.

The proposed amendments to Chapter 16 are targeted at several aspects of the Town’s design review procedures and application submittal requirements - what gets submitted to the Town for new applications requiring Design Review Board review and approval; how the DRB conducts its review; and what actions the DRB can take, including recommendations for approval or denial to the Town Council, or the granting of a conceptual approvals.

Additionally, staff is proposing long overdue yet relatively minor revisions and clarifications to certain definitions specifically related to the Town’s building height definition (inclusive of methods of for calculation), grade (existing, natural, or established grade around a structure) and ordinary high water mark. In all cases of proposed changes to definitions, staff is attempting to clarify intent as well as language to aid in interpretation and to reduce confusion or potential legal challenges in the future.

Briefly, the following amendments are proposed:

1. Section 16-2-20 - Definitions:

Changes to Article 2, *Definitions* include revisions to the following terms and methods of calculation that the Town uses when reviewing development proposals:

Building Height: Removed contradictory language precluding “any part” of a structure exceeding height limitations

Grade: Added new definitions for established grade (“Grade, established”), finished grade (“Grade, finished”) and natural grade (“Grade, natural”) to aid applicants, staff, and Planning Commission in determining building height.

*Ordinary High
Water Mark:*

Revised this definition to be consistent with other text in the Minturn Municipal Code and to eliminate confusion regarding requirements for survey preparation by a professional land surveyor. Removed sentence requiring the Town to choose a surveyor. This is not practiced, is not practical or desired by staff, and most surveyors who do work in the Eagle River Valley are competent in delineation of water marks.

2. Section 16-2-50 - Specific lot requirements and dimensional standards:

In relation to proposed revisions to the Town’s definition of Ordinary High Water Mark, staff is proposing complimentary, clarifying language revisions to Section 16-2-50 to make clear that surveys must be prepared by a professional land surveyor licensed in the State of Colorado.

3. Section 16-21-460 - Action by Planning Commission:

This section is being amended to clarify the alternative actions that the Planning Commission may take to approve, approve with conditions, deny, table or grant conceptual approval for an application. These changes are in relation to other changes proposed for Section 16-21-615 aimed at clarifying and adding to submittal requirements for all Design Review Board applications, review requirements, and construction requirements (see below).

4. Section 16-21-615 - Design Review applications:

Staff has spent considerable time formulating and analyzing a number of revisions to this section of the Code, all aimed at the following goals:

- Ensuring that DRB submittal and review requirements are located in one place in the Minturn Municipal Code (currently they are listed in at least two different sections of the code, Section 16-21-615 and Appendix “B” Design Standards and Guidelines). The proposed changes include removing application submittal requirement language from Appendix “B” and relocating it in Section 16-21-615.
- Beefing up DRB submittal requirements and making language and terms consistent and clear. Please note additional language aimed, in some cases, at ensuring a higher level of details are provided on plans submitted to the Town in the future.
- Enhancing requirements and clarifying procedures for building permit/construction process, particularly with regard to required inspections and requirements for Improvement Location Surveys/Land Survey Plat documents as part of foundation inspections, framing inspections, and final inspections to ensure that all structures permitted by the Town and approved by the DRB are constructed according to plans.
- Striking non-regulatory or suggestive language (“should”) and replacing it with enforceable language (“shall”) in certain circumstances.

5. Appendix B - Design Standards and Guidelines:

In relation to and as a result of moving DRB submittal requirements out of Appendix B - Design Standards and Guidelines and into Section 16-21-615, changes to Appendix B in the ordinance show striking through (removing) Section “A” - Design Review Board, and Section “B” - Submittal Information from the Town’s Design Standards and Guidelines. These sections are not needed and/or conflict with existing language elsewhere in the Code that establishes the Planning Commission as the DRB, provides processes and rules for the Planning Commission when reviewing applications, and/or provides detailed direction on submittal requirements (see above).

Many of the proposed amendments are items that staff has identified over the years, and several relate back to conversations between staff and the Planning Commission regarding confusing or unclear language, or desired *additional* language to ensure that the Town is able to properly interpret and apply the provisions of Chapter 16.

Staff will look forward to reviewing all proposed amendments to Chapter 16 with the Planning Commission.

TOWN OF MINTURN, COLORADO
ORDINANCE NO. ___ – SERIES 2023

AN ORDINANCE OF THE TOWN OF MINTURN,
COLORADO AMENDING CHAPTER 16 OF THE MINTURN
MUNICIPAL CODE

WHEREAS, the Town of Minturn (“Town”) is a Colorado home rule municipality organized pursuant to Article XX of the Colorado Constitution and with the authority of the Town of Minturn Home Rule Charter for which the Minturn Town Council (“Town Council”) is authorized to act; and

WHEREAS, the Town of Minturn 2023-2025 Strategic Plan (hereinafter the “Strategic Plan”) seeks to “foster the authentic small town character that is Minturn,” and to “Lead Minturn to long-term viability while preserving its unique character and genuine mountain town community,” through specific strategic plan goals and policies;

WHEREAS, the Strategic Plan contains four key strategies for implementation including “Practice fair, transparent and communicative local government,” “Long-term stewardship of the natural beauty and health of Minturn’s environment,” “Sustain and invest in the things that define Minturn as a proud, sturdy mountain town to “Keep Minturn, Minturn,” and “Advance decisions/projects/initiatives that expand future opportunity and viability for Minturn;” and

WHEREAS, the Strategic Plan contains specific strategies in support of proposed amendments to Chapter 16, Zoning, Appendix B, Town of Minturn Design Guidelines and Standards, such as “Sustain and Invest in the Things That Define Minturn as a Proud, Sturdy Mountain Town to “Keep Minturn, Minturn,” “Implement methods to recognize historic structures,” “Enforce ordinances aimed at maintaining the health, safety, welfare and aesthetic of the town – snow, trash, nuisance abatement and zoning/land use,” and

WHEREAS, in 2023, the Town completed a comprehensive update to the 2009 Community Plan (hereinafter “the 2023 Town of Minturn Community Plan”); and

WHEREAS, a key objective of the 2023 Town of Minturn Community Plan is to review and update the Town’s zoning, land use, development and design regulations and standards; and

WHEREAS, Town Council has directed staff to draft text amendments to Minturn Municipal Code Chapter 16, the Town Land Use Regulations, in accordance with the Town’s strategic plan and the Community Plan; and

WHEREAS, on February 22 and March 8, 2023, the Minturn Planning Commission considered this ordinance; and

WHEREAS, on March 8, 2023, the Minturn Planning Commission recommended approval of this ordinance; and

WHEREAS, on April 5, 2023, the Minturn Town Council approved this ordinance on first reading; and

WHEREAS, the Minturn Planning Commission and Town Council have determined that the text amendments to the Land Use Regulations Chapter 16 as provided herein are necessary and proper.

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. Chapter 16 of the Minturn Municipal Code is hereby amended read as follows, with additions shown in double underlined text and ~~strike through language~~ is deleted. Sections of Chapter 16 which are not expressly described in this Ordinance are deemed to continue to be in full effect without change.

ARTICLE 2 - Definitions, Illustrations and Lot Standards

* * *

Sec. 16-2-20. - Definitions.

Building height or height of building means the maximum vertical (plumb) distance measured at any point along the perimeter of the structure from the finished, ~~or natural~~, or established grade (whichever is more restrictive) and a point on the roof depending on the roof type. No portion of any structure included in building height measurements where height is measured to a mean or mid-point shall exceed the applicable building height limitation contained in this Code. (See Illustration No. 16-2.)

Grade, established means the grade of a previously disturbed property prior to the most recent proposed development or construction activity. On developed lots, the established grade is established by extrapolating and referencing elevations at points where the previously disturbed and/or developed area appears to meet the undeveloped portions of the lot. Such extrapolation and reference may occur at the property boundary if the lot is previously disturbed or developed to the furthest extent of the lot.

Grade, finished means the final elevation of the ground surface of a site after human-made alterations, such as grading, grubbing, cutting, filling, or excavating, have been made on the ground surface; the grade of a site after reconfiguring grades according to an approved site plan.

Grade, natural means the elevation of the surface of the ground which has been created through the action of natural forces and has not resulted from humanmade cuts, fills,

excavation grading or similar earthmoving processes, or, the ground surface elevation in existence prior to the initiation of development on a parcel of land.

Ordinary high water mark means that line on the bank established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris or other appropriate means that consider the characteristics of the surrounding areas. ~~The ordinary high water mark shall be determined by a qualified and licensed professional chosen by the Town and paid for by the project applicant.~~

* * *

Sec. 16-2-50 – Specific lot requirements and dimensional standards

(b) Live stream setback. A strip of land measured horizontally from the ordinary high water mark on each side of any live stream, river, or creek shall be protected in its natural state free from human made structures or other improvements and appurtenances, and vegetated with natural riparian vegetation. If necessary to protect the live stream, river or creek, additional setback distances may be required by the Planning Commission. The following exceptions may be considered by the Planning Commission and/or the Town Council on a case-by-case basis:

(1) Underground utilities may be located in the live stream river or creek setback; provided, however, that there is no practical alternative location for such utilities, and that plans and/or reports related to proposed disturbance within the setback area are prepared by qualified professionals showing limits of disturbance, erosion control measures and revegetation are approved by the Town Council.

(2) Roof overhangs may project a maximum of eighteen (18) inches into the live stream setback if the Planning Commission determines that such encroachments do not detrimentally impact the proper, natural functioning of the protected live stream setback area.

(c) The ordinary high water mark shall be identified by a ~~licensed~~ professional land surveyor licensed in the State of Colorado on all applicable surveys, plats and plans required under this [Chapter 16](#).

* * *

Sec. 16-21-460. - Action by Planning Commission.

For each application heard by the Planning Commission, the Planning Commission shall forward within thirty (30) calendar days after the public hearing one (1) of the following recommendations to the Town Council; ~~or it may table an application for a maximum of forty (40) calendar days to receive additional information. No public hearing shall continue for more~~

than forty (40) calendar days from the date of commencement without the written consent of the applicant.

- (1) Recommend approval of the application as submitted or with certain conditions as stated; or
- (2) Recommend denial of the application with all reasons clearly stated.

~~(Prior code 16-21-8)~~

Alternatively, the Planning Commission may grant conceptual approval to applicants who in a general fashion appear to meet design and other regulations of the Town but submit applications inadequate to warrant final approval. Conceptual approvals are also appropriate where a complete application has not been submitted, or where an applicant wishes to obtain a preliminary review of a sketch plan. A conceptual approval shall not be deemed a final approval of an application; conceptual approval does not constitute a determination by the DRB that an application conforms to design or other regulations; and a conceptual approval shall not bind the DRB to grant final approval to a completed or final application.

Notwithstanding one of the previous actions, the Planning Commission may table an application for a maximum of forty (40) calendar days to receive additional information. No public hearing shall continue for more than forty (40) calendar days from the date of commencement without the written consent of the applicant.

* * *

Sec. 16-21-615. - Design Review applications.

- (a) Purpose. The purpose of a Design Review is to ensure that all new development and major redevelopments in the Town are constructed in a manner that complies with the adopted regulations of the Town.
- (b) Applicability. All major construction must receive Design Review approval from the Design Review Board prior to the issuance of a building permit. *Major construction* is defined as all new construction projects and any building addition that increases the building footprint and/or square footage of an existing structure.
- (c) Application requirements. In addition to the requirements of [Section 16-21-170](#), the following information must be submitted for a Design Review application.
 - (1) Application form and fee. Application fees are set annually by the ~~Board of Trustees~~ Town Council.
 - (2) A boundary survey, with a stamp and signature (or electronic equivalent) of a licensed surveyor, that includes the following information:

- a. Date of survey (survey date must be within ~~five [5] years~~ ninety [90] days of the project application date).
 - b. Right-of-way and property lines; including bearings, distances, and curve information.
 - c. Labeled ties to existing USGS benchmark.
 - d. Property boundaries to the nearest one-hundredth (.01) of a foot accuracy. Distances and bearings and a basis of bearing must be shown. Show existing pins or monuments found and their relationship to the established corner.
 - e. All existing easements recorded with the County Clerk and Recorder. Include bearings and distances.
 - f. Spot elevations at the edge of asphalt along the street frontage of the property at five-foot intervals, and a minimum of two (2) spot elevations on either side of the lot.
 - g. Topographic conditions at two-foot contour intervals.
 - h. Existing trees or groups of trees having trunks with diameters of four (4) inches or more.
 - i. Rock outcroppings and other significant natural features.
 - j. All utility meter locations, including any pedestals on site or in the right-of-way adjacent to the site and the exact location of existing utility sources.
 - k. Environmentally sensitive areas or areas of natural hazards, where applicable (i.e., rock fall, wetlands, or floodplain).
 - l. Watercourse setbacks and floodplain information, if applicable. Show centerline and edge of stream or creek in addition to the 100-year floodplain, as well as the required stream setback from the ordinary high-water mark.
- (3) A scaled site plan showing the following information:
- a. Property line locations and dimensions based on a current boundary survey of the property.
Setback lines.
 - b. Existing and proposed easements.
 - c. Existing and proposed buildings, including sheds and enclosures. Include decks, patios, and balconies. Indicate the building ~~face (exterior finish)~~ footprint and the outside face of exterior walls, inclusive of all cantilevered elements of the building, with a ~~dashed~~ solid line and the roof/eave edge with a ~~solid~~ dashed line. ~~All cantilevered portions of the building must also be shown with a solid line.~~
 - d. Height elevations of all roof ridgelines and/or the top of all flat roof elements, as well as ~~and~~ the mid-point of all sloped roof ~~gables~~ elements.
 - e. Driveways and parking areas. Indicate finished surface, heated or unheated, grade, percent slope, dimensions, turning radii and spot elevations at the property line.
 - f. Identify all slopes between thirty percent (30%) and forty percent (40%), as well as any slopes in excess of forty (40%) percent.
 - ~~g. Identify slopes greater than forty percent (40%).~~
 - hg. Existing and proposed retaining walls (including materials) and spot elevations.
 - ih. Existing and proposed fences (including height and materials).

- ji. Waterbodies, and stream setbacks from the ordinary high-water mark, and floodplain information according to a current survey of the property, if applicable to the subject property.
 - kj. Snow storage areas denoted with hatching and showing corresponding area (expressed in square feet) as a percentage of overall site area.
 - k. ~~Landscaped areas.~~
 - k. Sidewalks and walkways.
 - m. All areas of lot and impervious coverage denoted with hatching and showing corresponding area (expressed in square feet) as a percentage of overall site area.
- (4) A grading and drainage plan that includes the following information:
- a. Existing contours. Existing two-foot contours must be provided for all areas proposed to be disturbed as a result of the project proposal areas. Contours for undisturbed areas must be shown when drainage in those areas impacts the disturbed area, or vice versa.
 - b. Proposed contours. Proposed two-foot contours for all disturbed areas must be shown and must demonstrate positive drainage.
 - c. Spot elevations. Show critical spot elevations, as necessary to demonstrate positive drainage and the direction of flow. Finished grade at all building corners must be provided.
 - d. Top-of-foundation elevations. The top-of-foundation elevation must be shown on the plan and must be consistent with the foundation plan. For buildings on slopes of thirty percent (30%) or greater, elevations for stepped foundation walls must be shown.
 - e. Drainage arrows. Include drainage arrows that show how stormwater will be routed around buildings and where stormwater will exit the property. Stormwater cannot cause damage to any adjacent property. Drainage and erosion control features needed to prevent damage must be included.
 - f. Drainage facilities. Proposed drainage facilities, such as French drains or culverts, must be shown.
 - g. Retaining walls. Retaining wall details are required and must include drainage details. Note top- and bottom-of-wall elevations shall be shown at each location where the retaining wall steps up or down; and shall include the tallest point of the retaining wall.
- (5) Building elevations and proposed architectural detailing of for all sides of the proposed structure(s), indicating type, size, and texture ~~and color~~ of all exterior materials, as well as building heights, setback lines, locations of exterior lighting fixtures and roof and building drainage system (i.e., gutters and downspouts).
- (6) Color chips and a materials boards ~~shall be~~ are not required for all projects but may be requested at the sole discretion of the Planning Commission as part of the DRB review and approval process.
- (7) A landscaping plan pursuant to the Town of Minturn Landscape Standards shall be provided, if applicable, including existing and proposed vegetation. The plan should

~~indicate the quantity, type and size of the proposed vegetation. For projects less than two hundred fifty (250) square feet, a landscaping plan is required for the disturbed area of the property only.~~

- (8) Floor plans of all levels of any the proposed structure(s) that indicate indicating the proposed uses and dimensions of all interior space shall be included. For additions to existing structures, floor plans must be provided for the existing building as well as all proposed additional floor area.
 - (9) Reflected ceiling plans if applicable, showing exterior lighting (recessed or can lighting) within soffits.
 - (10) Multi-family and commercial developments may require one (1) or more of the following: a three-dimensional model of the proposed project and adjacent buildings to scale; a three-dimensional architectural model including adjacent structures; and a two-dimensional photo illustration of the proposed building in relation to adjacent structures.
 - (11) Property corners shall be staked and remain in place throughout the public hearing process.
 - (12) Such additional information as the Planning Department or Design Review Board may require.
- (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 Town of Minturn Design Standards and Guidelines.
 - (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 Town of Minturn Design Standards and Guidelines.

- (4) Conditions of approval. The following conditions shall apply to all projects approved by the Design Review Board:
- a. No changes to an approved plan or design may be made without the written consent of the Town staff. Town staff reserves the right to forward any change to the Design Review Board for final approval.
 - b. Design Review Board approval does not constitute a permit for building.
 - c. Design Review Board approval shall not become valid for twenty (20) days following the date of approval, pursuant to Section 16-21-110(b)(3) and Section 16-21-700.
 - d. Approval of this project shall lapse and become void one (1) year following the date of final approval unless a building permit is issued and construction is commenced and is diligently pursued toward completion. A maximum of one (1) one-year extension may be granted at the request of an applicant.
- (e) Construction process.
- (1) Building permit required. Once an application has been approved by the Design Review Board, the applicant may apply for a building permit. ~~Please consult the Building Department for the applicable submittal requirements.~~ A building permit shall be submitted in substantial compliance with plans approved by the Planning Commission and shall be reviewed by the Building Official for compliance with all applicable codes and laws enforceable by the Town of Minturn.
 - (2) Pre-construction meeting and inspection required. Once a building permit has been issued, and prior to any construction activity being authorized on the subject property, a pre-construction meeting is required to be held at the subject property. The purpose of the pre-construction meeting is for the contractor (General Contractor and/or Owner's Representative of record with the Town) to familiarize themselves with the Town's construction regulations, inspection process, and requirements. This is also a time for Town staff to inspect the pre-construction conditions of the subject property and to verify limits of disturbance along with any required erosion control measures.
 - (3) Foundation inspection required. After any foundation has been poured and foundation work has been completed, and prior to scheduling a foundation inspection, an ~~Foundation Location Certificate~~ Improvement Location Certificate (ILC) verifying the location of the foundation must be submitted to the Building Official after the building foundation has been poured. Construction may not proceed until the location of the approved foundation has been verified by the Building Official as part of the foundation inspection.
 - (3) Framing inspection required. After the framing of the structure(s) has been completed, and prior to scheduling a framing inspection, an Improvement Location Certificate (ILC) is required for verifying location of the location of all roof ridge height(s) and to ensure that no locations of all exterior walls of the structure relative to required setbacks encroachments exist on the and property boundaries must be

submitted to the Building Official. Construction may not proceed until the location and the extents of the structure(s) have been verified by the Building Official as part of the framing inspection. The framing inspection will not be approved until this survey has been approved by the Building Official.

- (4) TCO inspection required. At the completion of the project, a Temporary Certificate of Occupancy (TCO) inspection shall be required. An updated Improvement Location Certificate showing all new improvements on the site, shall be submitted to the Building Official prior to scheduling a TCO inspection.
- (5) CO inspection required. The final step in the construction and inspection process is the final Certificate of Occupancy inspection.

(Ord. 2-2012 §1)

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APPENDIX B - Design Standards and Guidelines

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Chapter II General Design Standards

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~~A. DESIGN REVIEW BOARD~~

~~The Design Review Board (DRB) is established by the Town Council and consists of seven (7) members. The Town Council delegates its powers and duties to administer these standards and guidelines to the DRB.~~

Membership

~~Members of the Planning Commission shall serve ex officio as members of the DRB. The terms of the membership shall be identical to their terms on Planning Commission, and removal from one board shall constitute removal from the other. Members of the DRB serve at the pleasure of the Town Council, and DRB members shall hold no other municipal office except as provided above. Members may be removed by the Town Council for inefficiency, neglect of duty, failure to attend meetings or malfeasance in office. A notification of removal shall state the reasons for such removal.~~

Organization and Operation

~~The DRB shall elect a chairman and vice chairman from its members and fill such other offices as it may determine. Such officers shall not necessarily be the same officers as the Planning Commission. The term of chairman and vice chairman shall be one (1) year with eligibility for reelection. The chairman, or in his absence, the vice chairman, shall preside over the DRB~~

~~meetings. The DRB shall meet at the call of the chairman and it shall meet as often as it is necessary to carry out the tasks of the Board. Not more than thirty (30) days should pass between the time a complete application is made and the DRB takes action upon that application. Rules for transaction of business, including the requirement of fees, shall be adopted by the DRB and a record shall be kept of deliberations, findings and decisions. This record shall be kept in the office of the Town Clerk. A majority of the members of the Board shall constitute a quorum for the transaction of business.~~

~~The Town staff will review the application to determine compliance with the submittal of required information. Minor design review applications may be reviewed and approved by the Town staff. Denials issued by the Town staff may be appealed to the DRB.~~

Board Procedure

~~The Town staff will forward applications (other than minor design applications), and recommendations, to the DRB.~~

~~The DRB shall review the application and supporting material submitted by the applicant, as well as the staff recommendation. After review, the DRB, through a formal motion, seconded and passed by a majority of the members present, shall take one of the following courses of action:~~

~~1. Table the application. The application may be tabled for a period not to exceed thirty (30) days if the application is incomplete or if the DRB determines that changes are required to bring the application into compliance with design standards and guidelines or other regulations of the Town. The Board may specify additional requirements for the applicant is to bring to the future meeting. These requirements may include additional information necessary to determine whether the application complies with all zoning, building, design codes adopted by the Town, and may include plans, reports, surveys or other documents completed by registered architects, surveyors, engineers or other professionals in order to indicate conformance with such codes. The DRB may also table the application if it determines that changes in the application are required which would bring the proposed project into compliance with zoning, building, design codes, and other regulations of the Town.~~

~~2. Conceptual/Preliminary approval. The DRB may grant conceptual approval to applicants who in a general fashion appear to meet design and other regulations of the Town but submit applications inadequate to warrant final approval. Conceptual approvals are also appropriate where a complete application has not been submitted, or where an applicant wishes to obtain a preliminary review of a sketch plan. A conceptual approval does not deem final approval of an application, nor does it deem that an application conforms to design or other regulations, nor shall it bind the DRB to grant final approval to a completed or final application.~~

~~3. Disapproval of application. If an application is found to conflict with the purposes and/or any one (1) or more of the design guidelines, codes or any other regulations of the Town, the DRB shall disapprove the application. Any disapproval shall be in writing and shall specifically describe the reasons upon which the disapproval is based.~~

~~4. Approval of application. If the application is complete and is found to comply with the design standards and guidelines, codes and other regulations of the Town, the DRB shall approve the project. The DRB shall keep a record of all such approvals, and the applicant should keep a copy of the approval. The DRB may approve an application with conditions or modifications. The DRB shall not approve an application that does not meet the requirements of the Town or any other provision required to ensure compliance with the design standards and guidelines, codes and other regulations of the Town.~~

~~5. If a motion for approval, for conceptual approval or to table an application results in a tie vote, the motion will fail.~~

~~* * *~~

~~**B. SUBMITTAL INFORMATION**~~

~~The request for design review requires the submittal of the following information:~~

- ~~1. An application form (available at the Town of Minturn offices);~~
- ~~2. An Improvement Location Certificate or Survey (ILC or ILS), as appropriate;~~
- ~~3. 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.~~
- ~~4. A scaled site plan showing the subject property and the proposed layout of the development. This site plan shall include the development within the context of existing conditions, including but not limited to topography, delineation of water bodies, adjacent development, sidewalks, utility locations and easements of record;~~
- ~~5. Elevations of the proposed structure(s), as may be required;~~
- ~~6. Architecture details, including window and door detail;~~
- ~~7. A landscape plan, including snow storage areas, as may be required;~~
- ~~8. A parking plan; and~~
- ~~9. A three dimensional mass model, to scale, for multi family and/or commercial development may be required; a three dimensional architectural model including adjacent structures may be requested.~~

~~* * *~~

~~**C. A. - REVIEW CRITERIA**~~

~~* * *~~

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 ____ DAY OF _____ 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 ____ DAY OF _____ 2023 AT ____ 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 WEBSITE THIS ____ DAY OF _____ 2023.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:

By: _____
Jay Brunvand, Town Clerk

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

To: Planning Commission
From: Scot Hunn, Planning Director
Date: February 15, 2023
Re: Minturn Community Plan

This memo is being provided to the Planning Commission as a reference and guide during future discussions with staff aimed at educating the Planning Commission and the community on the goals, policies, and recommended action items of the newly adopted 2023 Minturn Community Plan, the Town’s guiding policy document that will provide direction to Town staff, as well as elected and appointed officials when faced with land use, economic development, transportation, or other decisions in the future.

Staff realizes that the Planning Commission is familiar with the new community plan after participating in its creation and reviewing it during final adoption hearings. However, staff and the Planning Commission are now charged with using and interpreting this plan when reviewing specific land use or development proposals, or when providing direction to staff regarding projects or initiatives involving Town resources.

In short, we have a new plan and we need to start understanding how best to use it in our roles as staff and Planning Commissioners to produce the results desired by the Town’s residents, stakeholders, and decision makers alike.

This memo/guide is organized by the chapters from the Community Plan and includes each “Objective” statement (from each chapter) along with the recommended action steps that follow each objective. For ease of reference, staff has highlighted each **Objective** while also highlighting those **action steps** that have the most relevance or impact on the Planning Commission’s role and duties.

Spoiler Alert: There are *many* objectives and action steps that will have bearing on the Planning Commission and how it works with staff and stakeholders and, importantly, how it considers each new development proposal in the future when it comes to findings such as “conformance with the Community Plan” as a deciding factor to approve or deny new proposals.

Reminder: Although there may be a recommended action step for the Town to consider, this does not mean that those actions will be carried out, or that they will be achieved in the exact manner in which they were recommended. Recommendations are the result of public input, as well as input from the staff and the Planning Commission during the year-long process used to create the Community Plan. They may not reflect the values or desires of individual Planning Commissioners, staff members, or residents.

Nevertheless, they are important and based on months of analysis, gathering of input, and professional advice from qualified consultants hired by the Town to guide decision making and complete the 2023 Community Plan. Therefore, it is important to consider each in context to the overall goals and policy objectives captured in the 2023 Community Plan, and to remember that each may not be weighted the same or carry the same priority as other objectives and action steps.

Chapter 1: Smart Land Use & Practical Zoning

Objective 1.1: Provide and follow a cohesive, forward-thinking land use plan for the Town.

The recommended zoning maps on pages 23 and 24, consolidate districts, support new attainable housing and economic development, and preserve community character. While increases in unit count may be allowed in some areas, it is anticipated that any such changes would be relatively limited and occur slowly as the town is nearing full build-out, particularly along Highway 24 from the 100 Block south. Should significant redevelopment occur, and as the Town is approaching its water tap/SFE limit, the Town should update the allowable uses by right. It is recommended that the Town of Minturn expediently begin the rezoning and code update process.

- **Action 1.1.1** Adopt future zoning map (page 23/24) and associated recommended zoning districts and requirements, as stated in this section.
- **Action 1.1.2** Implement the adopted 100 Block Design Standards and Guidelines Appendix B insert.
- **Action 1.1.3** Consider establishing minimum and maximum setbacks in mixed-use and residential districts. This requirement is intended to encourage a visually pleasing development pattern with slightly varied setbacks and to address a current misalignment between lot coverage and setback requirements on several lots in town.

Objective 1.2: Promote a fairer, simplified development process in Minturn.

In the development process, it is important to limit unnecessary barriers while still undergoing a rigorous review. Barriers can be related to the process that the developer or landowner must undergo or site requirements.

- **Action 1.2.1** Across all zone districts where multifamily is allowed as a use by right, at or above 15 total units, the project would need to go through the PUD process. However, if the project is a redevelopment of a lot already at or above 15 total units, it should not need to go through the PUD process. This allows smaller projects in which local impacts would be minor to proceed efficiently and at a lower cost to the developer, which allows these projects to provide the housing at more attainable prices. With a higher threshold for the number of units, the PUD process would allow for greater design flexibility, assurance of property planning, and further scrutiny of potential impacts, such as access and impacts to neighboring properties.

- **Action 1.2.2** Explore reducing parking requirements for both commercial and residential uses. Focus efforts on areas with good connectivity to transit or with ample on-street parking.
- **Action 1.2.3** Resume efforts to revisit the Article 22 nonconformities section to encourage flexibility and appropriate expansions. The goals of this update should be to maintain historic resources, incentivize reinvestment in older properties, increase accessibility of the property, and promote community character. Specific updates to nonconformity standards should be reviewed by the Town Council and Planning Commission.
- **Action 1.2.4** Consider implementing a lot coverage bonus of 15% for the development of deed restricted ADUs in residential and/or mixed-use districts.

Objective 1.3: Increase resident accessibility to zoning and land use information.

It is important that the future code and zoning map be accessible to residents so that they understand what they are allowed to do with their properties.

- **Action 1.3.1** Provide clear and user-friendly resources for the public that explain Minturn’s zoning, such as a citizen’s guide or interactive zoning map.
- **Action 1.3.2** Clarify that residents are allowed to make upgrades to non-conforming structures, with limitations.
- **Action 1.3.3** Increase access to and awareness of educational and financial resources (e.g., grants, tax credits) available to support historic preservation (federal and state).
- **Action 1.3.4** Continue to work with local fire mitigation entities and property owners to address any areas with increased fire risk; direct density to appropriate areas away from hazards such wildfires and flooding.
- **Action 1.3.5** Establish a walkable, cohesive development pattern that enables residents and visitors to access parks and the riverfront from Minturn’s Old Town and surrounding neighborhoods.

Chapter 2: A Thriving 100 Block

Objective 2.1: Implement a framework for redevelopment and growth in the 100 Block that contributes to Minturn’s character and economic development.

The Design Standards and Guidelines within Appendix B of the Town Code outline a framework for the 100 Block that is both practical and inspiring. To achieve the vision for the 100 Block described in this chapter, the Town of Minturn should use the Design Standards and Guidelines to guide future development/redevelopment efforts.

- **Action 2.1.1** Ensure that future ordinances and land use practices for the 100 Block align with the framework established by the 100 Block Design Standards and Guidelines.
- **Action 2.1.2** Distribute the Design Standards and Guidelines to all developers and property owners pursuing projects within the 100 Block and/or in the recommended Mixed Use 1 zoning district (See Chapter 1: Smart Land Use & Practical Zoning).
- **Action 2.1.3** Provide technical assistance in interpreting the 100 Block Design Standards and Guidelines to property owners as needed and appropriate.

- Action 2.1.4 Continue efforts to organize business and property owners around the formation of a Downtown Development Authority (DDA); see Chapter 3: An Economically Vibrant Community for additional details.
- Action 2.1.5 Ensure that ground floor uses are dedicated to commercial services that generate retail sales and/or lodging tax.

Objective 2.2: Identify and preserve key historic resources and landmarks in the 100 Block area.

Future efforts to preserve and promote historic resources in Minturn will no doubt include properties within the 100 Block area. To ensure protection of key historic resources, the Town should establish and codify standards related to historic resources. For further information related to historic character in Minturn, see Chapter 4: Attainable Housing & Historic Character.

- Action 2.2.1 Use the 100 Block Design Standards and Guidelines as a basis for identifying key historic features and qualities in the 100 Block area.
- Action 2.2.2 Develop an official list of historic properties and landmarks, including those in the 100 Block; collaborate with property owners to highlight these special locations with maps and signage as appropriate.
- Action 2.2.3 Continue to explore a Historic Preservation Policy for Minturn; ensure that future historic preservation policies remain compatible with the 100 Block Design Standards and Guidelines.
- Action 2.2.4 Allow modifications to historic and traditional structures that do not conform to code standards; support the preservation of historic facades and modern improvements to properties.

Objective 2.3: Communicate a vision for the 100 Block area that is informed by community input and resonates with residents and visitors alike.

The Town of Minturn has invested in extensive community engagement related to the 100 Block and its design. Following these engagement efforts, the Town has identified a clear vision for the 100 Block area as a well-connected, charming and walkable centerpiece of the community. The Design Standards and Guidelines will enable the implementation of this vision. At this stage, the Town should enhance the branding and wayfinding of the 100 Block area as part of the implementation of the 100 Block vision. See Chapter 6: Intuitive Mobility, Circulation, and Connectivity for a discussion of signage related to parking and vehicle circulation in the 100 to 400 Blocks.

- Action 2.3.1 Initiate a wayfinding plan for the 100 Block area; ensure that signage and wayfinding elements follow a consistent style that is compatible with the broader area and Minturn’s heritage (e.g. mining and railroad) and highlight key locations and amenities, such as access points to the Eagle River and nearby trailheads.
- Action 2.3.2 Codify standards for signage in the Old Town to accompany the 100 Block Design Standards and Guidelines document.
- Action 2.3.3 Create visitor-oriented maps and materials that illustrate the 100 Block area and the businesses and experiences it offers.

Objective 2.4: Address parking and circulation issues and promote pedestrian and bike access to and within the 100 Block.

With many businesses, residences, and amenities in the area, the 100 Block is a popular destination within Minturn. Future planning efforts for the 100 Block should account for projected parking and transit needs. Walking and biking should be prioritized as transportation modes within the 100 Block. See Chapter 6: Intuitive Mobility, Circulation, and Connectivity for further detail on these topics.

- Action 2.4.1 Establish one-way shared streets on Williams St. and Eagle River St.; initiate a redesign of these streets to meet the vision including special paving, additional lighting, and signage that conveys changes and reduces the vehicle speed limit to promote traffic safety.
- Action 2.4.2 Provide infrastructure and amenities that support walking and biking, such as sidewalks, bollards or curb extensions, paths, benches, bike racks, and a bike wash/repair station, within the 100 Block area.
- Action 2.4.3 Collaborate with ECO Transit on future enhancements to transit access from the 100 Block area; facilitate transit trips by publicizing bus schedules in prominent areas.
- Action 2.4.4 Provide “loading only” areas along Main Street so deliveries to businesses can use Main Street instead of putting large truck travel onto narrow streets.
- Action 2.4.5 Implement a “Pedestrian Priority Zone” using signage in the 100-Block area to indicate that vehicles should travel cautiously and that pedestrians have the right-of-way.

Objective 2.5: Support the vitality and affordability of the 100 Block by incentivizing second-story residential development, ADUs and infill.

The 100 Block is currently mostly built out and its 25’ lot pattern does limit the footprint of individual property development. There may be future opportunities to encourage second-story residential, Accessory Dwelling Units (ADUs) and infill development in the area. See Chapter 4: Attainable Housing & Historic Character for a detailed discussion of Minturn’s projected future housing needs.

- Action 2.5.1 Allow ADUs as a use-by-right within the 100 Block; discourage garages facing the street.
- Action 2.5.2 Provide incentives to encourage affordable residential development for long-term residents in the 100 Block area.

Objective 2.6: Invest in continuous placemaking improvements to support the 100 Block as a vibrant, central community gathering place; improve connectivity to the riverfront area and nearby amenities.

Placemaking efforts can help residents and visitors feel connected to a place and to their broader community. Future enhancements to the 100 Block should include placemaking elements that support social and cultural life in Minturn and craft a distinct, special identity for the 100 Block area.

- **Action 2.6.1** Support resident-led efforts to create inviting spaces, such as courtyards, pedestrian passageways, and gardens on residential and/or commercial properties. Refer project proponents to the design examples provided in the 100 Block Design Standards and Guidelines Appendix B insert (pages 17 and 18).
- **Action 2.6.2** Encourage the development of gathering spaces and community activities as identified in the Framework diagram.
- **Action 2.6.3** Ensure that wayfinding signage highlights the Grouse Creek and Game Creek trailheads to the north of the 100 Block; prioritize pedestrian and bicycle connectivity to these areas from the 100 Block.

Chapter 3: An Economically Vibrant Community: Commercial Development & Industry

Objective 3.1: Leverage the Town’s natural and recreational amenities, history, and arts and cultural assets for economic development.

The Town has several local and immediately adjacent recreational opportunities including the Eagle River; hiking and mountain biking trails on surrounding public lands, the Minturn Mile backcountry ski run, Maloit Park, and new addition of the Minturn Bike Park as well as anticipated extension of the paved regional ECO trail. The Town hosts regular endurance sports events and has a popular river frontage for fishing and other water recreation (kayaking, tubing). All of these amenities position Minturn as a recreation hub – potentially for a unique recreational community that is not interested in the busier, more developed resort options. These assets can attract people who will spend money at local businesses, and create the quality of life that attracts businesses and entrepreneurs.

- **Action 3.1.1** Promote Minturn as a recreation destination by continuing to develop recreational assets and promoting events. Continue to improve pedestrian and bicycle connectivity between recreational assets (trailheads, facilities) and the town’s business districts.
- **Action 3.1.2** Sponsor “arts crawls” or other community events in the Old Town area that encourage residents and visitors to support local craftspeople and Main Street businesses; coordinate with Vail Valley Art Guild as a regional resource for collaboration and support.
- **Action 3.1.3** Continue to support the development of lodging concentrated in the 100 Block and Old Town areas as well as for future development in the Dowd Junction area.
- **Action 3.1.4** Continue to assess Minturn’s industries and demographics relative to regional economic trends; conduct an annual strategic call with the Vail Valley Partnership.
- See Chapter 7: Quality of Life, Recreation & An Inviting Public Realm for additional strategies that can support and broaden Minturn’s recreational opportunities. The marketing strategies outlined below under Objective 3.2 are also relevant to this objective. Also see additional strategies in Chapter 1: Smart Zoning and Practical Land Use regarding the continued provision of light industrial opportunities in Minturn.

Objective 3.2: Improve the visibility of Minturn to visitors through marketing and expanded transit service.

Minturn offers a unique visitor experience in the Eagle River Valley that differs from the resort-centric settings of Vail and Beaver Creek. Strategic and targeted marketing on social media and in major lodging businesses and concierge services could generate more exposure and visitation for Minturn, capitalizing on Minturn's unique assets. In addition, direct frequent transit service would enable more guests to visit Minturn for restaurants and shopping. Transit service would also benefit locals by offering other options for accessing the ski areas and surrounding communities.

- **Action 3.2.1** Actively participate in future planning within the Regional Transit Authority to advocate for increased and flexible service options to current and future retail centers within Minturn, including the 100 Block, Old Town and Dowd Junction.
- **Action 3.2.2** Prioritize future expansions and improvements for bicycle and pedestrian infrastructure and amenities to connect current and future retail centers of the community, including the 100 Block, Old Town, and Dowd Junction; encourage multimodal connectivity between destinations in Minturn.
- **Action 3.2.3** As recommended in the Town's Economic Development Strategic Plan, develop a half-day itinerary for visitors to Minturn. Highlight multimodal transit options on this itinerary.
- **Action 3.2.4** Support the development and implementation of a clear and cohesive marketing strategy that capitalizes on Minturn as a unique and authentic community that serves as a gateway to a variety of recreational opportunities throughout the region. This effort can be an initiative of a new DDA.
- See Chapter 6: Intuitive Mobility, Circulation, & Connectivity for additional information regarding transportation improvements.

Objective 3.3: Pursue land use changes that support Minturn's tax base and economic growth; plan future development on important catalyst sites, including Dowd Junction.

The approximately 15-acre Dowd Junction property is currently owned by the U.S. Forest Service (USFS), which is interested in exchanging the property with a local government as they want to consolidate administrative and maintenance facilities. The Town has been in discussions with USFS on this possibility. The site's location at the intersection of I-70 and Hwy 24 contributes to its high visibility, making it a good location for Transit-Oriented Development (TOD), including anchor retail and lodging. The site is also a gateway to nearby recreational attractions, such as the Meadow Mountain trails, which connect to other trails within the Eagle River Valley. Future development could combine retail, hospitality, and recreation elements as well as key transportation improvements to create a hub connecting Minturn and the broader region. See Chapter 6: Intuitive Mobility, Circulation, & Connectivity for additional information regarding transportation improvements at Dowd Junction.

The Union Pacific Railroad owns property surrounding its right-of-way off North Main Street. If a strategic partnership or deal with U.P. can be reached in the future, this area represents a significant redevelopment opportunity. The Town should continue to engage in discussions with U.P. on these properties. It needs to be recognized that the Town has made continuous efforts to work with U.P. on this topic. Railroads are often reluctant to give up property as they value the potential for future use.

- Action 3.3.1 Continue to pursue ownership of the Dowd Junction property and planned development of the area as Transit-Oriented Development.
- Action 3.3.2 Consider pursuing the development of a Sub-Area Master Plan to establish the highest and best use of U.P. property for the Minturn community, particularly the area adjacent to the Minturn North PUD and current municipal lot which is leased from U.P. Seek out U.P.'s involvement in this process.

Objective 3.4: Implement strategies to establish organized economic development capacity, address placemaking and infrastructure investment costs, and support grassroots economic development.

The Town of Minturn has a critical role to play in ensuring the viability and sustainability of a healthy economy. Some strategies, such as supportive zoning and land use regulations, are more obvious and feasible for municipal responsibility. Other strategies are harder to accommodate within the municipality's constrained resources and staffing capacity. Acknowledging this challenge and need, the Town can play an active role in establishing creative solutions to expand capacity and funding for broader economic development initiatives and outcomes.

- Action 3.4.1 Support ongoing efforts to create a Downtown Development Authority (DDA) to help fund public infrastructure and placemaking projects.
- Action 3.4.2 Consider establishing and supporting small business grant programs to help with startup or maintenance costs; even small capital grants or low/ no interest loans for items like signs, equipment or fixtures can be helpful. This could be an initiative of a new DDA with the potential for supplemental support from the Town.
- Action 3.4.3 Build on the recommendations and conclusions of the Economic Development Strategic Plan – including an update to the plan – to more thoroughly address the role of various economic partners in the town and in Eagle River Valley, and to establish specific and up-to-date business and organizational strategies. This could be a joint effort of the Town and a new DDA.

Objective 3.5: Evaluate options to increase the Town's financial resources and specifically to provide stable, attainable housing for Minturn's residents and workforce.

The Town's ability to follow through on important initiatives and offer community services depends on its fiscal health. Being able to keep up with infrastructure maintenance and to build new projects or amenities that businesses and residents need and would like requires funding. The Town has limited financial resources and it is difficult to keep up with these demands. In addition, the availability of housing that is attainable to town residents and workers is critical to support economic and community vitality. During the Open House conducted during this planning process, participants noted that some Minturn residents have been relocating down-valley because they cannot find housing they can afford in Minturn. This results in critical loss to the social and economic fabric of the Minturn community. Bolstering the Town's tax base through a variety of mechanisms will ensure that all these important facets of the community can adequately support one another. Additional strategy ideas for creative revenue streams can be found in other chapters in this plan, such as impact fees, short term rental fees, parking fees, local sustainability gift card programs, and others. See Chapter 4: Attainable Housing & Historic Character for additional housing-specific strategies.

- Action 3.5.1 Review all user fees to ensure they are capturing the cost of the service provided, including utility rates.
- Action 3.5.2 Consider targeted tax increases (property and/or sales tax) to be dedicated to specific functions such as housing, economic development, sustainability, or infrastructure.

Objective 3.6: Ensure that the Town’s zoning and development code supports and encourages commercial development and redevelopment in key commercial districts while preserving historic character.

The Town’s zoning code has been identified as an impediment to re-investment and development in Minturn. There are also concerns that too much incentive for development will compromise the small town and historic character – an asset of its own – that distinguishes Minturn from other places. The Town should continue working on zoning and design options that balance development incentives with community character.

The Town should also consider broadening zoning to allow commercial and mixed-use development further south along Main Street, as described in the zoning chapter of this plan. This could help create more space for attracting businesses and a larger critical mass of business activity along Main Street over time.

- See Chapter 1: Smart Land Use & Practical Zoning for action items.

Objective 3.7: Continue investing in street design, streetscape, and safety projects that contribute to the appeal of commercial areas in Minturn.

As discussed in the Central Concepts section above and in Chapter 2: A Thriving 100 Block, streetscape improvements and novel ideas such as shared streets can improve an area’s overall appeal, sense of place, and business activity. Increasing pedestrian activity and safety in the Old Town area and throughout town – a desirable goal in and of itself – will help encourage foot traffic and spending at local businesses. Planned multi-use path connections, wayfinding signage, and additional bicycle infrastructure will help to reduce the perceived distances between neighborhoods and businesses. The resulting system will foster economic and social activity in downtown Minturn, benefiting businesses, residents, and visitors.

- See Chapter 6: Intuitive Mobility, Circulation, & Connectivity for action items.

Objective 3.8: Continue working to address the capacity of the Town’s water system and need for critical maintenance.

As noted in Chapter 5: Water Infrastructure, Hazard Mitigation & Sustainability, the Town’s water system needs more than \$20 million in infrastructure investment to make repairs to the system and increase capacity. The future of development in Minturn (both commercial and residential) hinges on a sustainable supply of water to the town. At present, the Town has a moratorium on most development due to these needs. Expansions to the water supply may involve the execution of the 2019 Water Capital Improvement Plan combined with the acquisition of new water rights. The Town needs to prioritize these critical investments and continuously manage its water supply to support economic growth.

- See Chapter 5: Water Infrastructure, Hazard Mitigation & Sustainability for action items.

Chapter 4: Attainable Housing & Historic Character: Housing Barriers, Trends & Policies

Objective 4.1: Continue implementing the recommendations of the 2019 Housing Action Plan.

As indicated in the Existing Conditions & Issues Section above, the Town has already accomplished two of the nine prioritized and recommended tools laid out in the 2019 Housing Action Plan, one of which was identified as a “Tier One” action item. The 2019 Housing Action Plan contains seven remaining priority recommendations that remain relevant today. They are organized into tiers of priority:

- **Action 4.1.1** Implement remaining Tier One recommendations in the 2019 Housing Action Plan.
 - Tier One
 - Revisit and update current ADU regulations, including:
 - Broaden areas where Accessory Dwelling Units (ADUs) are allowed
 - Streamline the permitting/review process and consider waiving or deferring fees when there will be a deed restriction
 - Loosen parking requirements where applicable and consider creative off-site or public transit alternatives
 - Consider expanding or removing the size cap as applicable and revisit dimensional requirements
 - Consider waiving water tap fees with local deed restriction on long-term rentals
 - Develop and adopt policies for negotiating deed restricted housing in annexation agreements. Although future annexation opportunities may be limited, having standards in place if they do occur will ensure that the Town can effectively use these instances to meet community needs and housing goals.
- **Action 4.1.2** Implement remaining Tier Two recommendations in the 2019 Housing Action Plan
 - Tier Two
 - Collaborate with The Valley Home Store (TVHS), which currently offers down-payment and mortgage assistance to Eagle County residents, to ensure that Minturn residents are aware of this resource.
 - Consider establishing a supplementary Minturn local assistance fund.
 - Consider adopting a density or Floor Area Ratio (FAR) bonus for the inclusion of deed restricted housing in new development.
 - Consider partnering with private developers to create new community housing on available Town-owned land. An inventory of such parcels is provided in the 2019 Housing Plan but further analysis and consideration is necessary.

- Partner with regional organizations such as NWCCOG and Energy Outreach Colorado at Walking Mountains and/or establish a local program to share resources and support local housing rehabilitation, weatherization, and energy efficiency projects.

Objective 4.2: Update the 2019 Housing Action Plan goals regularly and in response to county-led housing needs assessments and changes in AMI.

Economic conditions that affect housing can change quickly and unexpectedly. While Minturn can rely on solid guidance from their 2019 Housing Action Plan and further guidance from this plan, it is important for officials to adapt to circumstances as they change. This adaptable approach will ensure that Minturn can adjust priorities and strategies to align with local and regional housing needs.

- Action 4.2.1 Monitor Eagle County and Eagle County Housing & Development Authority publications and other publicly available data from sources such as HUD to stay up-to-date on regional housing needs. Use these indicators to inform changes in circumstances that may require adjustments to Minturn’s housing strategy.
- Action 4.2.2 Update Minturn’s Housing Action Plan by 2025. The 2019 Plan is set to guide housing for 3-5 years.
- Action 4.2.3 Conduct periodic development code reviews to promote innovative and smaller homes, including ADUs.
- Action 4.2.4 Continuously support historic preservation to maintain the Town’s unique housing stock.

Objective 4.3: Consider new housing strategies, such as buy-down programs.

In a buy-down program, the Town would purchase deed restrictions from current homeowners. The Towns of Breckenridge and Vail are using this approach, and the market for a deed restriction is about one third the market value price of the home. Some homeowners take advantage of the program to get cash to pay off a mortgage, avoid foreclosure, do needed repairs, or to age in-place in their home. The Town then holds a deed restriction on the home, typically limited to full-time residents working, in this case, in Eagle County. This program may be a good match for Minturn with its older housing stock and somewhat older population than the County as a whole. With limited growth potential, a buy down program may be the most effective way to preserve and create opportunities for full-time resident housing.

- Action 4.3.1 Investigate the viability of a buy-down program in Minturn including identifying a funding source.
- Action 4.3.2 Broaden the application of a buy-down program to include historic preservation renovations of homes, so long as they are deed restricted to full-time residents.

Objective 4.4: Increase the amount of local funding available for full-time resident housing through new fees and/or voter-approved taxes.

The most successful programs for maintaining or increasing the supply of resident housing have a reliable dedicated funding source. Rather than relying on new development, a tax dedicated to

housing enables a community to proactively plan and fund projects or initiatives. The Town should monitor political support for a modest mill levy or sales tax dedicated to housing. While linkage fees received moderate to low support in the 2019 Housing Action Plan, they should be re-considered periodically and especially before major surges in development occur if large projects, sites, or PUDs are expected to come under review. A residential linkage fee may be more appropriate for Minturn, rather than applying linkage fees to commercial development. A regulatory fee on STRs should also be considered. This is an emerging tool that several Colorado mountain towns are considering. The Town of Breckenridge adopted a regulatory fee on STRs in 2021. For planning consideration, a fee of \$500 per bedroom per year would generate about \$50,000 per year on the Town's maximum number of 50 short term rentals.

- Action 4.4.1 Gauge public appetite for community-funded housing.
- Action 4.4.2 Consider instituting linkage fees and/or a regulatory fee on STRs.

Objective 4.5: Continuously address water and other infrastructure barriers to housing construction.

The town is nearly at full capacity for its water system, and water may continue to be a constraint on growth for the town. It should therefore carefully consider how future taps are allocated. The current moratorium on developments that require water taps greater than 3 SFEs is currently a large barrier to housing creation in Minturn. This is particularly limiting given that large-scale projects provide new units quickly and have greater potential to offer “missing middle” and affordable/attainable options such as rental units, apartments, duplexes, townhomes, etc. Multiple such projects are in the pipeline through PUDs but are significantly constrained by these conditions.

In 2019 the Council approved for a growth scenario of up to 450 SFE's. This included 120 SFE's for the Eagle County School District as the remainder of the designation from the 2011 Annexation Agreement, as well as 70 SFEs if the Council approves a Minturn North project. These two projects (Minturn North is only in the case of an approval) account for 42% of the 450 SFEs planned for in 2019. While moratoriums are in place, the Town should incentivize small-scale infill housing (re) development such as ADUs, duplexes and triplexes.

- Action 4.5.1 Prioritize Town funding to support the necessary improvements outlined in Resolution 30 – Series 2020 to increase Minturn's water system capacity.
- Action 4.5.2 Continue to monitor water capacity and consider expanding the intended capacity improvements beyond what is currently planned.
- Action 4.5.3 Evaluate an allocation policy along with new rate structures when capacity becomes available.

Objective 4.6: Prioritize housing for full-time residents; ensure that residents of all ages and income levels are able to find housing.

As described above in the summary of public engagement and feedback related to housing, Minturn residents are interested in preserving and promoting “resident-occupied” housing. A healthy level of full-time residency is critical to maintaining the social and economic fabric of a community. Likewise, it is of the utmost importance to ensure that low- and middle-income

residents of Minturn can afford to live in Minturn. The following regulatory tools aim to support full-time residency and affordability in Minturn:

- **Action 4.6.1** Amend the 200% AMI requirement for inclusionary housing in Minturn to promote more equitable and inclusive access to housing. Further assessment may be necessary to determine the most appropriate thresholds for the community, and many communities require units at a variety of thresholds. A 120% AMI requirement should be available for at least a portion of units.
- **Action 4.6.2** Use deed restrictions to require full-time residency in the community in homes created through housing regulations or preserved with public funding such as a buy-down program.
- **Action 4.6.3** Support a diversity of housing types in the Town Code and development guidelines; ensure that updates to PUD guidelines encourage and incentivize affordable housing.

Objective 4.7: Continue to collaborate with regional jurisdictions and entities in Eagle County to stay abreast of housing issues, and policies and tools being used. Align best practices and income qualification ranges for consistency.

Numerous communities and agencies in Eagle County are working on and administering housing programs. The Town should keep in touch with these other groups and look for areas where Minturn's policies and regulations may need to be adjusted for consistency.

- **Action 4.7.1** Convene with the housing departments of other jurisdictions and with housing providers annually to review successes and local best practices.
- **Action 4.7.2** Routinely revisit designated AMI ranges for affordable housing to ensure that they correspond with Eagle County housing needs analyses and meaningfully contribute to the generation of affordable housing.
- **Action 4.7.3** Actively engage with regional partners to support the possibility of a new Regional Housing Authority.

Objective 4.8: Ensure that PUD regulations and policies contain provisions that will create full-time resident housing, particularly at Dowd Junction and Martin Creek.

Since Minturn's primary development area is built out, PUDs represent a singular opportunity to add substantial additional housing units. Should the potential PUDs in Minturn eventually progress into development review and eventual construction, The Town should ensure that these PUDs will provide an appropriate level of resident housing.

- **Action 4.8.1** Encourage the inclusion of affordable housing in PUDs over and above the current IH requirement; consider offering an expedited review process to incentivize this.
- **Action 4.8.2** Consider implementing "Main Street" or PUD/Master Plan design regulations for new developments that require active street frontage and rear/hidden parking or other elements to increase the likelihood that development proposals will be palatable to and supported by the community.

Objective 4.9: Support historic preservation within Minturn's broader housing strategy.

Minturn has some of the oldest housing stock in Eagle County which gives the town its unique character. Many residents are deeply invested in preserving the town's historic homes. Minturn residents are accustomed to smaller historic houses, creating an opportunity to promote innovative designs of smaller and less costly homes. These could include duplexes, fourplexes, eightplexes and ADUs. As an added benefit, these smaller units can help address the shortage of rental housing, and/or provide less costly ownership opportunities.

- **Action 4.9.1** Review and update Minturn's development design guidelines to strengthen and further specify how new residential development, redevelopment, and remodels can contribute to the community's valued architectural character and vibrancy.
- **Action 4.9.2** To preserve existing buildings to the extent possible, consider instituting a demolition delay ordinance or initiative to support adaptive redevelopment as opposed to teardowns and new builds.
- **Action 4.9.3** Foster discussion around materials and design in the early phases of development review to ensure that developers understand the importance of celebrating Minturn's existing character.

Chapter 5: Water Infrastructure, Hazard Mitigation & Sustainability

Objective 5.1: Identify paths to secure and maintain sufficient water and wastewater infrastructure to support current development and growth in Minturn.

From a development perspective, Minturn's ability to respond to and accommodate growth is currently limited by the Town's existing water system capacity. The Town has already established a preliminary plan for improving water infrastructure and capacity which it will need to implement as quickly and effectively as possible in the coming years. The following action items focus on this critical step of implementation as well as further steps the Town can take to ensure that Minturn's water and wastewater system will support the community long into the future. While engaging in this work, it is vital that the Town address other potential threats to water supply such as climate-related drought.

- **Action 5.1.1** Prioritize Town funding and pursue all potential outside funding to support the necessary improvements outlined in Resolution 30 – Series 2021 to increase Minturn's water system capacity, particularly to improve efficiencies and mitigate water loss.
- **Action 5.1.2** Work with the ERWSD at Bolts Lake and/or on other opportunities to improve water supply resilience through Raw Water Storage and source redundancies.
- **Action 5.1.3** Advocate for wastewater systems upgrades as needed in Minturn through coordination with ERWSD, either through the ongoing Wastewater Collection System Master Plan or a separate Inflow & Infiltration (I&I) Study specific to Minturn, including a prioritized implementation plan.

Objective 5.2: Refine development regulations and standards and pursue other initiatives to promote efficiency and sustainable practices in residential and commercial buildings.

As described in the Central Concepts above, the Town of Minturn can update development regulations, adopt incentives, or establish other programs to promote and ensure sustainability is incorporated into development, landscaping, and building operations. The action items below

will serve water and energy conservation and efficiency, support renewable energy production and use, and incentivize other strategies within development and building design that are more sustainable and reduce GHG emissions.

- Action 5.2.1 On an annual basis, monitor water and energy use in Minturn to inform efficiency and conservation initiatives.
- Action 5.2.2 Establish a tiered water rate system to promote water conservation.
- Action 5.2.3 Continue to implement Energy Action Plan strategies to incentivize commercial and residential participation in available energy efficiency and renewable source programs. Conduct a baseline study to assess the Town's progress on its energy goals and establish whether current policies are working to increase energy efficiency.
- Action 5.2.4 Consider implementing a solar rebate or other incentive program to support on-site solar for residential and/or commercial buildings; collaborate with the Walking Mountains Climate Action Collaborative and/or Holy Cross to connect Minturn residents with existing energy incentive programs.
- Action 5.2.5 Establish Low Impact Development (LID) standards that promote green infrastructure and nature-based solutions to address stormwater.
- Action 5.2.6 Adopt waterwise/xeriscape regulations, incentives, and/or educational tools to promote strategic, responsible and climate-appropriate landscaping practices that reduce water use, improve soil health, and limit maintenance needs.
- Action 5.2.7 Consider implementing additional incentives for sustainable design and development practices in PUD regulations.
- Action 5.2.8 Consider implementing a Smart Building Incentive Program that allows developers and property owners to waive permit fees if their project conforms to a predetermined set of sustainability standards.
- Action 5.2.9 Refine the Town's Exterior Energy Offset Program to ensure that the program provides an effective means of incentivizing solar energy in Minturn; provide clear guidelines for the fair and productive use of funds collected through the program fees.

Objective 5.3: Prioritize resilience by proactively preparing for and mitigating potential impacts of natural hazard.

Wildfires and flooding are the two most critical natural hazard threats for the Minturn community. As climate change contributes to a longer and more severe fire season as well as more frequent storm events, it is important for the Town to proactively prepare for potential hazardous circumstances. Through data monitoring, collaboration and coordination with regional and federal entities, and strategic planning for emergency preparedness and impact mitigation, the Town can bolster the community's resilience.

- Action 5.3.1 Partner with FEMA to update floodplain maps and correct inaccuracies; utilize this information to inform future infrastructure needs, landscaping, development regulations, and other potential flooding preparedness measures.
- Action 5.3.2 Continue to reference and implement the Eagle County Hazard Mitigation/Pre-Disaster Mitigation Plan; support its update due in 2024/25 and ensure that Minturn's particular risks and needs are accounted for in the plan.
- Action 5.3.3 Adopt firewise guidelines in building and site planning regulations.

- Action 5.3.4 Work with the USFS to determine necessary steps to manage wildfire impacts in Minturn, such as possible forest fuels reduction measures.
- Action 5.3.5 Retain the services of an emergency preparedness consultant to assess, bolster, and test Minturn’s emergency response systems; also to establish a natural hazard monitoring system to track local and regional events to accurately assess local risks and changing trends over time.
- Action 5.3.6 Continue to support, proactively participate in, and implement Eagle County’s imminent update to the Community Wildfire Protection Plan.
- Action 5.3.7 Coordinate with US Forest Service to initiate planning and implement associated strategies for forest fuels health and fire mitigation on public lands surrounding Minturn.
- Action 5.3.8 Continue to proactively coordinate with the Eagle River Fire Protection District.

Objective 5.4: Support the viability of low-emissions and zero-emissions transportation options such as walking, biking, public transit, and electric vehicles.

Single Occupancy Vehicle (SOV) travel is currently the status quo in Minturn – by and large residents use individual vehicles to get around town and connect to the broader region. Many areas of Minturn do not have safe sidewalks, crosswalks, bike paths, or other infrastructure that makes walking or cycling safe, efficient, convenient, and attractive. While ECO Transit, the regional transportation provider, does operate three bus routes that service Minturn, they run relatively infrequently and/or require residents to drive from town to the Dowd Junction Forest Service Park & Ride. These factors make SOV transportation the most convenient and attractive option for Minturn residents. However, SOV travel significantly contributes to GHG emissions and poor air quality, as well as a perceived parking issue in the Old Town core of Minturn. Mass transit, walking, and cycling are more environmentally friendly forms of travel and offer co-benefits of active lifestyle and health, opportunities for community interaction, fewer vehicles taking up space throughout town, and greater affordability. While electric vehicles are still considered SOV, they can be more environmentally friendly and require charging infrastructure to support their use. As electric vehicles become more common, charging infrastructure will become more critical. These action items promote investments in Minturn infrastructure and partnerships with ECO Transit that will foster a culture of low-emission and active transportation for Minturn residents and visitors.

- Action 5.4.1 Monitor the use of Minturn’s two EV charging stations and implement additional stations as needed in strategic locations.
- Also see Actions under objectives 6.2 – 6.6 in Chapter 6: Intuitive Mobility, Circulation & Connectivity. These action items address improved infrastructure and signage for walking and cycling, the expansion of mass transit to connect Minturn with the region and provide local transit options, and strategic integration of land use, mass transit, and bike-ped infrastructure to make non-SOV transportation options more convenient, safe, attractive, and viable.

Objective 5.5: Support public health by proactively managing air quality.

Public health and environmental health are closely intertwined. GHG emissions contribute to and exacerbate natural air quality issues by releasing and trapping particulates and gasses that

can be harmful to human health and contribute to global warming. Through data monitoring, collaboration and coordination with regional entities, and strategic regulations and initiatives, the Town can work to monitor air quality and minimize emissions to protect the health of Minturn residents and visitors.

- Action 5.5.1 Collaborate with the Eagle County Environmental Health department to discuss the development of a local air monitoring program.
- Action 5.5.2 Consider adopting an Idle-Free resolution to prohibit idling motor vehicles within town. For example, the Town of Crested Butte adopted an Idle-Free ordinance in 2011 that limits idling to no more than 3 minutes or 5 minutes to remove snow and ice and prohibits any idling for unattended vehicles. Engines Off! Colorado is a collaborative initiative for idling regulation in Colorado and offers additional information and resources related to this issue.
- Action 5.5.3 Encourage a community culture of low or zero emissions transportation habits through educational and promotional campaigns and events as well as supportive infrastructure and wayfinding. This could include organized bike/walk-to-work days, gear swaps, or programs with local businesses that incentivize employees or patrons to carpool, walk, bike, or take transit. Also see Objective 5.4 to the left.

Objective 5.6: Prioritize environmental sustainability through strategic monitoring, collaboration, communication, and creative funding streams.

Minturn and the broader regional community have established and achieved numerous goals and initiatives related to environmental sustainability and many resources already exist to support future efforts, both at individual and municipal or other collective levels. Tracking successes – and challenges – as well as sharing information and fostering collaboration regarding sustainability will allow the Town and Minturn community to maximize outcomes and improve efficiency. Collaboration and information-sharing will ensure that efforts are not duplicated, that the broadest benefits possible can be reached, and that residents have access to and are aware of resources available to them. For example, the Town can more proactively advertise the valuable resources available through the Walking Mountains Science Center regarding composting, recycling, business and educational programs, and more. Additionally, the Eagle County Climate Action Plan includes a pledge for individual residents to commit to actions that will support the plan's goal to reduce GHG emissions by 80% by 2050. The Town can play an active role in promoting this pledge locally.

- Action 5.6.1 Implement an internal system to annually monitor Town goals and achievements related to environmental sustainability.
- Action 5.6.2 Support sustainability initiatives and promote available resources of local and regional groups, non-profits, and agencies as possible; promote partnerships and collaboration to maximize capacity and share resources.
- Action 5.6.3 Consider establishing a specific fund for sustainability and resiliency projects. This fund could be sourced from programs such as Sustainable Gift Cards with partnering businesses, parking fees, impact fees, or other creative programs. Otherwise promote available grants, programs, and resources for sustainability initiatives.

Chapter 6: Intuitive Mobility, Circulation & Connectivity

Objective 6.1: Develop shared parking and curbside management strategies in the 100 Block area based on parking management study.

- **Action 6.1.1:** In the near-term, consider updating curbside signage to clarify messaging of parking regulations.
- **Action 6.1.2:** Increase the mix of land uses within close proximity of the 100 Block to create a more walkable core and allow people to “park once” and explore on foot.
- **Action 6.1.3:** Ensure the existing parking and snow removal policy retains on-street parking and ADA accessible parking. Update this policy to plan for winter maintenance of shared streets.
- **Action 6.1.4:** Formalize locations for passenger and truck loading downtown.
- **Action 6.1.5:** Expand the shared parking shed from 100 ft to 1,000 ft and consider allowing uses with complementary demand to share parking rather than restricting based on operating hours.
- **Action 6.1.6:** Consider changing parking requirements to require land uses to adhere to parking maximums rather than minimums and instituting a fee-in-lieu policy.
- **Action 6.1.7:** Following an increase in commercial uses or parking occupancy on a block, consider expanding the blocks with a 2-hour time restriction to increase parking turnover in front of businesses.
- **Action 6.1.8:** Explore paid parking as a tool to manage demand, encourage the use of alternate transportation modes, and generate revenue.
- **Action 6.1.9:** To increase the effectiveness of parking management strategies and promote compliance, increase enforcement of parking restrictions by increasing fines for violations.
- **Action 6.1.10:** Collect regular parking count data to determine how these near- and long-term strategies affect parking occupancy over time and demonstrate success to the community.
- **Action 6.1.11:** Work with Union Pacific Railroad to explore opportunities to purchase the land containing the Municipal Parking Lot. If that is not feasible, consider extending the current short-term lease or reconfiguring the Municipal Parking Lot.
- **Action 6.1.12:** If all of the previously suggested policies fail to reduce occupancy to the goal of 85%, explore opportunities to increase the parking supply by constructing additional parking.

Objective 6.2: Identify Minturn’s role in a regional transit authority and in facilitating expansions to ECO Transit service and/or Town of Vail transit service; capitalize on the growth of mass transit infrastructure and ridership to support infill and/or transit-oriented development in Minturn.

- **Action 6.2.1:** Coordinate land use planning with the transportation system by locating new development near bus stops.
- **Action 6.2.2:** Enhance first-and-last mile connections that enable people located outside of walking distance from a bus stop to reach transit by installing features such as printed wayfinding to key destinations, enhanced crossings of Hwy 24, complete sidewalks, trails, bike racks, lighting, landscaping, and other amenities.

Objective 6.3: Envision an interconnected network of sidewalks and trails for walking and biking that connects Minturn’s neighborhoods, commercial areas, and recreational opportunities.

- **Action 6.3.1:** Complete near-term priority sidewalk projects that provide missing connections to downtown so that Minturn residents can comfortably walk to key destinations and those within close proximity of a bus stop.
- **Action 6.3.2:** Complete long-term priority projects that fill in the sidewalk network downtown and gaps between neighborhoods.
- **Action 6.3.3:** Update the Municipal Code to require the completion or upgrade of sidewalks with new development or redevelopment.
- **Action 6.3.4:** Install curb extensions at key intersections along Main Street to reduce crossing distances, provide a comfortable place for people walking and shopping to linger while waiting to cross the street, and slow traffic.
- **Action 6.3.5:** Complete crosswalks on the remaining legs of Harrison Avenue and Toledo Avenue to draw attention to crossing pedestrians.
- **Action 6.3.6:** Construct the planned paved multi-use ECO Trail that will connect Dowd Junction to the north end of Minturn at the intersection of Minturn Road and Taylor Street.
- **Action 6.3.7:** Partner with CDOT and advocate for the effort to add sharrows on Main Street through town to draw attention to people bicycling.

Objective 6.4: Address multi-modal connectivity needs at Dowd Junction and encourage greater connectivity to the rest of Eagle County.

- **Action 6.4.1:** Expand the Forest Service Park and Ride into a new transit center and mobility hub to connect more people in Minturn to the ECO Transit Highway 6 Route.
- **Action 6.4.2:** Explore the potential for the Meadow Mountain Parking Lot to serve as overflow parking for visitors during high demand times, paired with digital signage and a shuttle that transports visitors between Dowd Junction and downtown Minturn.

Objective 6.5: Add signage in key locations throughout Town to clarify parking, destinations, and transportation options.

- **Action 6.5.1:** Develop gateway signage on the north and south end of the town core (and eventually at Dowd Junction).
- **Action 6.5.2:** Place wayfinding signage throughout the town core between Williams Street and Mann Street; specifically adjacent to bus stops, parking lots, the town hall/post office, trailheads, and hotels. Design signs not immediately next to a bus stop to point toward the nearest stop to remind residents and visitors of the local transit system and promote ease of use.
- **Action 6.5.3:** Update parking signage with any changes to parking regulations.
- **Action 6.5.4:** Communicate safe places to choose active transportation and recreate by placing Share the Road signage on the Hwy 24 corridor and other wayfinding at the entrances to shared streets and pedestrian passages within the 100 Block.

Objective 6.6: Facilitate multi-modal trips by adding infrastructure, such as bike racks and bus shelters.

- Action 6.6.1: Consider participating and partnering with neighboring communities in Eagle County in a regional or neighboring bike share program, such as the ShiftBike program in Vail, Eagle Vail, and Avon; promote service at Dowd Junction.
- Action 6.6.2: Collaborate with ECO Transit/the EVTA and commercial businesses to install bike racks near bus stops, the Town Hall/post office, trailheads, and hotels. Place at least one bike rack on each block in the Minturn core that hosts commercial land uses and install a bike wash/repair station at a central, convenient location in the 100 Block.
- Action 6.6.3: Work with ECO Transit and the EVTA to formalize bus stops, making them ADA accessible and installing seating and shelter.

Objective 6.7: Monitor impacts to Highway 24.

- Action 6.7.1: Partner with CDOT to monitor and collect information regarding traffic levels, level of service, and traffic speeds on Hwy 24.
- Action 6.7.2: Require all new major development proposals to include traffic studies with particular focus on potential impacts to Hwy 24 resulting from all phases of proposed development.
- Action 6.7.3: Require all new major development proposals to fund off-site traffic improvements, limit density, or both.

Chapter 7: Quality of Life, Recreation & An Inviting Public Realm: Parks, Trails & Community Gathering Spaces

Objective 7.1: Encourage a vibrant public realm in Minturn that emphasizes arts, stewardship, access to the Eagle River, and outdoor fun.

Minturn has a distinct character and strong outdoor recreational influence. As a community surrounded by immense natural resources, Minturn should maintain and foster community responsibility for protecting and preserving local resources. Through new events, infrastructure upgrades, and strategic partnerships, Minturn can become even more colorful, sustainable, beautiful, and community-oriented.

- Action 7.1.1 Sponsor additional cleanup days to maintain a healthy environment and foster a culture of responsible stewardship. This/these events could capitalize on partnerships locally and more broadly in Eagle County for organization and activities. These events should include elements of fun as well, such as live music, food, art activities, etc.
- Action 7.1.2 Support/partner with organizations and businesses like the Agora that foster local arts and want to play a role in improving community infrastructure creatively. Support and implement the conceptual pedestrian footpath adjacent to the Agora property to allow access from Main Street to the Eagle River.
- Action 7.1.3 To preserve Minturn's stargazing experiences and to support wildlife, consider establishing Minturn as a Dark Sky Community per the International Dark Sky Association standards and designation process. Confer with other Dark Sky communities in Colorado, such as Westcliffe and Silver Cliff as needed.

- **See Chapter 3:** An Economically Vibrant Community for additional action items related to placemaking.

Objective 7.2: Facilitate and sponsor additional programming and community events for children.

While Minturn currently has fewer families than other communities in Eagle County, it is important that the Town supports families with children who do live in the community. In addition, it is important to create a welcoming and supportive environment for any future families that move to the community or current residents who choose to have children down the line. Young adults, youth, and children are the next generation to sustain the community. Especially in small towns, it is important to ensure that young people will want to stay and/or move in to sustain the local labor force, contribute to tax revenue and to the local economy, and preserve social mass.

- **Action 7.2.1** Work with Blue Starlite or other vendors to retain outdoor movie events at Little Beach Park.
- **Action 7.2.2** Support the expansion and improvement of childcare options in Minturn for families with young children.
- **Action 7.2.3** Ensure that popular community events and any new events are family-friendly, considering timing, activities, etc.
- **Action 7.2.4** Support the organization of cultural, recreational, and educational events catered towards children within Minturn.
- **Action 7.2.5** Promote the inclusion of recreational amenities in redevelopment at Maloit Park, including multi-use fields, gathering areas, etc.

Objective 7.3: Promote active lifestyles in Minturn; complete bike/ped connections and support the Minturn Fitness Center as a community hub.

Active lifestyles contribute to good mental and physical health. As a mountain community with many existing recreational assets, Minturn draws residents and visitors who may already enjoy active lifestyles. However, not every resident or visitor fits this bill, and there are a variety of ways that people can or prefer to be physically active. Because Minturn is relatively small geographically, ensuring that people feel comfortable walking or cycling throughout town creates opportunities for people to use active transportation instead of vehicles, which also reduces parking needs and headaches. Additionally, ensuring that people are aware of, have access to, and feel comfortable utilizing the Minturn Fitness Center is essential for providing indoor fitness opportunities.

- **Action 7.3.1** Continue to support ongoing plans and implementation of the Minturn extension to the regional paved ECO Trail; advocate for and support further extension to Maloit Park.
- **Action 7.3.2** Formalize/pave the social trail that runs along the east side of the Eagle River. Consider adding additional bridge access points at the southern end of Minturn. This effort should be incorporated into or in conjunction with the full ECO Trail extension and would likely require coordination with property owners, including Vail Resorts, U.P. Railroad, and the Forest Service.

- **Action 7.3.3** Improve bicycle and pedestrian infrastructure to access to the Fitness Center/ Maloit Park Road and work with ECO Transit to increase awareness of and improve service to this area. Consider expanding the Center as a broader community space to accommodate other activities and uses. For example, community members have expressed interest in pickle ball, basketball, a pool, and winter ice rink. Increase community awareness of the \$10 drop in option and consider implementing other rewards programs or incentives that encourage its use and increase its accessibility to all residents.
- **Action 7.3.4** Improve bicycle and pedestrian infrastructure throughout town to improve safety, connectivity, and overall mobility and access for active transportation. Collaborate with neighboring municipalities on an electric bikeshare program. See Chapter 6: Circulation & Mobility for further details about infrastructure improvements.
- **Action 7.3.5** Ensure that winter plowing includes pedestrian infrastructure and recreational pathways to allow for and encourage activity in winter months, as possible. Additional information regarding diversified revenue sources to support town services, such as plowing, can be found in other chapters, particularly Chapter 3: An Economically Vibrant Community.

Objective 7.4: Promote access to quality, locally grown food in Minturn; encourage community events related to local food.

The Minturn community currently doesn't have a grocery store, meaning that residents must travel to Avon, Vail or Eagle-Vail to get their groceries. Reasonable access to a variety of food choices, including healthy options and fresh produce, is an essential part of quality of life and overall health. This also means that it should not take extensive amounts of time and energy to access ingredients for meals.

- **Action 7.4.1** Support the addition of a grocery store locally in Minturn, likely as part of the potential Dowd Junction PUD development. Ensure that any new grocery option includes fresh produce.
- **Action 7.4.2** Continue to support the Minturn Market. Consider marketing to additional sources of fresh produce within the region.
- **Action 7.4.3** Continue to support the Minturn Community Garden. Work with the Minturn Community Fund or other local and regional partners to expand event offerings at the garden, such as workshops, community dinners, etc. that bring people together to showcase the garden and provide educational opportunities to learn about locally-grown foods and food preparation. Assess demand for and consider other locations that could support additional community garden space, particularly at PUD sites such as Dowd Junction.

Objective 7.5: Encourage safe and responsible access to trails and recreation opportunities on forest service land adjacent to Minturn.

Minturn's access to public lands is unique and special. From trailheads in and around Minturn, residents and visitors can access scenic and remote landscapes. Backcountry adventures can be fun and memorable experiences, but they also come with risks. The Town should help inform residents and visitors of the steps to take in an emergency and ways to minimize human impact on the landscape.

- **Action 7.5.1** Collaborate with the Forest Service, CPW, and Vail Valley Mountain Trails Alliance on a 1- to- 2-page guide to safe and responsible recreation in Minturn; publicize this guide on the Town website, social media channels, and at trailheads. Ensure that this guide includes the number of the relevant parties to call in case of an emergency.
- **Action 7.5.2** Encourage Leave No Trace principles at all parks, trails, and open spaces within the Town of Minturn. Provide stewardship information on town maps, trailhead kiosks, and web materials as appropriate.
- **Action 7.5.3** Collaborate with regional partners such as the Eagle River Watershed Council, Eagle Summit Wilderness Alliance, and Eagle Valley Land Trust, and Vail Valley Mountain Trails Alliance on stewardship education and enforcement efforts to protect and preserve natural resources and wildlife.
- **Action 7.5.4** Prepare a Parks, Recreation & Open Space Plan to assess and plan for access and parking needs among other management practices, particularly in the face of potential development such as Dowd Junction.
- **Action 7.5.5** Require new developments to assess the need and practicality for access to adjacent public lands, if applicable.

Objective 7.6: Support the growth of Little Beach Park and the surrounding area as a hub for recreation and community events.

Little Beach Park is one of the Town’s most prized assets and popular venues for community events. As laid out in the previous section, the Town is taking proactive steps to preserve, improve, and expand the opportunities of this great asset and the surrounding area through the Little Beach Park Recreation Area Plan.

- **Action 7.6.1** Implement recommendations from the Little Beach Park Recreation Area Plan.
- **Action 7.6.2** Regularly assess needs, community desires, and new ideas for the Little Beach Park Recreation Area to ensure that the 2022 plan and Town efforts are on-track.
- **Action 7.6.3** Facilitate future trail connections between recreation assets in the Little Beach Park area (e.g., Minturn Bike Park, Mini Mile) and other trailheads and recreational areas within Minturn.
- **Action 7.6.4** Support the Little Beach Park area as a hub for recreation, arts, performances, and community events in Minturn; support the adaptive reuse of storage yards and underutilized industrial portions of the area for recreation and public enjoyment.

Objective 7.7: Continue working with the Eagle River Watershed Council and Eagle Valley Land Trust to support stewardship and community education initiatives.

The Eagle River and its broader watershed is a valuable natural resource for the community and surrounding region. The Town should involve the community in efforts to collectively manage and protect this resource and support its longevity. Through signage and educational materials, as well as partnerships and events, the Town can promote a healthy riparian corridor and watershed.

- **Action 7.7.1** Expand upon Town Cleanup Day and the Eagle River Watershed Council’s County-wide clean up to maintain a healthy environment and spread a culture of

responsible stewardship. This or new events could specifically focus on the health and monitoring of Eagle River and educate residents on regulations and research techniques that inform protection of the river's natural ecosystem, such as watershed mapping, development setbacks, and erosion control measures. Event activities should also include elements of fun, such as live music, food, art activities, etc.

- **Action 7.7.2** Coordinate with the Eagle River Watershed Council to offer citizen science training opportunities, especially for youth in the Minturn community and region.
- **Action 7.7.3** Consider implementing signage and informational materials to educate residents and visitors about stewardship and responsible human-nature interaction.
- **Action 7.7.4** Coordinate with Eagle Valley Land Trust on the continued stewardship and community enjoyment of the Boneyard Open Space area.

Objective 7.8: Continue working with the Vail Valley Mountain Trails Alliance to support stewardship and initiatives of current and future trail and recreation opportunities.

- **Action 7.8.1** Create and implement a Minturn Area Recreation and Conservation Plan that identifies recreation opportunities, connections, trailheads, and prioritized wildlife habitat and migration corridors.
- **Action 7.8.2** Coordinate with the VVMTA to expand upon existing Adopt A Trail team to engage the community on additional volunteer trail maintenance or trail building days which increases stewardship of surrounding trails and public lands.
- **Action 7.8.3** Continue to partner with the VVMTA to maintain the Minturn Bike Park, host volunteer maintenance events, and community events.

Chapter 8: A Collaborative & Resilient Future: Implementation, Governance & Continued Visioning

Objective 8.1: Implement the objectives of this community plan in a thoughtful and collaborative manner.

This plan contains a variety of proposed actions – some of these are high priority actions meant to be pursued in the short-term. Others are less time-sensitive and are meant to be pursued and implemented over a longer period of time. The Implementation Matrix contained at the end of this chapter is intended to help assist with the realization of high priority and short-term actions in this plan.

- **Action 8.1.1** Use the Implementation Matrix found at the end of this chapter to guide the implementation phase of this community planning process.
- **Action 8.1.2** As applicable, develop similar implementation matrices for the remaining actions in this plan as they may grow in relevance during the life of this plan.

Objective 8.2: Inform & engage residents in community development.

The more involved, informed, and engaged that the Minturn community is, the more that community development efforts will reflect their concerns, desires, and needs. Celebrating community achievements, ensuring transparency, and providing frequent and varied opportunities for feedback will reduce unexpected roadblocks and build trust.

- Action 8.2.1 Continue sharing information with the community via the Town Newsletter, municipal website, and other mechanisms. Consider implementing quarterly mailers to inform residents of key achievements, ongoing projects, engagement opportunities, etc.
- Action 8.2.2 Work closely with elected officials and Town boards and committees to engage residents in an in-person and virtual capacity.

Objective 8.3: Prioritize partnerships, collaboration, and resource-sharing as applicable.

Many recommendations throughout this plan involve partnerships and collaboration. With every initiative, the Town should consider any opportunities that exist to expand capacity and maximize resources through partnerships.

- Action 8.3.1 Consider a collaborative effort to establish and maintain an inventory of key partners and regular funding sources that can be easily referenced when strategizing for local or regional needs and initiatives.
- Action 8.3.2 Highlight successful ongoing partnerships with community organizations, other municipalities, Eagle County, and state agencies on the Town website and social media platforms.

Objective 8.4: Organize and streamline internal processes to maximize efficiencies and capacity, monitor progress, and compile data.

With limited resources, it is important that the Town regularly evaluates internal processes to improve operations and efficiency.

- Action 8.4.1 Convene annually with all departments to review operations and strategize improvements for the following year.
- Action 8.4.2 Establish and maintain an ongoing inventory of completed town projects, initiatives and achievements.
- Action 8.4.3 Streamline data collection efforts across Town departments to avoid duplication of efforts and promote shared knowledge.

MINTURN



COMMUNITY PLAN *-Imagine Minturn-*



JANUARY 2023

Acknowledgments



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INTRODUCTION



ABOUT MINTURN

Minturn is an iconic Colorado mountain community. Surrounded by distinctive cliffs and intersected by the scenic Eagle River, the Town of Minturn is known for its stunning natural environment and excellent access to the White River National Forest. Residents choose to live in Minturn for its high quality of life, quaint downtown, strong sense of community, and inspiring setting.

MINTURN'S HISTORY

The narrow valley that contains present-day Minturn was first inhabited by the Ute tribe, who used the area as summer hunting grounds. The Arapaho entered the area in 1849, and the two tribes fought on what is now known as Battle Mountain. In 1904, Minturn was incorporated as a railroad and mining town. Though the railroad and mine are currently inactive, several other industries have found success in Minturn's history. In the early 20th century, for example, Minturn became a top producer of greens and was known as the "Lettuce Capital of the United States."

Though the Town's agricultural and industrial economies both cycled through periods of boom and bust, Minturn remained resilient. When old industries died, new ones always formed in their place. At the same time, the community sometimes had to deal with the unpleasant remnants of bygone industries. After the mines closed, the Eagle River ran orange, and the Town had to undergo significant environmental cleanups related to mining waste. Minturn's history as a railroad town is still honored and preserved in its name: The town itself is named after Robert Bowne Minturn, Jr., vice president of the Denver and Rio Grande Western Railroad. Other places throughout town also bear historical names. For example, "Everkrisp" was the name of the company that grew lettuce in Minturn in the 1920s; today, it's the name of a popular mountain bike trail near town. Just as these names have persisted through time, several families have been in Minturn for generations, testaments to both the past and the future of the community.

The Minturn community takes immense pride in the unique character of their town compared to neighboring communities: unlike some other communities, which were incorporated only a few decades ago as skiing destinations, Minturn's past extends far beyond the history of ski resort development in Colorado. The Minturn Saloon, for example, has been in business for over a century. Minturn is also a hidden gem, tucked away in a steep and stunning valley. A person walking through

Minturn's Old Town, with its historic facades, vibrantly colored buildings, and small-town charm, might never suspect that one of the world's most prominent mountain resorts and resort communities lies just a few miles away. Minturn offers residents and visitors a different experience from a master-planned ski village – an authentic place to dine, recreate, and attend community events.



The Minturn Market is the oldest market in the valley and is still going strong.

MINTURN TODAY

Today, Minturn's largest industries are construction and retail. Minturn's local economy and character are decidedly different from those of its neighbors, which have a stronger emphasis on tourism and function as gateways to major ski resorts.

In recent years, the Town of Minturn has worked diligently to plan for the future of the community. Since 2009, when the last *Community Plan* was updated, the Town has produced several plans, including an *Economic Development Strategic Plan*, a *Housing Action Plan*, an *Energy Action Plan*, a *Snow Removal Plan*, a *Water Capital Improvement Plan*, and a *2021-2023 Strategic Plan*. At the time of writing, the Town is currently engaged in a *Little Beach Park Area Plan* and an effort to update design standards for the 100 Block. In addition to its investments in planning, the Town has also made several improvements to its recreational offerings. The newly opened Minturn Bike Park has provided an opportunity for residents and biking enthusiasts of all ages to practice their skills. The Bike Park complements Minturn's other recreational assets, including the Mini-Mile and Little Beach Park.

New construction in Minturn has been limited by several factors, including moratoriums on various forms of development. In 2020, in response to a lack of water resources in Minturn, the Town placed a moratorium on the issuance of new taps. In 2021, the Town placed two moratoriums on development in the 100 Block Commercial Zone District that prevented demolition while also limiting new development applications until such time that the Town could complete a comprehensive update of the 100-Block Commercial Design Guidelines and Standards and form a Historic Preservation Commission. These efforts were intended to maintain and enhance the Town's tax base and character in the "core" of the Town's downtown area. At the same time, Minturn's population has been stagnating and the town lacks sufficient housing inventory to meet demand. Median home prices and valuations have increased in recent years, with the average price per square foot of residential space in Minturn increasing 4.5% per year since 2015, or \$126 in total.

At the time of writing, there are proposals to create about 261 new units in Minturn. For a town of Minturn's size, this degree of change may be substantial, impacting transportation, economic activity, and social life in the town. Because many of these projects are still in preliminary planning phases, their exact number of units (and associated impacts) are subject to change. In addition, these projects will develop slowly and in phases, largely due to the Town's water capacity limitations. Though the exact impacts of the new units cannot be predicted in this plan, this plan offers several goals and actions that are intended to balance growth and preservation. Like all the goals and actions of this plan, recommendations related to growth and development have been informed by public input.

There is a lack of community consensus regarding future development in Minturn, specifically in the 100 Block. A segment of the Minturn community would like to limit future residential development and/or changes to development in the 100 Block. Others in the community are open to providing new housing opportunities and see the 100 Block area as a critical opportunity to provide new retail spaces and residential units. The current water moratoria on development do not address these essential disagreements on development. This plan provides an overview of all viewpoints and offers an in-depth examination of the consequences of different land use policies for the Minturn community.

Minturn residents recognize the main strengths of their community, such as its small-town charm and superior access to the outdoors. Residents also recognize the primary issues within their community, including water

scarcity and the urgent need to mitigate and adapt to climate change. This planning effort is intended to address Minturn's most pressing problems and provide a framework for future decision-making.

ABOUT THE COMMUNITY PLAN UPDATE

THE 2009 MINTURN COMMUNITY PLAN

Minturn's previous *Community Plan* was adopted in 2009. The 2009 plan was developed by Town staff over a period of three years and was shaped by public input gathered during that period. This plan, *Imagine Minturn*, was initiated in 2021 and involved an interdisciplinary team of Colorado-based consultants.

WHAT IS A COMMUNITY PLAN?

A community plan, also known as a comprehensive plan or general plan, is a document that guides land use policy for a community over several years. The community planning process involves a combination of public engagement and analysis. The process is designed to draw out public priorities for housing, transportation, economic development, and public works. The plan document represents the final phase of the planning process, after which the municipality may implement the recommendations of the plan.

LEGAL FOUNDATION

A comprehensive plan is described in the Colorado State Statutes Section 31-23-206 as an "advisory document to guide land development decisions." The statute provides that "it is the duty of the [planning] commission to make and adopt a master plan for the physical development of the municipality, including any areas outside its boundaries, subject to the approval of the governmental body having jurisdiction thereof [Town Council]." Following adoption of the community plan or comprehensive plan, it is the task of the Town Council to update zoning and other local policy to align with the adopted community plan.

THE PLANNING PROCESS

To update the community plan, the planning team conducted a robust existing conditions assessment that included a review of existing planning, land use and zoning, transportation and connectivity, economic development, housing, and infrastructure. The planning process incorporated in-depth design and land use analysis of the 100 Block; the community plan process was coordinated alongside an effort to provide a set of design guidelines for the 100 Block.





Plan Vision

Minturn is an authentic mountain community known for its small-town charm and world-class recreational opportunities.

Residents and visitors appreciate what makes Minturn “Minturn,” including the Town’s vibrant and historic downtown and its well-connected system of multi-use paths and parks.

The Town prioritizes the environmental, economic, and social sustainability of the community through thoughtful new development and careful resource planning.

The planning process involved a 17-member Steering Committee made up of Minturn residents who volunteered to guide the planning process. This group provided feedback on the vision, goals, and recommendations developed for this plan. The planning team also organized two open houses that solicited input on the concepts and recommendations of the plan.

The Vision Statement above was crafted in collaboration with the Community Plan Steering Committee. The vision statement is intended to guide the *Community Plan* and complement the Town of Minturn’s existing vision statement contained in the *2021-2023 Strategic Plan*.

PLAN THEMES & STRUCTURE

The *Minturn Community Plan* centers on eight main themes:

1. Smart Land Use & Practical Zoning
2. A Thriving 100 Block
3. An Economically Vibrant Community
4. Attainable Housing & Historic Character
5. Water Infrastructure, Hazard Mitigation & Sustainability
6. Intuitive Mobility, Circulation & Connectivity
7. Quality of Life, Recreation & An Inviting Public Realm
8. A Collaborative & Resilient Future

The following chapters of the plan focus on these eight themes. Each chapter contains a discussion of existing conditions, public input on the topic(s) discussed, central concepts and recommendations and goal statements. The final themed chapter, **A Collaborative & Resilient Future**, provides a roadmap for implementation of the recommendations of the plan.

SUSTAINABILITY IN THE COMMUNITY PLAN

Sustainability is a guiding principle of this plan and is woven into all chapters. “Sustainability” or “sustainable development” can be understood through three primary lenses: environmental sustainability, economic sustainability, and social sustainability. **Chapter 5: Water Infrastructure, Hazard Mitigation, & Sustainability** focuses on facets of environmental sustainability, including renewable energy, emissions reductions, low-impact building standards, wildfire mitigation, drought, water usage, and air quality. **Chapter 6: Intuitive Mobility, Circulation & Connectivity** and **Chapter 7: Quality of Life, Recreation & An Inviting Public Realm** also focus on environmental sustainability, particularly addressing the public health dimensions of sustainability. Chapter 6 provides several recommendations that support low-carbon and no-carbon transportation in Minturn, and Chapter 7 provides recommendations that support local food systems and environmental stewardship within Minturn. **Chapter 1: Smart Land Use & Practical Zoning,**

Chapter 2: A Thriving 100 Block, Chapter 3: An Economically Vibrant Community, and Chapter 4: Attainable Housing & Historic Character all address social and economic sustainability in Minturn.



Historic Minturn in the 1900s (Burnett).



Local residents and visitors alike enjoy Minturn’s Summer Concert Series.

MAIN IDEAS

The following table summarizes the main ideas of each thematic chapter.

Table 1: Chapter Ideas

Chapter	Main Ideas
Chapter 1: Smart Land Use & Practical Zoning	<ul style="list-style-type: none"> • Provide a new zoning scheme that is clear and usable • Promote more housing types and mixed-use environments • Ensure that PUDs support community goals
Chapter 2: A Thriving 100 Block	<ul style="list-style-type: none"> • Summarize the community vision for the 100 Block • Ensure that future changes to the area remain compatible with the community’s design priorities as summarized in the <i>Minturn Design Standards and Guidelines Appendix B insert</i> (adopted in October 2022)
Chapter 3: An Economically Vibrant Community	<ul style="list-style-type: none"> • Provide a snapshot of industry and employment in Minturn • Discuss new economic development frameworks (e.g., DDA) and discuss the role of new mixed-use developments in Minturn’s economy
Chapter 4: Attainable Housing & Historic Character	<ul style="list-style-type: none"> • Provide a snapshot of existing housing opportunities, PUDs, and historic character in Minturn • Discuss policy incentives for providing attainable housing throughout the Minturn community
Chapter 5: Water Infrastructure, Hazard Mitigation & Sustainability	<ul style="list-style-type: none"> • Provide an overview of Minturn’s water infrastructure needs • Identify future planning and assessment needs for hazard mitigation, resiliency, and environmental sustainability
Chapter 6: Intuitive Mobility, Circulation & Connectivity	<ul style="list-style-type: none"> • Provide an overview of parking and transportation infrastructure in Minturn; discuss the findings of recent parking study • Identify multimodal transportation needs, particularly related to downtown and transit-oriented development at Dowd Junction
Chapter 7: Quality of Life, Recreation & An Inviting Public Realm	<ul style="list-style-type: none"> • Discuss main quality of life assets in Minturn • Provide a set of recommendations to promote stewardship, public health, and a vibrant public realm in Minturn



Fishing on the Eagle River. Minturn offers a wide variety of recreation opportunities.

CHAPTER 1



Smart Land Use and Practical Zoning

INTRODUCTION

The Town of Minturn has an opportunity to shape its built environment through zoning and land use designations. Zoning and land use policies dictate where commercial, residential or other uses can be located, the size and location of buildings on a lot, and other specifications for parking and landscaping. These designations affect both vacant lots and those that are already occupied by a building or a use. On any lot, zoning can dictate whether one can subdivide a lot, expand a building footprint, add a story or unit, or add a new use. For properties that do not conform with the zoning, there can be limits to the property modifications allowed. It is important that zoning and land use changes reflect the development that currently exists and allow for the implementation of the desired future conditions.

This chapter makes recommendations about the Town’s zoning map and districts, allowable uses, and dimensional standards. To take effect, an official rezoning and land use code update process to incorporate these changes is necessary. This would take place following the adoption of this plan and involve further evaluation and review of detailed elements.

EXISTING CONDITIONS & ISSUES

At this time, the Town is relatively built-out with few vacant parcels and opportunities for large scale redevelopment beyond the PUDs currently under review or being discussed - including Minturn North, Midtown Village, Dowd Junction, and other Forest Service administrative parcels. Further, the Town is very geographically constrained by steep hillsides and federal land. Therefore, zoning within town boundaries and for existing lots must account for all of the development that the Town needs to support community vibrancy and economic opportunity for years to come. The land use and zoning recommendations contained herein are critical for the Town to realize the vision of this plan.

See **Existing Town Zoning Overview Map** and **Existing Town Zoning Detail Map** on the following pages.

CHARACTER AREAS AND COMPLEXITY

The existing zoning system is built around 12 “character areas” - designated areas with an intended design and list of uses - resulting in a unique set of zoning restrictions. Within each character area, there are one

or more zoning designations that further describe allowed uses and dimensional standards. This results in 27 different zoning designations or unique development standards, a confusing configuration that is difficult to depict on a map legible to residents and potential developers. Overall, this is a complicated system that has been hard for Town staff to interpret and administer. The original intention of this system was to promote the unique character of different areas of Town. This plan recommends a more traditional zoning system as well as policies and actions that promote community character in Minturn.

SPOT ZONING

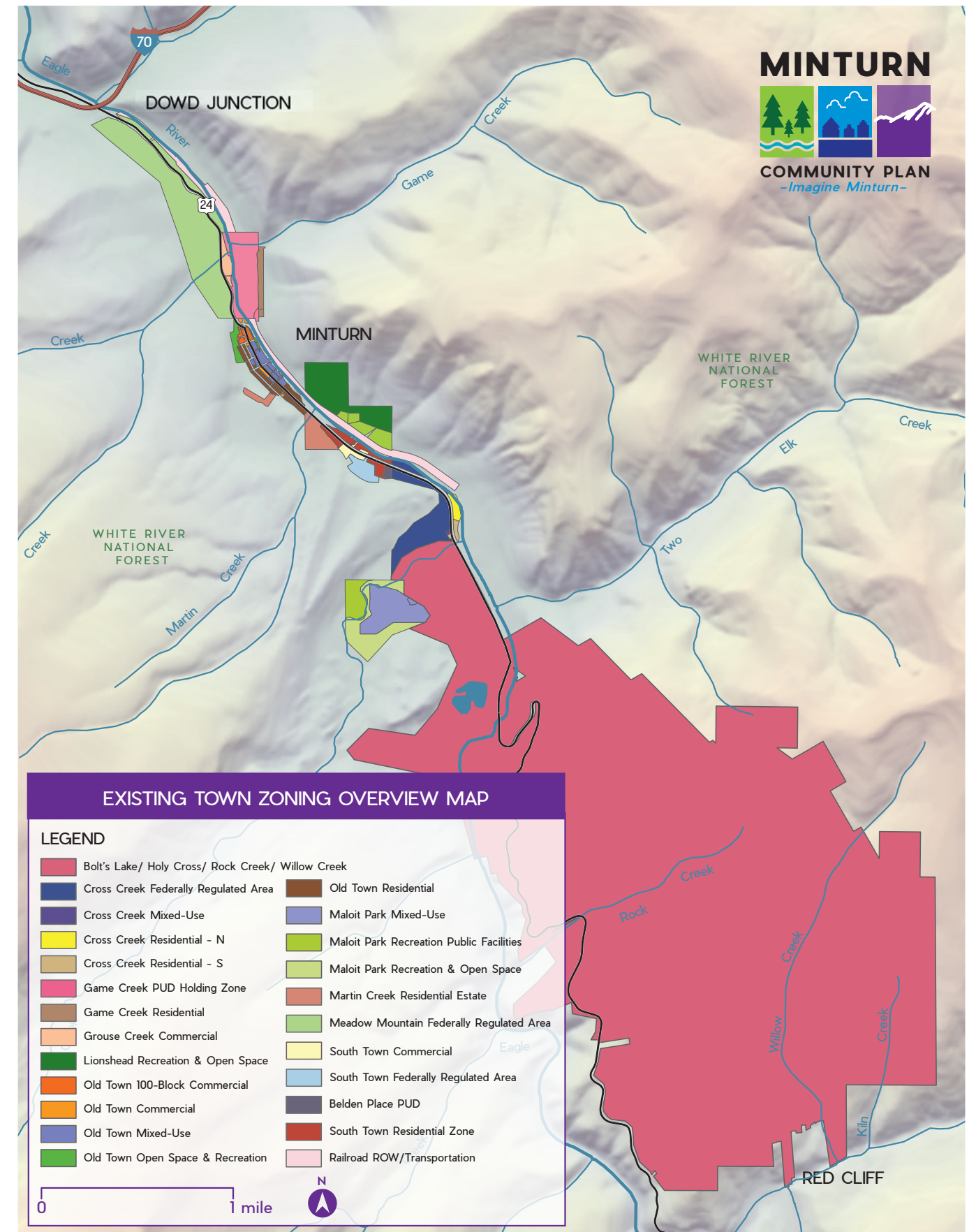
The existing zoning includes several instances that could be considered “spot zoning,” where different zoning is applied to a specific parcel or parcels within a larger area. There are several instances where a zoning designation only applies to a single parcel, or one parcel has been rezoned to a different designation than that of any surrounding parcel. Spot zoning is problematic as it is not legally defensible (it is viewed as conferring a benefit to a particular property owner) and may not support broader land use goals.

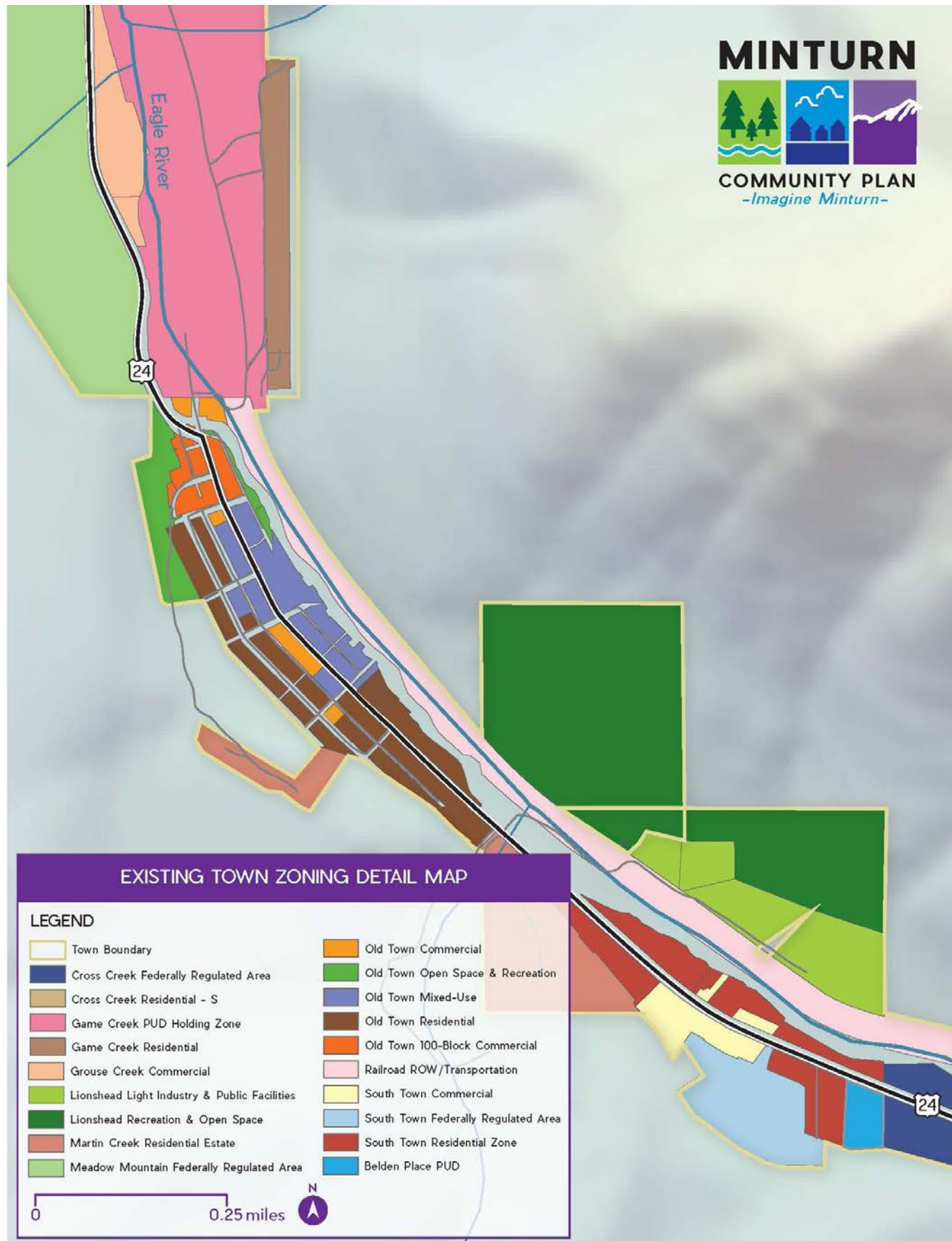
EXISTING LAND USE PATTERN

Despite its relatively small size, Minturn has a full spectrum of existing land uses that are well-established. There are light industrial/small business park areas to the north, the historic small-lot Old Town area, and mixed commercial and residential areas to the south. There are few existing lots that are “mixed-use,” including commercial and residential uses on the same lot. These few mixed-use buildings are not concentrated in any one area of Minturn. The plan recommendations should support these different areas largely as they exist but allow flexibility to evolve and meet Town goals.

NON-CONFORMITIES

There are several instances of lots that do not conform to the uses or standards set out by the current zoning. Primarily, this involves structures built too close to the property line but also includes lots that have more units than allowed or lot coverages exceeding the allowance. The Town’s existing rules regarding non-conformities can preclude the property owner from making desired upgrades. To address this, the Town can revise the zoning to bring more lots into conformance and/or establish policies to grant the property owner more flexibility to update non-conforming lots and structures.





PUD

In the Town’s current zoning, there are a few Planned Unit Development (PUD) holding zone districts. These areas effectively have no development standards at present; the dimensional standards and densities have to be determined during the PUD process. In this plan, zoning and land use recommendations will be made for each area of the town, which will help provide guardrails to future processes. This will also provide clarity on development standards for an area if PUD processes fail to reach implementation.

SINGLE-FAMILY HOMES

Single-family homes are the predominant housing type in Minturn. This is consistent with the existing zoning, where many residential zones do not allow a housing type other than single-family homes. Single-family homes tend to carry a higher price point than other housing types (i.e., duplexes, multi-family housing) and their proliferation may limit the Town’s ability to provide attainable housing.

LOT SIZES AND COVERAGE

The minimum lot size is the primary varying factor between different zone districts currently. Minimum lot sizes tend to reflect the character and development style (i.e., small lots are allowed in Old Town, larger lots are allowed south of Old Town). At this point, with the town largely built out, minimum lot sizes primarily influence whether or not a lot can be subdivided. Subdividing existing lots can be an important tool to support additional units in town, but this practice can also have an impact of the character of the community. Lot coverages, or the percent of the lot that the structure occupies, vary by zone district but are sufficiently high in general. Of the smaller lots in town, few lots are built to their maximum coverage, even though property owners are maximizing their buildable area up to setbacks whenever possible. Relatedly, for many zone districts, there is a misalignment between the allowable lot size, coverage, and required setbacks. In these cases, it would be impossible to build to allowable coverage while abiding by setbacks on smaller lots.

PARKING

The Town has relatively generous parking minimums for both residential and commercial development. For commercial development in particular, this policy may preclude a project from proceeding, as developers may not be able to find ample space for parking to make some projects meet the minimum requirement. Presently, parking minimums are related to uses, square footage, and units, and are otherwise consistent across zone districts.

100 BLOCK

In recent years, the Town has recognized that the current allowable uses and dimensional standards of the 100 Block do not align with the community vision for the area. The Town has also recognized that the 100 Block area represents a critical opportunity to encourage mixed-use development to support the Town’s economic sustainability. The Town initiated a process to establish new zoning and design standards for that area, which is covered in **Chapter 2: A Thriving 100 Block.**

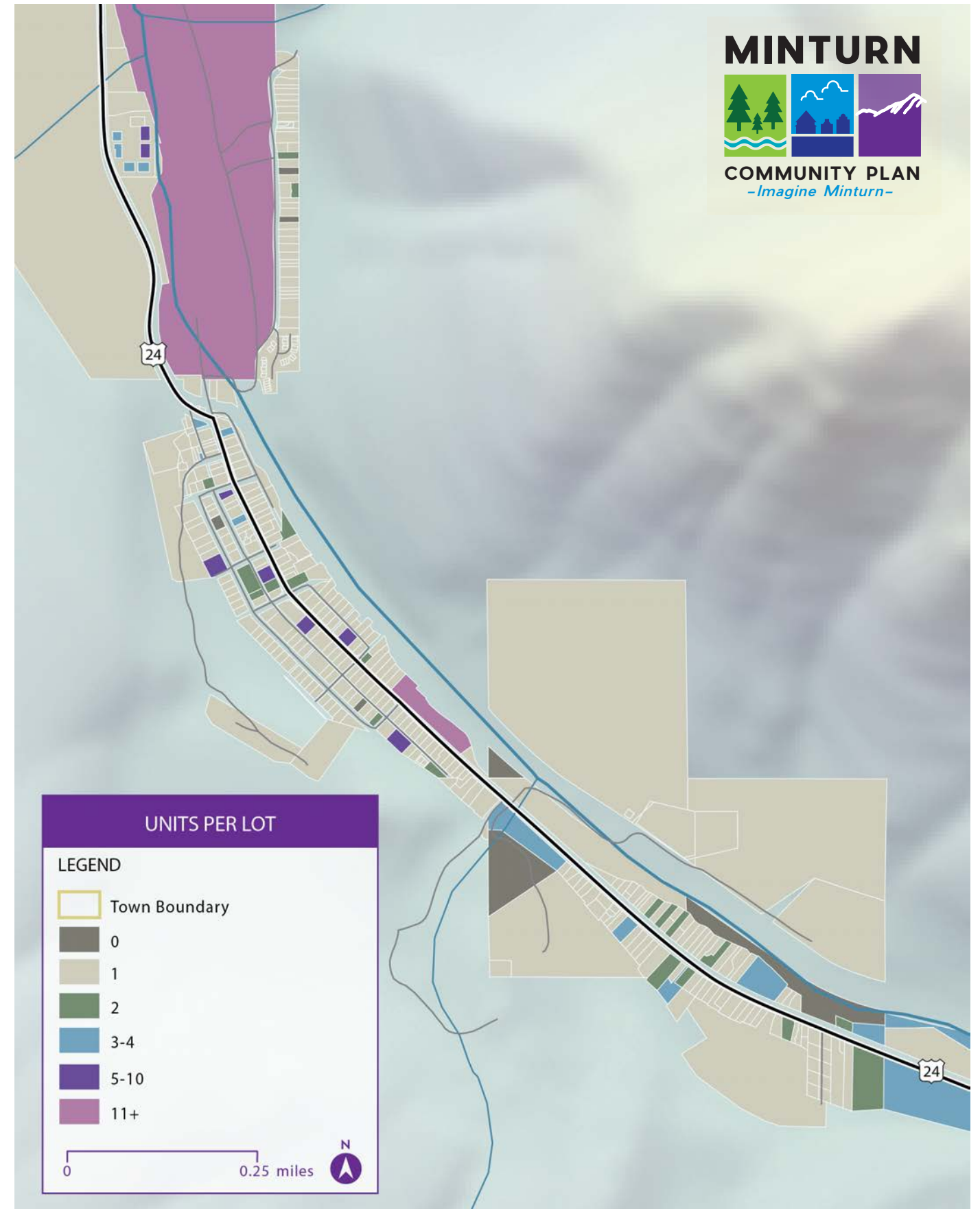
PAST REZONING EFFORTS

In 2019, the Planning Commission began the process of updating the zoning map and consolidating districts. The recommended zoning map in this chapter builds off that effort. Further recommended revisions to the existing map are based on community input gathered during this plan process and are informed by the professional opinion of the planning team.

Further analysis of the existing zoning code and land use is included in Appendix B: Plan Foundation Memos.

BALANCING GROWTH & PRESERVATION

One of the most prominent challenges to planning & community development is the balance between preserving what the community loves – in this case small town character and way/pace of life – with natural growth and associated demand for development to meet local and regional needs, such as housing, jobs, services, etc. The development projects currently being discussed could eventually produce at least 250 units. This would be a significant increase for this small town and would inevitably impact the Town’s operations and physical conditions. However, it is important to note that these projects are a) still in planning phases and are subject to change; b) will be developed in phases over time (10+years), largely due to the Town’s water capacity limitations; and c) that this plan puts forward a guiding path for the Town to strike an appropriate balance between growth and preservation – to allow for much-needed development while also regulating that development in a strategic way to help preserve what makes Minturn “Minturn.”



COMMUNITY INPUT

This section describes community input around land use and zoning. Community input on topics such as housing and economic development has implications for zoning and land use. For example, community interest in attainable housing requires a multi-pronged approach that involves zoning to allow certain housing types.

During the plan public engagement process, residents and the Steering Committee highlighted the importance of ensuring the availability of housing for long-term residents and finding new sources of tax revenue through new or expanded commercial areas. With these points, residents stressed the importance of balancing commercial and residential uses and allowing a density that continues to support the character and quality of life of Minturn. Other topics that came up include providing resources for citizens to better understand zoning, incentivizing Accessory Dwelling Units (ADUs), appropriate uses of the Dowd Junction area, and continued short-term rental regulation.

The 2022 Town Community Survey, a statistically valid survey that is representative of the Town’s population, highlighted some of the priorities to address through zoning and land use. Most important attributes of Minturn include sense of community, wildfire mitigation, small town atmosphere, and appearance of town. Economic development and housing for

locals were relatively modest priorities, but housing for locals was ranked as the focus area in which the Town is least meeting expectations. The Town has been challenged in providing and approving housing for residents, as there has been significant public pushback on several residential projects in recent years. The Town’s zoning and water moratoriums have also precluded approval of large-scale residential development.

At the first Community Plan Open House held as a part of this planning process, participants expressed interest in tools that would help them understand Minturn’s zoning, such as a *Citizen’s Guide to Zoning in Minturn* and/or an interactive map. The second Community Plan Open House offered attendees the opportunity to comment on the draft zoning recommendations. Attendees provided several points of feedback: some attendees shared that the zoning recommendations should emphasize and support locally owned businesses. Some attendees stated that they liked that the recommendations solidified mixed-use opportunities and promoted a “Main Street” feel. Some expressed a desire to place further limits on short-term rentals in Minturn and to emphasize housing for full-time residents. Some attendees expressed that current zoning regulations achieve the vision articulated for this plan, and that the proposed regulations do not support the character of Minturn. There was also a desire to emphasize and incentivize improvements to existing buildings, not new land development.

Table 2: Community Input on Minturn’s Present and Future

Values	Concerns	Opportunities
<ul style="list-style-type: none"> • Small-town environment • Funkiness • Providing housing for long-term residents • 100 Block as the heart of Minturn • Balance of residential and commercial uses 	<ul style="list-style-type: none"> • Short-term rental and second homeowner proliferation • Loss of character • Density levels that could impact character 	<ul style="list-style-type: none"> • Simplifying zoning • Commercial development in Dowd Junction • Greater flexibility around non-conformities • Incentivizing ADUs



Minturn as seen from the water tower.

CENTRAL CONCEPTS

Zoning and land use – the mechanisms by which a municipality controls development – can have a critical role in shaping the character and economic development of a place. This section outlines the key changes to zoning that will promote land use practices that align with Minturn’s broader goals for vibrancy and economic sustainability.

A NEED FOR CHANGE

Presently, Minturn’s zoning map and accompanying code make it challenging for development and redevelopment to occur, even for projects that align with established community goals. The Town needs to have a legible and administrable map so that residents and developers can understand the rules that apply to them. The zones should promote fairness and equity within Minturn. For example, the Town’s zoning districts should not “spot zone” particular parcels for the gain of a particular individual or group. Further, elements of the code preclude the Town from working towards its aims as they relate to attainable housing and economic development. These elements include allowing exclusively single-family homes in areas, high parking requirements, and limited allowance for residential/commercial multi-use buildings.

CONSOLIDATE DISTRICTS

The Town has 27 zone districts under its current zoning, an unreasonable figure for a town of Minturn’s size. By reducing the number of zone districts and consolidating some districts by use and level of density, the Town has the opportunity to make the code increasingly legible and comprehensible, while also supporting some design flexibility and creativity. This approach will also reduce the need to review changes on a case-by-case basis (e.g. variances) and allow the Town to address development proposals more holistically and consistently. The Town will be able to review development proposals relative to the uses proposed (e.g. mixed-use development), not just the location in which it is proposed.

ZONING THAT SUPPORTS THE TOWN’S VISION

Zoning is one of the most effective policy tools the Town has to implement its vision for the built environment and the community that lives and does business here. The recommendations outlined here set the Town on a proactive course, explicitly stating what the standards are for each area of Town. Then, when developers approach the Town about a PUD or other project, the Town can share its vision that the

developer must support, rather than the other way around.

SUPPORT VIBRANCY

Minturn residents treasure the vibrancy of their community. Activity and social cohesion are important on neighborhood streets and in commercial areas, where people run into their neighbors and people are out and about supporting local businesses. Land use policies to address vibrancy can include short-term rental policies, and regulations for mixed-use buildings, connectivity and mobility, and residential density.

TAKING NON-CONFORMITIES INTO ACCOUNT

Minturn, as a community with historic structures, invariably has many non-conforming uses and structures. At this time, under the current provisions, these non-conforming uses (important sources of community housing) could not be preserved should redevelopment or major property improvements occur, and many residents with non-conforming structures cannot make enhancements to their property. Further, some of these dimensional non-conformities support the character and sense of funkiness around Minturn. The recommendations in this chapter support property owners in making sensible upgrades to their homes, which may be non-conforming structures. The intention of this recommendation is to preserve (at a minimum) existing residential density. Since much of Minturn’s housing stock is older, upgrades and maintenance are critical to preserving existing units. A central theme throughout the recommendations is the need to preserve community character in Minturn, which is cherished by residents and visitors alike.



Wintery Minturn, viewed from above.

RECOMMENDATIONS

OBJECTIVE 1.1 PROVIDE AND FOLLOW A COHESIVE, FORWARD-THINKING LAND USE PLAN FOR THE TOWN.

The recommended zoning maps on pages 23 and 24, consolidate districts, support new attainable housing and economic development, and preserve community character. While increases in unit count may be allowed in some areas, it is anticipated that any such changes would be relatively limited and occur slowly as the town is nearing full build-out, particularly along Highway 24 from the 100 Block south. Should significant redevelopment occur, and as the Town is approaching its water tap/SFE limit, the Town should update the allowable uses by right. It is recommended that the Town of Minturn expediently begin the rezoning and code update process.

- **Action 1.1.1** Adopt future zoning map (page 23/24) and associated recommended zoning districts and requirements, as stated in this section.
- **Action 1.1.2** Implement the adopted *100 Block Design Standards and Guidelines Appendix B insert*.
- **Action 1.1.3** Consider establishing minimum and maximum setbacks in mixed-use and residential districts. This requirement is intended to encourage a visually pleasing development pattern with slightly varied setbacks and to address a current misalignment between lot coverage and setback requirements on several lots in town.

The following new and existing zone districts are recommended. These recommendations get rid of character areas and are applied more broadly across town, bringing the 27 existing zone districts down to 13. The mps and categories presented in this plan are aspirational, sometimes ascribing desired development types rather than what currently exists.

MIXED-USE 1

This district is recommended along Highway 24 through the 400 Block (not including the 100 Block) and on Railroad land opposite downtown north of the river, across Bellm Bridge. The intent for this area is to contain a mix of residential and commercial uses, in a pedestrian-oriented environment in keeping with Minturn’s historic character. Mixed-use development, such as commercial on the ground floor and residential on an upper floor, is encouraged within this area. Or alternatively, a block could contain some commercial

uses next to residential uses. It is recommended that the commercial uses allowed as a use by right be in line with those of the existing Old Town Commercial District (i.e., restaurants, liquor stores, banks, accommodations, drugstores, and specialty stores). Residentially, single-family homes, duplexes, accessory dwelling units, or one- to- two-units above commercial should be allowed on all lots, with multifamily only allowed on lots greater than 7,500 square feet. Minimum lot size in this zone should be 2,500 square feet, with 80% maximum lot coverage for mixed-use and commercial structures, and 50% for purely residential structures. Building heights of up to 28-35 feet should be allowed. Property owners should be able to gain an additional half-floor by meeting identified requirements.

MIXED-USE 2

This district is recommended along Highway 24 starting at the 800 Block. This district is intended to combine residential and commercial uses similar to Mixed-Use 1, but this area would have larger lots and would not have the same consolidated feel of the Mixed-Use 1 district. It could have industrial/service-style uses that would not be appropriate in Mixed-Use 1 (i.e., automotive parts shops, appliance repair shops). Mixed-use buildings here could be live-work light industrial spaces. For residential uses, single-family homes, duplexes, and multifamily should be allowed. Minimum lot size should be 5,000 SF with up to 60% lot coverage allowed and maximum building height of 28 feet. Multifamily (3+ units) should be allowed on lots over 7,500 square feet.

MIXED-USE 3

This district is recommended along Highway 24 between the 500 and 800 Blocks. This district is intended to provide for residential uses and low-impact commercial uses. Other commercial uses, such as restaurants, could be allowed as conditional uses. Residential uses in this area should consist of single-family homes, duplexes, and multifamily homes. Minimum lot size should be 5,000 square feet, and multifamily housing should be allowed on lots over 7,500 square feet. Lot coverage of up to 60% should be allowed with a maximum building height of 28 feet.

See graphic set on pages 28-30 to view a rendering of example MU1, MU2, and MU3 blocks.

R1

This district is recommended in the Old Town area one block off of Highway 24 and portions of Cross Creek. The intent of this district is to support residential uses on small lots and support smaller scale residential uses on those lots. The only allowable uses would be single-family homes, duplexes, accessory dwelling units, home occupations, and civic uses. Minimum lot size should be 2,500 square feet, with up to 50% lot coverage allowed and a maximum building height of 28 feet.

R2

This district is recommended in other residential areas of town with small to medium size lots. The intent of this district is to support the eclectic mix of housing types found in Minturn. Single-family homes, duplexes, and accessory dwelling units should be allowed on all lots, with multifamily only allowed on lots greater than 7,500 square feet. Minimum lot size should be 5,000 square feet, with up to 50% lot coverage allowed and a maximum building height of 28 feet.

R3

This district is recommended for large lots on the edge of town. The intent of this district is to support low density residential in a few areas where that is

the existing development pattern. Only single-family homes, duplexes, and accessory dwelling units would be allowed in this district, at a minimum lot size of 2 acres.

100 BLOCK

This district was updated concurrent to the *Community Plan* update and includes two subareas: 100 Block A (properties fronting onto Main Street) and 100 Block B (properties to the west of Main along Williams). The intent of this district is to incentivize sales-tax generating uses and the reuse of existing structures, while new construction is required to fit in with the rest of the 100 Block through new design standards and guidelines.

TRANSIT-ORIENTED DEVELOPMENT (TOD)

This district is recommended for Dowd Junction, to allow a mix of uses and higher densities oriented around ECO Transit. TOD represents smart growth as it supports use of transit and the coordination of transportation and land use. This area should continue to support recreational access, allow for commercial uses, and support attainable housing for long-term residents.



Minturn’s 100 Block - the heart of downtown.

LIGHT INDUSTRY AND PUBLIC FACILITIES

This zone district is recommended for the Lionshead and Maloit Park areas where it currently exists, accommodating a range of low-impact light industrial uses and public uses. Since these areas are adjacent to existing public lands and recreational facilities, conservation and recreation uses should also be allowed in this district, keeping in mind health and safety considerations.

INDUSTRIAL/BUSINESS PARK

This district is recommended for the Grouse Creek area, allowing a broad range of commercial services. This district has been extended from its current footprint to include industrial uses along the railroad as well. Dimensional standards are recommended to remain consistent with that of the existing Grouse Creek Commercial Zone.

FEDERAL LANDS, RECREATION, AND OPEN SPACE

This district combines federal lands, recreation areas, and town open space within the Town of Minturn boundary. Management of or development on lands in these areas should be in accordance with any conservation easements and direction of the land manager. In all such areas, use should be consistent with the need to protect life and property from flood damage.

RAILROAD ROW/TRANSPORTATION

This district is recommended to remain unchanged from the current zoning. If an agreement can be reached in the future with property owners, this district has potential for public use as a multi-use trail, transit line, or other recreational amenity. The Rio Grande trail in Aspen is a popular rails-to-trails project that could serve as a case study for this process. However, it is important to note that Union Pacific Railroad policies currently oppose rails-to-trails.

Note: Civic uses should be permitted in all districts.

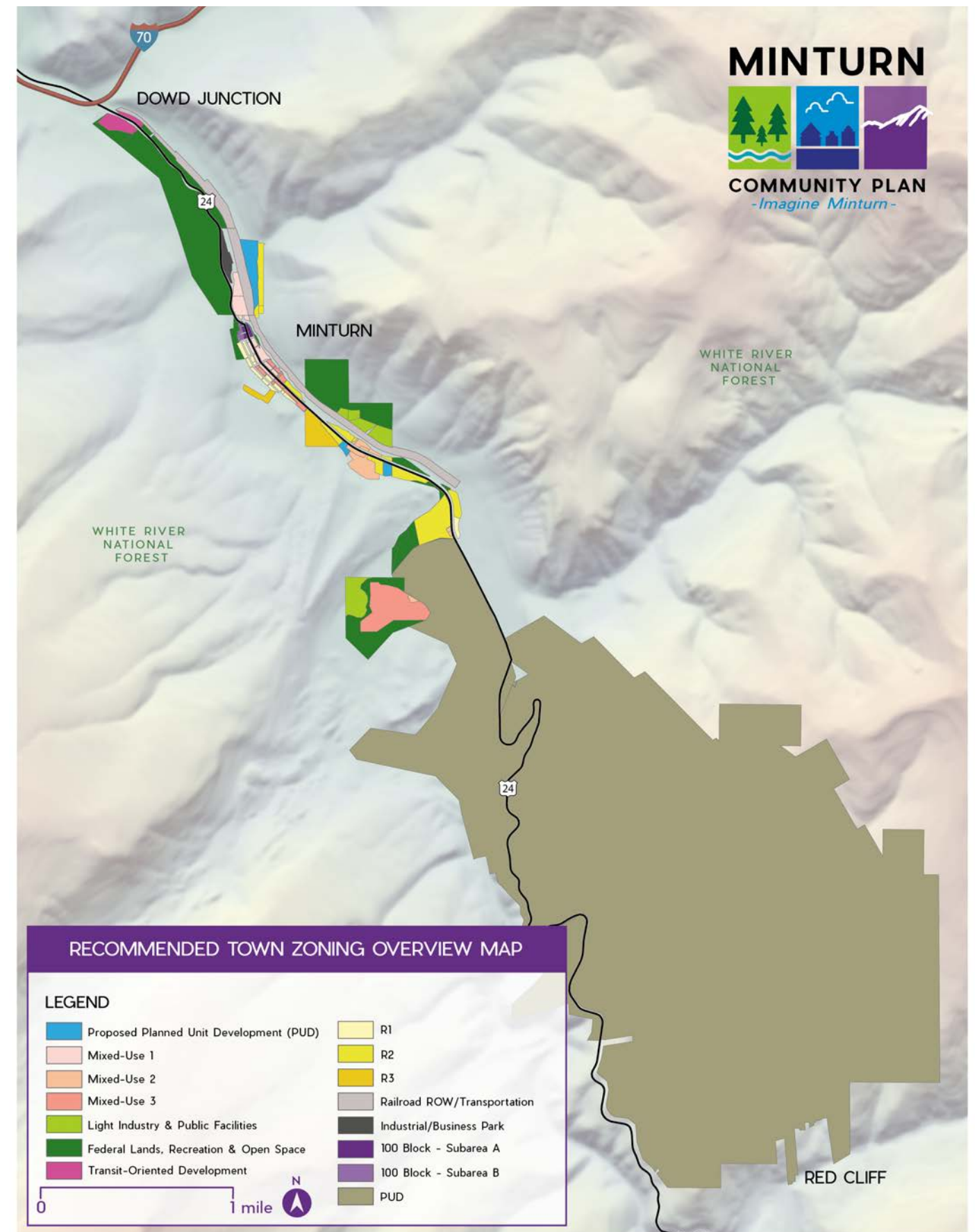
The following recommended zoning maps (pages 23 and 24) illustrate the geographic arrangement of the recommended zoning districts and their associated development regulations. The future land use maps on pages 25 and 26 illustrate the different general regions of use types that this recommended zoning scheme would produce. These use regions largely blend current conditions on the ground today with important future priorities, such as transit-oriented development at Dowd Junction. During future rezoning processes, the Town Planning Commission and Council should use

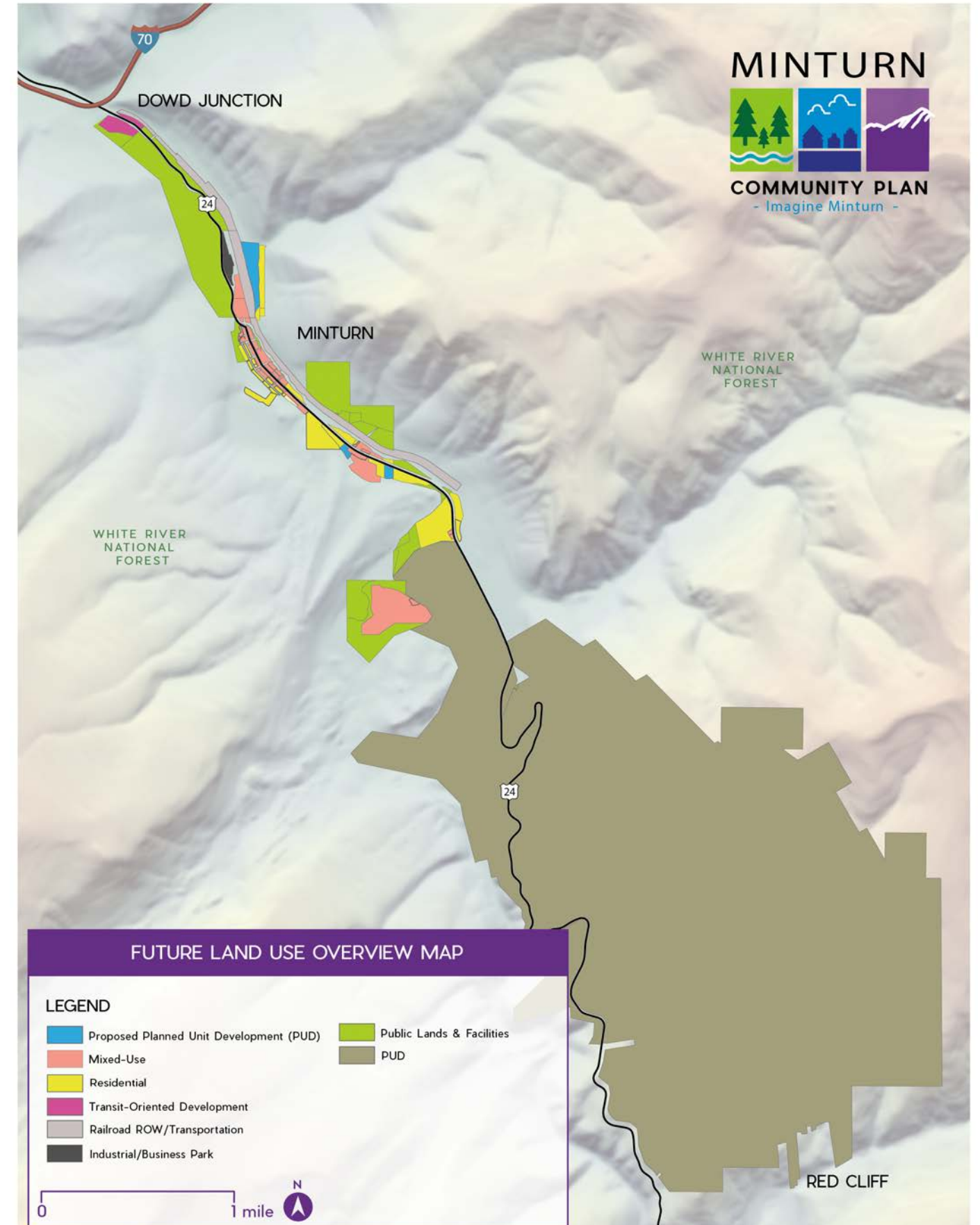
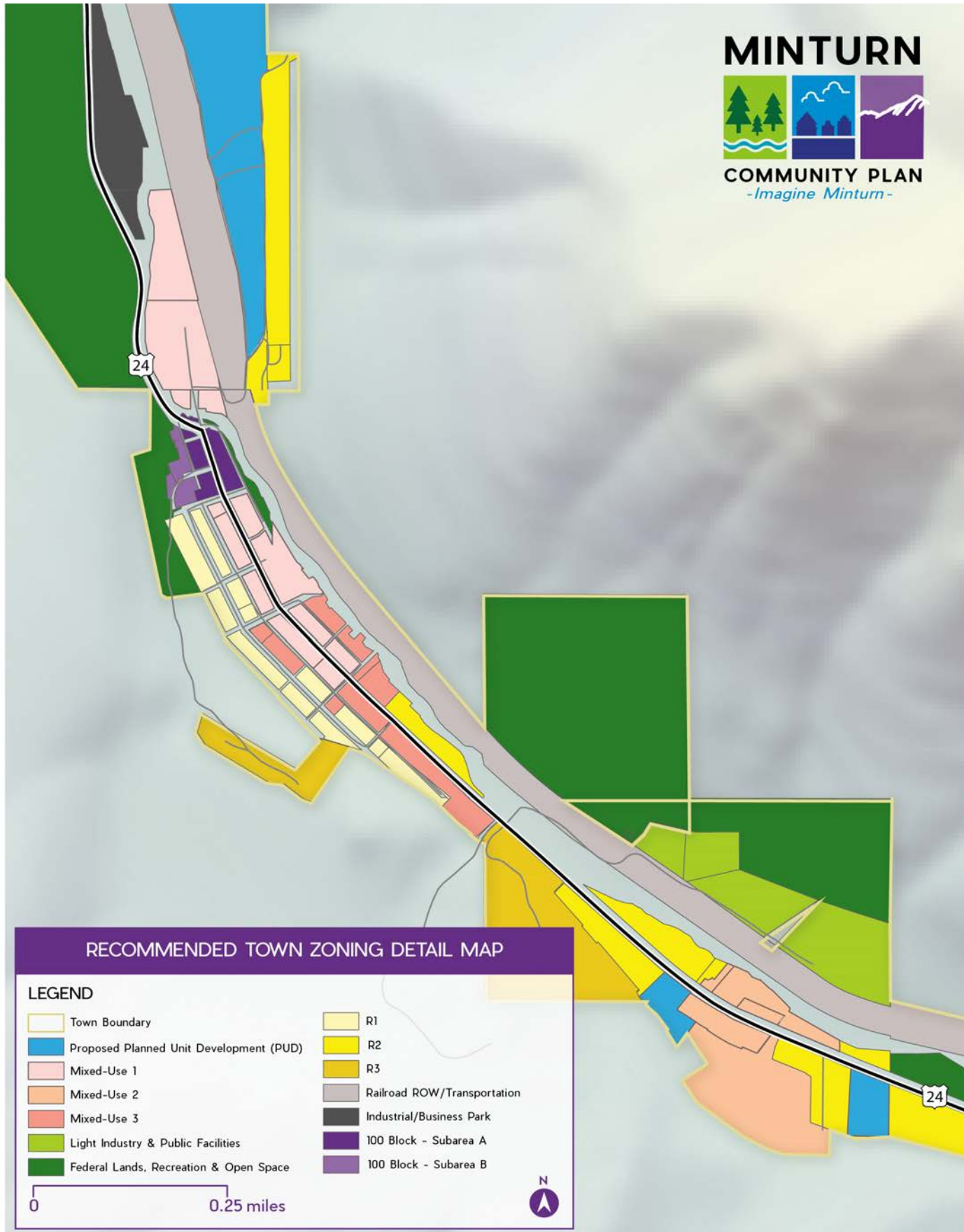
the future land use map as a general guide to land use changes. For example, rezoning processes should attempt to cultivate a mixed-use core of Town with a variety of uses extending south along Main Street, as shown in the future land use maps.

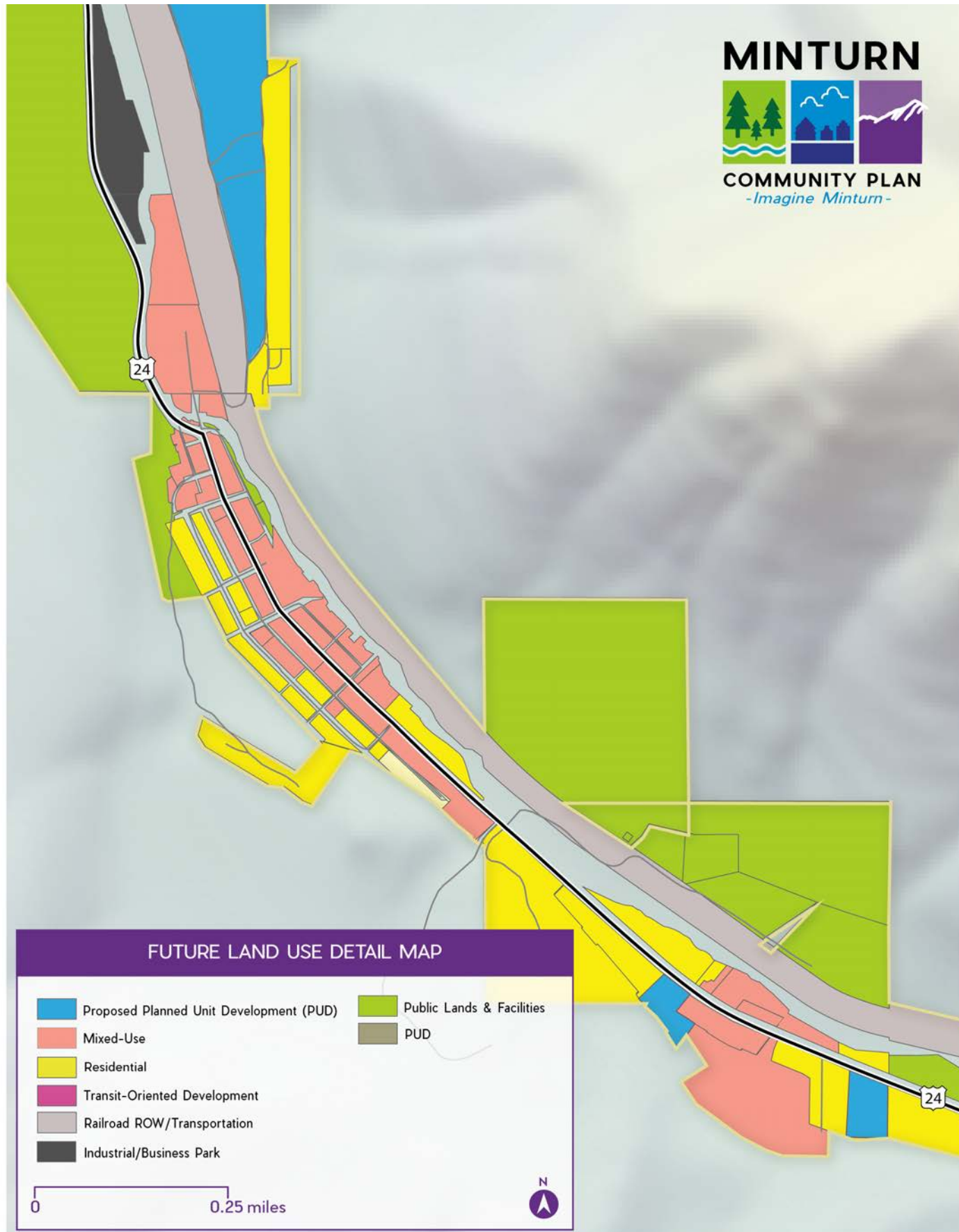
OBJECTIVE 1.2 PROMOTE A FAIRER, SIMPLIFIED DEVELOPMENT PROCESS IN MINTURN.

In the development process, it is important to limit unnecessary barriers while still undergoing a rigorous review. Barriers can be related to the process that the developer or landowner must undergo or site requirements.

- **Action 1.2.1** Across all zone districts where multifamily is allowed as a use by right, at or above 15 total units, the project would need to go through the PUD process. However, if the project is a redevelopment of a lot already at or above 15 total units, it should not need to go through the PUD process. This allows smaller projects in which local impacts would be minor to proceed efficiently and at a lower cost to the developer, which allows these projects to provide the housing at more attainable prices. With a higher threshold for the number of units, the PUD process would allow for greater design flexibility, assurance of property planning, and further scrutiny of potential impacts, such as access and impacts to neighboring properties.
- **Action 1.2.2** Explore reducing parking requirements for both commercial and residential uses. Focus efforts on areas with good connectivity to transit or with ample on-street parking.
- **Action 1.2.3** Resume efforts to revisit the Article 22 nonconformities section to encourage flexibility and appropriate expansions. The goals of this update should be to maintain historic resources, incentivize reinvestment in older properties, increase accessibility of the property, and promote community character. Specific updates to nonconformity standards should be reviewed by the Town Council and Planning Commission.
- **Action 1.2.4** Consider implementing a lot coverage bonus of 15% for the development of deed-restricted ADUs in residential and/or mixed-use districts.







OBJECTIVE 1.3 INCREASE RESIDENT ACCESSIBILITY TO ZONING AND LAND USE INFORMATION.

It is important that the future code and zoning map be accessible to residents so that they understand what they are allowed to do with their properties.

- **Action 1.3.1** Provide clear and user-friendly resources for the public that explain Minturn’s zoning, such as a citizen’s guide or interactive zoning map.
- **Action 1.3.2** Clarify that residents are allowed to make upgrades to non-conforming structures, with limitations.
- **Action 1.3.3** Increase access to and awareness of educational and financial resources (e.g., grants, tax credits) available to support historic preservation (federal and state).
- **Action 1.3.4** Continue to work with local fire mitigation entities and property owners to address any areas with increased fire risk; direct density to appropriate areas away from hazards such as wildfires and flooding.
- **Action 1.3.5** Establish a walkable, cohesive development pattern that enables residents and visitors to access parks and the riverfront from Minturn’s Old Town and surrounding neighborhoods.

MIXED-USE ZONING GRAPHICS

The following graphics help explain and show the three recommended mixed-use districts (MU1, MU2, and MU3). As explained in the accompanying text, these graphics show the differences in purpose and form between the three MU districts. The graphics show a hypothetical set of four lots of standard sizes (2500, 5000, 7500, and 10000 sf), each with a depth of 100’. Each graphic shows examples of the variety of allowed building forms for residential and commercial uses in each district. For example, the MU3 graphic shows a low-impact commercial use in a building that has been converted from a residential home. As a point of clarification, the 100 Block district is also recommended in this plan as a mixed-use area, reflecting recent Town Council decisions. The graphics presented here focus on MU1, MU2, and MU3; they do not show dimensional standards for the 100 Block.

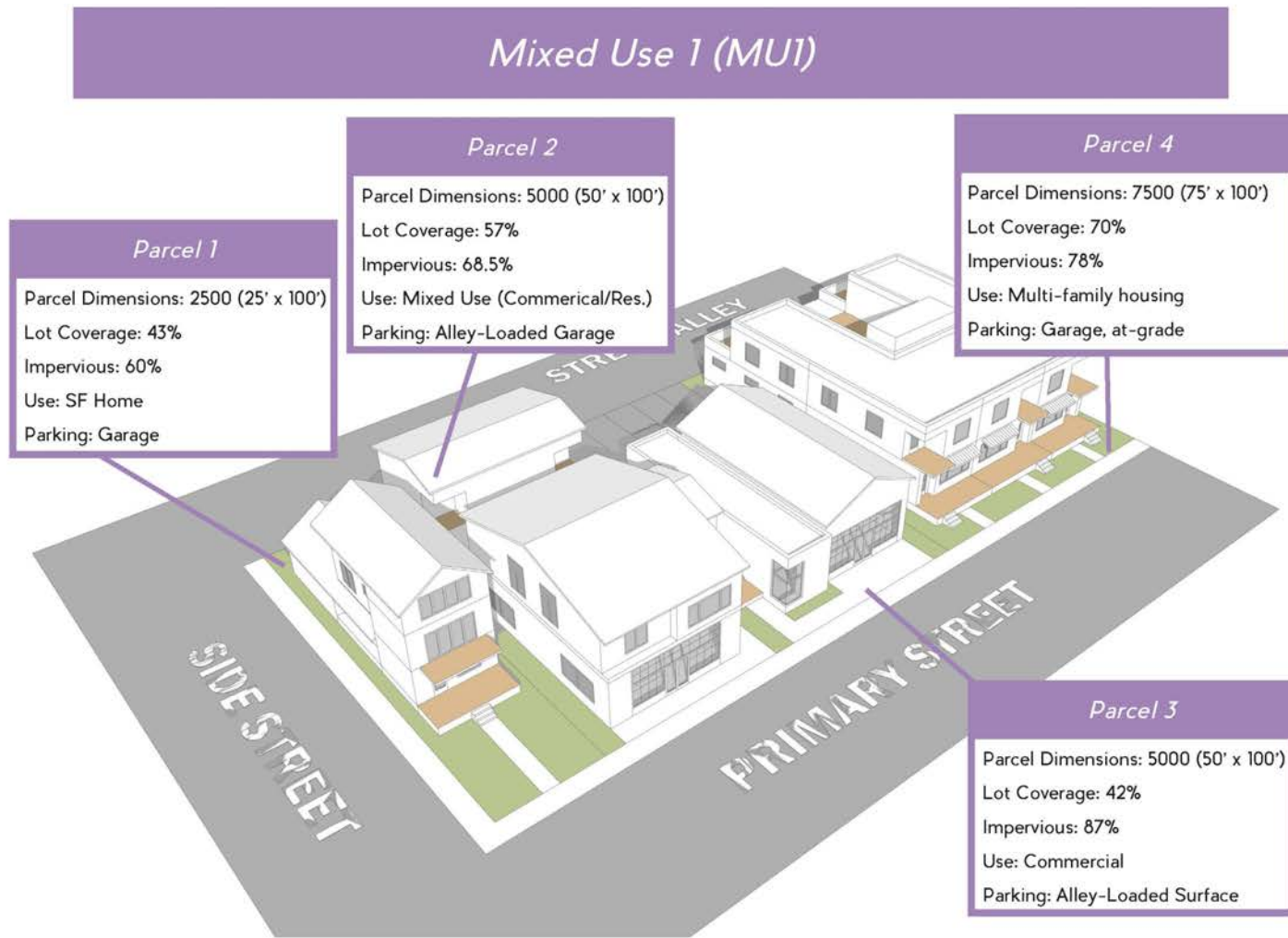
As noted in the accompanying text on the graphics, the lot coverage allowances were developed using Minturn’s current definition of lot coverage (copied below). This definition largely refers to building area, not just impervious surfaces.

Building lot coverage means the portion of a lot that is covered by buildings, including all interior space including garages, and all enclosed cantilevered portions of a building, covered porches, covered walkways and similar covered areas. Buildings are measured at the outside exterior wall. Additionally, fifty percent (50%) of the total area of second- and third-level decks shall be counted towards the allowable building lot coverage. Second- and third-level decks that cover a portion of a building that has already been counted towards the allowable lot coverage shall not count towards the total lot coverage. Second- and third-level decks that are structurally supported from the ground level shall have their entire area counted towards the allowable lot coverage. (See Illustration No. 16-3.)

These graphics are intended for informational purposes; the parking and snow storage allocations as shown are hypothetical in nature. In implementing this *Community Plan*, the Town Planning Commission and Town Council should determine the specific dimensional standards appropriate for each district. Regarding lot coverage, the Town Planning Commission and Town Council should consider allowing higher lot coverage for multifamily structures, as a limitation of 50% lot coverage precludes a desirable type of multifamily housing (e.g. 2-story buildings with 3-4 units and tuck-under parking).



Retail shops in Minturn’s 100 Block.



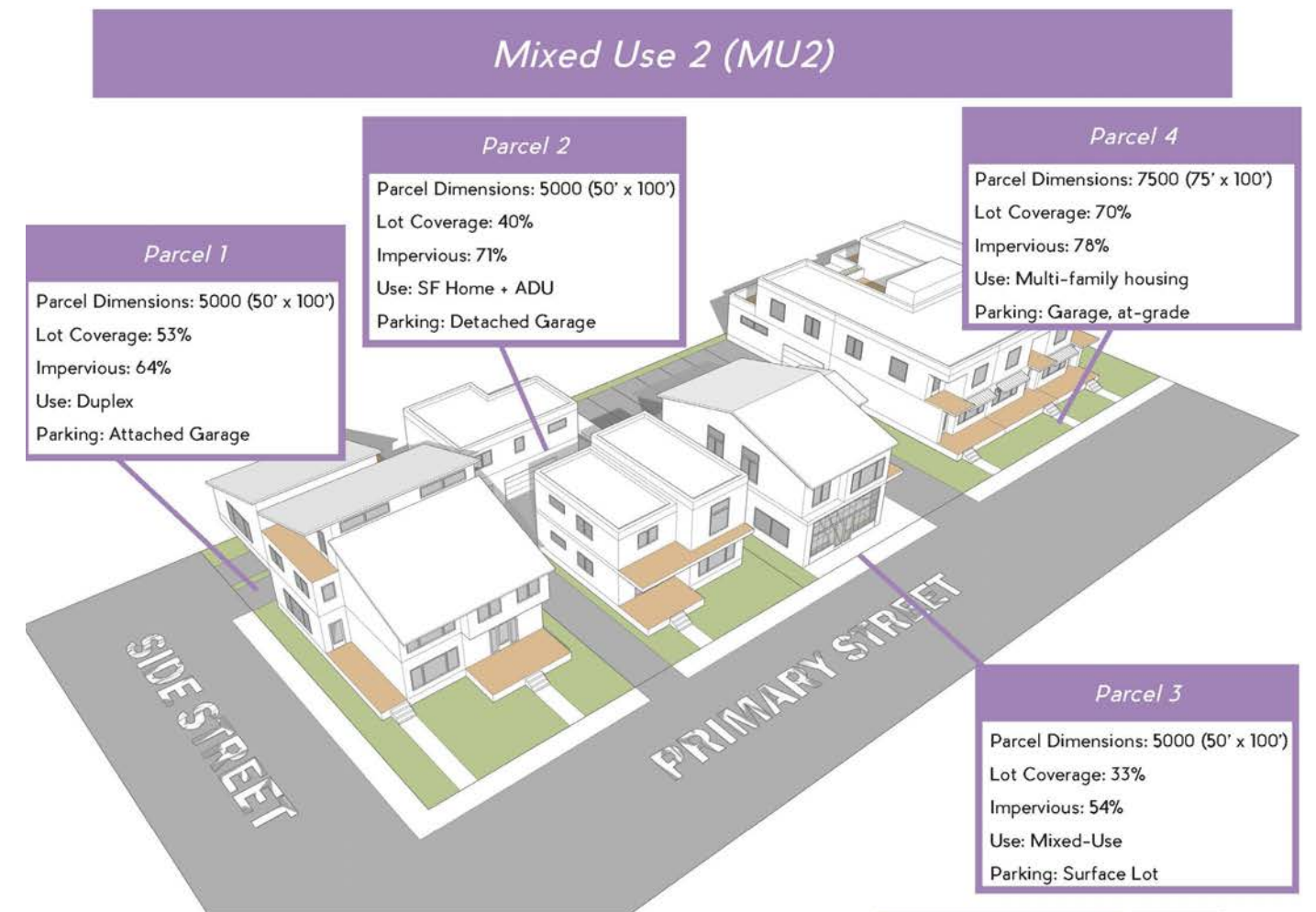
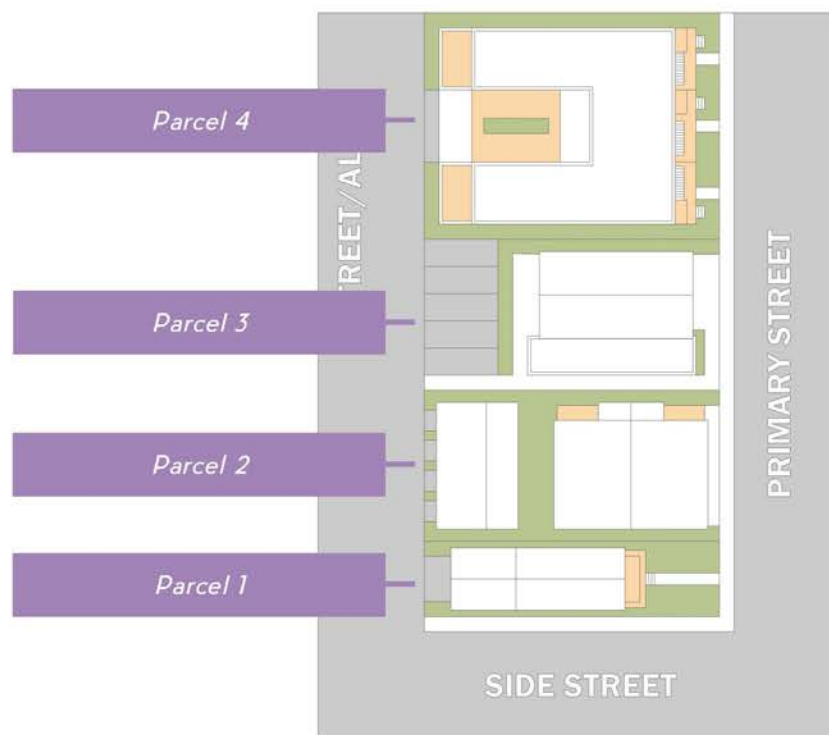
As shown in this massing, Mixed Use 1 (MU1) allows for a variety of uses, including single-family homes, duplexes, commercial uses, mixed-use commercial and residential buildings, and multifamily housing. The result is a dense, walkable neighborhood.

This massing assumes a minimum of 5' setbacks on all sides for all properties. This massing also assumes parking standards of 1 space per residential unit and 1 space per 450-500 sf of commercial space. The massing assumes a shared parking agreement for the mixed-use parcel.

*Note: This rendering considers lot coverage as it is currently defined in the Town Code. Minturn's definition of "building lot coverage" generally includes building footprints and not all impervious surfaces.

Recommended District Standards:

- Min. Lot Size (SF & Duplex): 2500 sf
- Min. Lot Size (MF): 7500 sf
- Max. Lot Coverage (Commercial or MU): 80%
- Max. Lot Coverage (Residential): 50%
- Height limit: 28-35'



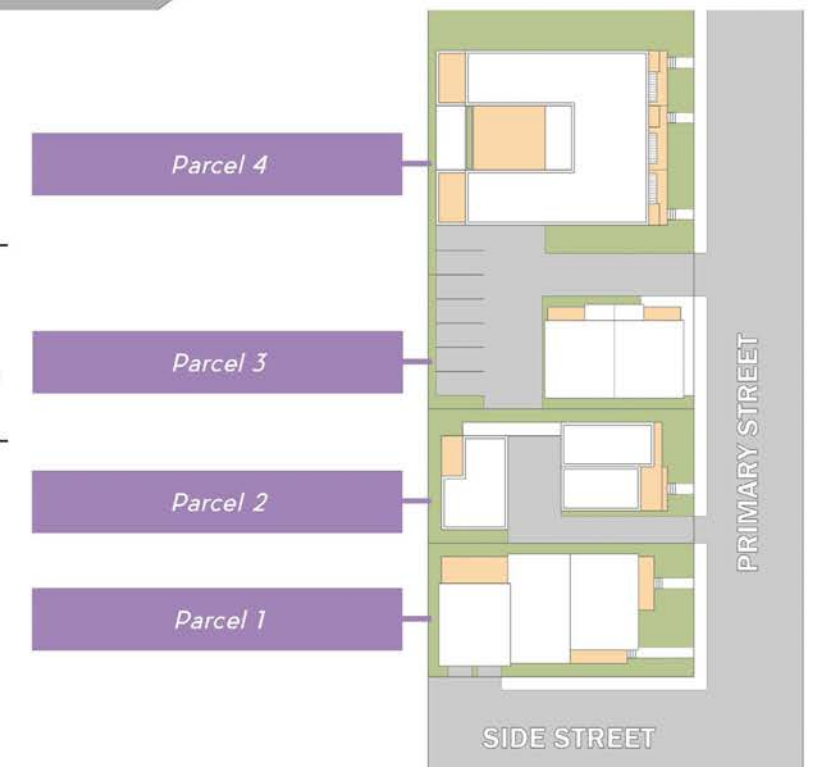
As shown in this massing, Mixed Use 2 (MU2) allows for a variety of uses, including single-family homes, duplexes, commercial uses, mixed-use buildings and lots, and multifamily housing. The intent of this district is to encourage mixed-use lots and more land-intensive commercial uses that may not be appropriate for the dense, walkable pattern intended for MU1.

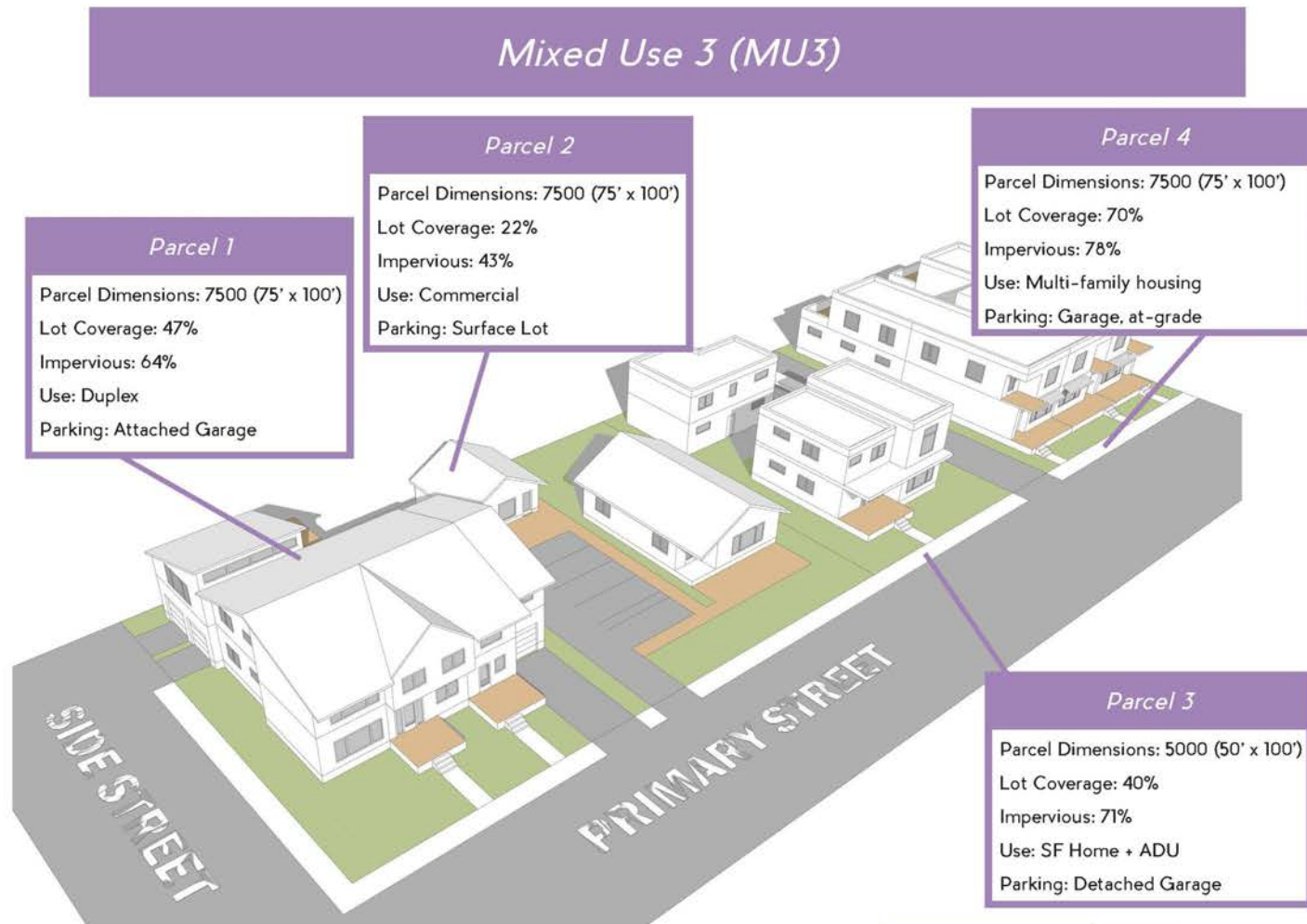
This massing assumes a minimum of 5' setbacks on all sides for all properties. This massing also assumes parking standards of 1 space per residential unit and 1 space per 450-500 sf of commercial space. The massing assumes a shared parking agreement for the mixed-use parcel.

*Note: This rendering considers lot coverage as it is currently defined in the Town Code. Minturn's definition of "building lot coverage" generally includes building footprints and not all impervious surfaces.

Recommended District Standards:

- Min. Lot Size (SF & Duplex): 5000 sf
- Min. Lot Size (MF): 7500 sf
- Max. Lot Coverage (Residential): 60%
- Height limit: 28'





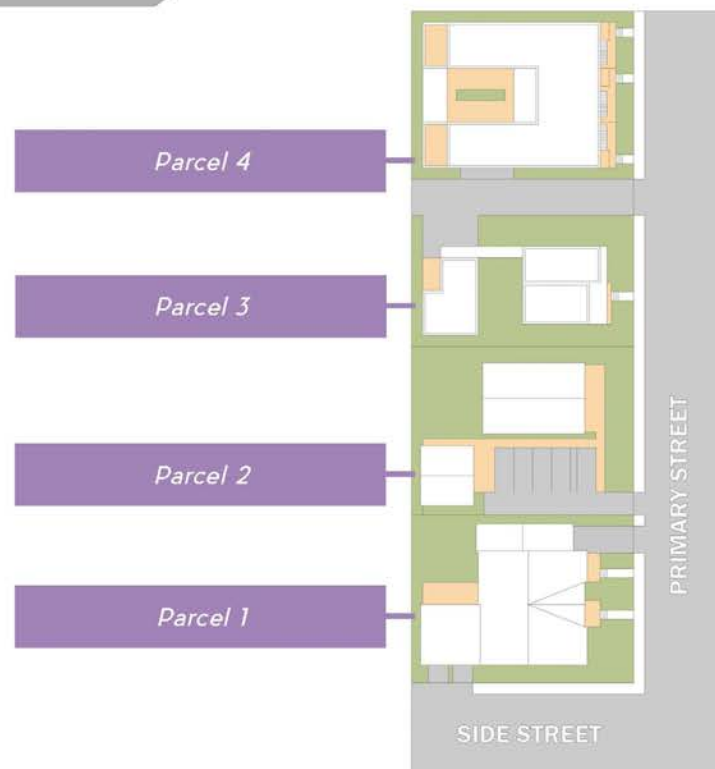
As shown in this massing, Mixed Use 3 (MU3) allows for a variety of uses, including single-family homes, duplexes, commercial uses, mixed-use commercial and residential buildings, and multifamily housing. The intent of this district is to include residential and low-impact commercial uses in an area that is currently residential in character.

This massing assumes 5' minimum setbacks on all sides for all properties. This massing also assumes parking standards of 1 space per residential unit and 1 space per 450-500 sf of commercial space. The massing assumes a shared parking agreement for the mixed-use parcel.

*Note: This rendering considers lot coverage as it is currently defined in the Town Code. Minturn's definition of "building lot coverage" generally includes building footprints and not all impervious surfaces.

Recommended District Standards:

- Min. Lot Size (SF & Duplex): 5000 sf
- Min. Lot Size (MF): 7500 sf
- Max. Lot Coverage (Residential): 60%
- Height limit: 28'



FURTHER CONSIDERATIONS FOR DIMENSIONAL STANDARDS

In this chapter's zoning recommendations, multifamily housing is currently listed as an allowed use in MU1, MU2, MU3 and R2. The mixed-use graphics above show a multifamily structure in each of the mixed-use districts. This multifamily prototype contains tuck-under garage spaces – this type of building form requires a lot coverage of 70%. This type of multifamily housing provides parking for residents in an efficient manner and reduces potential pressure on street parking.

At present, the recommendations for lot coverage in this chapter do not differentiate between single-family/duplex and multifamily structures. In order to provide this type of multifamily housing, the Planning Commission and Town Council should consider creating separate lot coverage provisions for single-family/duplex and multifamily structures. In addition, the current recommended dimensional standards for MU2 and MU3 do not specify allowable lot coverage for commercial/mixed-use structures. See the table below for an example of possible dimensional standards that would effectively facilitate multifamily housing in the three recommended MU districts:

Table 3: Example Dimensional Standards for New MF Housing Regulations in Minturn

District	Min. Lot Size (SF & duplex)	Min. Lot Size (MF)	Max. Lot Coverage - Commercial or Mixed-Use	Max. Lot Coverage - Residential (SF, duplex)	Max. Lot Coverage - Residential (MF)	Height Limit
MU1	2500 sf	7500 sf	80%	50%	70-80%*	28-35'
MU2	5000 sf	7500 sf	60-70%*	60%	70%*	28'
MU3	5000 sf	7500 sf	50-60%*	60%	70%*	28'

*Not currently written into the recommended district standards above.



The Scarab is an example of an existing mixed-use building in Minturn.