



## Minturn Forward Memo

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TO: Minturn Planning Commission  
FROM: Matt Farrar, Western Slope Consulting  
DATE: January 17, 2025  
ATTACHMENTS: None

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### 1. Overview of Revisions to Article 8

Staff is continuing to work on revisions to Article 8 and anticipates having a revised draft available for review by the Planning Commission in the next couple of months. Below is a list of the key changes that staff has been working on:

- Improving the overall purpose language for Article 8.
- Detailing the review process for Exemption Plats, Minor Subdivisions, and Major Subdivision Sketch Plans.
- Detailing the public notice requirements for Duplex, Condominium, or Townhome Subdivisions, Exemption Plats, and Minor Subdivisions.
- Incorporating a draft of the purpose statement, submittal requirements, review criteria, and review process for Exemption Plats.
- Adding the following requirements to Duplex, Condominium, or Townhome Subdivisions:
  - An application cannot be submitted until the framing of all party walls is complete.
  - Any building(s) to be subdivided must comply with all other applicable requirements of Minturn's Municipal Code, including but not limited to, building and electrical codes.
- Incorporating a draft of the applicability criteria, submittal requirements, review criteria, and review process for Minor Subdivisions. As currently drafted, the criteria for a Minor Subdivision is as follows:
  - Will create no more than six (6) lots.
  - Does not require the dedication of public right-of-way for new streets or alleys.
  - Does not require the construction, extension, and/or dedication of public improvements except for curb, gutter, and/or sidewalks.
  - The tract, parcel, or lot to be subdivided was not created by an approved Minor Subdivision.

In the existing Code, Minor Subdivisions are reviewed and decided on via an administrative process. Staff is proposing that Minor Subdivisions continued to be reviewed and decided on via an administrative process.

- Incorporating a draft of the purpose statement, submittal requirements, review criteria, and review process for Major Subdivision Sketch Plans.
- Improving the review criteria for Major Subdivision Preliminary Plats.
- Incorporating and detailing submittal requirements recommended by the Town Engineer for Major Subdivision Preliminary Plats and Final Plats.

## 2. Potential Modifications to Minor PUD Amendments (Section 16-5-180)

The revised language for Minor PUD Amendments limits these amendments to:

*“...changes that are necessary to address technical or engineering considerations discovered during the development of the PUD that could not have been reasonably anticipated during the initial approval process.”*

Any other changes to an approved PUD are required to be processed and reviewed as a Major PUD Amendment. The Major PUD Amendment submittal requirements and review process mirror those for a PUD Preliminary Development Plan.

Staff is concerned that the limited scope of the Minor PUD Amendment process might result in an overly cumbersome process for minor modifications to an approved PUD, other than “...*technical or engineering considerations...*” Staff would like to have a discussion with the Planning Commission to determine if other types of minor modifications to an approved PUD should be permitted via the Minor PUD Amendment process.

There are a variety of reasons why a developer might need to make minor modifications to a PUD following its approval. Those might include:

- Improving the PUD's conformance with current best practices, new technology, and/or new Code requirements.
- Improving the design of the PUD.
- Addressing market changes. This is likely most applicable when a PUD is developed over many years.
- Improving the financial feasibility of the PUD.

The following are examples of changes that other communities allow their Planning Director to authorize via a Minor PUD Amendment process.

### Town of Telluride

The Town of Telluride allows their Planning Director to authorize the following types of changes to an approved PUD via their Minor PUD Amendment process:

- Moving a building or street no more than two (2') feet.
- Increasing the ground coverage for all proposed structures by no more than three percent (3%).
- Reducing the amount of approved open space by no more than three percent (3%).
- Increasing the floor area of all proposed structures by no more than two percent (2%).
- Increasing the number of dwelling units or bedrooms by no more than one percent (1%).

### Town of Eagle

The Town of Eagle allows their Planning Director to authorize the following types of changes to an approved PUD via their Minor PUD Amendment process:

- Modifying the ratio of residential units to square feet of non-residential building area in the PUD by more than 10%.
- Modifying the gross square footage of non-residential building area as long as the area does not increase by more than 10%.
- Modifying the number or location of vehicular access points as long as those changes don't negatively impact public safety or the flow of traffic onto public streets.

### City of Glenwood Springs

The City of Glenwood Springs allows their Planning Director to authorize the following types of changes to an approved PUD via their Minor PUD Amendment process:

- Modifying the ratio of residential units to square feet of non-residential building area in the PUD by more than 10%.
- Modifying the number of residential units as long as the number of units does not increase by more than 10%.
- Modifying the gross square footage of non-residential building area as long as the area does not increase by more than 10%.
- Modifying the number or location of vehicular access points as long as those changes don't negatively impact public safety or the flow of traffic onto public streets.

### Town of Carbondale

The Town of Carbondale allows their Planning Director to authorize the following types of changes to an approved PUD via their Minor PUD Amendment process:

- Changing permitted land uses in any location, if the change does not affect overall PUD density or intensity.
- Increasing the total number of residential units by no more than 5%.
- Any change that results in a decrease of less than 5% of planned or identified public parks and/or improved open space.
- Any change that results in a decrease of less than 2% of the total amount of natural areas or preserved or undisturbed open space.
- Any change to parking, landscape buffer, or building design standards.

If there is interest in allowing Minturn’s Planning Director to authorize these types of changes via the Minor PUD Amendment process, staff can prepare some draft language for review by the Planning Commission.

### **3. Next Steps for Minturn Forward**

Below is an overview of next steps for Minturn Forward:

- In February, staff will be providing the Planning Commission with an initial draft of Article 11: Annexation & Disconnection of Land for review. Staff also hopes to provide the Planning Commission with a revised draft of Article 8: Subdivision Application Requirements & Procedures for review. With the conclusion of the review of Article 11 and Article 8, Module 1 of Minturn Forward will be completed.
- Staff is working on a number of items in preparation of Module 2 of Minturn Forward. Module 2 will address the following Articles:
  - Article 2: Zone Districts
  - Article 3: Use Regulations & Standards
  - Article 4: Dimensional Requirements

Staff will be coordinating a community engagement process for Module 2 to ensure that the public has ample opportunity to review and offer input on proposed changes to the town’s Zone Districts. Staff is working to commence the community engagement process for Module 2 as soon as possible.