



To: Town Council  
From: Madison Harris  
Date: September 13, 2024  
Agenda Item: Ordinance 20 - Series 2024 An Ordinance Amending Chapter 16 - Zoning and Chapter 19 – Historic Preservation of the MMC

---

**REQUEST:**

Review and make a decision to approve, approve with modifications, or deny Ordinance 20 - Series 2024 An Ordinance Amending Chapter 16 - Zoning and Chapter 19 - Historic Preservation of the MMC.

**UPDATE:**

At the September 3, 2024 Council meeting, Council voted to pass Ordinance 20 - Series 2024 on first reading with the amendment that Option 3 be added back into the ordinance to help ensure flexibility. Staff has addressed this by creating a line item within all relevant zone district use tables to allow for historic properties to be exempt from the two year ownership requirement for short term rentals. As part of this, staff also included the definition of Short Term Rental to be added to Chapter 16 - Zoning.

**INTRODUCTION:**

The Town Council and HPC conducted a joint session on July 17, 2024 to discuss options to help give property owners certainty concerning historic preservation.

**ANALYSIS:**

At the June 5, 2024 meeting Council discussed balancing historic preservation, economic feasibility, and the utilization of property, particularly in the Town's downtown, commercial generating area. In response to this a work session was scheduled at the July 17, 2024 meeting.

During the work session staff brought forth nine different ideas for Council to discuss and give direction on. Staff was directed to bring back an ordinance addressing Options 1-7:

1. Option 1: Eliminate the requirement for two sets of design review guidelines
2. Option 2: Eliminating potentially redundant approval requirements
3. Option 3: Allow for historically designated structures in the downtown corridor to have the immediate ability to function as short term rentals on all floors
4. Option 4: Encourage historic preservation reinvestment as part of the Downtown Development Authority Operations Plan
5. Option 5: Require a minimum of two nominators for a structure to be nominated for historic designation
6. Option 6: Create a process whereby property owners can determine if their structure would be historically designated without necessarily "supporting" such a designation

7. Option 7: Allow residential in the Downtown Character Area on the back 50% ground floor of historically designated commercial buildings to create live/work opportunities

When discussed at HPC, they forwarded a recommendation of approval with the following changes:

- Amend the definition for alteration and the historic designation process to allow for the selection of facades (not to exceed 50% of the exterior of the structure) to be prioritized to remain the same and trigger the Certificate of Appropriateness process even if 50% of the structure is not affected.
- To add a visual example to the definition of alteration.
- To amend the intent statement of Sec. 16-6-35 - 100 Block Commercial Zones subsection (b) to add lodging as a use at the street level.
- To amend the \*\*\* clause at the end of the Old Town Character Area Use Table to specify 50% of the “proposed ground floor area”

When discussed at Planning Commission, the Planning Commission forwarded a recommendation of approval with the following changes:

- Remove Option 3: Allow for historically designated structures in the downtown corridor to have the immediate ability to function as short term rentals on all floors with the reasoning that this option does not meet the intent of the 2023 Imagine Minturn Community Plan’s guidelines for the 100 Block.

Staff presented this ordinance to the HPC at their August 20, 2024 meeting, to the Planning Commission at their August 28, 2024 meeting, and is presenting this ordinance to the Town Council for final decision. Several of these options, should they be implemented, should provide additional flexibility and stability to individual property owners within the 100 Block and throughout the rest of Town.

**COMMUNITY INPUT:**

Ongoing.

**BUDGET / STAFF IMPACT: TBD**

**STRATEGIC PLAN ALIGNMENT:**

PRACTICE FAIR, TRANSPARENT AND COMMUNICATIVE LOCAL GOVERNMENT

**ATTACHMENTS:**

- Ordinance 20 - Series 2024 An Ordinance Amending Chapter 16 - Zoning and Chapter 19 – Historic Preservation of the MMC
- Public Comment received