



# CODE ASSESSMENT

December 2023

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## ■ Introduction

With the update to Minturn's 2023 Community Plan completed, the Town is shifting to an update of its Land Use Code. The "Land Use Code" ("Code") comprises Chapter 16- Zoning, Chapter 17- Subdivisions, and Appendix B- Minturn Design Standards and Guidelines of Minturn's Municipal Code. This effort is known as "Minturn Forward." The Land Use Code is one of the key tools that the Town has available to implement its 2023 Community Plan and 2023-2025 Strategic Plan. Therefore, the update to the Code will focus on aligning Minturn's zoning and subdivision regulations with the Values, Vision, and Objectives set forth in the Community Plan and Strategic Plan.

To get the ball rolling on the update to the Land Use Code, town staff has: (1) conducted a thorough review of, and gathered input from the Planning Commission and stakeholders on, the existing Code; and, (2) performed a comprehensive analysis of the Community Plan and Strategic Plan to identify priorities, and craft recommendations, for the Code update.

For more information about the timeline for the update to the Land Use Code please visit:

<https://www.minturn.org/planning-zoning/pages/minturn-forward-land-use-and-subdivision-regulation-update-project>

## ■ Land Use Code Update Priorities

Minturn's Community Plan and Strategic Plan identify a number of priorities specific to the Town's land use regulations. Those include, but are not limited to, the following:

- Provide and follow a cohesive, forward-thinking land use plan for the Town. In other words, implement land use regulations that are aspirational and support the community's Vision.
- Balance community growth and development with preservation of Minturn's character.
- Preserve the Town's historic resources and landmarks.
- Improve the usability of the Town's land use regulations (ex. consolidate and simplify the Town's zone districts).
- Pursue land use changes that support Minturn's tax base and economic growth.
- Prioritize housing for full-time residents; ensure that residents of all ages and income levels are able to find housing.
- Refine development regulations and standards and pursue other initiatives to promote efficiency and sustainable practices in residential and commercial buildings.
- Align the Town's land use regulations with the community's objectives for environmental stewardship, hazard mitigation, mobility, and quality of life.

The priorities set forth in the Community Plan and Strategic Plan will be used to inform and provide direction for the update to the Town's Land Use Code.

## ■ Land Use Code Assessment

This "Code Assessment" is intended to serve as a guide for the update to Minturn's Land Use Code. This document summarizes key themes that emerged from the review of the Community Plan and Strategic Plan, as well as those identified from discussions with the Planning Commission and stakeholders. These themes serve as priorities, and the basis of the recommendations, for the Code update. The following is a list of the themes (i.e., priorities) to be addressed via the update to the Code:

1. Re-Organize and Re-Format Code to Improve Usability
2. Develop a Code that Facilitates the Implementation of Minturn's Community Plan and Strategic Plan
3. Enhance Review Processes
4. Create More Opportunities For A Range of Housing Options for Full-Time Residents
5. Increase Flexibility of Regulations & Standards
6. Explore Options to Promote/Incentivize Certain Types of Development
7. Ensure Compliance With Court Rulings

Recommendations for how to address the themes listed above are provided on the following pages.

## 1. Re-Organize and Re-Format Code to Improve Usability

**a. Consolidate and Re-Organize the Existing Chapters That Comprise the Land Use Code.** The Town of Minturn’s existing land use regulations (i.e., “Land Use Code”) comprise several chapters of the Town’s Municipal Code, specifically Chapter 16- Zoning, Chapter 17- Subdivisions, and Appendix B- Minturn Design Standards and Guidelines. To improve the organization and usability of these regulations it is recommended that the existing Chapters be consolidated into a single Chapter (e.g., Chapter 16- Land Use & Development Code). Table 1, in Appendix A, provides an overview of the current organization of the Town’s land use regulations, as well as suggestions for how to re-organize and consolidate these regulations.

**b. Address Inconsistencies, Redundancies, and Ambiguity in the Code.** Land Use Codes are often updated in a piecemeal fashion and it is not uncommon for this to result in inconsistencies between, and redundancies in, a Code’s Chapters, Articles, Sections, and Subsections. The update to Minturn’s Land Use Code will work to address inconsistencies and redundancies as part of the overall effort to improve the usability of the Code. It will also be important to perform a cursory review of other Chapters of Minturn’s Municipal Code to ensure that there are no inconsistencies and/or redundancies that exist between these Chapters and the updated Land Use Code.

The update to the Land Use Code will also work to address any provisions of the Code that are ambiguous/difficult to understand. One of the key issues needing to be addressed in the update to Minturn’s land use regulations is clarification of the Zone Districts set forth on the Town’s Zoning Map. The existing Zoning Map depicts areas that are not located within a Zone District, as well as Zone District boundaries that are not well defined. This issue is also documented in the 2023 Community Plan, as it states *“The Town needs to have a legible and administrable map so that residents and developers can understand the rules that apply to them.”*

**c. Ensure that the Intent of Regulations is Clearly Described in the Code.** Discussions with stakeholders raised questions about the intent behind some of the Town’s existing land use regulations. Examples of such regulations include impervious surface restrictions and hillside development requirements. The update to Minturn’s Land Use Code will work to ensure that there is a rationale basis for the Town’s regulations and that the intent of regulations is clearly described in the Code. This will help to eliminate ambiguity in the Code, as well as provide a basis/support for the Town’s regulations should they be challenged.

**d. Ensure that Diagrams, Graphics, and Tables Clearly Describe the Intent of Regulations.** Minturn’s existing regulations offer a number of diagrams, graphics, and tables. While these can be quite helpful in clarifying the Town’s regulations, they can also cause confusion if they don’t accurately describe the intent of regulations. The update to the Town’s Land Use Code will work to ensure that all diagrams, graphics, and tables clearly describe the intent of regulations. Moreover, additional diagrams, graphics, and tables will be incorporated with the updated Code to help improve its clarity and usability.

It will be important to include a provision in the updated Code that states that the Code’s text supersedes the Code’s diagrams, graphics, and tables, in the event that there is any discrepancy between the text and the diagrams, graphics, and tables.

**e. Reduce the Number of Cross-References in the Land Use Code.** While cross-references between various Chapters, Articles, Sections, and Subsections may be necessary, the update to Minturn’s Land Use Code will work to limit the number of cross-references. Requiring users to jump between different portions of a Land Use Code can make use of the Code difficult and confusing.

In updating Minturn’s Land Use Code, there will be an emphasis on organizing and consolidating the various components of the Code so that a user can go to one part of the Code and find most, if not all, of the information that they are seeking. The proposed reorganization and consolidation presented in Table 1 (refer to Appendix A) offers an overview of suggestions for how Minturn’s Land Use Code can be revised to limit cross-references and improve the usability of the Code.

**f. Simplify Code Language/Reduce the Use of Technical Jargon.** The update to Minturn’s Land Use Code will focus on clarifying and simplifying Code language. The Land Use Code will be reviewed and modified to maximize the use of plain language and minimize the use of technical jargon that only professionals (i.e., attorneys, planners, engineers, architects, etc.) are familiar with. The goal will be to prepare an updated Land Use Code that anyone in the community can pick up, understand, and use with limited to no assistance from a lawyer, engineer, planner, or other technical professional.

**g. Consolidate, Update, and Add (As Necessary) Definitions.** The current configuration of the Town’s Land Use Code has definitions scattered throughout Chapters 16 and 17. It is recommended that these definitions be consolidated into a single Article (i.e., Article ##: Terms & Definitions). In conjunction with the consolidation of definitions, it is recommended that: (1) the language used to define terms be reviewed and updated, as necessary, to ensure that the definitions in the Land Use Code are current; and, (2) additional terms and definitions be added to the Land Use Code, as necessary, to limit the potential for ambiguity and/or the need for interpretation by the Town.

**h. Consolidate Standards for Specific Types of Land Uses into a “Use-Specific Standards” Section.** Incorporated throughout Chapter 16- Zoning of Minturn’s Land Use Code are regulations and standards that apply to specific types of land uses, such as Accessory Dwelling Units (ADUs), Home Occupations, Bed and Breakfasts, etc. It is recommended that these “Use-Specific” regulations and standards be consolidated into a new “Use-Specific Standards” section. By doing this, it will make it easier for users of the updated Code to find the specific regulations and standards that apply to the land use that they are interested in.

In addition to consolidating Use-Specific regulations/standards, the update to Minturn’s Land Use Code will include a review of these regulations/standards to determine if modifications are necessary to better align them with the community’s Values, Vision, and Objectives.

**i. Consolidate Character Area, Parking, Lighting, Landscaping & Sign Regulations into “Development Standards” Section.** As noted in Table 1 (refer to Appendices), it is recommended that the Character Area, Parking, Exterior Lighting, Landscaping, Sign, and other similar regulations/standards be consolidated into a new “Development Standards” section of the Land Use Code. The purpose of consolidating these regulations/standards is to make it easier for users of the Code to find all the design regulations/standards applicable to a specific type of project (i.e., residential, non-residential, or mixed-use).

**2. Develop a Code That Facilitates the Implementation of Minturn’s Community Plan and Strategic Plan**

**a. Simplify Character Areas and Zone Districts.** The Town’s zoning regulations are currently organized by “Character Areas” and unique Zone Districts within each of these areas. Consequently, for a person to understand the zoning regulations that apply to their property, they must first identify the Character Area that they are located in and then the Zone District that is applicable. This process of identifying a Character Area and a Zone District can be confusing both for the property owner, as well as for the Town in administering the regulations.

To make things more complex, the residential, non-residential, and mixed-use Zone Districts set forth in the Town’s Land Use Code are specific to the Character Area that the districts are in. For example, the Residential Zone District in the South Town Character Area is separate from the Residential Zone District in the Game Creek Character Area, even though both Residential Zone Districts have similar purposes (refer to Table 2). As a result, there are currently twenty-seven (27) Zone Districts in Minturn, which is far too many for a small Town. Table 2 offers an overview of the Town’s existing Zone Districts.

As noted in the 2023 Community Plan, *“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.”* Therefore, one of the key issues to be addressed in the update to the Town’s Land Use Code will be reducing the complexity of the Character Areas and Zone Districts. The 2023 Community Plan offers recommendations for how the Town’s Zone Districts could be consolidated and simplified (refer to Table 3). These recommendations, along with further input from elected and appointed officials, stakeholders, and the broader community, will be used in determining how best to simplify the Town’s existing Character Areas and Zone Districts.

**TABLE 2: EXISTING ZONE DISTRICTS**

Existing Residential Zone Districts		Description of Existing Residential Zone Districts
1.	Old Town Residential Zone	<ul style="list-style-type: none"> <li>The neighborhood is bisected by Highway 24 and is characterized by single-family residences with a mix of business and institutional uses. The residences are typically one (1) and two (2) stories, with outbuildings and minimal setback between structures.</li> <li>The purpose of this zone is to provide for continued residential use and redevelopment that preserves the unique character and scale of the neighborhood. An objective is to retain the historically residential areas as quiet and safe neighborhoods while allowing for limited home-based occupations and home-based businesses to encourage permanent residency. This area can accommodate reasonable growth where land and services are available.</li> </ul>

**TABLE 2: EXISTING ZONE DISTRICTS (CONTINUED)**

Existing Residential Zone Districts		Description of Existing Residential Zone Districts
2.	South Town Residential Zone	<ul style="list-style-type: none"> <li>The neighborhood is bisected by Highway 24 and is characterized by single-family residences and accessory buildings. The residences are typically one (1) and two (2) stories, with outbuildings on larger lots than found in Old Town. Low-density residential and public recreational and open space use along the Eagle River is encouraged. Higher density residential development can be accommodated on the south side of Main Street if it remains in character and all impacts are adequately addressed.</li> <li>The purpose of this area is to provide for continued residential use that benefits from proximity along the Eagle River. New development and redevelopment should preserve the unique character and scale of the neighborhood. An objective is to retain the residential areas as quiet and safe neighborhoods while allowing for compatible and appropriate nearby commercial. This area can accommodate reasonable growth where land and services are available.</li> </ul>
3.	Cross Creek Residential Zone	<ul style="list-style-type: none"> <li>The Cross Creek Residential Zone is characterized by a mix of mobile homes, cabins and larger homes along a narrow strip of land between Highway 24 and the Eagle River. The area is experiencing residential upgrades and replacement of older mobile homes with new homes.</li> <li>The purpose of the Cross Creek Residential Zone is to provide for an area with relatively larger residential lots along the Eagle River. An objective is to continue residential redevelopment at an appropriate scale to minimize impacts to the Eagle River and provide an attractive entrance into Town.</li> </ul>
4.	Game Creek Residential Zone	<ul style="list-style-type: none"> <li>The Taylor Avenue neighborhood is characterized by a traditional lot-and-block layout with single-family residences. The residences are typically one (1) and two (2) stories, without buildings and good views to the west. The existing residential neighborhood overlooks the rail yard or the Game Creek PUD Holding Zone.</li> <li>The purpose of this area is to provide for continued residential use and redevelopment that preserve the small town residential character and scale of the neighborhood. An objective is to retain the residential areas as a quiet and safe neighborhood while allowing for accessory apartments and limited home-based occupation to encourage permanent residency.</li> </ul>
5.	Martin Creek Residential Estate Zone	<ul style="list-style-type: none"> <li>This area is on a north-facing hillside with significant vegetation. The area is characterized by single-family residences on larger lots with some nonconforming uses near Highway 24. The residences are typically one (1) and two (2) stories, with outbuildings and significant setbacks between structures.</li> <li>The purpose of this zone is to provide land for larger lots and larger homes. The objective is to remain low density, maintain significant open space and provide the opportunity for a rural lifestyle.</li> </ul>
6.	Mountaintop Residential Ranch & Estate Lot Zone	<ul style="list-style-type: none"> <li>The purpose of the ranch and estate lots located in the mountaintop area is to accommodate low-intensity, rural land uses such as: single-family homes; agricultural uses; accessory buildings such as barns, stables, greenhouses, hunting cabins, pump houses, etc.; forestry uses; private or public recreational uses; and, renewable energy systems.</li> </ul>

Existing Non-Residential Zone Districts		Description of Non-Residential Zone Districts
1.	Meadow Mountain Federally Regulated Area	<ul style="list-style-type: none"> <li>This federally regulated area is characterized by environmentally sensitive and culturally significant lands and undeveloped open space. This area typically contains distinctive natural features that are prominent features of the community, such as rock outcroppings, drainage swales, streams, hillsides and mountainsides, ridgelines, scenic views and vistas, native plant communities and important wildlife habitat. These natural areas provide recreation, open space and educational opportunities to residents and visitors.</li> <li>The purpose of this federally regulated area is to maintain an attractive and scenic entry into Town, enhance recreational opportunities and preserve the environmentally sensitive and culturally significant areas from intensive development. The existing open space and recreation uses are consistent with the intent of the Community Plan, which is to preserve the existing character of the Meadow Mountain Character Area. It is the intent of the Town to participate and comment on all federal land use actions in this area.</li> </ul>

**TABLE 2: EXISTING ZONE DISTRICTS (CONTINUED)**

Existing Non-Residential Zone Districts		Description of Non-Residential Zone Districts
2.	South Town Federally Regulated Area	<ul style="list-style-type: none"> <li>• The South Town Federally Regulated Area has access from Highway 24 and serves as the Martin Creek Trailhead. The site is surrounded by residential uses and utilities are available; however there are no existing improvements on the site.</li> <li>• The Community Plan identifies this area as a “potential Town Center site.” This area could be redeveloped in cooperation with the USFS to enhance the residential and recreational character of the Town. It is the intent of the Town to participate in and comment on all federal land use actions in this area.</li> </ul>
3.	Cross Creek Federally Regulated Area	<ul style="list-style-type: none"> <li>• This Federally Regulated Area is characterized by distinctive natural features and environmentally sensitive areas along the Eagle River and Cross Creek. There is significant undeveloped open space to the south. This area contains the USFS compound and important wildlife habitat. These natural areas, including Cross Creek and the Eagle River, provide recreation, open space and educational opportunities to residents and visitors.</li> <li>• The purpose of this Federally Regulated Area is to enhance recreational opportunities and to preserve the environmentally sensitive and culturally significant areas from intensive development. The existing open space and recreation uses are consistent with the intent of the Community Plan, which is to preserve the existing character of the Cross Creek Character Area. It is the intent of the Town to participate in and comment on all federal land use actions in this area.</li> </ul>
4.	Grouse Creek Commercial Zone	<ul style="list-style-type: none"> <li>• The Grouse Creek Commercial Zone can accommodate a broad range of commercial services and is conveniently accessible by automobile and delivery trucks. The building clusters share access points and on-site parking. Due to its proximity to Highway 24, the district can accommodate a substantial volume of traffic.</li> <li>• The purpose of the Grouse Creek Commercial Zone is to encourage a broad range of complementary commercial services that generate sales tax. Development or redevelopment plans should be designed to complement each other in character, scale and proximity and be linked by attractive pedestrian corridors and plazas.</li> </ul>
5.	Old Town Commercial Zone	<ul style="list-style-type: none"> <li>• The Old Town Commercial Zone is located on either end of the 100 Block Commercial Zone. The Old Town Commercial Zone is also characterized by a compact commercial core area bisected by Main Street or Highway 24. The Old Town Commercial Zone, however, is adjacent to primary residential areas and does not extend off of the Highway 24/Main Street corridor. The area consists of businesses and residences with an identity of the historic commercial core that is distinct from other parts of the community.</li> <li>• The purpose of this area is to provide convenient commercial services to residents and visitors and to promote the development of the Town’s retail commercial district along Highway 24 and Main Street. Accommodation of sales tax-generating commercial uses and residential units can enhance Old Town vitality while maintaining the visual character and scale. An objective is to facilitate small business development and economic vitality with land uses that are compatible and supportive, such as retail, office, institutional and residential uses, while maintaining the community scale.</li> </ul>
6.	South Town Commercial Zone	<ul style="list-style-type: none"> <li>• The South Town Commercial Zone is bisected by Main Street or Highway 24 and is characterized by a mix of retail, service businesses and residential areas. The South Town Commercial Zone provides services to both residents and the passing motorist. The commercial development can grow but should not significantly impact the residential areas.</li> <li>• The purpose of this area is to provide convenient commercial services to residents and motorists while minimizing the impact on nearby residential uses. South Town provides an area for commercial activities that are not easily accommodated in Old Town while maintaining the visual character and scale. An objective is to facilitate small business development and economic vitality with land uses that are compatible and supportive, such as retail, office, services and institutional uses.</li> </ul>

**TABLE 2: EXISTING ZONE DISTRICTS (CONTINUED)**

Existing Non-Residential Zone Districts		Description of Non-Residential Zone Districts
7.	100-Block Commercial Zone	<ul style="list-style-type: none"> <li>The 100 Block Commercial Zones are characterized by a compact retail/commercial core area bisected by Highway 24. The area consists of businesses and residences with an identity of the historic commercial core that is distinct from other parts of the community.</li> <li>The purpose of this area is to provide convenient commercial services to residents and visitors and to promote the development of the Town’s primary retail commercial district. Accommodation of sales tax-generating commercial uses and non-street level residential units can enhance Old Town vitality while maintaining the visual character and scale. Street level space within the 100 Block Commercial Zones shall be dedicated to retail uses. Non-street level space within the 100 Block Commercial Zones may be used for compatible retail, office, and residential uses.</li> <li>The 100 Block Commercial Zones should function as a pedestrian shopping corridor. Buildings shall orient toward sidewalks and pedestrian areas with storefront windows and main entrance doors. The scale of buildings both in terms of height and width should encourage transparency, pedestrian engagement, and facilitate pedestrian movement not only along Highway 24 but also between Highway 24, Williams Street and Eagle Street and along all streets in the 100 Block.</li> <li>The small town historic main street character will be maintained by keeping in scale with the original plat of twenty-five-foot by one hundred-foot lots and one- to two-story building frontages along Highway 24. Large monolithic buildings and “strip” retail areas are not allowed. New development in the 100 Block shall follow the standards and guidelines provided in Appendix B which seeks to ensure new structures maintain compatibility with historic structures while bringing new uses to increase vitality.</li> </ul>
8.	Lionshead Light Industry & Public Facilities Zone	<ul style="list-style-type: none"> <li>This area has been used for gravel processing area and as a contractors’ storage area. Access is from Highway 24 across Cemetery Bridge, with an “at grade” railroad crossing. The area has limited utility service.</li> <li>The purpose of this area is to accommodate a range of low-impact light industrial activities that are of limited duration and intensity, such as contractor trades, research and development institutions, wholesaling and small scale production, fabrication, assembly or processing activities to help provide a diversified employment base for the community. Uses established in this area should be screened to minimize the impact on surrounding open space and recreation areas. In addition, the purpose of the area is to limit uses to those that will not create traffic hazards, noise, dust, fumes, odors, smoke, vapor, vibration or industrial waste disposal problems, but their operating characteristics and appearance may have impacts not desirable in other areas within the Town.</li> </ul>
9.	Maloit Park Public Facilities Zone	<ul style="list-style-type: none"> <li>The Maloit Park Public Facilities Zone is located west of Cross Creek and currently accommodates the Town’s water treatment plant and related uses. The Zone is approximately eighteen and two-tenths (18.2) acres in size. The Zone borders Cross Creek and USFS lands. Access to the site is via an access easement from Hwy 24.</li> <li>The purpose of this area is to provide a site for the Town’s water treatment plant. Other than potential recreational improvements and a limited amount of employee housing, no other uses are contemplated for this portion of the Maloit Park Character Area.</li> </ul>
10.	Old Town Recreation & Open Space Zone	<ul style="list-style-type: none"> <li>This area allows a compatible mix of recreation and open space uses in close proximity to residential and commercial uses that serve residents and visitors. The Old Town Recreation and Open Space zone can accommodate recreation uses that are sensitive to the Eagle River if found to not significantly impact nearby properties.</li> <li>The Old Town Recreation and Open Space Zone is intended to provide sites for low-impact recreation and open space uses that enhance the vitality of Old Town, while minimizing the impacts on nearby residential properties.</li> </ul>



**TABLE 2: EXISTING ZONE DISTRICTS (CONTINUED)**

Existing Non-Residential Zone Districts		Description of Non-Residential Zone Districts
11.	Cross Creek Recreation & Open Space Zone	<ul style="list-style-type: none"> <li>The Cross Creek Recreation and Open Space Zone is comprised of a single 4.6-acre parcel that was purchased by the Town in 2013 from the United States Forest Service. This undeveloped parcel of land is characterized by a riparian corridor that extends along the northern side of the property and Highway 24 extending along the southern boundary.</li> <li>The purpose of the Cross Creek Recreation and Open Space Zone is to provide a variety of low-impact recreational opportunities for area residents while maintaining the property in its natural state. Acceptable uses for this site include river access, picnicking, wildlife viewing, fishing, snowshoeing and other similar uses. A small restroom facility and open-air pavilion can be accommodated on this site.</li> </ul>
12.	Eagle River Recreation & Open Space Zone	<ul style="list-style-type: none"> <li>The Recreation and Open Space Zone is characterized by the river channel and the riverbanks to the extent of the 100-year floodplain. There are privately owned lots that extend into the Recreation and Open Space Zone and there are public parks and open space areas.</li> <li>The purpose of this zone is to provide private and public recreational and open space amenities while respecting private property. Private use of lands within this zone should be consistent with the need to protect life and property from flood damage and potential public recreational uses nearby.</li> </ul>
13.	Lionshead Recreation & Open Space Zone	<ul style="list-style-type: none"> <li>This area is characterized by south-facing hillsides, environmentally sensitive areas and undeveloped open space. This area provides scenic views and vistas and typically contains distinctive natural features, such as rock outcroppings, drainage swales, hillsides and mountainsides, native plant communities and important wildlife habitat. These natural areas provide significant open space, recreation and educational opportunities to residents and visitors. Potential rock-fall hazards should be evaluated prior to any significant activities proposed in this area.</li> <li>The purpose of this Recreation and Open Space Zone is to maintain attractive and scenic open space areas when viewed from Town. There are opportunities to enhance recreational opportunities while preserving the environmentally sensitive areas from intensive development. The existing open space and recreation uses are consistent with the intent of the Community Plan, which is to preserve the existing open character and wildlife habitat of this part of the Lionshead Character Area.</li> </ul>
14.	Maloit Park Recreation & Open Space Zone	<ul style="list-style-type: none"> <li>The Recreation and Open Space Zone consists of approximately thirty-nine and five-tenths (39.5) acres and includes the Cross Creek corridor and the southern portion of Maloit Park. The Cross Creek corridor includes associated riparian and wetlands and the floodplain associated with Cross Creek. The Recreation and Open Space Zone at the southern portion of Maloit Park is comprised of relatively steep slopes and wildlife habitat.</li> <li>It is intended that the Recreation and Open Space Zone remain predominately undeveloped. Uses are generally limited to infrastructure and utility installations, trails and other passive recreation uses.</li> </ul>
15.	Railroad Right-of-Way/ Transportation Zone	<ul style="list-style-type: none"> <li>The linear Railroad Right-of-Way/Transportation Zone extends the entire length of the Town. The right-of-way varies in width from two hundred (200) to four hundred (400) feet. Near the north end of the Town, the right-of-way widens and becomes the rail yard, which is part of the Game Creek Character Area.</li> <li>The purpose of the Transportation Zone is to maintain a viable transportation right-of-way to accommodate the long-term transportation needs of the Town and the larger community. The objective is to maintain a viable transportation corridor in order to accommodate future transportation options. The zone can accommodate trails, compatible recreation activities and open space uses, depending upon the current status of the railroad operations.</li> </ul>
16.	Planned Unit Development (PUD) Overlay Zone District	<ul style="list-style-type: none"> <li>The purpose of the Planned Unit Development (PUD) Overlay Zone District is to allow flexibility for landowners to creatively plan for the overall development of their land and to achieve the purpose and objectives of this Code and the Community Plan.</li> </ul>

**TABLE 2: EXISTING ZONE DISTRICTS (CONTINUED)**

Existing Non-Residential Zone Districts		Description of Non-Residential Zone Districts
17.	Bolt’s Lake, Gilman, Willow Creek, Rock Creek and Holy Cross Recreation & Open Space Zone	<ul style="list-style-type: none"> <li>• The purpose of the Recreation and Open Space Zone is to allow for the following:                             <ol style="list-style-type: none"> <li>1. Environmental response activities for superfund sites consistent with EPA and CDPHE process and approvals and this Article.</li> <li>2. Forestry management and maintenance, including without limitation measures to address the infestation of pine beetles and abatement of noxious weeds.</li> <li>3. Passive recreation activities consistent with historic practice.</li> <li>4. Management and maintenance of the property as open space, greenbelt and wildlife habitat.</li> <li>5. Investigation and monitoring of soils, watersheds and other components of the property and other appropriate activities in connection with the management and maintenance of the property and the preparation of the application for the final development plan for the project.</li> <li>6. Operation, maintenance and use of water rights, water resources, water diversion structures, ditches, pipeline structures, ponds, water impoundments and associated facilities consistent with the decreed uses but subject to these restrictions.</li> <li>7. Hunting.</li> </ol> </li> </ul>
18.	Game Creek PUD Holding Zone	<ul style="list-style-type: none"> <li>• This area is currently owned by the Union Pacific Railroad; however, trains are no longer utilizing the corridor or the rail yard. The historic industrial zoning is no longer appropriate due to the probable abandonment of the rail line and potential conflict with future commercial and residential development. Redevelopment of this area will have a significant impact on the future character and size of the Town.</li> <li>• It is an objective of the Town to plan and redevelop the rail yard as a master planned development that is compatible with the existing Town character. Future development and land use decisions for this area need to incorporate community input and involve an open public process. The PUD Holding Zone and the PUD review process will provide for the flexibility, innovation and public input necessary to achieve the goals and objectives of the Community Plan and this Chapter. This area has been identified in the Community Plan as an area suitable for expansion of Old Town and as a “potential Town Center” site. Development in this area needs to incorporate appropriate residential and low-impact land uses along Taylor Avenue to minimize impacts to the existing neighborhood. The rail corridor should be maintained and improved access to and across the Eagle River should be incorporated into proposed development plans.</li> <li>• PUD or special review required: Planned Unit Development master development plan for the PUD Holding Zone is the preferred review process for future development of the Game Creek Holding Zone. If circumstances arise that do not provide for the submittal of a PUD master development plan for the entire Game Creek PUD Holding Zone, the owners may apply to the Town for a Planned Unit Development on a portion of the property or may apply for a special review use permit for consideration of a temporary use.</li> </ul>

Existing Mixed-Use Zone Districts		Description of Mixed-Use Zone Districts
1.	Old Town Mixed-Use Zone	<ul style="list-style-type: none"> <li>• This area allows a compatible mix of residential uses, low-impact commercial uses and institutional uses that serve residents and visitors. The Old Town Mixed-Use Zone can accommodate various types of development if found not to significantly impact nearby properties.</li> <li>• The Old Town Mixed-Use Zone is intended to provide sites for combined residential and low-impact commercial and service uses which maintain a predominantly residential appearance. This area can accommodate reasonable growth where land and services are available and when services and amenities are needed for residents and visitors.</li> </ul>
2.	Cross Creek Mixed-Use Zone	<ul style="list-style-type: none"> <li>• The Cross Creek Mixed-Use Zone is characterized by a small area of mixed-use. The site has good access from Highway 24 and is highly visible as one enters Town from the south.</li> <li>• The purpose of the Cross Creek Mixed-Use Overlay Zone is to provide a variety of complementary and integrated uses such as residential, office, light manufacturing and some retail in a concentrated area. An objective of this area is to provide an attractive entrance statement and economic activity without causing significant impacts on nearby residential and open space uses.</li> </ul>

**TABLE 2: EXISTING ZONE DISTRICTS (CONTINUED)**

Existing Mixed-Use Zone Districts		Description of Mixed-Use Zone Districts
3.	Maloit Park Mixed-Use Zone	<ul style="list-style-type: none"> <li>The Maloit Park Mixed-Use Zone includes forty-six and eight tenths (46.8) acres and encompasses the portion of Maloit Park that is already developed or has been previously disturbed. The terrain over the vast majority of this Zone is very flat and readily accessible via the existing access road. With the exception of the Town’s water plant, all existing uses at Maloit Park are located within the Residential/Mixed-Use Zone.</li> <li>The purpose of the Mixed-Use Zone is to provide an area to accommodate a variety of land uses. These may include residential development, educational facilities, recreation and other similar uses, and other community-oriented buildings, facilities and uses. The Mixed-Use Zone allows for the continuation of all existing land uses.</li> </ul>

**TABLE 3: 2023 COMMUNITY PLAN ZONE DISTRICT RECOMMENDATIONS**

Recommended Residential Zone Districts		Description of Recommended Residential Zone Districts
1.	R1	<ul style="list-style-type: none"> <li><u>Location:</u> This district is recommended in the Old Town area one block off of Highway 24 and portions of Cross Creek.</li> <li><u>Purpose:</u> 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.</li> <li><u>Dimensional Standards:</u> Minimum lot size should be 2,500 square feet, with up to 50% lot coverage allowed and a maximum building height of 28 feet.</li> </ul>
2.	R2	<ul style="list-style-type: none"> <li><u>Location:</u> This district is recommended in other residential areas of the Town with small to medium size lots.</li> <li><u>Purpose:</u> 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 multi-family only allowed on lots greater than 7,500 square feet.</li> <li><u>Dimensional Standards:</u> Minimum lot size should be 5,000 square feet, with up to 50% lot coverage allowed and a maximum building height of 28 feet.</li> </ul>
3.	R3	<ul style="list-style-type: none"> <li><u>Location:</u> This district is recommended for large lots on the edge of town.</li> <li><u>Purpose:</u> 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.</li> </ul>

Recommended Non-Residential Zone Districts		Description of Recommended Non-Residential Zone Districts
1.	Light Industry & Public Facilities	<ul style="list-style-type: none"> <li><u>Location:</u> This zone district is recommended for the Lionshead and Maloit Park areas where it currently exists.</li> <li><u>Purpose:</u> Accommodate 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.</li> </ul>
2.	Industrial/Business Park	<ul style="list-style-type: none"> <li><u>Location:</u> This district is recommended for the Grouse Creek area. It is recommended that this district be extended from its current footprint to include industrial uses along the railroad as well.</li> <li><u>Purpose:</u> Allow a broad range of commercial services.</li> <li><u>Dimensional Standards:</u> Dimensional standards are recommended to remain consistent with that of the existing Grouse Creek Commercial Zone.</li> </ul>
3.	Federal Lands, Recreation, and Open Space	<ul style="list-style-type: none"> <li>This district combines federal lands, recreation areas, and public open space within the Town of Minturn’s 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.</li> </ul>

**TABLE 3: 2023 COMMUNITY PLAN ZONE DISTRICT RECOMMENDATIONS (CONTINUED)**

Recommended Non-Residential Zone Districts		Description of Recommended Non-Residential Zone Districts
4.	Railroad Right-of-Way/ Transportation	<ul style="list-style-type: none"> <li>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.</li> </ul>
Recommended Mixed-Use Zone Districts		Description of Recommended Mixed-Use Zone Districts
1.	Mixed-Use 1	<ul style="list-style-type: none"> <li><b>Location:</b> 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.</li> <li><b>Purpose:</b> 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 multi-family only allowed on lots greater than 7,500 square feet.</li> <li><b>Dimensional Standards:</b> 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.</li> </ul>
2.	Mixed-Use 2	<ul style="list-style-type: none"> <li><b>Location:</b> This district is recommended along Highway 24 starting at the 800 Block.</li> <li><b>Purpose:</b> 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 multi-family should be allowed.</li> <li><b>Dimensional Standards:</b> Minimum lot size should be 5,000 square feet with up to 60% lot coverage allowed and maximum building height of 28 feet. Multi-family (3+ units) should be allowed on lots over 7,500 square feet.</li> </ul>
3.	Mixed-Use 3	<ul style="list-style-type: none"> <li><b>Location:</b> This district is recommended along Highway 24 between the 500 and 800 Blocks.</li> <li><b>Purpose:</b> 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 multi-family homes.</li> <li><b>Dimensional Standards:</b> Minimum lot size should be 5,000 square feet, and multi-family 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.</li> </ul>
4.	100-Block	<ul style="list-style-type: none"> <li>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.</li> </ul>
5.	Transit-Oriented Development (TOD)	<ul style="list-style-type: none"> <li><b>Location:</b> This district is recommended for Dowd Junction, to allow a mix of uses and higher densities oriented around ECO Transit.</li> <li><b>Purpose:</b> 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.</li> </ul>

**b. Explore Options for the Type of Land Use Code Best Suited for Minturn.** Minturn’s 2023 Community Plan, 2023-2025 Strategic Plan, and the initial Minturn Forward stakeholder comments emphasize the importance of “Keeping Minturn, Minturn.” Put another way, the Town’s character is of the utmost importance to the community. There has been interest expressed in better understanding the different options for the type of Land Use Code that could result from this update such as a “Form-Based Code” or a “Hybrid Code” (refer to the descriptions below for further information on different types of Land Use Codes). As part of the update to Minturn’s Land Use Code, there will be discussions with elected and appointed officials, stakeholders, and the broader community to determine what type of Land Use Code is best-suited for facilitating the implementation of the Town’s Vision.

- **Traditional Code:** This type of Land Use Code, commonly referred to as “Euclidean Zoning,” focuses on separating land use types (ex. residential, commercial, industrial, etc.) into different Zone Districts in an attempt to limit the impacts that these uses may have on each other. Minturn’s existing Land Use Code would be considered a Traditional Code.
- **Form-Based Code:** This type of Land Use Code focuses on the physical form of buildings rather than the separation of different types of land uses. Form-Based Codes commonly address the form and mass of buildings in relation to each other, the relationship between buildings and the “public realm” (ex. streets, parks, plazas, etc.), and the scale and types of streets and blocks. Advocates of Form-Based Codes argue that the form of buildings is more important than the use in determining community character.
- **Hybrid Code:** This type of Land Use Code mixes elements of a Traditional Code and Form-Based Code. In other words, this type of code is a hybrid between a Traditional Code and Form-Based Code.

**c. Craft Regulations that Enable Creativity and Enhance Minturn’s Character.** As noted, the preservation and enhancement of Minturn’s unique and authentic character is a top priority for the community. Creative ideas and design, specifically those related to land uses and types of development in Minturn, have been cited as key elements that contribute to the Town’s “funkiness.” The update to the Land Use Code will explore options for revising existing regulations and incorporating additional provisions, as necessary, to enable the type of creative development and land uses that the community wants. In conjunction with this, the update process will also look for opportunities to increase the flexibility of the Town’s land use regulations and standards. This is discussed in greater detail on page 14.

**d. Consolidate and Update Use Tables to Ensure Alignment With the 2023 Community Plan.** Minturn’s existing Land Use Code provides Use Tables for Zone Districts within the Town’s Character Area. These Use Tables list the types of land uses that are permitted by right, are a Conditional Use, require a Limited Review, or are not permitted in the Town’s Zone Districts. Assuming that Minturn continues to have a Land Use Code with Use Tables, the update to the Code will work to consolidate the existing Use Tables into a single table and ensure that the types of land uses listed in the table, align with the community’s Vision.

With the consolidation of Use Tables, it will be important to review and revise the types of land uses permitted in each of the Town’s Zone Districts to ensure that they align with, and facilitate the implementation of, the 2023 Community Plan.

**e. Ensure Regulations Address the Community’s Environmental Concerns.** Minturn’s Community Plan and Strategic Plan express the community’s desire to pursue efforts that work to protect the natural environment (i.e., health of rivers/streams, potable water supply, air quality, wildlife, etc.) and the community from natural hazards, such as wildfires and flooding. The update to the Land Use Code will include a review and evaluation of existing regulations to determine what changes may be necessary to ensure that the Town’s Code is working to preserve and enhance the natural environment and protect the community from potential hazards. The recommendations set forth in the Community Plan and Strategic Plan (ex. “*Incorporate “Firewise” guidelines in building and site-planning requirements.*”) will be used to guide the revisions made to the Town’s regulations regarding the natural environment and natural hazards.

**f. Align the Code with the Community’s Transportation Objectives.** There is an important relationship between land use/development patterns and the way people move around within, as well as to/from destinations outside of, the community. Chapter 6 of Minturn’s Community Plan sets forth recommendations for intuitive mobility, circulation, and connectivity. For example, Action 6.2.1 states: “*Coordinate land use planning with the transportation system by locating new development near bus stops.*” Given the relationship between land use/development patterns and transportation, the Code update will use the Community Plan’s recommendations to inform decisions about where to locate types of land uses and development in Minturn, as well as modifying the Town’s development standards and requirements (ex. off-street parking requirements) to align with the community’s Vision.

### 3. Enhance Review Processes

**a. Explore Options to Clarify, Simplify, and Streamline Application Review Procedures.** The update to Minturn’s Land Use Code will explore options for clarifying, simplifying, and streamlining review processes for the applications and permits set forth in Chapter 16- Zoning and Chapter 17- Subdivisions. Some of the Town’s existing review procedures are a bit unclear as to what steps are required. This is problematic for an applicant who is trying to understand the Town’s requirements and processes, as well as for the Town that is working to administer the review process. Further, some of the Town’s review processes seem a bit cumbersome and could be streamlined to lessen burdens on applicants, town staff, the Planning Commission, and Town Council. For example, it is uncommon for a Sign Permit application to be reviewed and decided upon by the Planning Commission. It is more common for the review of, and decision on, a Sign Permit application to be handled administratively (i.e., by the Planning Department).

Table 4 provides a summary of the Town’s existing review procedures for applications and permits set forth in Chapter 16 and 17.

**TABLE 4: EXISTING REVIEW PROCEDURES FOR APPLICATIONS & PERMITS**

Application Type	Pre-Application Conference	Town Staff	Planning Commission/ Design Review Board	Town Council/ Zoning Board of Appeals
		LEGEND: R = Reviews and Provides Recommendation(s); D = Reviews and Makes Final Decision; ? = Unclear as to What is Required		
<b>ZONING</b>				
Design Review	Required	R	D	-
Conditional Use	Required	R	R	D
Limited Review Use/ Certificate of Zoning Compliance	Required	D	-	-
Temporary Use Permit	Required	D	-	-
Zoning Variance	Required	R	R	D
Code Amendments	Required	R	R	D
Amendments to Zoning District Regulations or Zoning Map	Required	R	R	D
Planned Unit Development (PUD)	Required	R	R	D
Environmental Impact Report (if required by Planning Commission)	?	R	R <sup>1</sup>	R <sup>1</sup>
Sign Permit	?	R	D	-
Sign Variance	Required	R	R	D
<b>ANNEXATION OR DISCONNECTION OF LAND</b>				
Annexation by Ordinance <sup>2</sup>	?	R	-	D
Annexation by Election <sup>2</sup>	?	R	-	D <sup>3</sup>
Annexation of Enclave or Town-Owned Property <sup>2</sup>	?	R	-	D
Disconnection of Land	?	R	-	D
<b>SUBDIVISIONS</b>				
Correction Plat	?	D	-	-
Administrative Replat	Required	D	-	D (if referred to Town Council by Planning Director)
Subdivision Variance	?	R	?	D
Preliminary Subdivision Plat	?	R	R	D
Final Subdivision Plat	?	R	R	D
Estate Lots	?	D	-	-
Ranch Lots	?	R	D	D (if called-up by Town Council)
Subdivision Improvements Agreement	?	R	-	D
Amended Final Plat	?	D	-	-

**TABLE 4: EXISTING REVIEW PROCEDURES FOR APPLICATIONS & PERMITS (CONTINUED)**

Application Type	Pre-Application Conference	Town Staff	Planning Commission/ Design Review Board	Town Council/ Zoning Board of Appeals
		LEGEND: R = Reviews and Provides Recommendation(s); D = Reviews and Makes Final Decision; ? = Unclear as to What is Required		
<b>SUBDIVISIONS (continued)</b>				
Minor Subdivision- Type B <sup>5</sup>	?	D	-	-
Vacation of Public Easements or Rights-of-Way	?	R	R	D
<b>COMMUNITY PLAN</b>				
Community Plan Update	-	R	R	D
Community Plan Amendments	-	R	R	D

NOTES:

<sup>1</sup> The Planning Commission and/or Town Council review an Environmental Impact Report in conjunction with any application that such a report is required for.

<sup>2</sup> The review procedures for Annexations is primarily governed by State Statute.

<sup>3</sup> If approved by the eligible electors, the Town Council may, by Ordinance, annex the area.

<sup>4</sup> Type A Minor Subdivision: a subdivision creating not more than six (6) lots within property that has not previously been platted.

<sup>5</sup> Type B Minor Subdivision: a subdivision creating not more than six (6) lots within a legally approved subdivision, or is a subdivision of a building containing condominiums, townhomes or duplexes, which may include the subdivision of land directly associated with that building.

**b. Improve Application Requirements.** Some of the Town’s existing requirements for development and subdivision applications could be improved to reduce potential liability for the Town and to enhance the application submittal process. As part of the update to the Town’s Land Use Code, the requirements for the Town’s development and subdivision applications will be reviewed and amended to ensure that they are structured to protect the Town and don’t place unnecessary burdens on applicants or the Town.

The existing public notice requirements (refer to Section 16-21-610) require the Town’s Planning Department to publish notice of a public hearing in the local newspaper. This can become problematic if the Planning Department makes a mistake when publishing notice and it adversely impacts the review of a constituent’s application. In other words, this requirement potentially makes the Town liable for mistakes made during the public notice process. It is recommended that this provision be changed, as part of the update to the Land Use Code, to ensure that all public notice responsibilities lie with the applicant.

Some of the Town’s existing requirements for applications set forth a specific number of copies that must be submitted to the Town. For example, an applicant must submit twenty (20) copies of an application for a Preliminary Subdivision Plat (refer to Section 17-5-10). Having a set number of application copies set forth in the Town’s Land Use Code can result in an excessive number of applications being submitted to the Town. Further, these types of requirements don’t take into consideration modern technology and the ability to submit applications in an electronic format (i.e., a PDF). It is recommended that any of these provisions be modified, as part of the Land Use Code update, to allow the Planning Director to determine how many printed and electronic copies of an application be submitted to the Town.

**4. Create More Opportunities For A Range of Housing Options for Full-Time Residents**

**a. Expand the Types of Housing Permitted in Minturn.** Prioritizing housing for full-time residents and working to ensure that residents of all ages and income levels are able to find housing in Minturn is an important Objective (Objective 4.6) identified in the Community Plan. With this in mind, the update to the Land Use Code will work to expand housing opportunities for full-time residents and explore options for addressing the need for a greater diversity of housing types and price-points in Minturn.

**b. Reduce Potential Barriers to Housing Development.** Dimensional Standards (i.e., minimum lot sizes, setbacks, minimum building widths, and lot coverage limits), off-street parking requirements, open space requirements, and minimum unit sizes are often cited as barriers to housing development, specifically “affordable/attainable” housing. With the objective of expanding housing options for full-time residents in mind, the update to Minturn’s Land Use Code will look for opportunities to revise the Town’s existing Development Standards to reduce and/or eliminate barriers to the types of housing desired by the community. The 2023 Community Plan offers recommendations for how to modify the Town’s existing Development Standards to reduce or eliminate barriers to housing development. These recommendations will be used to inform and guide the revisions to the Town’s existing Development Standards.

## 5. Increase Flexibility of Regulations & Standards

**a. Evaluating Regulations for Non-Conformities.** As noted in the Community Plan (refer to p. 19), Minturn’s existing regulations for non-conforming uses, lots, and structures can inhibit the preservation, enhancement, and/or development of non-conforming uses, properties, and/or buildings. This works against the community’s efforts to preserve and enhance Minturn’s character as these “...*non-conformities support the character and sense of funkiness around Minturn.*” Therefore, the update to the Land Use Code will include a review of, and modifications to, the Town’s regulations for non-conformities to provide greater flexibility and support the community’s desire to preserve, enhance, and/or develop nonconforming uses, lots, and/or structures, as appropriate.

**b. Alternative Compliance Measures.** Alternative compliance measures are a great way to build flexibility into a Land Use Code. Alternative compliance measures enable an applicant/developer to propose other options for meeting the intent of the Town’s requirements. For example, if alternative compliance measures were permitted for off-street parking requirements, an applicant/developer would have the ability to propose creative solutions for addressing some, or all, of their required off-street parking (i.e., providing parking in off-site garages, off-site common parking areas, shared parking spaces, etc.) rather than having to strictly adhere to the Town’s parking requirements.

Alternative compliance measures enable the Town to collaborate with an applicant/developer on creative solutions for satisfying Code requirements and builds flexibility into the Code. The update to the Land Use Code will explore opportunities to incorporate alternative compliance measures into the Code and incorporate criteria for such measures to ensure that the intent of the applicable regulations is satisfactorily addressed by an applicant/developer.

**c. Evaluate Historic Preservation Regulations.** Preservation of Minturn’s historic resources and landmarks is identified as a key objective in the 2023 Community Plan. The Town has Historic Preservation regulations in place in an effort to preserve the community’s history. However, in discussions with stakeholders, there was expressed interest in exploring options for creating greater flexibility in the Historic Preservation regulations to enable the preservation and maintenance of historic properties without necessitating a review and approval by the Town’s Historic Preservation Commission. Therefore, options for providing greater flexibility in the Town’s Historic Preservation regulations will be explored as part of the update to the Town’s Land Use Code.

## 6. Explore Options to Promote/Incentivize Certain Types of Development

**a. Types of Incentives.** Municipalities have access to a variety of tools (ex. regulations and fees) that can be used to promote/incentivize certain types of development. The following incentives will be explored via the update to Minturn’s Land Use Code to encourage the types of development that are desired by the community.

- **Unit Bonuses:** Unit bonuses (also referred to as “density bonuses”) are a regulatory incentive that can be structured in a way that allow a developer(s) to build additional units in exchange for their project offering a benefit to the community, such as a certain number of deed-restricted units. By increasing the total number of units, a developer has the ability to increase the profitability and feasibility of their project, while at the same time providing the community with “affordable/attainable” housing units that do not require public subsidies.

Unit bonuses are commonly used to promote/incentivize residential development in targeted areas of a community (ex. a downtown), where higher-density development is desired.

- **Regulatory Incentives:** Increased building height allowances, reduced off-street parking requirements, etc. are other ways that a municipality can structure their regulations to incentive certain types of development that are desired by the community.
- **Straightforward & Expedited Review Processes:** Uncertainty and delays during any stage of the development process increase the risk and costs associated with a project. Straightforward and expedited review and approval processes for select types of projects can help to reduce land holding times/costs and provide greater certainty to the development process.

A straightforward and expedited process might include a prioritized review of an land use application and/or building permit, and might also include a simplified review/approval process (ex. review and approval by town staff).

The following are additional types of incentives that could be employed by the Town to encourage certain types of development in Minturn. These incentives are being listed separately because they will likely need to be explored outside of the process for updating Minturn’s Land Use Code.

- **Fee Waivers or Reductions:** Waivers or reductions in application review fees, building permit fees, tap fees, etc. are another way that municipalities can work to incentivize certain types of development.



- **Low- or No-Interest Revolving Loan Fund:** A low- or no-interest revolving loan fund (RLF), administered by the Town, could serve as a source capital for the re-use/re-purposing of existing commercial and industrial, infill development projects, a business start-up, expansion of an existing business, etc.

The Town of Carbondale, CO has an RLF that could serve as a template for developing an RLF in Minturn. More information about Carbondale’s RLF can be found here:

[https://carbondalegov.org/departments/finance/revolving\\_loan\\_fund.php](https://carbondalegov.org/departments/finance/revolving_loan_fund.php)

- **Explore Options for Adopting a Housing Rehabilitation Code:** In effort to provide greater options for non-conformities in Minturn and expand housing opportunities, for full-time residents, the Town could explore options for adopting a Housing Rehabilitation Code (i.e., a building code designed to reduce the costs to renovate and rehabilitate existing buildings) that could help to improve the availability and habitability of Minturn’s older housing stock.

Additional information about Housing Rehabilitation Codes can be found here:

<https://www.localhousingsolutions.org/act/housing-policy-library/housing-rehabilitation-codes-overview/housing-rehabilitation-codes/>

## 7. Ensure Compliance With Court Rulings

**a. Sign Regulations.** In 2015, the U.S. Supreme Court made a ruling in the case of Reed v. Town of Gilbert that invalidated the Town’s sign ordinance because it treated signs differently based on their content. In the wake of Reed v. Town of Gilbert, a number of municipalities have worked to review and update their sign codes to ensure that they are truly content neutral.

The update to Minturn’s Land Use Code will include a careful review and update of the Town’s sign regulations to ensure that they are not content-based and adhere to the Supreme Court’s ruling.

Additional information about the implications of the courts ruling in Reed v. Town of Gilbert can be found via the following links:

- New Rules for Your Sign Code  
[https://www.cml.org/docs/default-source/uploadedfiles/issues/planning/signs-reed-article.pdf?sfvrsn=1eada221\\_0](https://www.cml.org/docs/default-source/uploadedfiles/issues/planning/signs-reed-article.pdf?sfvrsn=1eada221_0)
- “All is Not Lost” – Updating your Sign Code after the Reed v. Town of Gilbert Case  
[http://mrsc.org/getmedia/5a20b7f6-5f6c-4aba-9409-35cc6617f1d9/2016\\_07\\_21-MRSC-Sign-Code-Presentation.pdf.aspx](http://mrsc.org/getmedia/5a20b7f6-5f6c-4aba-9409-35cc6617f1d9/2016_07_21-MRSC-Sign-Code-Presentation.pdf.aspx)

**b. Regulations for Adult Entertainment Establishments.** Minturn’s existing zoning regulations do not include provisions for “Adult Entertainment Establishments” (i.e., “Sexually Oriented Businesses”). This might be an issue as it may be unconstitutional to completely prohibit these types of land uses from the community. Town staff will confer with the Town Attorney to determine if it will be necessary, from a legal standpoint, to include provisions for Adult Entertainment Establishments in the update to the Minturn’s Land Use Code.

If it is necessary to include provisions for these types of land uses, town staff will work with elected and appointed officials, stakeholders, and the broader community to determine where in Minturn these uses are to be permitted and the specific standards that apply to these uses. There are many examples of specific standards, from other Colorado communities, that can be used as a template for developing standards for Minturn.

# APPENDICES

## Appendix A

The following table (Table 1) provides suggestions for how to re-organize and consolidate the town's existing Land Use Code.

**TABLE 1: EXISTING AND SUGGESTED ORGANIZATION OF LAND USE CODE**

Current Organization	Suggested Reorganization & Consolidation
<p><b>Chapter 16 - Zoning</b></p> <p><b>Article 1: General Provisions</b></p> <ul style="list-style-type: none"> <li>Section 16-1-10: Title of Provisions</li> <li>Section 16-1-20: Purpose of Provisions</li> <li>Section 16-1-30: Statutory Authority</li> <li>Section 16-1-40.: Jurisdiction</li> <li>Section 16-1-50: Interpretation</li> <li>Section 16-1-60: Application of Regulations</li> <li>Section 16-1-70: Annexation and Disconnection Procedure</li> <li>Section 16-1-80: Relationship to Existing Ordinances</li> <li>Section 16-1-90: Enforcement and Penalties</li> <li>Section 16-1-100: Severability</li> </ul> <p><b>Article 2: Definitions, Illustrations and Lot Standards</b></p> <ul style="list-style-type: none"> <li>Section 16-2-10: Purpose</li> <li>Section 16-2-20: Definitions</li> <li>Section 16-2-30: Illustrations</li> <li>Section 16-2-40: General Lot Requirements and Dimensional Standards</li> <li>Section 16-2-50: Specific Lot Requirements and Dimensional Standards</li> <li>Section 16-2-60: Building Height Limitations for All Zone Districts Except 100 Block Zones</li> <li>Section 16-2-65: 100 Block Zones Building Height Limitations</li> <li>Section 16-2-70, 16-2-80: Reserved</li> </ul> <p><b>Article 3: Character Areas and Zones</b></p> <ul style="list-style-type: none"> <li>Section 16-3-10: Character Areas and Zones Established</li> <li>Section 16-3-20: Character Area and Zone Map Adopted</li> <li>Section 16-3-30: Character Area and Zone Boundaries</li> <li>Section 16-3-40: Boundary Determination</li> <li>Section 16-3-50: Use Tables</li> <li>Section 16-3-60: Use Not Listed</li> </ul> <p><b>Article 4: Meadow Mountain Character Area</b></p> <ul style="list-style-type: none"> <li>Section 16-4-10: Character Area Characteristics</li> <li>Section 16-4-20: Federally Regulated Area</li> <li>Section 16-4-30: Meadow Mountain Federally Regulated Area Map</li> </ul> <p><b>Article 5: Grouse Creek Character Area</b></p> <ul style="list-style-type: none"> <li>Section 16-5-10: Character Area Characteristics</li> <li>Section 16-5-20: Grouse Creek Commercial Zone</li> <li>Section 16-5-30: Grouse Creek Character Area Map</li> <li>Section 16-5-40: Grouse Creek Character Area Use Table</li> <li>Section 16-5-50: Grouse Creek Character Area Limited Use Standards</li> <li>Section 16-5-60: Supplemental Regulations and Site Development Standards</li> </ul> <p><b>Article 6: Old Town Character Area</b></p> <ul style="list-style-type: none"> <li>Section 16-6-10: Character Area Characteristics</li> <li>Section 16-6-20: Old Town Residential Zone</li> <li>Section 16-6-30: Old Town Commercial Zone</li> <li>Section 16-6-35: 100 Block Commercial Zones</li> </ul>	<p><b>Chapter 16 - Land Use &amp; Development Code</b></p> <p><b>Article 1: General Provisions</b></p> <ul style="list-style-type: none"> <li>Section 16-1-10: Title</li> <li>Section 16-1-20: Effective Date</li> <li>Section 16-1-30: Purpose</li> <li>Section 16-1-40: Authority, Jurisdiction &amp; Applicability</li> <li>Section 16-1-50: Severability</li> <li>Section 16-1-60: Administration <ul style="list-style-type: none"> <li>Subsection 16-1-60-A: General Provisions</li> <li>Subsection 16-1-60-B: Interpretation</li> <li>Subsection 16-1-60-C: Conflicting Provisions</li> <li>Subsection 16-1-60-D: Review &amp; Decision-Making Bodies</li> </ul> </li> <li>Section 16-1-70: Fees &amp; Costs <ul style="list-style-type: none"> <li>Subsection 16-1-70-A: Purpose &amp; Applicability</li> <li>Subsection 16-1-70-B: Application Review Fees &amp; Costs</li> <li>Subsection 16-1-70-C: Reimbursement of Fees &amp; Costs</li> <li>Subsection 16-1-70-D: Fee &amp; Cost Incentives</li> <li>Subsection 16-1-70-E: Unpaid Fees &amp; Costs</li> </ul> </li> <li>Section 16-1-80: Enforcement <ul style="list-style-type: none"> <li>Subsection 16-1-80-A: Purpose &amp; Applicability</li> <li>Subsection 16-1-80-B: Violations, Remedies &amp; Penalties</li> </ul> </li> <li>Section 16-1-90: Vested Property Rights <ul style="list-style-type: none"> <li>Subsection 16-1-90-A: Purpose &amp; Applicability</li> <li>Subsection 16-1-90-B: Procedure for Obtaining Vested Property Rights</li> <li>Subsection 16-1-90-C: Other Provisions Unaffected</li> <li>Subsection 16-1-90-D: Exceptions</li> </ul> </li> <li>Section 16-1-100: Transition from Prior Regulations <ul style="list-style-type: none"> <li>Subsection 16-1-100-A: Purpose &amp; Applicability</li> <li>Subsection 16-1-100-B: Nonconforming Uses</li> <li>Subsection 16-1-100-C: Nonconforming Lots</li> <li>Subsection 16-1-100-D: Nonconforming Structures</li> </ul> </li> <li>Section 16-1-110: Development &amp; Subdivision Improvements Agreement</li> </ul> <p><b>Article 2: Zone Districts</b></p> <ul style="list-style-type: none"> <li>Section 16-2-10: General Provisions <ul style="list-style-type: none"> <li>Subsection 16-2-10-A: Purpose &amp; Applicability</li> <li>Subsection 16-2-10-B: Zoning of Annexed Land</li> <li>Subsection 16-2-10-C: Principal and Accessory Uses</li> </ul> </li> <li>Section 16-2-20: Establishment of Zone Districts</li> <li>Section 16-2-30: Zone District Boundaries</li> <li>Section 16-2-40: Zoning Map</li> <li>Section 16-2-50: Overlay Zone Districts</li> <li>Section 16-2-60: Planned Unit Development (PUDs)</li> </ul> <p><b>Article 3: Use Regulations &amp; Standards</b></p> <ul style="list-style-type: none"> <li>Section 16-3-10: Permitted, Conditional, Limited, and Prohibited Uses</li> <li>Section 16-3-20: Classification of Unlisted Use</li> <li>Section 16-3-30: Table of Uses</li> <li>Section 16-3-40: Accessory Uses &amp; Structures</li> </ul>

**TABLE 1: EXISTING AND SUGGESTED ORGANIZATION OF LAND USE CODE (CONTINUED)**

Current Organization	Suggested Reorganization & Consolidation
<p><b>Chapter 16 - Zoning (continued)</b></p> <p><b>Article 6: Old Town Character Area (continued)</b></p> <p>Section 16-6-40: Old Town Mixed-Use Zone</p> <p>Section 16-6-50: Old Town Recreation and Open Space Zone</p> <p>Section 16-6-60: Old Town Character Area Map</p> <p>Section 16-6-70: Old Town Character Area Use Table</p> <p>Section 16-6-80: Old Town Character Area Limited Use Standards</p> <p>Section 16-6-90: Supplemental Regulations and Standards</p> <p><b>Article 7: South Town Character Area</b></p> <p>Section 16-7-10: Character Area Characteristics</p> <p>Section 16-7-20: South Town Residential Zone</p> <p>Section 16-7-30: South Town Commercial Zone</p> <p>Section 16-7-40: South Town Federally Regulated Area</p> <p>Section 16-7-50: South Town Character Area Map</p> <p>Section 16-7-60: South Town Character Area Use Table</p> <p>Section 16-7-70: South Town Character Area Limited Use Standards</p> <p>Section 16-7-80: Supplemental Regulations and Standards</p> <p><b>Article 8: Martin Creek Character Area</b></p> <p>Section 16-8-10: Character Area Characteristics</p> <p>Section 16-8-20: Martin Creek Residential Estate Zone</p> <p>Section 16-8-30: Martin Creek Character Area Map</p> <p>Section 16-8-40: Martin Creek Character Area Use Table</p> <p>Section 16-8-50: Martin Creek Character Area Limited Use Standards</p> <p>Section 16-8-60: Supplemental Regulations and Standards</p> <p><b>Article 9: Cross Creek Character Area</b></p> <p>Section 16-9-10: Character Area Characteristics</p> <p>Section 16-9-20: Cross Creek Residential Zone</p> <p>Section 16-9-30: Cross Creek Mixed-Use Zone</p> <p>Section 16-9-40: Federally Regulated Area</p> <p>Section 16-9-45: Cross Creek Recreation and Open Space Zone</p> <p>Section 16-9-50: Cross Creek Character Area Map</p> <p>Section 16-9-60: Cross Creek Character Area Use Table</p> <p>Section 16-9-70: Cross Creek Character Area Limited Use Standards</p> <p>Section 16-9-80: Supplemental Regulations and Standards</p> <p><b>Article 10: Bolt’s Lake, Gilman, Willow Creek, Rock Creek and Holy Cross Character Areas</b></p> <p>Section 16-10-10: Establishment of Bolt’s Lake, Gilman, Willow Creek, Rock Creek and Holy Cross Character Areas</p> <p>Section 16-10-20: Character Area Characteristics</p> <p>Section 16-10-25: Willow Creek, Rock Creek and Holy Cross Character Areas Map</p> <p>Section 16-10-30: Permitted Uses of Ranch Lots and Estate Lots</p> <p>Section 16-10-35: Master Map for Mountain Top Area</p> <p>Section 16-10-40: Terms and Conditions Applicable to Ranch Lots and Estate Lots</p>	<p><b>Chapter 16 - Land Use &amp; Development Code (continued)</b></p> <p><b>Article 3: Use Regulations &amp; Standards (continued)</b></p> <p>Section 16-3-40: Accessory Uses &amp; Structures</p> <p>Subsection 16-3-40-A: Purpose &amp; Applicability</p> <p>Subsection 16-3-40-B: Table of Accessory Uses &amp; Structures</p> <p><i>Examples:</i></p> <ul style="list-style-type: none"> <li>• Home Occupations</li> <li>• Accessory Structures</li> <li>• Accessory Dwelling Units (ADUs)</li> </ul> <p>Section 16-3-50: Temporary Uses &amp; Structures</p> <p>Subsection 16-3-50-A: Purpose &amp; Applicability</p> <p>Subsection 16-3-50-B: Table of Temporary Uses &amp; Structures</p> <p><i>Examples:</i></p> <ul style="list-style-type: none"> <li>• Carnival, Circus, Fair, or Similar Community Event</li> <li>• Construction Office, Yards, or Similar Type of Use Incidental to Construction on the Premises</li> <li>• Garage Sales</li> <li>• Parklets</li> <li>• Mobile Food Vendors/Food Trucks</li> </ul> <p>Section 16-3-60: General Use Standards</p> <p>Subsection 16-3-60-A: Purpose</p> <p>Subsection 16-3-60-B: Applicability</p> <p>Subsection 16-3-60-C: Noise and Vibration Standards</p> <p>Subsection 16-3-60-D: Air Quality, Smoke, and Particulate Standards</p> <p>Subsection 16-3-60-E: Water Quality Standards</p> <p>Subsection 16-3-60-F: Heat, Glare, Radiation, and Electrical Interference</p> <p>Subsection 16-3-60-G: Storage of Hazardous and Nonhazardous Materials</p> <p>Section 16-3-70: Use Specific Standards</p> <p><i>Examples:</i></p> <ul style="list-style-type: none"> <li>• Accessory Dwelling Units (ADUs)</li> <li>• Accessory Structure</li> <li>• Bed &amp; Breakfast</li> <li>• Day Care Center</li> <li>• Group Homes</li> <li>• Home Occupation</li> <li>• Marijuana Establishments</li> <li>• Mobile Home Parks</li> <li>• RV Parks</li> <li>• Sexually Oriented Businesses</li> <li>• Short-term Rentals</li> <li>• Utility &amp; Communication Facilities</li> </ul> <p><b>Article 4: Dimensional Requirements</b></p> <p>Section 16-4-10: Table of Dimensional Requirements for All Zone Districts</p> <p><i>Examples:</i></p> <ul style="list-style-type: none"> <li>• Minimum Lot Size Requirements</li> <li>• Minimum Setback Requirements</li> <li>• Maximum Lot Coverage Standards</li> <li>• Building Height Restrictions</li> <li>• Minimum Lot Frontage Requirements</li> </ul> <p>Section 16-4-20: Exceptions to Setback Requirements</p> <p>Section 16-4-30: Exceptions to Building Height Restrictions</p> <p>Section 16-4-40: Measurement Standards</p> <p>Subsection 16-4-40-A: Lot Size Measurements</p> <p>Subsection 16-4-40-B: Setback Measurements</p>

**TABLE 1: EXISTING AND SUGGESTED ORGANIZATION OF LAND USE CODE (CONTINUED)**

Current Organization	Suggested Reorganization & Consolidation
<p><b>Chapter 16 - Zoning (continued)</b></p> <p><b>Article 11: Lionshead Character Area</b>            Section 16-11-10: Character Area Characteristics            Section 16-11-20: Recreation and Open Space Zone            Section 16-11-30: Light Industry and Public Facilities Zone            Section 16-11-40: Lionshead Character Area Map            Section 16-11-50: Lionshead Character Area Use Table            Section 16-11-60: Lionshead Character Area Limited Use Standards            Section 16-11-70: Supplemental Regulations and Standards</p> <p><b>Article 12: Game Creek Character Area</b>            Section 16-12-10: Character Area Characteristics            Section 16-12-20: Game Creek Residential Zone            Section 16-12-30: Game Creek PUD Holding Zone            Section 16-12-40: Game Creek Character Area Map            Section 16-12-50: Game Creek Character Area Use Table            Section 16-12-60: Game Creek Character Area Limited Use Standards            Section 16-12-70: Supplemental Regulations and Standards</p> <p><b>Article 13: Eagle River Character Area</b>            Section 16-13-10: Character Area Characteristics            Section 16-13-20: Recreation and Open Space Zone            Section 16-13-30: Eagle River Character Area Map            Section 16-13-40: Eagle River Character Area Use Table            Section 16-13-50: Supplemental Regulations and Standards</p> <p><b>Article 14: Transportation Character Area</b>            Section 16-14-10: Character Area Characteristics            Section 16-14-20: Railroad Right-of-Way/Transportation Zone            Section 16-14-30: Transportation Character Area Map            Section 16-14-40: Transportation Character Area Use Table            Section 16-14-50: Supplemental Regulations and Standards</p> <p><b>Article 14.5: Maloit Park Character Area</b>            Section 16-14.5-10: Character Area Characteristics            Section 16-14.5-20: Maloit Park Mixed-Use Zone            Section 16-14.5-30: Maloit Park Public Facilities Zone            Section 16-14.5-40: Maloit Park Recreation and Open Space Zone            Section 16-14.5-50: Maloit Park Character Area Map            Section 16-14.5-60: Maloit Park Character Area Use Table</p> <p><b>Article 15: Planned Unit Development (PUD) Overlay Zone District</b>            Section 16-15-10: Purpose and General Provisions            Section 16-15-20: Authority            Section 16-15-30: General Applicability            Section 16-15-40: Minimum Land Area            Section 16-15-50: Location            Section 16-15-60: Procedure            Section 16-15-70: General Standards            Section 16-15-80: Fees</p>	<p><b>Chapter 16 - Land Use &amp; Development Code (continued)</b></p> <p><b>Article 4: Dimensional Requirements (continued)</b>            Section 16-4-40: Measurement Standards (continued)            Subsection 16-4-40-C: Building Height Measurements</p> <p><b>Article 5: Zoning Application Requirements &amp; Procedures</b>            Section 16-5-10: General Provisions            Subsection 16-5-10-A: Purpose &amp; Applicability            Subsection 16-5-10-B: Summary of Application Types &amp; Review Procedures            Subsection 16-5-10-C: Summary of Public Notice Requirements            Subsection 16-5-10-D: Concurrent Review of Applications            Subsection 16-5-10-E: Procedure for Appealing a Decision</p> <p>Section 16-5-20: Conditional Use            Subsection 16-5-20-A: Applicability            Subsection 16-5-20-B: Application Submittal Requirements            Subsection 16-5-20-C: Application Review Criteria &amp; Procedures</p> <p>Section 16-5-30: Limited Use            Subsection 16-5-30-A: Applicability            Subsection 16-5-30-B: Application Submittal Requirements            Subsection 16-5-30-C: Application Review Criteria &amp; Procedures</p> <p>Section 16-5-40: Temporary Use            Subsection 16-5-40-A: Applicability            Subsection 16-5-40-B: Application Submittal Requirements            Subsection 16-5-40-C: Application Review Criteria &amp; Procedures</p> <p>Section 16-5-50: Zoning Variance            Subsection 16-5-50-A: Applicability            Subsection 16-5-50-B: Application Submittal Requirements            Subsection 16-5-50-C: Application Review Criteria &amp; Procedures</p> <p>Section 16-5-60: Rezoning/Amendment to Zoning Map            Subsection 16-5-60-A: Applicability            Subsection 16-5-60-B: Application Submittal Requirements            Subsection 16-5-60-C: Application Review Criteria &amp; Procedures</p> <p>Section 16-5-70: Amendment to Land Use &amp; Development Code            Subsection 16-5-70-A: Applicability            Subsection 16-5-70-B: Application Submittal Requirements            Subsection 16-5-70-C: Application Review Criteria &amp; Procedures</p> <p>Section 16-5-80: Planned Unit Development (PUD)            Subsection 16-5-80-A: Applicability            Subsection 16-5-80-B: Application Submittal Requirements            Subsection 16-5-80-C: Application Review Criteria &amp; Procedures</p> <p>Section 16-5-90: Amendment to Planned Unit Development (PUD)            Subsection 16-5-90-A: Applicability            Subsection 16-5-90-B: Application Submittal Requirements            Subsection 16-5-90-C: Application Review Criteria &amp; Procedures</p> <p><b>Article 6: Development/Character Area Standards</b>            Section 16-6-10: General Provisions            Subsection 16-6-10-A: Purpose &amp; Applicability            Subsection 16-6-10-B: Alternative Compliance            Subsection 16-6-10-C: Request for Waiver of Standards</p>

**TABLE 1: EXISTING AND SUGGESTED ORGANIZATION OF LAND USE CODE (CONTINUED)**

Current Organization	Suggested Reorganization & Consolidation
<p><b>Chapter 16 - Zoning (continued)</b></p> <p>Article 15: Planned Unit Development (PUD) Overlay Zone District (continued)</p> <p>Section 16-15-90: Concept Development Plan Application and Checklist</p> <p>Section 16-15-100: Preapplication Conference</p> <p>Section 16-15-110: Concept Plan Submission</p> <p>Section 16-15-120: Concept Development Plan; Planning Commission Review</p> <p>Section 16-15-130: PUD Preliminary Development Plan Application</p> <p>Section 16-15-140: Preliminary Development Plan Submittal Requirements</p> <p>Section 16-15-150: Planned Unit Development (PUD) Agreement for Final Plan</p> <p>Section 16-15-160: PUD/Preliminary Development Plan; Planning Commission Review</p> <p>Section 16-15-170: PUD/Preliminary Development Plan; Town Council Review and Action</p> <p>Section 16-15-180: Substantial Change from Planning Commission Review</p> <p>Section 16-15-190: Effect of Approval of Preliminary Development Plan for PUD</p> <p>Section 16-15-200: Final plan for PUD</p> <p>Section 16-15-210: Minor Planned Unit Development (PUD)</p> <p>Section 16-15-220: Planned Unit Development (PUD) Agreement for Final Development Plan</p> <p>Section 16-15-230: Changes to Approved Plans</p> <p>Section 16-15-240: Enforcement of PUD</p> <p><b>Article 16: Off-Street Parking and Loading</b></p> <p>Section 16-16-10: Standards and Administration</p> <p>Section 16-16-20: Parking Required for Residential and Lodging Uses</p> <p>Section 16-16-30: Parking required for Commercial, Office, and Institutional Uses</p> <p>Section 16-16-40: Parking required for Light Industrial, Warehousing, and Storage Facility Uses</p> <p>Section 16-16-50: Determination of Parking for Uses Not Listed</p> <p>Section 16-16-60: Main Street (Highway 24) Parking</p> <p>Section 16-16-70: Supplemental Parking and Loading Standards</p> <p>Section 16-16-80: Measurement of Floor Area to Determine Parking Spaces Required</p> <p>Section 16-16-90: Clear-Vision Area Requirements</p> <p>Section 16-16-100: General Standards for Parking and Loading Areas</p> <p>Section 16-16-110: Location of Required Parking Spaces</p> <p>Section 16-16-120: Design Requirements for Parking and Loading Areas</p> <p>Section 16-16-130: Snow Storage</p> <p>Section 16-16-140: Landscaping Standards for Parking Areas</p> <p>Section 16-16-150: 100 Block Incentive-Based Parking Program</p> <p><b>Article 17: Supplemental Regulations and Standards</b></p> <p>Section 16-17-10: Generally</p> <p>Section 16-17-20: Minimum Use of Lots</p> <p>Section 16-17-30: Dual Use of Lots</p> <p>Section 16-17-40: Frontage</p>	<p><b>Chapter 16 - Land Use &amp; Development Code (continued)</b></p> <p>Article 6: Development/Character Area Standards (continued)</p> <p>Section 16-6-10: General Provisions (continued)</p> <p>Subsection 16-6-10-D: Land Dedication Requirements</p> <p><i>Subsection 16-6-10-E: Exceptions for Infill Development; Re-Use/Re-Purposing of Existing Development; and Affordable Housing?</i></p> <p>Section 16-6-20: Residential Development Standards</p> <p>Subsection 16-6-20-A: Site Access, Layout &amp; Circulation</p> <p>Subsection 16-6-20-B: Building Design</p> <p>Subsection 16-6-20-C: Open Space</p> <p>Subsection 16-6-20-D: Parking &amp; Loading Spaces</p> <p>Subsection 16-6-20-E: Landscaping, Fencing &amp; Screening</p> <p>Subsection 16-6-20-F: Exterior Lighting</p> <p>Subsection 16-6-20-G: Signs</p> <p>Subsection 16-6-20-H: Supplemental Standards for Character Areas</p> <p>Section 16-6-30: Non-Residential Development Standards</p> <p>Subsection 16-6-30-A: Site Access, Layout &amp; Circulation</p> <p>Subsection 16-6-30-B: Building Design</p> <p>Subsection 16-6-30-C: Open Space</p> <p>Subsection 16-6-30-D: Parking, Loading &amp; Stacking Spaces</p> <p>Subsection 16-6-30-E: Landscaping, Fencing &amp; Screening</p> <p>Subsection 16-6-30-F: Exterior Lighting</p> <p>Subsection 16-6-30-G: Signs</p> <p>Subsection 16-6-30-H: Supplemental Standards for Character Areas</p> <p>Section 16-6-40: Mobile Home Park Development Standards</p> <p>Subsection 16-6-40-A: Site Access, Layout &amp; Circulation</p> <p>Subsection 16-6-40-B: Building Design</p> <p>Subsection 16-6-40-C: Open Space</p> <p>Subsection 16-6-40-D: Parking &amp; Loading Spaces</p> <p>Subsection 16-6-40-E: Landscaping, Fencing &amp; Screening</p> <p>Subsection 16-6-40-F: Exterior Lighting</p> <p>Subsection 16-6-40-G: Signs</p> <p>Subsection 16-6-40-H: Supplemental Standards for Character Areas</p> <p>Section 16-6-50: Development in Sensitive &amp; Natural Hazard Areas</p> <p>Subsection 16-6-50-A: Flood Hazard Areas</p> <p>Subsection 16-6-50-B: Geologic/Steep Slope Hazard Areas</p> <p>Subsection 16-6-50-C: Wildfire Hazard Areas</p> <p>Subsection 16-6-50-D: Wetland &amp; Surface Water Areas</p> <p><b>Article 7: Development Permit Application Requirements &amp; Procedures</b></p> <p>Section 16-7-10: General Provisions</p> <p>Subsection 16-7-10-A: Purpose &amp; Applicability</p> <p>Subsection 16-7-10-B: Summary of Application Types &amp; Review Procedures</p> <p>Subsection 16-7-10-C: Summary of Public Notice Requirements</p> <p>Subsection 16-7-10-D: Concurrent Review of Applications</p> <p>Subsection 16-7-10-E: Procedure for Appealing a Decision</p> <p>Subsection 16-7-10-F: Development Improvements Agreement</p> <p>Section 16-7-20: Design Review/Development Permit</p> <p>Subsection 16-7-20-A: Applicability</p>

**TABLE 1: EXISTING AND SUGGESTED ORGANIZATION OF LAND USE CODE (CONTINUED)**

Current Organization	Suggested Reorganization & Consolidation
<p><b>Chapter 16 - Zoning (continued)</b></p> <p><b>Article 17: Supplemental Regulations and Standards (continued)</b></p> <p>Section 16-17-50: Reserved</p> <p>Section 16-17-60: Building Height Exceptions</p> <p>Section 16-17-70: Hillside Building Regulations</p> <p>Section 16-17-80: Determination of Slope</p> <p>Section 16-17-90: Land and Open Space Dedications</p> <p>Section 16-17-100: Utility Transmissions</p> <p>Section 16-17-110: Underground Utilities</p> <p>Section 16-17-120: Cluster Subdivisions</p> <p>Section 16-17-130: Phasing Standards</p> <p>Section 16-17-140: Landscaping Standards</p> <p>Section 16-17-150: Water Efficient Landscape Standards</p> <p>Section 16-17-160: Landscape Standards and Plan Submittal Required for Multi-Family, Mixed-Use, Commercial Developments, Subdivisions, and Planned Unit Developments</p> <p>Section 16-17-170: Landscape Standards and Plan Submittal for Residential Homes in All Zone Districts for Single-Family Dwellings, Duplexes, Single-Family with Accessory Apartments, and Single-Family with Accessory Dwelling</p> <p>Section 16-17-175: Installation and Maintenance Requirements for All Landscaping</p> <p>Section 16-17-180: Exterior Illumination Standards</p> <p>Section 16-17-190: Reserved</p> <p>Section 16-17-200: Design Standards and Guidelines Adopted</p> <p>Section 16-17-210: Keeping of Fowl; Limitations and Requirements</p> <p>Section 16-17-220: Family Child Care Homes</p> <p><b>Article 18: Health and Safety Standards</b></p> <p>Section 16-18-10: Purpose</p> <p>Section 16-18-20: Applicability</p> <p>Section 16-18-30: Noise and Vibration Standards</p> <p>Section 16-18-40: Air Quality, Smoke, and Particulate Standards</p> <p>Section 16-18-50: Water Quality Standards</p> <p>Section 16-18-60: Heat, Glare, Radiation, and Electrical Interference</p> <p>Section 16-18-70: Storage of Hazardous and Nonhazardous Materials</p> <p><b>Article 19: Sign Regulations</b></p> <p>Section 16-19-10: Short Title</p> <p>Section 16-19-20: Purpose and Intent</p> <p>Section 16-19-30: Definitions</p> <p>Section 16-19-40: Application and Approval Required</p> <p>Section 16-19-50: Permit Process</p> <p>Section 16-19-60: General Regulations</p> <p>Section 16-19-70: Prohibited Signs</p> <p>Section 16-19-80: Exempted Signs</p> <p>Section 16-19-90: Temporary Signs</p> <p>Section 16-19-100: Specific Regulations; Permitted Signs in Residential, Mobile Home, Agriculture and Open Space Zone Districts</p>	<p><b>Chapter 16 - Land Use &amp; Development Code (continued)</b></p> <p><b>Article 7: Development Permit Application Requirements &amp; Procedures (continued)</b></p> <p>Section 16-7-20: Design Review/Development Permit</p> <p>Subsection 16-7-20-B: Application Submittal Requirements</p> <p>Subsection 16-7-20-C: Application Review Criteria &amp; Procedures</p> <p>Section 16-7-30: Sign Permit</p> <p>Subsection 16-7-30-A: Applicability</p> <p>Subsection 16-7-30-B: Application Submittal Requirements</p> <p>Subsection 16-7-30-C: Application Review Criteria &amp; Procedure</p> <p><b>Article 8: Subdivision Standards</b></p> <p>Section 16-8-10: General Provisions</p> <p>Subsection 16-8-10-A: Purpose &amp; Applicability</p> <p>Subsection 16-8-10-B: Alternative Compliance</p> <p>Subsection 16-8-10-C: Request for Waiver of Standards</p> <p>Subsection 16-8-10-D: Land Dedication Requirements</p> <p>Section 16-8-20: Lot &amp; Block Configuration</p> <p>Section 16-8-30: Street, Alley &amp; Sidewalk System Layout &amp; Design</p> <p>Section 16-8-40: Parks, Open Space &amp; Trail Requirements</p> <p>Section 16-8-50: Utilities</p> <p>Section 16-8-60: Stormwater Drainage</p> <p>Section 16-8-70: Erosion &amp; Sedimentation</p> <p>Section 16-8-80: Sensitive &amp; Natural Hazard Areas</p> <p><b>Article 9: Subdivision Application Requirements &amp; Procedures</b></p> <p>Section 16-9-10: General Provisions</p> <p>Subsection 16-9-10-A: Purpose &amp; Applicability</p> <p>Subsection 16-9-10-B: Summary of Application Types &amp; Review Procedures</p> <p>Subsection 16-9-10-C: Summary of Public Notice Requirements</p> <p>Subsection 16-9-10-D: Concurrent Review of Applications</p> <p>Subsection 16-9-10-E: Procedure for Appealing a Decision</p> <p>Subsection 16-9-10-F: Subdivision Improvements Agreement</p> <p>Subsection 16-9-10-G: Covenants</p> <p>Section 16-9-20: Administrative Replat</p> <p>Subsection 16-9-20-A: Applicability</p> <p>Subsection 16-9-20-B: Application Submittal Requirements</p> <p>Subsection 16-9-20-C: Application Review Criteria &amp; Procedures</p> <p>Section 16-9-30: Preliminary Subdivision Plat</p> <p>Subsection 16-9-30-A: Applicability</p> <p>Subsection 16-9-30-B: Application Submittal Requirements</p> <p>Subsection 16-9-30-C: Application Review Criteria &amp; Procedures</p> <p>Section 16-9-40: Final Subdivision Plat</p> <p>Subsection 16-9-40-A: Applicability</p> <p>Subsection 16-9-40-B: Application Submittal Requirements</p> <p>Subsection 16-9-40-C: Application Review Criteria &amp; Procedures</p> <p>Section 16-9-50: Minor Subdivision</p> <p>Subsection 16-9-50-A: Applicability</p> <p>Subsection 16-9-50-B: Application Submittal Requirements</p> <p>Subsection 16-9-50-C: Application Review Criteria &amp; Procedures</p>

**TABLE 1: EXISTING AND SUGGESTED ORGANIZATION OF LAND USE CODE (CONTINUED)**

Current Organization	Suggested Reorganization & Consolidation
<p><b>Chapter 16 - Zoning (continued)</b></p> <p><b>Article 19: Sign Regulations (continued)</b></p> <p>Section 16-19-110: Specific Regulations; Permitted Signs in Commercial and Industrial Zone Districts</p> <p>Section 16-19-120: Specific Regulations; Permitted Signs in Mixed-Use Zone District</p> <p>Section 16-19-130: Nonconforming Signs</p> <p>Section 16-19-140: Variances</p> <p>Section 16-19-150: Enforcement</p> <p><b>Article 20: Environmental Impact Report</b></p> <p>Section 16-20-10: Purpose</p> <p>Section 16-20-20: Preliminary Environmental Assessment</p> <p>Section 16-20-30: Exemptions from Required Report</p> <p>Section 16-20-40: Preparation and Scope</p> <p>Section 16-20-50: Report Contents</p> <p>Section 16-20-60: Additional Materials</p> <p>Section 16-20-70: Cost and Fees</p> <p>Section 16-20-80: Submission</p> <p>Section 16-20-90: Review</p> <p><b>Article 21: Administration and Procedures</b></p> <p><u><b>Division 1: General Provisions</b></u></p> <p>Section 16-21-10: Purpose and Intent</p> <p>Section 16-21-20: Duties and Responsibilities</p> <p>Section 16-21-30: Town Council Powers and Duties</p> <p>Section 16-21-40: Planning Commission</p> <p>Section 16-21-50: Planning Commission as Design Review Board; Powers and Duties</p> <p>Section 16-21-60: Planning Director; Duties</p> <p>Section 16-21-70: Town Attorney; Duties</p> <p>Section 16-21-80: Town Engineer; Duties</p> <p><u><b>Division 2: Procedures</b></u></p> <p>Section 16-21-110: General</p> <p>Section 16-21-120: Provisions of General Applicability</p> <p>Section 16-21-130: Fees</p> <p>Section 16-21-140: Preapplication Conference</p> <p>Section 16-21-150: Common Procedure for Review of Applications</p> <p>Section 16-21-160: Initiation</p> <p>Section 16-21-170: Minimum Contents of Application</p> <p>Section 16-21-180: Determination of Completeness; Referral</p> <p>Section 16-21-190: Recommendation by Planning Department</p> <p>Section 16-21-200: Scheduling of Public Hearings</p> <p>Section 16-21-210: Public Hearing Procedure</p> <p>Section 16-21-220: Conduct of Public Hearing</p> <p>Section 16-21-230: Actions by Decision-Making, Administrative, and Advisory Bodies</p> <p>Section 16-21-240: Extinguishment of Approvals</p> <p>Section 16-21-250: Consolidation</p> <p>Section 16-21-260: Subsequent Permits</p> <p>Section 16-21-270: Successive Applications</p>	<p><b>Chapter 16 - Land Use &amp; Development Code (continued)</b></p> <p><b>Article 9: Subdivision Application Requirements &amp; Procedures (continued)</b></p> <p>Section 16-9-60: Vacation of Public Rights-of-Way &amp; Easements</p> <p>Subsection 16-9-60-A: Applicability</p> <p>Subsection 16-9-60-B: Application Submittal Requirements</p> <p>Subsection 16-9-60-C: Application Review Criteria &amp; Procedures</p> <p><b>Article 10: Community Housing Standards and Guidelines</b></p> <p><u><b>Division 1: Administration</b></u></p> <p>Section 16-10-10: Title</p> <p>Section 16-10-20: Purpose and Findings</p> <p>Section 16-10-30: Applicability</p> <p>Section 16-10-40: Administration</p> <p>Section 16-10-50: Relationship of Regulations to Other Requirements</p> <p>Section 16-10-60: Guidelines for Implementation</p> <p><u><b>Division 2: Community Housing Requirements</b></u></p> <p>Section 16-10-100: Mitigation for Residential Developments</p> <p>Section 16-10-110: Incentives for Residential Developments (Inclusionary Housing) Over One (1) Dwelling Unit</p> <p>Section 16-10-120: Acceptable Methods of Community Housing Mitigation</p> <p>Section 16-10-130: Minimum Requirements</p> <p>Section 16-10-140: Housing Plan</p> <p>Section 16-10-150: Severability</p> <p><b>Article 11: Annexation</b></p> <p>Section 16-11-10: General Provisions</p> <p>Subsection 16-11-10-A: Purpose</p> <p>Subsection 16-11-10-B: Eligibility</p> <p>Subsection 16-11-10-C: Annexation Agreement</p> <p>Subsection 16-11-10-D: Reimbursement for Expenses</p> <p>Subsection 16-11-10-E: Concurrent Review of Applications</p> <p>Subsection 16-11-10-F: Procedure for Appealing a Decision</p> <p>Subsection 16-11-10-G: Avigation Easement</p> <p>Section 16-11-20: Methods of Annexation</p> <p>Subsection 16-11-20-A: Petition for Annexation by Ordinance</p> <p>Subsection 16-11-20-B: Annexation by Election</p> <p>Subsection 16-11-20-C: Annexation of Enclave &amp; Town-Owned Land</p> <p>Section 16-11-30: Petition &amp; Application Requirements</p> <p>Section 16-11-40: Petition &amp; Application Review Procedures</p> <p>Section 16-11-50: Zoning of Annexed Territory</p> <p><b>Article 12: Disconnection of Land</b></p> <p>Section 16-12-10: General Provisions</p> <p>Subsection 16-12-10-A: Purpose</p> <p>Subsection 16-12-10-B: Applicability</p> <p>Subsection 16-12-10-C: Liability for Taxes</p> <p>Subsection 16-12-10-D: Future Levies- Prepayment</p> <p>Subsection 16-12-10-E: Effect of Disconnection on Vested Property Rights</p> <p>Subsection 16-12-10-F: Disconnected Land Subject to Eagle County Land Use Regulations</p>



**TABLE 1: EXISTING AND SUGGESTED ORGANIZATION OF LAND USE CODE (CONTINUED)**

Current Organization	Suggested Reorganization & Consolidation
<p><b>Chapter 16 - Zoning (continued)</b></p> <p>Article 21: Administration and Procedures (continued)</p> <p><u>Division 2: Procedures (continued)</u></p> <p>Section 16-21-280: Interpretations</p> <p><u>Division 3: Amendments</u></p> <p>Section 16-21-410: Amendments to Text of Land Use Regulations or Character Area and Zone District Map</p> <p>Section 16-21-420: Purpose</p> <p>Section 16-21-430: Initiation</p> <p>Section 16-21-440: Procedure</p> <p>Section 16-21-450: Standards</p> <p>Section 16-21-460: Action by Planning Commission</p> <p>Section 16-21-470: Action by Zoning Board of Appeals</p> <p>Section 16-21-480: Notice; Issuance</p> <p>Section 16-21-490: Revocation</p> <p>Section 16-21-500: Appeal of Administrative Decisions</p> <p><u>Division 4: Miscellaneous Provisions</u></p> <p>Section 16-21-610: Public Notice</p> <p>Section 16-21-615: Design Review Applications</p> <p>Section 16-21-620: Conditional Use</p> <p>Section 16-21-630: Limited Use Review</p> <p>Section 16-21-640: Temporary Use Permit</p> <p>Section 16-21-650: Duration of Approvals</p> <p>Section 16-21-660: Violation and Penalty</p> <p>Section 16-21-670: Injunction</p> <p>Section 16-21-680: Temporary Regulations</p> <p>Section 16-21-690: Variances</p> <p>Section 16-21-700: Appeals</p> <p>Section 16-21-710: Vested Property Rights</p> <p>Section 16-21-720: Correction Plat</p> <p>Section 16-21-730: Actions by Planning Commission and Town Council</p> <p>Section 16-21-740: Effect of Pending Litigation or Appeal</p> <p><b>Article 22: Legal Nonconforming Uses, Structures, and Lots</b></p> <p>Section 16-22-10: Purpose and Intent</p> <p>Section 16-22-20: General Provisions</p> <p>Section 16-22-30: Nonconforming Uses and Structures</p> <p>Section 16-22-40: Repair, Maintenance, and Reconstruction</p> <p>Section 16-22-50: Nonconforming Lots of Record</p> <p>Section 16-22-60: Mobile Home Replacement</p> <p>Section 16-22-70: Reduction or Elimination of Certain Nonconforming Uses and Structures</p> <p>Section 16-22-80: Enforcement</p> <p><b>Article 23: Fees</b></p> <p>Section 16-23-10: Fees Established</p> <p>Section 16-23-20: Payment</p> <p>Section 16-23-30: Failure to Remit Payment</p> <p><b>Article 24: Marijuana Establishments</b></p> <p>Section 16-24-10: Authority</p> <p>Section 16-24-20: Definitions</p>	<p><b>Chapter 16 - Land Use &amp; Development Code (continued)</b></p> <p>Article 12: Disconnection of Land (continued)</p> <p>Section 16-12-20: Petition &amp; Application Requirements</p> <p>Section 16-12-30: Petition &amp; Application Review Procedures</p> <p><b>Article 13: Environmental Impact Report</b></p> <p>Section 16-13-10: Purpose</p> <p>Section 16-13-20: Preliminary Environmental Assessment</p> <p>Section 16-13-30: Exemptions from Required Report</p> <p>Section 16-13-40: Preparation and Scope</p> <p>Section 16-13-50: Report Contents</p> <p>Section 16-13-60: Additional Materials</p> <p>Section 16-13-70: Cost and Fees</p> <p>Section 16-13-80: Submission</p> <p>Section 16-13-90: Review</p> <p><b>Article 14: Areas and Activities of State Interest</b></p> <p><u>Division 1: Administration and Designation</u></p> <p>Section 16-14-10: Purpose and Findings</p> <p>Section 16-14-20: Authority</p> <p>Section 16-14-30: Applicability</p> <p>Section 16-14-40: Exemptions</p> <p>Section 16-14-50: Relationship of Regulations to Other Requirements</p> <p>Section 16-14-60: Maps</p> <p>Section 16-14-70: Duties of Town Council</p> <p>Section 16-14-80: Severability</p> <p>Section 16-14-90: Definitions</p> <p>Section 16-14-100: Designation</p> <p>Section 16-14-110: Public Hearing Required</p> <p>Section 16-14-120: Notice of Public Hearing, Mailing, Publication</p> <p>Section 16-14-130: Matters to be Considered at Designation Hearing</p> <p>Section 16-14-140: Record of Designation Proceedings</p> <p>Section 16-14-150: Adoption of Designation and Regulations</p> <p>Section 16-14-160: Recording of Notice of Designation</p> <p>Section 16-14-170: Designation as Matters of State Interest</p> <p><u>Division 2: Permit Authority</u></p> <p>Section 16-14-200: Intent</p> <p>Section 16-14-210: Permit Authority Established</p> <p>Section 16-14-220: Permit Required</p> <p>Section 16-14-230: Judicial Review</p> <p>Section 16-14-240: Pre-application Process</p> <p>Section 16-14-250: Permit Application</p> <p>Section 16-14-260: Permit Application Fee and Costs</p> <p>Section 16-14-270: Submission Requirements for All Permit Applications; Waivers</p> <p>Section 16-14-280: Simultaneous Processing of Other Town Permits</p> <p>Section 16-14-290: Referral Departments and Agencies</p> <p>Section 16-14-300: Permit Hearing</p>

**TABLE 1: EXISTING AND SUGGESTED ORGANIZATION OF LAND USE CODE (CONTINUED)**

Current Organization	Suggested Reorganization & Consolidation
<p><b>Chapter 16 - Zoning (continued)</b></p> <p>Article 24: Marijuana Establishments (continued)            Section 16-24-30: Uses Prohibited            Section 16-24-40: Penalties; Nuisance Declared</p> <p>Article 25: Areas and Activities of State Interest</p> <p><u>Division 1: Administration and Designation</u></p> <p>Section 16-25-10: Purpose and Findings            Section 16-25-20: Authority            Section 16-25-30: Applicability            Section 16-25-40: Exemptions            Section 16-25-50: Relationship of Regulations to Other Requirements            Section 16-25-60: Maps            Section 16-25-70: Duties of Town Council            Section 16-25-80: Severability            Section 16-25-90: Definitions            Section 16-25-100: Designation            Section 16-25-110: Public Hearing Required            Section 16-25-120: Notice of Public Hearing, Mailing, Publication            Section 16-25-130: Matters to be Considered at Designation Hearing            Section 16-25-140: Record of Designation Proceedings            Section 16-25-150: Adoption of Designation and Regulations            Section 16-25-160: Recording of Notice of Designation            Section 16-25-170: Designation as Matters of State Interest</p> <p><u>Division 2: Permit Authority</u></p> <p>Section 16-25-200: Intent            Section 16-25-210: Permit Authority Established            Section 16-25-220: Permit Required            Section 16-25-230: Judicial Review            Section 16-25-240: Pre-application Process            Section 16-25-250: Permit Application            Section 16-25-260: Permit Application Fee and Costs            Section 16-25-270: Submission Requirements for All Permit Applications; Waivers            Section 16-25-280: Simultaneous Processing of Other Town Permits            Section 16-25-290: Referral Departments and Agencies            Section 16-25-300: Permit Hearing            Section 16-25-310: Conduct of Permit Hearing            Section 16-25-320: Action by the Permit Authority            Section 16-25-330: Combined Designation and Permit Hearing            Section 16-25-340: Review Criteria for All Applications            Section 16-25-340.5: Special Review Criteria for Major Extensions of Water and Sewage Treatment Systems            Section 16-25-350: Permit Issuance; Conditions            Section 16-25-360: Term of Permit; Progress Reports            Section 16-25-370: Renewal            Section 16-25-380: Permit Amendment            Section 16-25-390: Permit Administration, Enforcement, and Inspection            Section 16-25-400: Transfer of Permits</p>	<p><b>Chapter 16 - Land Use &amp; Development Code (continued)</b></p> <p>Article 14: Areas and Activities of State Interest (continued)</p> <p><u>Division 2: Permit Authority (continued)</u></p> <p>Section 16-14-310: Conduct of Permit Hearing            Section 16-14-320: Action by the Permit Authority            Section 16-14-330: Combined Designation and Permit Hearing            Section 16-14-340: Review Criteria for All Applications            Section 16-14-340.5: Special Review Criteria for Major Extensions of Water and Sewage Treatment Systems            Section 16-14-350: Permit Issuance; Conditions            Section 16-14-360: Term of Permit; Progress Reports            Section 16-14-370: Renewal            Section 16-14-380: Permit Amendment            Section 16-14-390: Permit Administration, Enforcement, and Inspection            Section 16-14-400: Transfer of Permits            Section 16-14-410: Financial Security            Section 16-14-420: Revocation or Suspension of Permits            Section 16-14-430: Annual Review            Section 16-14-440: Enforcement and Penalties            Section 16-14-450: Mapping Disputes            Section 16-14-460: Inspection</p> <p>Article 15: Terms &amp; Definitions</p>

**TABLE 1: EXISTING AND SUGGESTED ORGANIZATION OF LAND USE CODE (CONTINUED)**

Current Organization	Suggested Reorganization & Consolidation
<p><b>Chapter 16 - Zoning (continued)</b></p> <p>Article 25: Areas and Activities of State Interest (continued)</p> <p><u>Division 2: Permit Authority (continued)</u></p> <p>Section 16-25-410: Financial Security</p> <p>Section 16-25-420: Revocation or Suspension of Permits</p> <p>Section 16-25-430: Annual Review</p> <p>Section 16-25-440: Enforcement and Penalties</p> <p>Section 16-25-450: Mapping Disputes</p> <p>Section 16-25-460: Inspection</p> <p>Article 26: Community Housing Standards and Guidelines</p> <p><u>Division 1: Administration</u></p> <p>Section 16-26-10: Title</p> <p>Section 16-26-20: Purpose and Findings</p> <p>Section 16-26-30: Applicability</p> <p>Section 16-26-40: Administration</p> <p>Section 16-26-50: Relationship of Regulations to Other Requirements</p> <p>Section 16-26-60: Guidelines for Implementation</p> <p><u>Division 2: Community Housing Requirements</u></p> <p>Section 16-26-100: Mitigation for Residential Developments</p> <p>Section 16-26-110: Incentives for Residential Developments (Inclusionary Housing) Over One (1) Dwelling Unit</p> <p>Section 16-26-120: Acceptable Methods of Community Housing Mitigation</p> <p>Section 16-26-130: Minimum Requirements</p> <p>Section 16-26-140: Housing Plan</p> <p>Section 16-26-150: Severability</p> <p><b>Chapter 17 - Subdivisions</b></p> <p>Article 1: General Provisions</p> <p>Section 17-1-10: Title</p> <p>Section 17-1-20: Short Title</p> <p>Section 17-1-30: Authority</p> <p>Section 17-1-40: Purpose</p> <p>Section 17-1-41: Purpose and Intent</p> <p>Section 17-1-50: Save Harmless Clause</p> <p>Section 17-1-60: Disclaimer of Liability</p> <p>Section 17-1-70: Compliance Required</p> <p>Section 17-1-80: Remedies for Violations</p> <p>Section 17-1-90: Amendments</p> <p>Section 17-1-100: Jurisdiction</p> <p>Article 2: Definitions</p> <p>Section 17-2-10: Definitions</p> <p>Article 3: Administrative Provisions</p> <p>Section 17-3-10: Owner or Agent May Subdivide</p> <p>Section 17-3-20: Variances</p> <p>Section 17-3-30: Exemption</p> <p>Section 17-3-40: Access Requirement</p> <p>Section 17-3-50: Fees</p> <p>Section 17-3-60: Adequacy of Applications</p>	

**TABLE 1: EXISTING AND SUGGESTED ORGANIZATION OF LAND USE CODE (CONTINUED)**

Current Organization	Suggested Reorganization & Consolidation
<p><b>Chapter 17 - Subdivisions (continued)</b></p> <p><b>Article 3: Administrative Provisions (continued)</b></p> <ul style="list-style-type: none"> <li>Section 17-3-70: Suspension of Approval; Service of Written Notice</li> <li>Section 17-3-80: Permits for Development; Changes on Final Plat</li> <li>Section 17-3-90: Overview of Procedures</li> </ul> <p><b>Article 4: Administrative Replat Procedure</b></p> <ul style="list-style-type: none"> <li>Section 17-4-10: Intent</li> <li>Section 17-4-20: Prerequisite</li> <li>Section 17-4-30: Administrative Process Determination</li> <li>Section 17-4-40: Approval Criteria for Administrative Replat</li> <li>Section 17-4-50: Formal Submittal Process</li> </ul> <p><b>Article 4: Administrative Replat Procedure (continued)</b></p> <ul style="list-style-type: none"> <li>Section 17-4-60: Formal Submittal Requirements</li> <li>Section 17-4-70: Plat Exhibit</li> <li>Section 17-4-80: Expiration of Approval</li> <li>Section 17-4-90: Recordation Procedure</li> </ul> <p><b>Article 5: Preliminary Subdivision Plat</b></p> <ul style="list-style-type: none"> <li>Section 17-5-10: Preliminary Subdivision Plat Submittal</li> <li>Section 17-5-20: Staff Review</li> <li>Section 17-5-30: Site Review</li> <li>Section 17-5-40: Planning Commission Review</li> <li>Section 17-5-50: Further Review by Planning Commission</li> <li>Section 17-5-60: Town Council Review</li> <li>Section 17-5-70: Preliminary Plat Application</li> <li>Section 17-5-80: Preliminary Plat Review</li> <li>Section 17-5-90: Additional Requirements</li> </ul> <p><b>Article 6: Final Subdivision Plat</b></p> <ul style="list-style-type: none"> <li>Section 17-6-10: Staff Review</li> <li>Section 17-6-20: Planning Commission Review</li> <li>Section 17-6-30: Town Council Review</li> <li>Section 17-6-40: Final Plat Application</li> <li>Section 17-6-50: Additional Requirements</li> <li>Section 17-6-60: Estate Lot Process</li> <li>Section 17-6-70: Ranch Lot Process</li> </ul> <p><b>Article 7: Subdivision Improvements</b></p> <ul style="list-style-type: none"> <li>Section 17-7-10: Subdivision Improvements Agreement</li> <li>Section 17-7-20: Guarantee of Public Improvements Submittal</li> </ul> <p><b>Article 8: Minor Subdivisions</b></p> <ul style="list-style-type: none"> <li>Section 17-8-10: Purpose</li> <li>Section 17-8-20: Definitions</li> <li>Section 17-8-30: Procedure</li> <li>Section 17-8-40: Application Requirements</li> </ul> <p><b>Article 9: Vacation of Public Easements and Rights-of-Way</b></p> <ul style="list-style-type: none"> <li>Section 17-9-10: Procedure</li> <li>Section 17-9-20: Applicability</li> </ul>	

**TABLE 1: EXISTING AND SUGGESTED ORGANIZATION OF LAND USE CODE (CONTINUED)**

Current Organization	Suggested Reorganization & Consolidation
<p><b>Appendix B - Minturn Design Standards &amp; Guidelines</b></p> <p><b>I: Introduction</b></p> <ul style="list-style-type: none"><li>A: Purpose</li><li>B: Goals, Objectives, and Guiding Principles</li><li>C: Application</li><li>D: Exemptions</li></ul> <p><b>II: General Design Standards</b></p> <ul style="list-style-type: none"><li>A: Review Criteria<ul style="list-style-type: none"><li>1: Site Design</li><li>2: Architectural Elements</li><li>3: Materials and Screening</li></ul></li></ul> <p><b>III: Character Areas</b></p> <ul style="list-style-type: none"><li>1: Grouse Creek Character Area</li><li>2: Old Town Character Area</li><li>3: South Town Character Area</li><li>4: 100-Block Commercial Zones</li></ul>	