



Minturn Forward Memo

TO: Minturn Planning Commission
FROM: Matt Farrar, Western Slope Consulting
DATE: December 6, 2024
ATTACHMENTS: Initial Draft (v2) of Article 8

To support the Planning Commission’s review of the initial draft of Article 8: Subdivision Application Requirements and Procedures, this memo lists the key changes that have been made to Minturn’s existing requirements for subdivision applications. Comments have been included in the initial draft of Article 8 to further assist with the Planning Commission’s review.

Section 16-8-10: General Provisions

- The language under Subsection 16-8-10(A): Purpose comes directly from the existing Code. This language needs further refinement to better explain the purpose of the town’s subdivision processes and to clarify that subdivisions include the division of land and buildings.
- An additional provision may be added that states all subdivisions must comply with the Town’s Subdivision Standards. The existing Code has limited standards for subdivisions. Work on the Town’s Subdivision Standards will be addressed at a later stage of the Code update process.

Section 16-8-20: Subdivision Application Types & Review Procedures

- A table has been added to provide a summary of the town’s subdivision applications and their applicable review process.
- The required review processes for Exemption Plats, Minor Subdivisions, and Major Subdivision Sketch Plans are being worked on. Those requirements will be added to the table and shared with the Planning Commission for review.

Section 16-8-30: Public Notice Requirements

- A table has been added to provide a summary of the public notice requirements for each subdivision application.
- The public notice requirements for “Duplex, Condominium, or Townhome Subdivisions,” “Exemption Plats,” and “Minor Subdivisions” are being worked on. Those requirements will be added to the table and shared with the Planning Commission for review.
- The public notice requirements may be subject to further changes subject to input from the Town Attorney.

- “Major Activity Notice” is a statutory requirement for subdivisions of over 5-acres. This requirement has been included in the initial draft of Article 8. Input from the Town Attorney is necessary to confirm that this requirement needs to be included in Article 8.

Section 16-8-40: Waiver from Subdivision Standards

- This is a new Section that has been added to allow for flexibility in the requirements for subdivisions and to establish a process for reviewing and deciding on a request for a waiver from the Town’s Subdivision Standards.

Section 16-8-50: Administrative Replat

- The “Applicability” and “Purpose” language has been modified to clarify that the Administrative Replat applies to the following. The existing Code is a bit vague about what the Administrative Replat is to be used for.
 - Any substantive changes (e.g., removal of a Plat note(s)) to a previously approved Final Plat.
 - The modification or elimination of one (1) or more lot lines.
- The submittal requirements for an Administrative Replat are subject to further refinement based on input from Town staff.
- The review criteria for an Administrative Replat have been modified and expanded to ensure they are appropriate for this type of application.
- Language has been added to clarify each step of the process required for an Administrative Replat application.

Section 16-8-60: Correction Plat

- In the existing Code, this Section is under Chapter 16: Zoning > Article 21: Administration and Procedures > Division 4: Miscellaneous Provisions. This Section has been moved under Article 8 because it is a type of subdivision application.
- The existing Code has no review criteria for a Correction Plat. Review criteria for a Correction Plat have been added.
- Language has been added to clarify each step of the process required for a Correction Plat application.

Section 16-8-70: Duplex, Condominium, or Townhome Subdivision

- In the existing Code, a Duplex, Condominium, or Townhome Subdivision is classified as Type B Minor Subdivision. This type of subdivision was broken out as a separate type of subdivision and application type in an effort to make the Code more user-friendly.
- The submittal requirements for a Duplex, Condominium, or Townhome Subdivision are subject to further refinement based on input from Town staff.
- Language has been added to clarify each step of the process required for a Duplex, Condominium, or Townhome Subdivision application.

Section 16-5-80: Exemption Plat

- This is a new type of subdivision and application type. The purpose of an Exemption Plat is to:
 1. Legalize illegally subdivided property.
 2. Create conveyable property that could otherwise be created via court action/judgement.
 3. Create property that is intended for use and preservation under conservation easement.
- The review process for an Exemption Plat is likely to entail a review/recommendation by Town staff and a review/decision by Town Council.
- The details of this Section are still being worked on and will be provided to the Planning Commission for review at a later time.

Section 16-5-90: Minor Subdivisions

- The existing Code includes the following under Minor Subdivisions:
 - Amended Final Plats
 - Type A Minor Subdivisions
A subdivision creating not more than six (6) lots within property that has not previously been platted.
 - Type B Minor Subdivisions
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.
- Under the initial draft of Article 8:
 - Amendments to an approved Final Plat will be addressed via the Administrative Replat or Correction Plat process, depending on the type of amendment proposed.
 - Duplex, Condominium, and Townhome Subdivisions are a separate type of subdivision and application.
- Staff is working to determine how to best address subdivisions of up to six (6) lots that are proposed for land that has not been platted (i.e., Type A Minor Subdivisions) and for land within a legally approved subdivision (i.e., Type B Minor Subdivisions). Therefore, a modified Minor Subdivision Section will be provided to the Planning Commission for review at a later time.

Sections 16-8-100 and 16-8-110: Mountaintop Estate & Ranch Lots

- The language under these Sections comes directly from the existing Code. The existing provisions for Mountaintop Estate and Ranch Lots are the result of a settlement agreement. Therefore, there is limited opportunity to revise these provisions without agreement from the landowner(s).

- Staff will be working with the Town Attorney and the landowner(s) to explore options for enhancing the legibility and usability of these Sections. Any changes to these Sections will be provided to the Planning Commission for review.

Section 16-8-120: Vacation of Public Right-of-Way or Easement

- The existing Code does not include specific review criteria for the vacation of a public right-of-way or easement. Review criteria have been added and are subject to further refinement based on input from Town staff and the Town Attorney.
- Language has been added to clarify each step of the process required for a vacation of public right-of-way or easement application.

Section 16-8-130: Major Subdivisions

- This is a new Section that has been added to clarify the applicability of the Major Subdivision process and the step-by-step process for Major Subdivisions.

Section 16-8-140: Major Subdivision - Sketch Plan

- This a new Section and step in the Major Subdivision process. The purpose of the Sketch Plan is to allow the applicant to present and discuss the concept for the proposed subdivision and obtain feedback from Town staff, the Planning Commission, and the Town Council. This is an optional step in the Major Subdivision process and is intended to assist the applicant with developing a subdivision that complies with this Code and is substantial conformance with the Community Plan.
- The details of this Section are still being worked on and will be provided to the Planning Commission for review at a later time.

Section 16-8-150: Major Subdivision - Preliminary Plat

- The submittal requirements for a Preliminary Plat are subject to further refinement based on input from Town staff.
- New review criteria for a Preliminary Plat have been added. The review criteria in the existing Code seem insufficient for a proper and complete review of a Preliminary Plat. These criteria are subject to further refinement based on input from Town staff.
- Language has been added to clarify each step of the process required for a Preliminary Plat application.

Section 16-8-160: Major Subdivision - Final Plat

- The review process for Final Plats has been modified from a two-step process (Step 1: Review/recommendation by Planning Commission and Step 2: Review/decision by Town Council) to a one-step process (Step 1: Review/decision by Town Council).
- The submittal requirements for a Final Plat are subject to further refinement based on input from Town staff.
- The review criteria for a Final Plat have been modified to improve their applicability. These criteria are subject to further refinement based on input from Town staff.

- Language has been added to clarify each step of the process required for a Final Plat application.