

To: Minturn Town Council
From: Scot Hunn, Consulting Planning Director
Date: October 17, 2024
RE: Planning Director Update



Minturn Forward Code Update Project:

The Planning Department continues to work with Western Slope Consulting (Matt Farrar) and the Planning Commission to develop and review new articles and sections of Chapters 16 (Zoning) and 17 (Subdivision) of the Minturn Municipal Code as part of the Minturn Forward Code Update Project. The new Chapters 16 & 17 will replace the existing Chapters upon adoption. Priority has been placed on the creation of new administrative articles and sections that will have the most impact on improving processes and the implementation of the Town's policies. Each new article or section of code has been vetted internally (by the Planning department, the Town Attorney, and the Town Engineer) prior to presenting a draft document to the Planning Commission for review. Following Planning Commission review, the draft document is then revised and represented to the Planning Commission before moving on to additional articles and sections. Articles created and reviewed since June 2024 include:

- **Article 5 – Land Use Application Requirements & Procedures**
 - This article sets forth the purposes, application submittal requirements, review criteria, and processes for each land use application type (i.e. rezoning, PUDs, zoning variances, conditional use permits, DRB applications).
 - This is considered by staff as perhaps the most critical article in the new code. This article will correct contradictions and conflicts in the current code by standardizing language, processes, and terms while clarifying the intent of each different land use application review by the Town.
 - The clarity and standardization of certain elements of the code will create efficiency for the Town and predictability for applicants.
- **Article 12 – Environmental Impact Report**
 - This article replaces the previous environmental impact report section of the code and adds clarity to the process and administrative aspects.
 - This article includes existing provisions (existing code) along with new provisions that allow the Town to evaluate potential development impacts on the natural environment.
 - This article will also address potential development impacts on social, fiscal, or cultural environments of the Town.

The Minturn Forward project was originally estimated by the planning director to be completed by December 2024. While certain articles may be completed and reviewed by the Commission by the end of 2024, work focusing on drafting of new code articles did not commence until June 2024 and the development and review of each new article has proven more time-consuming than anticipated. This is typical of any comprehensive code update or overhaul project and is also indicative of detailed and thoughtful review and critique by staff, consultants, and the Planning Commission to ensure that the new code is clear, implementable and a marked improvement over the existing code.

Therefore, staff and Western Slope Consulting have provided the Town Manager and Council with an updated schedule which organizes project into “modules” and general time frames (i.e., August 2024 – March 2025) for the drafting, review, and completion of each module. Additionally, a detailed calendar has been provided showing the due dates for preparation of draft articles as well as anticipated dates for review of articles by the Commission, the Town Council (including joint work sessions), and the public. The schedule shows an anticipated completion and adoption date of July 2025. The Town's website will be updated to reflect the schedule and key dates/milestones.

Last, Western Slope Consulting has provided a budget corresponding to the modules and the schedule to accurately reflect the workload ahead and the anticipated costs for ongoing support by Western Slope Consulting needed to complete the project. The timeline, calendar, and budget detail sheets are attached under cover of this memo.

Active Land Use Applications:

- **Midtown Village Planned Unit Development Preliminary Plan Review**

Staff and referral agencies have been reviewing the Midtown Village Planned Unit Development (PUD) Preliminary Plan and Preliminary Plat application since late 2023. This mixed-use PUD proposal located in the 900 Block of South Minturn is primarily residential in nature but does include proposed commercial and/or civic uses. This PUD is being proposed and reviewed as a phased development plan based on availability of water. The Midtown Village Preliminary Plan will be presented to the Planning Commission on November 13, 2024 where the commission will consider the proposal and forward a recommendation for Town Council's consideration.

- **Eagle County School District – Maloit Park Preliminary Subdivision Plat Review**

Staff has been reviewing the Eagle County School District Maloit Park Preliminary Plat for Subdivision application since late 2023. Following two rounds of review for completeness and sufficiency (ensuring that the Town has the type and level of information and details necessary to allow for a thorough review), the application has been sent to referral agencies as well as the Town's consultant team for review. Referral comments have already been received or are anticipated in the coming week. If the referral process produces substantive comments or concerns from referral agencies, the Applicant will have the opportunity to address those comments or concerns; to revise the application; and/or to request a meeting with referral agencies. Following the completion of the referral process, the subdivision application will be scheduled for a public hearing before the Planning Commission who will make a recommendation for the Council's consideration.

Other Planning Department Activities:

- **Eagle County Regional Housing Action Plan Partnership**

The planning director has been participating alongside representatives from Eagle County, Avon, Eagle, Gypsum, Red Cliff, and Vail in a regional housing action plan task force spearheaded by Eagle County and the Town of Avon. The purpose of this effort is to create a regional housing action plan – looking at alignment between land use policies and community housing goals within and across jurisdictions, as well as identifying potential funding sources to implement priorities and projects - and is based on a housing needs assessment being finalized by Economic Planning Systems (EPS). The assessment is based on community survey work and an extensive process by EPS to work with each partner jurisdiction to compile data on existing land use and development, existing housing policies and housing units/supply in each jurisdiction, as well as demographics and market trends. The partnership will begin presenting the results of the assessment with each of the partner jurisdictions in October and November. The partnership will present its findings to the Minturn Town Council at the November 6, 2024, Council Meeting.

- **Eagle County Wildland Urban Interface (WUI) Code Working Group**

The planning director and the code enforcement officer have been participating in a regional effort spearheaded by the Eagle County Wildfire Collaborative group to understand and discuss alternatives, pros, and cons related to the potential adoption of Wildland Urban Interface (WUI) code requirements in member jurisdictions (towns, special districts, and the fire districts). This group has been meeting since the start of 2024 and work completed to date includes sharing and analysis of each jurisdictions' existing land use, zoning, and building code regulations and policies to better understand where, if at all, there are commonalities across or among jurisdictions by way of fire or wildfire related terms, regulations, or design requirements for things like home construction, landscape design and materials, and access to private property. At their meeting on October 10, 2024, the group discussed a new state-led effort to establish minimum standards for the Wildfire Urban Interface, which will likely impact most of Eagle County. As proposed, local jurisdictions will have the option to adopt stricter codes, reflecting the diverse hazard ratings in the region. The state plans to release a draft code early next year, allowing for public input, which group members recognized as a crucial opportunity for community engagement. This topic and an update on the WUI Code Working Group's progress will be shared at the upcoming Mayors and Managers meeting of October 25, 2024.