



To: Town Council
From: Madison Harris
Date: March 29, 2024
Agenda Item: Ordinance 04 - Series 2024 Amending Chapter 19 of the Historic Preservation Code to allow for Noticing of Demolition Prior to Permitting

UPDATE:

Council reviewed this ordinance at their last meeting, March 20, 2024. One amendment was requested to be added - that the permit be eligible for extension for up to another 6 months, totalling that the permit may be good for 365 days. Also modified is the request from HPC's review of the ordinance at their meeting of March 19, 2024 adding a clause that all sign posting placements be approved by staff.

REQUEST:

Review Ordinance 04 - Series 2024 Amending Chapter 19 of the Historic Preservation Code to allow for Noticing of Demolition Prior to Permitting.

INTRODUCTION:

At the February 27, 2024 Historic Preservation Commission Meeting, a member of the public commented that the current process for alteration, relocation, and demolition of non-designated properties over 75 years of age had some flaws that hadn't previously been exposed. In response to that, staff has drafted an amendment to Chapter 19, Article 9 which addresses that section.

ANALYSIS:

The way the Town Code is currently written, it doesn't contemplate partial permit applications, it just says "permit application" which means the whole complete application needs to be submitted to the Town before Section 19-9-10 is triggered and the two week stay notifying people that an application for alteration, relocation, or demolition has been submitted starts. The described flaw hasn't been exposed up until now as most times this section comes into play it's been for minor building permits (ex. A re-roof) that don't need a lot of information for submission of the application so it hasn't been an undue hardship for people to make a complete application. Where this flaw has been exposed is that the complete demolition application requires proof that water, sewer, gas, electric, etc. have all been disconnected, as well as an asbestos report and a permit from CDPHE to mitigate any asbestos. If an applicant submits a complete demolition permit application, triggers the two week stay, and gets nominated and then designated, then that house has been sitting there without power which could negatively impact this now Historically Designated property.

As a response to this, staff has attached a draft ordinance that is being presented to HPC on March 19th and Council March 20th. Due to input from Dr. Lindsey Flewelling, staff has taken inspiration from Boulder, but fashioned a more streamlined process. This ordinance is intended

to create a separate permit form that people can apply for describing what they are doing and kick-starting that two week stay without having to provide a complete application for demolition or other permit forms such as Design Review Board. Also attached is the form that Boulder uses that staff anticipates amending and making our own as referenced in the ordinance.

COMMUNITY INPUT: Ongoing

BUDGET / STAFF IMPACT: TBD

STRATEGIC PLAN ALIGNMENT:

PRACTICE FAIR, TRANSPARENT AND COMMUNICATIVE LOCAL GOVERNMENT
SUSTAIN AND INVEST IN THE THINGS THAT DEFINE MINTURN AS A PROUD,
STURDY MOUNTAIN TOWN TO “KEEP MINTURN MINTURN”

ATTACHMENTS:

- Ordinance 04 - Series 2024 Amending Chapter 19 of the Historic Preservation Code to allow for Noticing of Demolition Prior to Permitting
- Boulder’s Permit Form