

To: Minturn Town Council  
From: Scot Hunn, Consulting Planning Director  
Date: January 31, 2025  
RE: Planning Director Update

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### **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 8 – Subdivision Application Requirements and Procedures**
  - This article replaces previous Chapter 17 – Subdivisions, of the Town Code and adds clarity to the process and administrative aspects of applying for a subdivision.
  - Like Article 5, this new article will include elements (text, certain processes and/or requirements) of the existing code along with new language, new provisions, and layout/format to be more user-friendly.
  - Article 8 has been reviewed by the Planning Commission, has been updated based on Planning Commission feedback, and is now being reviewed by the Town's consultant team (Attorney and Engineer) before being presented again to the Planning Commission.
- **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.

Next steps in our process include review of Article 11 – Annexation and Disconnection (currently undergoing internal review by planning staff before being presented to the Planning Commission), wrapping up Article 8 – Subdivision Requirements and Procedures, and then moving on to Module 2 which will include work on the Town's zone districts, allowable uses, development standards, and official zone

district map. This step (zoning, uses, and allowable uses) will involve public engagement. Staff will keep Council informed as the public engagement process is being formulated.

#### **Active Land Use Applications:**

- **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. In fall 2024, the application was sent to referral agencies as well as the Town's consultant team for review. The Applicant is currently working to address those comments and/or concerns and, in certain instances, to revise the application. 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.

- **Design Review Board Administration & Building Activity**

Staff continue to meet with property owners interested in new or remodel projects; to accept and review Design Review Board applications for new homes and remodel projects; and to work with our building official to coordinate and complete review of building permits and inspections in the field. Staff anticipate a busy spring, with more DRB applications for projects like Belden Place and Minturn North PUDs, as well as individual new home projects

#### **Other Planning Department Activities:**

- **The Highlands Parcels 1 and 2 Public Engagement**

Staff have completed the first step in the public process to determine the future use of the Highlands Parcels Nos. 1 and 2. In early January, the Town launched a webpage with background information about the parcels, as well as information about the Town's intended process – including public input – to decide how best to use those parcels. A survey was conducted (online and handwritten options) and the Town hosted an open house on Wednesday, January 29<sup>th</sup> at Town Hall.

The January 2025 survey questions were based on similar questions asked during the Community Survey conducted in the spring of 2024, essentially asking respondents if they prefer the Highlands to be used or preserved as open space, or for development, or some combination of both. The premise of those (2024) questions were that the Town has the opportunity to sell the Highlands Parcels to generate revenue that directly benefits the Town's Water Enterprise Fund. Staff drafted the most recent survey to reiterate the Town's intent to generate revenue, while not speculating on which options (open space or real estate development sale options) would produce more, or less revenue.

As of this writing, the Town has received 231 responses to the survey (including online and written survey responses from residents and non-residents), and we welcomed approximately 40 people during the open house. The survey will close at the end of day on Friday January 31<sup>st</sup>. The survey response and the great attendance at the open house are indicative of the community's interest in the Highlands Parcels.

Staff will take the next two weeks to analyze the survey results from the survey and the open house (which had boards/dot matrix exercise asking essentially the same questions as were posed

in the survey), as well as any written comments and ideas. An early assessment of public input received indicates that:

- 1) The 2025 Highlands Parcels Survey results mirror the responses related to Highlands Parcel questions asked in the Spring 2024 Community Survey (a preference for the Town to seek revenue generation through the sale of the parcels for open space/land conservation).
- 2) There is a strong preference by the public in 2025 for an open space alternative that limits or prohibits public access/recreation in lieu of protection of wildlife habitats.

Staff will provide a more detailed analysis and report of the survey and open house results to Council at its second meeting in February and will look for further direction from Council on next steps and action alternatives for the Highlands Parcels 1 and 2.

- **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 presented the initial results of the assessment to each of the partner jurisdictions in October and November.

Since then, EPS has worked to finalize a report which should be published in February or March 2025. EPS will now work with each partner jurisdiction to develop individualized action plans (based on the findings from the report) laying out strategies for defining opportunities that fit each jurisdiction and generally aimed at improving or protecting local's housing stock. In February and March, the partnership – lead by EPS – will again visit each jurisdiction to present the final report along with individualized recommendations (action plans) for consideration.

- **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 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.