

TOWN OF MINTURN, COLORADO  
ORDINANCE NO. – SERIES 2024

AN ORDINANCE OF THE TOWN OF MINTURN,  
COLORADO AMENDING CHAPTER 16 AND CHAPTER 19  
OF THE MINTURN MUNICIPAL CODE

**WHEREAS**, the Town of Minturn (“Town”) is a Colorado home rule municipality organized pursuant to Article XX of the Colorado Constitution and with the authority of the Town of Minturn Home Rule Charter for which the Minturn Town Council (“Town Council”) is authorized to act; and

**WHEREAS**, the Town Council has adopted Chapter 19 Historic Preservation; and

**WHEREAS**, the Town of Minturn 2023-2025 Strategic Plan (hereinafter the “Strategic Plan”) seeks to “foster the authentic small town character that is Minturn,” and to “Lead Minturn to long-term viability while preserving its unique character and genuine mountain town community,” through specific strategic plan goals and policies;

**WHEREAS**, the Strategic Plan contains four key strategies for implementation including “Practice fair, transparent and communicative local government,” “Long-term stewardship of the natural beauty and health of Minturn’s environment,” “Sustain and invest in the things that define Minturn as a proud, sturdy mountain town to “Keep Minturn, Minturn,” and “Advance decisions/projects/initiatives that expand future opportunity and viability for Minturn;” and

**WHEREAS**, on \_\_\_\_\_, the Minturn Historic Preservation Commission considered this ordinance and recommended approval; and

**WHEREAS**, on \_\_\_\_\_, the Minturn Town Council approved this ordinance on first reading; and

**WHEREAS**, the Minturn Historic Preservation Commission and Town Council have determined that the text amendments to Chapter 19 of the Minturn Municipal Code as provided herein are necessary and proper.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO:

SECTION 1. The foregoing recitals are incorporated herein as if set forth in full.

SECTION 2. Chapters 16 and 19 of the Minturn Municipal Code are hereby amended to read as follows, with additions shown in double underlined text and language to be deleted shown as ~~strike-through~~ text. Sections of Chapters 16 and 19 which are not expressly described in this Ordinance are deemed to continue to be in full effect without change.

**CHAPTER 16 – Zoning**

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**ARTICLE 2 – Definitions, Illustrations and Lot Standards**

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**Sec. 16-2-40. – General lot requirements and dimensional standards.**

The following Table 16-A sets forth general lot requirements and dimensional standards:

**Table 16-A  
Dimensional Standards**

Character Area	Zones	A	B	C	D	E	F	G	
		Lot Requirements				Setbacks			
		Min. Lot Area/Max. Lot Area (sq. ft.)	Min. Lot/Max. Lot Dimension (feet)	Maximum Building Lot Coverage (%) <u>*</u>	Maximum Impervious Surface Area (%) <u>*</u>	Minimum Setbacks (ft) <u>Front</u> <u>*</u>	<u>Rear</u> <u>*</u>	<u>Side</u> <u>*</u>	Live Stream Setback (ft)
Meadow Mountain	Fed. reg. land use	N/A	N/A	N/A		Rec. 50	N/A	N/A	Rec. 30
Grouse Creek	Commercial	5,000	50	70	80	20	10	10	Eagle River=30 Grouse Creek=30
Old Town	Recreation & open space	To be determined as part of conditional review							30
	Residential	5,000	50	45	55	10	10	5	
	100 Block: A	2,500/7,500	25/75	80%	90%	5 min./20 max.  15 min. 40% lot frontage  40 min. parking	25 30 (south of Nelson on Williams)	5	
	100 Block: A (incentive floor)					25	25 30 (south of Nelson on Williams)	10	
	100 Block: B					5	5	5	
	Commercial	2,500	25	80	90	0	10	5	

	Mixed-use: Residential	5,000	50	45	55	10	10	5	
	Mixed-use: Commercial	5,000	50	70	80	10	10	5	
South Town	Residential	5,000	50	45	55	20	10	5	30
	Commercial	7,500	50	80	90	20	10	5	
	Fed. reg. land use	N/A	N/A	N/A		Rec. 50	Rec. 20	Rec. 10	
Martin Creek	Residential estate or 2 AC	87,120	N/A	20		40	20	20	30
Cross Creek	Residential-S	5,000	50	50	60	20	10	10	Eagle River=30 Cross Creek=50
	Residential-N	10,000	100	40	50	20	10	10	
	Mixed-use	10,000	100	70	80	20	10	10	
	Fed. reg. land use	N/A	N/A	N/A		Rec. 50	Rec. 20	Rec. 10	
Lionshead	Recreation & open space	N/A	N/A	N/A		To be determined as part of conditional use review			30
	Light ind. & public facilities	10,000	100	45		25	25	10	
	Cemetery	N/A	N/A	40	N/A	25	10	5	
Game Creek	Residential	5,000	50	40	50	20	10	5	Game Creek=30
Railroad	PUD holding zone	To be determined as part of the PUD review							Eagle River=30
Eagle River	Recreation & open space	To be determined as part of the conditional use review							Eagle River=30
Transportation	Railroad R-O- W/Transportation	To be determined as part of the conditional use review							

Note 1. For any and all lots within the Old Town Mixed-Use zone district, if a proposed use and/or development on a lot is one hundred percent (100%) residential in nature, such use and/or development must conform to allowable residential standards (forty-five percent (45%) building lot coverage and fifty-five percent (55%) impervious). However, if such use and/or development includes bona fide ground floor retail and/or sales tax generating commercial uses as the primary use of the property; any residential uses included as a mixed-use development are secondary or ancillary; and all other development standards are met, then the use and/or development may conform to the commercial standards (seventy percent (70%) building lot coverage and eighty percent (80%) impervious coverage).

\* If there is a historically designated structure on the lot there may be relief available via Sec. 19-5-50.

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**CHAPTER 19 – Historic Preservation**

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**ARTICLE 4 – Designation Procedure**

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**Sec. 19-4-90. – Revocation of designation.**

- (a) If a historic property or historic district has been altered to a degree that it no longer retains its eligibility criteria, the owner, an HPC member, or Town Council person may apply to HPC for a revocation of the designation. ~~The revocation application shall be administered by the Planning Department, HPC, and Town Council in the same manner as a proposed amendment of designation.~~
- (b) If a designated structure or physical feature on a designated site is destroyed or demolished through no fault of the owner or in compliance with this Chapter, the owner may apply to the Town for revocation of designation. HPC shall recommend revocation of a historic designation if it determines that, without the demolished structure or physical feature, the structure or site as a whole no longer meets the purposes and criteria of this Chapter and if the public benefits of alteration, removal, or demolition of the structure or physical feature outweigh the public benefits of maintaining the designation.
- (c) Upon HPC’s recommendation, the application scheduled for consideration by the Town Council. The Town Council shall, by resolution, approve, modify and approve, or deny the application. The resolution, if it approves or modifies and approves the revocation, it shall be recorded with the Eagle County Clerk and Recorder no later than thirty (30) days after the decision.

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**ARTICLE 5 – Alterations to Listed Properties and Historic Districts**

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**Sec. 19-5-50. – Historic Preservation incentives**

The purpose of this section is to provide incentives to encourage and support the preservation, maintenance and appropriate rehabilitation of property and structures designated to be historically significant with the Town. The incentives outlined in this section may be available to property designated to be historically significant within the Town’s boundaries.

- 1) The following incentives and assistance may be granted by the Historic Preservation Commission when associated with a request for Certificate of Appropriateness approval:
  - a) Side setback relief of three feet, not to allow structures to be less than six feet apart per the currently adopted Fire Code, for new construction or alterations to an existing building.
  - b) Front setback relief of five feet, not to allow structures to be less than six feet apart per the currently adopted Fire Code, for new construction or alterations to an existing building.
  - c) Rear setback relief of five feet, not to allow structures to be less than six feet apart per the currently adopted Fire Code, for new construction or alterations to an existing building.
  - d) No setback relief shall be given to any live stream setback for Historic Preservation purposes.
  - e) Maximum Building Lot Coverage per Chapter 16 – Zoning may be increased five percent (5%).
  - f) Maximum Impervious Surface Area per Chapter 16 – Zoning may be increased five percent (5%).

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INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THE \_\_ DAY OF \_\_\_\_\_ 2024. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE \_\_DAY OF \_\_\_\_\_ 2024 AT 5:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO

\_\_\_\_\_  
Earle Bidez, Mayor

ATTEST:

By: \_\_\_\_\_  
Jay Brunvand, Town Clerk

THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THIS \_\_ DAY OF \_\_\_\_\_ 2024.

TOWN OF MINTURN, COLORADO

\_\_\_\_\_  
Earle Bidez, Mayor

ATTEST:

By: \_\_\_\_\_  
Jay Brunvand, Town Clerk