



To: Mayor and Council
From: Scot Hunn, Consulting Planning Director
Date: March 15, 2024
Agenda Item: Minturn Forward Code Update Project – Update

UPDATE:

The Town of Minturn embarked on a strategic update to the Town’s zoning and subdivision regulations, or Land Use Regulations (referred to in this memo as the “Code”), in the summer of 2023. While the project got off to a slow start – ramping up in the fall of 2023 – several key steps have been completed since that time and the Town is now hosting open houses and has published a survey to aid staff and the Minturn Planning Commission in the next steps of the project – drafting new sections of Code and making decisions on updates to existing zone districts.

REQUEST:

Review the update by staff and provide questions and direction for next steps in the Minturn Forward Code Update Project.

INTRODUCTION:

Stakeholder Outreach and Code Assessment – Fall 2023

The first steps in updating Chapter 16 – *Zoning*, and Chapter 17 – *Subdivision*, of the Minturn Municipal Code involved stakeholder outreach in September 2023, followed by the completion of a code assessment.

Stakeholder outreach centered on conducting interviews with local land and business owners, architects and developers who regularly do work within the Town. The purpose of the interviews was to ask questions about the current Code and processes (i.e. the Design Review process for a new project). The results from those interviews revealed an overwhelming desire and request to simplify the Code, provide better graphics and explanations of how to interpret the Code, and to streamline certain review processes. The results were shared with the Planning Commission in public meetings and recordings of those interviews were posted on the Town’s website.

Stakeholder interviews were followed by a code assessment that was completed by the Town’s consultant, Matt Farrar, from Western Slope Consulting. The code assessment (attached) was completed in December 2023 and revealed and re-affirmed inconsistencies in the Code as well as areas of misalignment with the recently adopted 2023 Community Plan. Importantly, the code assessment also included several recommendations - in alignment with the adopted goals and objectives of the 2023 Community Plan as well as with previous direction from Council – for the Town’s consideration as we move forward with updating the Code.

Exploration of Different Styles of Codes – January – February 2024

Following the code assessment, and prior to starting the code re-write process, the Town Planning staff and Mr. Farrar spent most of January and February 2024 presenting information to and hosting discussions with the Planning Commission related to different types or formats for land use regulations. Form Based Codes, Hybrid Codes (a combination of a Form Based Code and a more traditional code), and Traditional Codes were discussed. For reference, the Town’s current land use regulations are considered “traditional” in their content (regulation of uses and building placement), layout and format, whereas Form Based Codes include more graphical representations and written descriptions of desired building forms, architecture, and the design of public spaces (the “form”) rather than focusing on allowable land uses.

The Planning Commission is recommending that the Town stick with a more traditional layout and format, but to integrate better graphics and illustrations along with better definitions and statements of purpose and intent so the end user of the Code clearly understands the regulatory intent of a particular code section while ensuring that interpretation of regulations (i.e. how to measure building heights or calculate lot coverage) is straightforward and user friendly.

Open Houses and Survey – March 2024

In March, the Town is hosting three open houses (March 11th, 14th and 21st) at Town Hall from 5:30pm-7:30pm to introduce the community to the Minturn Forward project and to gather feedback on peoples’ views toward certain areas of town - perhaps their own neighborhoods. The survey and open houses focus on the Future Land Use Map (FLUM) adopted as part of the 2023 Community Plan, as well as several key goals or objectives of the 2023 Community Plan, and then ask a short series of questions about which land uses residents feel are appropriate in certain areas of Town, what characteristics make certain areas of Town unique, and what aspects of Town people like or would like to see change.



As of this writing, the Town has received 71 survey responses – a great response rate. The Town gathered feedback from and answered questions for 10 residents at Open House No. 1 on March 11th. Eighteen people attended Open House No. 2 on March 14th. The last Open House for this portion of the project will be hosted Thursday, March 21st.

Hard copies of the survey are available at Town Hall, or available online at: <https://www.minturn.org/home/news/minturn-forward-land-use-update-survey-and-open-houses>

The survey will remain **open until Friday, March 22, 2024.**

Next Steps – April to June 2024

Staff look forward to hosting one more open house, compiling and discussing public input gathered from the survey and open houses with the Planning in April. During that time, staff will also be working on code updates to sections of the Code having to do with procedures, application submittal requirements, as well as other sections of the Code that need updating to ensure compliance with State and Federal law (i.e., the Town’s sign code).

Following a review of the public input gathered in March from the survey and open houses related to existing and future land use and zoning, staff’s goal is to start bringing forth proposals to the Planning Commission for new or consolidated zoning along with updates to development standards and permitted uses. This work is anticipated to start in May and June. Additional open houses will be hosted to ensure that the community is aware of any new proposals for zoning, permitted uses, or development standards that could affect private property rights.

ANALYSIS:

The Minturn Forward Code Update Project is a strategic priority for the Town and is identified in the 2023 Minturn Community Plan and the Town’s 2023-2025 Strategic Plan. Completion of the project is a major focus of the Planning Department for 2024.

COMMUNITY INPUT:

Planning Commission meetings where stakeholder outreach, the code assessment, and different types of land use codes (Traditional, Form Based, and Hybrid) were discussed have all been noticed in accordance with the Town of Minturn Municipal Code. Public attendance at Planning Commission meetings when these topics have been discussed has been sparse.

More recently, the Town has published advertisements in the Vail Daily; sent email blasts to the community; and has posted information and updates in the Town’s newsletter and website to alert citizens of the open houses and survey.

BUDGET / STAFF IMPACT:

The project budget, including consultant fees, has been accounted for in the adopted Planning Department budget for 2024. Since March 2023, outside consultant fees (Western Slope Consulting) have totaled just under \$11,000.00. With the project approximately 50% complete, staff anticipates additional outside consultant expenses through 2024 to total \$12,000.00 to \$15,000.00.

STRATEGIC PLAN ALIGNMENT:

The Minturn Forward Code Update project aligns with the following key strategies:

PRACTICE FAIR, TRANSPARENT AND COMMUNICATIVE LOCAL GOVERNMENT

THE TOWN WILL SEEK TO MAKE INFORMED, DATA-BASED DECISIONS WITH A STANDARD OF “DOING IT RIGHT.” WITH AN HONEST APPROACH TO ALL ASPECTS OF LOCAL GOVERNMENT AND A FOCUS ON THE PUBLIC PROCESS, THE TOWN COUNCIL AND STAFF ARE COMMITTED TO SERVING MINTURN WITH THE HONESTY AND INTEGRITY EXPECTED OF A SMALL-TOWN GOVERNMENT.

ADVANCE DECISIONS/PROJECTS/INITIATIVES THAT EXPAND FUTURE OPPORTUNITY AND VIABILITY FOR MINTURN

THE ABILITY FOR MINTURN TO APPROACH DEVELOPMENT AS RESILIENT, SUSTAINABLE, CREATIVE AND DIVERSE WILL ALLOW THE TOWN TO CONTINUE EMBRACING WHAT HAS “MADE MINTURN, MINTURN.” THE TOWN CAN FURTHER LEVERAGE ITS CROSSROADS LOCATION AS A VALLEY-WIDE BENEFIT AND COMPETITIVE ADVANTAGE.

RECOMMENDED ACTION OR PROPOSED MOTION:

Review this update and attachments and provide questions and directions to staff.

ATTACHMENTS:

- Minturn Forward Code Assessment
- Minturn Forward Survey
- Open House Handouts (for all three open house events)