

TOWN OF MINTURN, COLORADO
ORDINANCE NO. TBD – SERIES 2024

AN ORDINANCE OF THE TOWN OF MINTURN,
COLORADO AMENDING CHAPTERS 16 AND 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 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, the Town Council has adopted Chapter 19 Historic Preservation, Minturn Municipal Code (“MMC”); and

WHEREAS, Sec. 19-1-30. – Intent, MMC, states that the “intention of this Chapter is to create a reasonable balance between private property rights and the public interest in preserving the Town’s unique historic character through the nomination of buildings, structures, sites, objects, and historic districts for preservation;” and

WHEREAS, Sec. 19-2-10. – Creation, MMC, states that “There is hereby established a Historic Preservation Commission, which shall be appointed by the Town Council, and hereinafter referred to as the (“HPC”).

WHEREAS, the HPC recognizes that Chapter 19 does not adequately provide certainty for existing and new property owners; and

WHEREAS, the HPC believes that adding language to provide more certainty will promote the intent of Chapter 19 by creating a reasonable balance between private property rights and the public interest; and

WHEREAS, at their regularly scheduled meeting of August 20, 2024, the HPC considered this ordinance and recommended approval; and

WHEREAS, at their regularly scheduled meeting of August 28, 2024, the Planning Commission considered this ordinance and recommended approval; and

WHEREAS, at their regularly scheduled meeting on September 3, 2024, the Minturn Town Council approved this ordinance on first reading; and

WHEREAS, the HPC, Planning 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

ARTICLE 2 – Definitions, Illustrations and Lot Standards

Sec. 16-2-20. – Definitions.

Historic property means a building, structure, site, or object which is designated by the Town Council pursuant to Chapter 19 – Historic Preservation.

Short-term rental means any residential property dwelling unit or portion thereof rented for a period of less than thirty (30) consecutive days. Rentals of entire dwelling units, individual rooms, or portions of rooms shall each be considered short-term rentals. Short-term rentals are considered lodging accommodations under Chapter 4, Article 4 of this Code.

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ARTICLE 6 – Old Town Character Area

Sec. 16-6-35. – 100 Block Commercial Zones.

- (a) The 100 Block Commercial Zones are characterized by a compact retail/commercial core area bisected by Highway 24. The area consists of businesses and residences with an identity of the historic commercial core that is distinct from other parts of the community.
- (b) The purpose of this area is to provide convenient commercial services to residents and visitors and to promote the development of the Town's primary retail commercial district. Accommodation of sales tax-generating commercial uses and non-street level residential units can enhance Old Town vitality while maintaining the visual character and scale. Street level space within the 100 Block Commercial Zones shall be dedicated to lodging in historic properties and retail uses. Non-street level space within the 100 Block Commercial Zones may be used for compatible retail, office, and residential uses.
- (c) The 100 Block Commercial Zones should function as a pedestrian shopping corridor. Buildings shall orient toward sidewalks and pedestrian areas with storefront windows and main entrance doors. The scale of buildings both in terms of height and width should encourage transparency, pedestrian engagement, and facilitate pedestrian movement not

only along Highway 24 but also between Highway 24, Williams Street and Eagle Street and along all streets in the 100 Block.

- (d) The small town historic main street character will be maintained by keeping in scale with the original plat of twenty-five-foot by one hundred-foot lots and one- to two-story building frontages along Highway 24. Large monolithic buildings and "strip" retail areas are not allowed. New development in the 100 Block shall follow the standards and guidelines provided in Appendix B which seeks to ensure new structures maintain compatibility with historic structures while bringing new uses to increase vitality.

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Sec. 16-6-70. – Old Town Character Area use table.

The following Table 16-2 sets forth the uses for the Old Town Character Area:

**Table 16-2
Old Town Character Area Use Table**

Use	All Residential Zones	Commercial Zones	100 Block: A	100 Block: B	All Mixed-Use Zones	All Recreation & Open Space Zones	All Federally Regulated Zones	Light Industry and Public Facilities Zone	PUD Holding Zone	Railroad Right-of-Way/Transportation Zone
R – Use by right C – Conditional use L – Limited use N – Not allowed										
Accessory apartments (street level)	L	C	N** * =	N** * =	L	N	—	—	—	—
Accessory apartments (second floor or above)	L	C	R	R	L	N	—	—	—	—
Accessory dwellings (street level)	L	C	N** * =	N** * =	L	N	—	—	—	—
Accessory dwellings (second floor or above)	L	C	R	R	L	N	—	—	—	—
Automotive detail shops	N	C	N	N	C	N	—	—	—	—

Automotive parts sales	N	C	N	N	C	N	—	—	—	—
Bakeries and confectioneries	N	R	R	R	R	N	—	—	—	—
Banks and financial institutions	N	R	N	N	R	N	—	—	—	—
Barbershops	N	R	R	R	R	N	—	—	—	—
Beauty Shops	N	R	R	R	R	N	—	—	—	—
Business and office services	N	R	C	C	R	N	—	—	—	—
Car washes	N	N	N	N	C	N	—	—	—	—
Cocktail lounges, taverns	N	R	R	R	C	N	—	—	—	—
Club (street level)	N	N	N	N	N	N	—	—	—	—
Club (second floor or above)	N	C	N	N	C	N	—	—	—	—
Commercial accommodations	N	R	R	R	C	N	—	—	—	—
Convenience stores	N	C	N	N	C	N	—	—	—	—
Delicatessens and specialty food stores	N	R	R	R	C	N	—	—	—	—
Drive-thru/up	N	C	N	N	N	N	—	—	—	—

establishments										
Drugstores and pharmacies	N	R	R	R	R	N	—	—	—	—
Dry cleaners	N	R	N	N	N	N	—	—	—	—
Duplexes (street level)	N	C	<u>N**</u> * =	<u>N**</u> * =	C	N	—	—	—	—
Duplexes (second floor or above)	N	C	R	R	C	N	—	—	—	—
Garden landscaping supply and seed stores	N	R	N	N	R	N	—	—	—	—
Gas stations	N	N	N	N	C	N	—	—	—	—
Grocery stores	N	R	C	C	C	N	—	—	—	—
Health/medical offices (street level)	N	C	N	N	C	N	—	—	—	—
Health/medical offices (second floor or above)	N	R	R	R	C	N	—	—	—	—
Institutional uses (street level)	N	N	N	N	N	N	—	—	—	—
Institutional uses (second floor or above)	N	C	N	N	C	N	—	—	—	—
Laundries	N	C	N	N	C	N	—	—	—	—

Laundromats	N	R	N	N	C	N	—	—	—	—
Liquor stores	N	R	R	R	C	N	—	—	—	—
Manufacturing, light	N	C	C	C	N	N	—	—	—	—
Multi-family dwellings (street level)	N	C	<u>N**</u> * =	<u>N**</u> * =	C	N	—	—	—	—
Multi-family dwellings (second floor or above)	N	C	R	R	C	N	—	—	—	—
Pawn shops	N	R	C	C	C	N	—	—	—	—
Photographic studios	N	R	C	C	R	N	—	—	—	—
*Professional activities (street level)	N	R	C	C	C	N	—	—	—	—
Professional activities (second floor or above)	N	R	R	R	R	N	—	—	—	—
*Professional offices, business offices and studios (street level)	N	C	C	C	R	N	—	—	—	—
Professional offices, business offices and studios (second floor or above)	N	R	R	R	R	N	—	—	—	—

Radio and television stores and repair shops	N	R	R	R	R	N	—	—	—	—
Restaurant	N	R	R	R	C	N	—	—	—	—
Single-family residential dwellings	R	C	N	N	R	N	—	—	—	—
Retail stores including: Apparel stores; art supply stores and galleries; bookstores; camera stores and photographic studios; candy stores; chinaware and glassware stores; florists; gift stores; hobby stores; household appliance stores; jewelry stores; leather goods stores; luggage stores; music and record stores; newsstands and tobacco stores; sporting goods stores;	N	R	R	R	R	N	—	—	—	—

stationery stores; toy stores; variety stores; yardage and dry goods stores										
<u>** Short-term rental</u>	<u>R</u>	<u>R</u>	<u>R</u>	<u>R</u>	<u>R</u>	<u>N</u>	<u>==</u>	<u>==</u>	<u>==</u>	<u>==</u>
Small appliance repair shops, excluding furniture repair	N	R	C	C	R	N	—	—	—	—
Tailors and dressmakers (street level)	N	R	N	N	R	N	—	—	—	—
Tailors and dressmakers (second floor or above)	N	R	R	R	R	N	—	—	—	—
Theaters	N	R	N	N	C	N	—	—	—	—
Theaters, meeting rooms and convention centers (street level)	N	N	N	N	N	N	—	—	—	—
Theaters, meeting rooms and convention centers (second floor or above)	N	C	N	N	C	N	—	—	—	—
Travel and ticket agencies	N	R	N	N	R	N	—	—	—	—

Refer to BD.2 in Appendix B for Active Use requirements on ground floor.

* Professional activities and offices may be allowed on the street level fronting Williams Street and Eagle River Street in the 100 Block, with conditional approval from Town Council depending on the use and parking demand.

** Historic property is exempt from the two year ownership requirement. Historic properties within the 100 Block Zones are allowed to function as short-term rentals on all floors.

*** Residential is allowed on the back 50% of the proposed ground floor area of historic properties with the 100 Block Zones while meeting all residential parking requirements.

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ARTICLE 7 – South Town Character Area

Sec. 16-7-60. – South Town Character Area use table.

The following Table 16-3 sets forth the uses for the South Town Character Area.

**Table 16-3
South Town Character Area Use Table**

Use	All Residential Zones	All Commercial Zones	All Mixed-Use Zones	All Recreation & Open Space Zones	All Federally Regulated Zones	Light Industry and Public Facilities Zone	PUD Holding Zone	Railroad Right-of-Way/Transportation Zone
R - Use by right C – Conditional use L – Limited use N – Not allowed								
Accessory apartments	L	L	—	—	N	—	—	—
Accessory dwellings	L	L	—	—	N	—	—	—
Automotive detail shops	N	R	—	—	N	—	—	—
Automotive parts sales	N	R	—	—	N	—	—	—
Bakeries and confectioneries	N	R	—	—	N	—	—	—
Bakeries and delicatessens with food service	N	R	—	—	N	—	—	—

Banks and financial institutions	N	R	—	—	N	—	—	—
Barbershops	N	R	—	—	N	—	—	—
Beauty shops	N	R	—	—	N	—	—	—
Business and office services	N	R	—	—	N	—	—	—
Car washes	N	C	—	—	N	—	—	—
Cocktail lounges, taverns	N	R	—	—	N	—	—	—
Commercial accommodations	N	R	—	—	N	—	—	—
Convenience stores	N	R	—	—	N	—	—	—
Delicatessens and specialty food stores	N	R	—	—	N	—	—	—
Drive-thru/ups establishments	N	C	—	—	N	—	—	—
Drugstores and pharmacies	N	R	—	—	N	—	—	—
Dry cleaners	N	R	—	—	N	—	—	—
Duplexes	R	R	—	—	N	—	—	—
Garden landscaping supply and seed stores	N	R	—	—	N	—	—	—
Gas stations	N	C	—	—	N	—	—	—

Grocery stores	N	R	—	—	N	—	—	—
Health/medical offices	N	R	—	—	N	—	—	—
Institutional uses	N	R	—	—	N	—	—	—
Laundries	N	C	—	—	N	—	—	—
Laundromats	N	R	—	—	N	—	—	—
Liquor stores	N	R	—	—	N	—	—	—
Manufacturing, light	N	C	—	—	N	—	—	—
Multi-family dwellings	C	C	—	—	N	—	—	—
Office uses	N	R	—	—	N	—	—	—
Pawn shops	N	R	—	—	N	—	—	—
Photographic studios	N	R	—	—	N	—	—	—
Professional activities	N	R	—	—	N	—	—	—
Professional offices, business offices and studios	N	R	—	—	N	—	—	—
Radio and television stores and repair shops	N	R	—	—	N	—	—	—
Restaurant	N	R	—	—	N	—	—	—
Retail uses greater than 5,000 square feet	N	C	—	—	N	—	—	—

Retail stores including: apparel stores; art supply stores and galleries; bookstores; camera stores and photographic studios; candy stores; chinaware and glassware stores; florists; gift stores; hobby stores; household appliance stores; jewelry stores; leather goods stores; luggage stores; music and record stores; newsstands and tobacco stores; sporting goods stores; stationery stores; toy stores; variety stores; yardage and dry goods stores.	N	R		N	—	—	—	—
Service businesses	N	R	—	—	N	—	—	—
Single-family residential dwellings	R	R	—	—	N	—	—	—
<u>*Short-term rental</u>	<u>R</u>	<u>R</u>	<u>—</u>	<u>—</u>	<u>N</u>	<u>—</u>	<u>—</u>	<u>—</u>
Small appliance	N	R	—	—	N	—	—	—

repair shops, excluding furniture repair								
Tailors and dressmakers	N	R	—	—	N	—	—	—
Theaters	N	R	—	—	N	—	—	—
Theaters, meeting rooms and convention centers	N	R	—	—	N	—	—	—
Travel and ticket agencies	N	R	—	—	N	—	—	—

** Historic property is exempt from the two year ownership requirement.*

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ARTICLE 8 – Martin Creek Character Area

Sec. 16-8-40. – Martin Creek Character Area use table.

The following Table 16-4 sets forth the uses for the Martin Creek Character Area:

Table 16-4

Martin Creek Character Area Use Table

Use	All Residential Zones	All Commercial Zones	All Mixed-Use Zones	All Recreation & Open Space Zones	All Federally Regulated Zones	Light Industry and Public Facilities Zone	PUD Holding Zone	Railroad Right-of-Way/Transportation Zone
R - Use by right C – Conditional use L – Limited use N – Not allowed								
Accessory apartments	L	—	—	—	—	—	—	—
Accessory dwellings	L	—	—	—	—	—	—	—
Automotive detail shops	N	—	—	—	—	—	—	—

Automotive parts sales	N	—	—	—	—	—	—	—
Bakeries and confectioneries	N	—	—	—	—	—	—	—
Bakeries and delicatessens with food service	N	—	—	—	—	—	—	—
Banks and financial institutions	N	—	—	—	—	—	—	—
Barbershops	N	—	—	—	—	—	—	—
Beauty shops	N	—	—	—	—	—	—	—
Business and office services	N	—	—	—	—	—	—	—
Car washes	N	—	—	—	—	—	—	—
Cocktail lounges, taverns	N	—	—	—	—	—	—	—
Commercial accommodations	N	—	—	—	—	—	—	—
Convenience stores	N	—	—	—	—	—	—	—
Delicatessens and specialty food stores	N	—	—	—	—	—	—	—
Drive-thru/up establishments	N	—	—	—	—	—	—	—
Drugstores and pharmacies	N	—	—	—	—	—	—	—

Dry cleaners	N	—	—	—	—	—	—	—
Duplexes	N	—	—	—	—	—	—	—
Garden landscaping supply and seed stores	N	—	—	—	—	—	—	—
Gas stations	N	—	—	—	—	—	—	—
Grocery stores	N	—	—	—	—	—	—	—
Health/medical offices	N	—	—	—	—	—	—	—
Laundries	N	—	—	—	—	—	—	—
Laundromats	N	—	—	—	—	—	—	—
Liquor stores	N	—	—	—	—	—	—	—
Manufacturing, light	N	—	—	—	—	—	—	—
Multi-family dwellings	N	—	—	—	—	—	—	—
Office uses	N	—	—	—	—	—	—	—
Pawn shops	N	—	—	—	—	—	—	—
Photographic studios	N	—	—	—	—	—	—	—
Professional activities	N	—	—	—	—	—	—	—
Professional offices, business offices and studios	N	—	—	—	—	—	—	—
Radio and television stores and repair shops	N	—	—	—	—	—	—	—

Restaurant	N	—	—	—	—	—	—	—
Retail stores including: apparel stores; art supply stores and galleries; bookstores; camera stores and photographic studios; candy stores; chinaware and glassware stores; florists; gift stores; hobby stores; household appliance stores; jewelry stores; leather goods stores; luggage stores; music and record stores; newsstands and tobacco stores; sporting goods stores; stationery stores; toy stores; variety stores; yardage and dry goods stores.	N	—	—	—	—	—	—	—
Retail uses greater than 5,000 square feet	N	—	—	—	—	—	—	—
Service businesses	N	—	—	—	—	—	—	—
<u>*Short-term rental</u>	<u>R</u>	≡	≡	≡	≡	≡	≡	≡

Single-family residential dwellings	R	—	—	—	—	—	—	—
Small appliance repair shops, excluding furniture repair	N	—	—	—	—	—	—	—
Tailors and dressmakers	N	—	—	—	—	—	—	—
Theaters	N	—	—	—	—	—	—	—
Theaters, meeting rooms and convention centers	N	—	—	—	—	—	—	—
Travel and ticket agencies	N	—	—	—	—	—	—	—

** Historic property is exempt from the two year ownership requirement.*

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ARTICLE 9 – Cross Creek Character Area

Sec. 16-9-60. – Cross Creek Character Area use table.

The following Table 16-5 sets forth the uses for the Cross Creek Character Area:

**Table 16-5
Cross Creek Character Area Use Table**

Use	All Residential Zones	All Mixed-Use Zones	All Recreation & Open Space Zones	All Federally Regulated Zones
R – Use by right C – Conditional use L – Limited use N – Not allowed				
Accessory apartments	L	L	N	N
Accessory dwellings	L	L	N	N
Automotive detail shops	N	C	N	N

Automotive parts sales	N	C	N	N
Bakeries and confectioneries	N	R	N	N
Bakeries and delicatessens with food service	N	R	N	N
Banks and financial institutions	N	R	N	N
Barbershops	N	R	N	N
Beauty shops	N	R	N	N
Business and office services	N	R	N	N
Car washes	N	N	N	N
Cocktail lounges, taverns	N	C	N	N
Commercial accommodations	N	R	N	N
Convenience stores	N	C	N	N
Delicatessens and specialty food stores	N	R	N	N
Drive-thru/up establishments	N	N	N	N
Drugstores and pharmacies	N	R	N	N
Dry cleaners	N	R	N	N
Duplexes	R	R	N	N
Garden landscaping supply and seed stores	N	R	N	N
Gas stations	N	N	N	N
Grocery stores	N	R	N	N
Health/medical offices	N	R	N	N
Laundromats	N	C	N	N
Liquor stores	N	C	N	N
Manufacturing, light	N	N	N	N

Multi-family dwellings	C	C	N	N
Office uses	N	R	N	N
Pawn shops	N	C	N	N
Photographic studios	N	R	N	N
Professional activities	N	R	N	N
Professional offices, business offices and studios	N	R	N	N
Restaurants	N	R	N	N
Retail stores, including: apparel stores; art supply stores and galleries; bookstores; camera stores and photographic studios; candy stores; chinaware and glassware stores; florists; gift stores; hobby stores; household appliance stores; jewelry stores; leather goods stores; luggage stores; music and record stores; newsstands and tobacco stores; sporting goods stores; stationery stores; toy stores; variety stores; yardage and dry goods stores	N	R	N	N
Retail uses greater than 5,000 square feet	N	R	N	N
Service businesses	N	R	N	N
<u>*Short-term rental</u>	<u>R</u>	<u>R</u>	<u>N</u>	<u>N</u>
Single-family residential dwellings	R	R	N	N
Small appliance repair shops, excluding furniture repair	N	R	N	N
Tailors and dressmakers	N	R	N	N
Theaters	N	C	N	N
Travel and ticket agencies	N	R	N	N

** Historic property is exempt from the two year ownership requirement.*

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ARTICLE 12 – Game Creek Character Area

Sec. 16-12-50. – Game Creek Character Area use table.

The following Table 16-7 sets forth the uses for the Game Creek Character Area:

**Table 16-7
Game Creek Character Area Use Table**

Use	All Residential Zones	All Commercial Zones	All Mixed-Use Zones	All Recreation & Open Space Zones	All Federally Regulated Zones	Light Industry and Public Facilities Zone	PUD Holding Zone	Railroad Right-of-Way/Transportation Zone
R - Use by right C – Conditional use L – Limited use N – Not allowed								
Accessory apartments	L	—	—	—	—	—	—	—
Accessory dwellings	L	—	—	—	—	—	—	—
Automotive detail shops	N	—	—	—	—	—	—	—
Automotive parts sales	N	—	—	—	—	—	—	—
Bakeries and confectioneries	N	—	—	—	—	—	—	—
Bakeries and delicatessens with food service	N	—	—	—	—	—	—	—
Banks and financial institutions	N	—	—	—	—	—	—	—
Barbershops	N	—	—	—	—	—	—	—
Beauty shops	N	—	—	—	—	—	—	—
Business and office services	N	—	—	—	—	—	—	—
Car washes	N	—	—	—	—	—	—	—
Cocktail lounges, taverns	N	—	—	—	—	—	—	—

Commercial accommodations	N	—	—	—	—	—	—	—
Convenience stores	N	—	—	—	—	—	—	—
Delicatessens and specialty food stores	N	—	—	—	—	—	—	—
Drive-thru/ups establishments	N	—	—	—	—	—	—	—
Drugstores and pharmacies	N	—	—	—	—	—	—	—
Dry cleaners	N	—	—	—	—	—	—	—
Duplexes	C	—	—	—	—	—	—	—
Garden landscaping supply and seed stores	N	—	—	—	—	—	—	—
Gas stations	N	—	—	—	—	—	—	—
Grocery stores	N	—	—	—	—	—	—	—
Health/medical offices	N	—	—	—	—	—	—	—
Laundries	N	—	—	—	—	—	—	—
Laundromats	N	—	—	—	—	—	—	—
Liquor stores	N	—	—	—	—	—	—	—
Manufacturing, light	N	—	—	—	—	—	—	—
Multi-family dwellings	N	—	—	—	—	—	—	—
Office uses	N	—	—	—	—	—	—	—

Pawn shops	N	—	—	—	—	—	—	—
Photographic studios	N	—	—	—	—	—	—	—
Professional activities	N	—	—	—	—	—	—	—
Professional offices, business offices and studios	N	—	—	—	—	—	—	—
Radio and television stores and repair shops	N	—	—	—	—	—	—	—
Restaurant	N	—	—	—	—	—	—	—
Retail stores including: apparel stores; art supply stores and galleries; bookstores; camera stores and photographic studios; candy stores; chinaware and glassware stores; florists; gift stores; hobby stores; household appliance stores; jewelry stores; leather goods stores; luggage stores; music and record stores; newsstands and tobacco stores;	N	—	—	—	—	—	—	—

sporting goods stores; stationery stores; toy stores; variety stores; yardage and dry goods stores.								
Retail uses greater than 5,000 square feet	N	—	—	—	—	—	—	—
Service businesses	N	—	—	—	—	—	—	—
<u>*Short-term rental</u>	<u>R</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
Single-family residential dwellings	R	—	—	—	—	—	—	—
Small appliance repair shops, excluding furniture repair	N	—	—	—	—	—	—	—
Tailors and dressmakers	N	—	—	—	—	—	—	—
Theaters	N	—	—	—	—	—	—	—
Theaters, meeting rooms and convention centers	N	—	—	—	—	—	—	—
Travel and ticket agencies	N	—	—	—	—	—	—	—

** Historic property is exempt from the two year ownership requirement.*

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ARTICLE 14.5 – Maloit Park Character Area

Sec. 16-14.5-60. - Maloit Park Character Area use table.

The following Table 16-9.5 sets forth the uses for the Maloit Park Character Area:

**Table 16-9.5
Maloit Park Character Area Use Table**

Use	All Residential Zones	All Commercial Zones	All Mixed-Use Zones	All Recreation & Open Space Zones	All Federally Regulated Zones	Light Industry and Public Facilities Zone	PUD Holding Zone	Railroad Right-of-Way/Transportation Zone
R - Use by right C – Conditional use L – Limited use N – Not allowed								
Accessory apartment			R	N		R		
Accessory dwelling			R	N		R		
Accessory uses customarily associated with allowable uses			R	R		R		
Arts, recreation, senior or civic centers			R	N		N		
Athletic fields			R	N		R		
Automotive detail shops			N	N		N		
Automotive parts sales			N	N		N		
Bakeries and confectionaries			N	N		N		
Bakeries and delicatessens			N	N		N		

with food service								
Banks and financial institutions			N	N		N		
Barbershops			N	N		N		
Beauty shops			N	N		N		
Business and office services			N	N		N		
Car washes			N	N		N		
Cocktail lounges, taverns			N	N		N		
Commercial accommodations			N	N		N		
Community-oriented buildings, facilities and uses			R	N		N		
Convenience stores			N	N		N		
Day care, early learning			R	N		N		
Delicatessen and specialty food stores			N	N		N		
Dormitory housing			R	N		N		
Drive thru/up establishments			N	N		N		

Drugstores and pharmacies			N	N		N		
Dry cleaners			N	N		N		
Duplex			R	N		R		
Educational or training facilities and uses			R	N		N		
Garden landscaping supply and seed stores			N	N		N		
Gas stations			N	N		N		
Grocery stores			N	N		N		
Health/medical offices			N	N		N		
Health/wellness center			R	N		N		
Laundries			N	N		N		
Laundromats			N	N		N		
Liquor stores			N	N		N		
Manufacturing, light			N	N		N		
Multi-family dwellings			R	N		R		
Office use			N	N		N		
Offices associated with community-oriented or			R	N		N		

nonprofit organizations								
Overnight lodging associated with allowable health/wellness or conference centers			R	N		N		
Parks and playgrounds			R	R		N		
Pawn shops			N	N		N		
Photographic studios			N	N		N		
Professional activities			N	N		N		
Professional offices, business offices and studios			N	N		N		
Radio and television stores and repair shops			N	N		N		
Restaurants			N	N		N		
Retail stores including: apparel stores; art supply stores and galleries; bookstores; camera stores and photographic studios; candy stores; chinaware and glassware			N	N		N		

stores; florists; gift shops; hobby stores; household appliance stores; jewelry stores; leather good stores; luggage stores; music and record stores; newsstands and tobacco stores; sporting goods stores; stationary stores; toy stores; variety stores; yardage and dry goods stores								
Retail uses greater than 5,000 sq. ft.			N	N		N		
School- related uses and facilities in accordance with Section 22-32-124, C.R.S.			R	N		N		
Senior housing, retirement communities			R	N		N		
Service businesses			N	N		N		
<u>*Short-term rental</u>			<u>R</u>	<u>N</u>		<u>R</u>		
Single-family dwellings			R	N		R		

Small appliance repair shops, excluding furniture repair			N	N		N		
Studios for arts, crafts and performing arts			R	N		N		
Tailors and dressmakers			N	N		N		
Theaters, meeting rooms and conference centers			R	N		N		
Trails, trailheads			R	R		R		
Travel and ticket agencies			N	N		N		
Utility facilities and improvements, including but not limited to water storage, transmission lines, transformers, etc.			R	R		R		
Water treatment facilities			N	N		R		
Other uses determined to be similar in nature to other			R	R		R		

permitted uses							
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** Historic property is exempt from the two year ownership requirement.*

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CHAPTER 19 – Historic Preservation

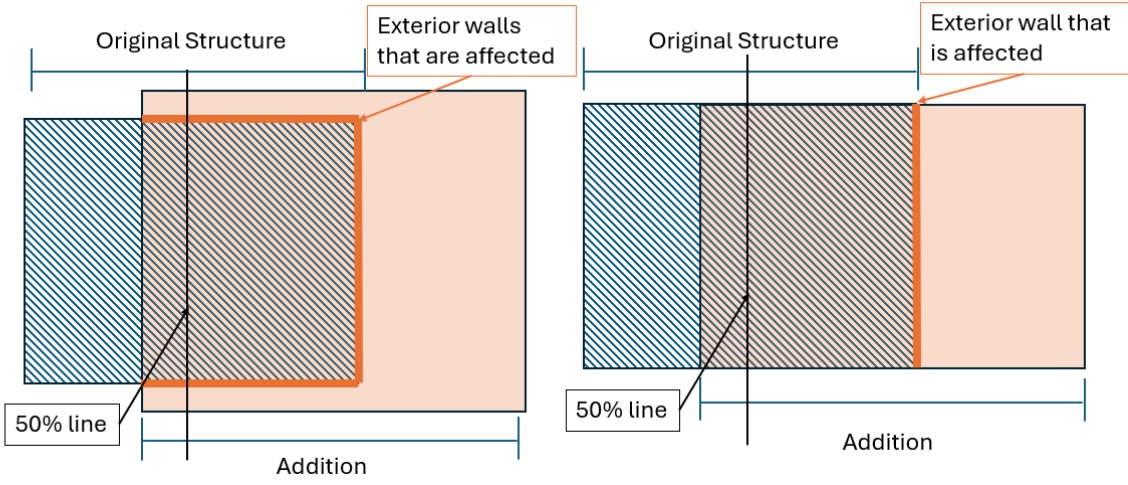
* * *

ARTICLE 1 - General

Sec. 19-1-40. – Definitions.

Alter, alters, or alterations means any act or process that changes ~~one (1) or more of the~~ than fifty percent (50%) of the exterior architectural features of a building, structure, site, or object measured by square footage or a primary designated façade as chosen by HPC and Council during the designation process.

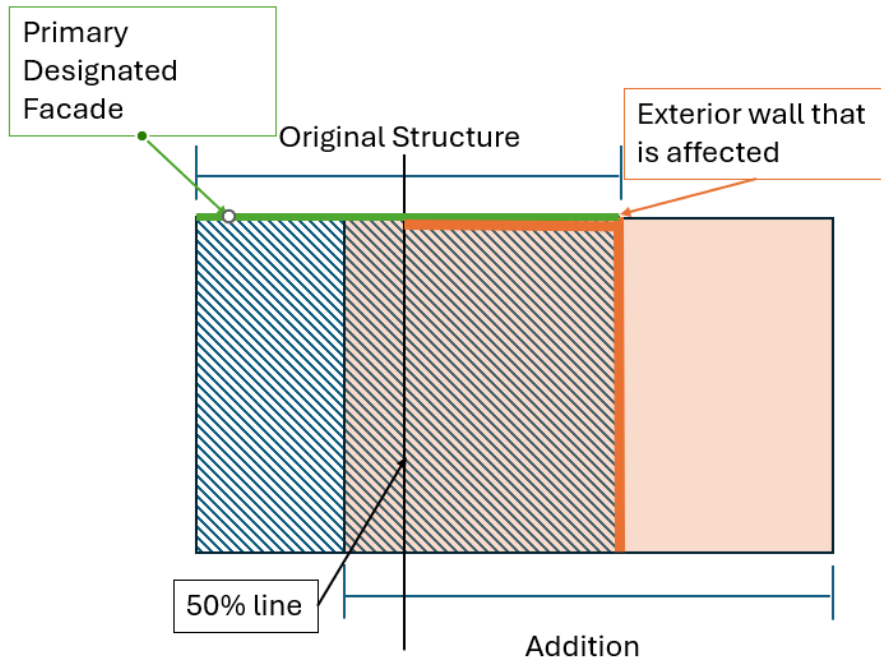
Illustrative Example:



Affected more than 50% of the exterior architectural features of the original structure and counts as an alteration

Affected less than 50% of the exterior architectural features of the original structure and does not count as an alteration

- Original Structure
- Addition



Affected less than 50% of the exterior architectural features of the original structure, but affected the façade designated by HPC and Council and does count as an alteration

ARTICLE 4 – Designation Procedure

Sec. 19-4-10. – Application for nomination.

- (a) Applications shall be submitted to the Town of Minturn Planning Department for consideration, on a form provided by HPC.
- (b) An application for nomination for listing in the Town's Historic Register may be made by the owner or owners of the property or properties to be designated or by two or more of the following:
 - (1) ~~By the owner or owners of the property or properties to be designated;~~
 - (2) By a member ~~or members~~ of HPC;
 - (3) By a member ~~or members~~ of Town Council; and/or
 - (4) By non-owners of the property or properties to be designated, in which case the applicant must be a resident or owner of property in the Town, or have a place of business in the Town.
- (c) Where an application for nomination is submitted by someone other than the property owner or less than all of the property owners in a district nominated for designation, the staff person assigned to HPC pursuant to [Section 19-2-50](#) shall contact the owner or owners of such property or properties nominated for designation in writing, outlining the reasons and effects of listing in the Town's Historic Register, within ten (10) business ~~forty five (45)~~ days of receipt of a complete application.

- (d) Applications determined incomplete by the Planning Department shall be returned to the applicant within forty-five (45) days of receipt of application, with a request for additional information.

* * *

Sec. 19-4-30. – HPC review.

- (a) HPC shall review the application for conformance with the established criteria for designation and with the purposes of this Article.
- (b) HPC shall recommend:
 - (1) Approval;
 - (2) Approval with conditions; or
 - (3) Denial of the application.HPC shall set forth in writing the basis of its recommendation.
- (c) If HPC recommends approval of an application or approval of an application with conditions, HPC shall forward the application with a copy of its report and findings, as well as a recommendation of which façade(s), not to exceed 50% of the exterior architectural features, should be prioritized to remain as is, to the Town Council within thirty (30) days of determination.
- (d) If HPC recommends denial of an application, HPC shall forward the application with a copy of its report and findings to the Town Council within thirty (30) days of determination.
- (e) HPC may issue an order continuing the nomination process if HPC finds that additional information is necessary to make a decision. If the hearing is continued, the time, date, and place of the continuation shall be established and announced to those present when the current session is to be adjourned. In no case can a hearing be continued more than forty-five (45) days without the express consent of the applicant and the owner(s).

* * *

ARTICLE 5 – Alterations to Listed Properties and Historic Districts

Sec. 19-5-30. – Review criteria.

- (a) Compliance with any Historic Preservation Design Guidelines adopted by the Town Council for historic properties and/or contributing properties within historic districts.
- (b) Compliance with Appendix B – Minturn Design Standards and Guidelines as long as the alterations are keeping with the general character of the historic property ~~the Secretary of the Interior's Standards for the Treatment of Historic Properties, including the Standards for Rehabilitation.~~

* * *

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