

TOWN OF MINTURN, COLORADO
ORDINANCE NO. – SERIES 2023

AN ORDINANCE OF THE TOWN OF MINTURN,
COLORADO AMENDING CHAPTER 19, ARTICLE 5 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 January 16, 2024, the Minturn Historic Preservation Commission considered this ordinance and recommended approval; and

WHEREAS, on February 7, 2024, 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. Chapter 19 of the Minturn Municipal Code is 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 Chapter 19 which are not expressly described in this Ordinance are deemed to continue to be in full effect without change.

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 two 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 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.
 - c) Rear 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.
 - d) No setback relief shall be given to any live stream setback for Historic Preservation purposes.
 - e) Issuance of a letter of support by the Planning Department for waiver or amendment of building code requirements not affecting the safety of a building. The letter may be issued when application of the building code would detrimentally impact the historic and architectural integrity of a contributing resource in the Town.
 - f) Economic and Regulatory Incentives
 - i) In order to induce owners of eligible resources to consider proposing their property for listing on the Local Register, the Town may offer the owner of an Historic Resource, Local Landmark, or Contributing Property:
 - (1) Federal and state income tax credits as provided by law, with reviews conducted by the Historic Preservation Commission by virtue of the Town’s certification as a Certified Local Government.

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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