

TOWN OF MINTURN, COLORADO  
ORDINANCE NO. 15 – SERIES 2023

AN ORDINANCE OF THE TOWN OF MINTURN,  
COLORADO APPROVING THE FINAL DEVELOPMENT  
PLAN FOR PLANNED UNIT DEVELOPMENT FOR  
MINTURN NORTH

**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 is authorized by the Home Rule Charter and Section 31-23-301, C.R.S., to enact zoning and land use regulations; and

**WHEREAS**, Chapter 16, Zoning, of the Code regulates zoning and land use within the Town; and

**WHEREAS**, the purpose of Chapter 16 is to encourage the most appropriate use of land, to preserve and promote the Town’s economy, heritage and small-town qualities, and it is designed to promote the health, safety, welfare and convenience of the citizens; and

**WHEREAS**, Sec. 16-15-10 - Purposes and general provisions, of the Code establishes the purpose of the Planned Unit Development (“PUD”) Overlay Zone District which is to allow flexibility for landowners to creatively plan for the overall development of their land and to achieve the purpose and objectives of the Code and the Community Plan; and

**WHEREAS**, Sec. 16-15-20 - Authority, of the Code, states that the PUD Overlay Zone District is adopted pursuant to Section 24-67-101, et seq., C.R.S., the Planned Unit Development Act of 1972; and

**WHEREAS**, Sec. Sec. 16-15-20 - Authority, of the Code, provides that the Town staff and the Planning Commission (“Commission”) shall have the authority to recommend and the Town Council shall have the authority to impose such conditions on a PUD as are necessary to accomplish the purpose of this Code and the Community Plan; and

**WHEREAS**, the Minturn North Preliminary Development Plan (“Preliminary Plan”) was approved by Resolution No. 19, Series 2023; and

**WHEREAS**, the Town received a Final PUD Development Plan Application (“Final Plan”) from the Applicant on or about September 28, 2023; and

**WHEREAS**, the Final Plan allows for the development of 39 dwelling units consisting of 33 single family residences on Lots 1-33, which shall have a deed restriction requiring a 1% transfer assessment paid to the Town of Minturn by any non-permanent resident Buyer, and six

Permanent Resident Housing homes on Lots 34-39, which shall be subject to a deed restriction on occupancy of such lots; and

**WHEREAS**, Town of Minturn Staff (“Staff”) has determined that the Final Plan conforms with the Town’s applicable standards and that the Applicant has successfully addressed any conditions of approval contained in Resolution No. 19, Series 2023; and

**WHEREAS**, finds that the Final Plan conforms with the Town’s standards; and

**WHEREAS**, the Town Council finds it is necessary and proper to approve the Minturn North Final PUD Development Plan.

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. The Council finds that the Minturn North Final PUD Development Plan meets all applicable requirements and standards contained in MMC §§ 16-15-10 *et seq.*

SECTION 3. That the Minturn North Final PUD Development Plan **attached hereto as Exhibit A** is hereby approved subject to the following conditions:

1. Prior to sale of Lots 1-4 or issuance of a building permit for any of Lots 1-4, Applicant shall provide the Town with additional documentation based on the Wright Water Engineering “Game Creek Existing Mudflow Analysis” specifically related to the Game Creek Drainage confirming that the currently designed berm or other means of mudflow protection which may be provided to be located within the Game Creek setback is sufficient to reasonably mitigate against a 100-year mudflow event. Such additional documentation shall be provided by a professional engineer licensed in the State of Colorado. Such evaluation(s), report(s), and/or studies shall be reviewed by Colorado Geological Survey and approved by the Town Engineer.
2. ~~The Applicant shall work with the Town Engineer and Town Attorney to revise and update PUD documents (CC&Rs) and/or agreements to permit the Town of Minturn, as an authorized contractor, to access to repair critical offsite drainage facilities in emergency situations.~~
3. The Applicant shall provide 100% construction level plans and cost estimates for County Road 14/the extension of Minturn Road within one year and constructed within three years of final plat approval.
4. The Applicant shall provide CDOT Notice to Proceed and complete construction offsite improvements within 3 years of final plat approval.
5. Provide final designs and cost estimates for the Eco Trails Game Creek bridge within one year and constructed within three years of final plat approval.
6. Provide all necessary Army Corps of Engineers wetland permitting prior to commencement of construction of the EcoTrail Game Creek Bridge.

7. The Applicant shall provide evidence of final approval and ability to serve from the Eagle River Water and Sanitation District prior to recordation of the Minturn North PUD Final Subdivision Plat. **Any revisions to 100 percent construction drawings and associated cost estimates as a result of any changes requested by ERWSD shall be added to the 100 percent construction drawings and cost estimates to be reviewed and approved by the Town Engineer.**
8. ~~The Applicant shall work with the Town Attorney to update and revise the Declaration of Covenants, Conditions, Restrictions and Easements for Minturn North (CC&Rs) to ensure proper limitations on the scope and powers of any Home Owner's Association (HOA) created as part of the PUD. Specific focus on revisions to the CC&Rs should be aimed at reducing controls on design review and/or architectural control by the HOA Executive Board; use of individual properties for the keeping and storage of recreational equipment, recreational vehicles (RV's, trailers, vehicles), and personal items in keeping with the rest of the Town. Specific sections of the CC&Rs to be addressed and revised include Section 15 — Use Restrictions, and Section 16 — Miscellaneous Matters and Owner Acknowledgements.~~


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 1<sup>ST</sup> DAY OF NOVEMBER 2023. 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 15<sup>TH</sup> DAY OF NOVEMBER 2023 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 15<sup>TH</sup> DAY OF NOVEMBER 2023.

TOWN OF MINTURN, COLORADO

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

ATTEST:

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

**TOWN OF MINTURN, COLORADO  
ORDINANCE NO. 14 – SERIES 2023**

AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO AMENDING CHAPTER 18 OF THE MINTURN MUNICIPAL CODE TO AMEND THE 2021 INTERNATIONAL RESIDENTIAL CODE CONCERNING THE SPRINKLING OF RESIDENTIAL BUILDINGS UNDER 6000 SF

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 1st DAY OF NOVEMBER 2023.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:

By: Jay Brunvand, Town Clerk

**TOWN OF MINTURN, COLORADO  
ORDINANCE NO. 15 – SERIES 2023**

AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO APPROVING THE FINAL DEVELOPMENT PLAN FOR PLANNED UNIT DEVELOPMENT FOR MINTURN NORTH

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 1st DAY OF NOVEMBER, 2023. 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 15th DAY OF NOVEMBER, 2023 AT 5:30p.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

**TOWN OF MINTURN, COLORADO  
ORDINANCE NO. 16 – SERIES 2023**

AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO APPROVING THE FINAL SUBDIVISION PLAT FOR THE UPRR SUBDIVISION

FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THE 1st DAY OF NOVEMBER, 2023. 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 15th DAY OF NOVEMBER, 2023 AT 5:30p.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

**TOWN OF MINTURN, COLORADO  
ORDINANCE NO. 17 – SERIES 2023**

AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO APPROVING THE FINAL SUBDIVISION PLAT FOR THE MINTURN NORTH PUD

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 1st DAY OF NOVEMBER, 2023. 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 15th DAY OF NOVEMBER, 2023 AT 5:30p.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

**TOWN OF MINTURN, COLORADO**

**ORDINANCE NO. 18 - SERIES 2023**

AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO APPROVING THE DISSOLUTION OF THE TOWN OF MINTURN GENERAL IMPROVEMENT DISTRICT.

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 1st DAY OF NOVEMBER, 2023. 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 15th DAY OF NOVEMBER, 2023 AT 5:30p.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

**TOWN OF MINTURN, COLORADO  
ORDINANCE NO. 19 – SERIES 2023**

AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO AMENDING CHAPTER 11 OF THE MINTURN MUNICIPAL CODE TO AMEND THE PROHIBITION OF (SNOW) DEPOSITS ON PUBLIC WAYS

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 1st DAY OF NOVEMBER, 2023. 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 15th DAY OF NOVEMBER, 2023 AT 5:30p.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

**PUBLISHED IN THE VAIL DAILY ON SATURDAY,  
NOVEMBER 4, 2023.**