



## OFFICIAL MINUTES Planning Commission Meeting

Wednesday, January 24, 2024

Town Hall / Council Chambers - 302 Pine St Minturn, CO

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The agenda is subject to change, including the addition of items 24 hours in advance or the deletion of items at any time. The order of agenda items listed are approximate.

This agenda and meetings can be viewed at [www.minturn.org](http://www.minturn.org).

### MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION:

This will be an in-person meeting with access for the public to attend in person or via the Zoom link included. Zoom Link: <https://us02web.zoom.us/j/84625173862>

**Zoom Call-In Information:** 1 651 372 8299 or 1 301 715 8592 **Webinar ID:** 846 2517 3862

**Please note:** All virtual participants are muted. In order to be called upon an unmuted, you will need to use the “raise hand” feature in the Zoom platform. When it’s your turn to speak, the moderator will unmute your line and you will have five (5) minutes for public comment.

**Public Comments:** If you are unable to attend, public comments regarding any items on the agenda can be submitted to Madison Harris, Planner 1, prior to the meeting and will be included as part of the record.

#### 1. CALL TO ORDER - 6:30 PM

Lynn Teach called the meeting to order at 6:30 p.m.

#### 2. ROLL CALL AND PLEDGE OF ALLEGIANCE

Those present at roll call: Planning Commission Chair Lynn Teach and Planning Commission members Michael Boyd, Amanda Mire, Tom Priest, and Jeff Armistead.

Staff Members present: Planner I Madison Harris

*Note: Sage Pierson is excused absent.*

#### 3. APPROVAL OF REGULAR AGENDA

Opportunity for amendment or deletions to the agenda.

Motion by Jeff A., second by Amanda M., to approve the agenda as presented. Motion passed 5-0.

*Note: Sage P. is excused absent.*

#### 4. APPROVAL OF MINUTES

A. January 10, 2024

Motion by Jeff A., second by Amanda M., to approve the minutes of January 10, 2024 as presented. Motion passed 5-0.

*Note: Sage P. is excused absent.*

**5. DECLARATION OF CONFLICTS OF INTEREST**

No conflicts of interest.

**6. PUBLIC COMMENT**

Citizens are invited to comment on any item not on the regular Agenda subject to a public hearing. Please limit your comments to five (5) minutes per person unless arrangements have been made for a presentation with the Town Planner. Those who are speaking are requested to state their name and address for the record.

No public comment.

**7. SPECIAL PRESENTATIONS**

Presentations are limited to 5 minutes unless prior arrangements are made with the Town Planner.

**8. DESIGN REVIEW AND LAND USE PUBLIC HEARINGS**

- A.** Ordinance TBD - Series 2024 Amending Provisions of General Applicability Contained in Chapter 13 (Utilities Code), Chapter 16 (Zoning Code), Chapter 17 (Subdivision Code), and Chapter 18 (Building Code) of the Minturn Municipal Code - Request for Continuance  
Public comment is opened.

No public comment

Public comment closed.

Motion by Jeff A., second by Amanda M., to continue Ordinance TBD - Series 2024 Amending Provisions of General Applicability Contained in Chapter 13 (Utilities Code), Chapter 16 (Zoning Code), Chapter 17 (Subdivision Code), and Chapter 18 (Building Code) of the Minturn Municipal Code to February 14, 2024. Motion passed 5-0.

*Note: Sage P. is excused absent.*

- B.** 806 Cemetery Road - New Maintenance and Storage Building

Madison H. introduced the agenda item. The Applicant requests Final Plan review of a new, 864 square foot maintenance and storage building located at 806 Cemetery Road in the Lionshead Character Area. The plans show a single-level structure with a maximum height measured to the midpoint of the roof of 14 feet above proposed grade. Parking is not an issue as this is a storage and maintenance building. 806 Cemetery Road is not zoned. There are no dimensional limitations or development standards that apply to this property currently. However, what is being proposed would likely conform to typical standards applicable to other zone districts in Town: this building is 15 feet away from the rear property line when the most common rear setback in town is 10 feet, the building height is well under 28 feet which is the most common height restriction, and a building that allow the Cemetery to store their equipment away from the elements would likely be an allowed use. Staff will work with the property owner to facilitate the initiation of a zone district amendment to create a new zone district. Standards would need to be applied and added to the Municipal Code to ensure the DRB approval is valid according to feedback from the Town Attorney.

Pedro Campos, Zehren Associates

The Cemetery has a long history and the only thing they are concerned about is the timing of the rezoning.

Jeff A. asked how zoning would be applied.

- Madison H. said that a new zone district would be created for this.

Mr. Campos is concerned about any potential time a referral process might take. Would like to look at other cemeteries and precedent.

Amanda M. asked about the wording of "amendment".

- Madison H. explained that we would be amending the Character Area Zoning to create a new zone district.

Tom P. suggested we change the wording of the condition to be more specific.

Public comment opened.

No public comment.

Public comment closed.

Motion by Jeff A., second by Michael B., to approve with conditions 806 Cemetery Road – New Maintenance and Storage Building. Motion passed 5-0.

1. The Applicant shall work with the Town of Minturn to initiate a zone district amendment for the subject property within 3 months of any DRB approval. The building permit process can happen concurrently with the amendment of the zoning district.

## **9. DISCUSSION / DIRECTION ITEMS**

### **A. Minturn Forward: Code Update Project**

Matt Farrar, Western Slope Consulting

We need to identify the components of the form-based code that the Planning Commission would like to incorporate in the code update.

Tom P. is in favor of all the bullets in public space standards and building form standards. Hesitant to get that detailed for architectural standards.

Amanda M. likes the public space and green standards. Building form to her is duplicative of our current code that we are maintaining.

Michael B. likes the public space standards, but more in favor of the traditional form. If we get into the building and architectural forms then that's throwing more rules that people have to conform with.

Jeff A. doesn't think there's enough public space in Minturn for that section to apply. Likes the types and design standards sections of the building forms, but not the functions. Likes the design guidelines for the architectural standards, but thinks we have a rough draft of a more traditional version from the past. There are parts of town where the architectural standards may work, but the further south you go, the less they work. Need to allow more flexibility and creativity.

Lynn T. would like to know what Avon and Eagle use for their code. Creating a hybrid code is too big a project for this Town as we aren't very big. Would like to use what we have already done. Would like to completely stick with traditional.

Mr. Farrar said that he was operating under the impression that we would be working with a traditional code with only a few components of a form-based code integrated in.

Jeff A. said that he knows there are already places that have been flagged that are lacking in either language or graphics and getting hung up on what elements we want to include isn't productive. Michael B. and Lynn T. agree.

Amanda M. disagrees and feels strongly about the public space standards and would like to add green standards in accordance with the community plan.

Tom P. would like the experts to decide where to add appropriate elements.

Direction given was to get started on the code update and solicit feedback as we go.

Mr. Farrar laid out the next steps. First we need to find the elements of the code that might not necessitate a lot of community engagement, and start working on those, while we go out to the community to solicit feedback on other specific sections. We would likely start with the processes in the code. We would like to do a survey and a couple of open houses to try and define certain areas/neighborhoods. This would be helpful for putting into words the character as well as any amendments to design guidelines.

Lynn T. would like to have the survey questions come before them.

Jeff A. would like the survey to be done for a shorter amount of time and just have a meeting after it.

Tom P. suggested that all results be brought to Council in a joint session.

Mr. Farrar pointed out that during the Community Plan process there were statements made that there would be additional community input solicited when it comes to updating zone districts.

Jeff A. clarified the types of questions the community engagement would be given.

Mr. Farrar said that at the next meeting we can present a draft outline of the open houses as well as the draft questions for the survey. We are also working on a work plan.

## **10. STAFF REPORTS**

### **A. Manager's Report**

#### **Water Treatment Facility Security Fence**

A security fence will be installed at the Minturn water treatment facility this spring summer. The fence will border the eastern property line of the town and travel up the slopeside on the east side of the property only. CPW and CDPE required this design for wildlife movement to/from Cross Creek while still keeping out any vehicular traffic and pedestrians coming from the east.

#### **Downtown Development Authority**

With Jim Mann, municipal financial advisor, back on board, Minturn is moving forward again with our analysis of the Downtown Development Authority. One new factor for property valuations will be the recently adopted Historic Preservation Ordinance and how that seems to be affecting property values. This will impact the amount of funds a DDA could potentially secure, so Jim Madd will be adding this to his analysis. We hope to have a report in the coming months.

#### **Minturn Tank Operations**

Update – Jarod Limke, Jeff Spanel, Jim Mann, and I had a productive conversation with Sean Oliver, State Revolving Fund representative. Sean indicated Minturn CAN use the remaining funds from the concrete tank loan to install a PRV vault which would allow Minturn to efficiently operate both the steel bolted tank and the new concrete tank at maximum capacity. Minturn is now looking into the viability and costs associated for the rehabilitation of the steel-bolted tank. This route may also prove more cost effective than installing a service line to the Median property for a separate project. More to come.

12/20/2023 update - Tank #3 is now online and operational. I will be discussing tank loan options with the State Revolving Loan Fund representative to determine if leftover loan funds can be used to facilitate the functioning of the two tanks interchangeably. If funds can be used to improve the functioning of the system, Minturn may want to install a valve box on HWY 24. I will have more information after discussing this option with the SRF representative.

#### **USGS Gauge on Cross Creek**

Update – I had a productive discussion with Steve Anders, USGS program manager. Steve provided a little more history regarding the stream gauge and has supplied the contact information for the CWCB representative I can reach out to for discussing cost share options. I expect the CWCB may be interested in supporting this gauge financially.

12/20/2023 update - Minturn currently pays for the USGS gauge on Cross Creek. This comes at an annual cost of around \$16,000. This is a federal program and I have reached out to USGS to understand why Minturn incurs this cost. Unless there is a specific reason in one of Minturn's water rights decrees, I expect Minturn to drop this expense. The CWCB and Division 5 Engineer use this gauge to make the instream flow call on Cross Creek. I expect if they wish to continue making the instream flow call on Cross Creek, they will support the federal government in maintaining the costs of the gauge.

#### **11. PLANNING COMMISSION COMMENTS**

Amanda M. would like to ask the Town Attorney if there is a tool that allows us to stop accepting development permits until the code rewrite is done.

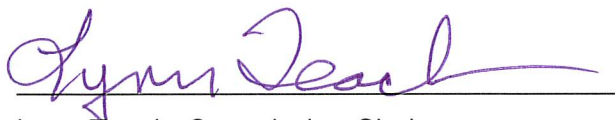
#### **12. FUTURE MEETINGS**

- A. February 14, 2024
- B. February 28, 2024
  - a. Amanda M. will not be in person.

#### **13. ADJOURN**

Motion by Tom P., second by Amanda M., to adjourn the regular meeting of January 25, 2024 at 7:54 p.m. Motion passed 5-0.

*Note: Sage P. is excused absent.*



Lynn Teach, Commission Chair

ATTEST:



Scot Hunn, Planning Director