



AGENDA
Historic Preservation Commission Meeting
Tuesday, August 20, 2024
Town Hall / Council Chambers - 302 Pine St Minturn, CO

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.

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/87500996983>

Zoom Call-In Information: 1 651 372 8299 or 1 301 715 8592 **Webinar ID:** 875 0099 6983

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 - 5:30 PM**
- 2. ROLL CALL AND PLEDGE OF ALLEGIANCE**
- 3. APPROVAL OF REGULAR AGENDA**
Opportunity for amendment or deletions to the agenda.
- 4. APPROVAL OF MINUTES**
[A.](#) July 16, 2024
- 5. DECLARATION OF CONFLICTS OF INTEREST**
- 6. PUBLIC COMMENTS**

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 HPC Secretary. Those who are speaking are requested to state their name and address for the record.

7. SPECIAL PRESENTATIONS

Presentations are limited to 5 minutes. Invited presentations are limited to 10 minutes if prior arrangements are made with the HPC Secretary.

8. BUSINESS ITEMS

Items and/or Public Hearings are listed under Business may be old or new and may require review or action by the HPC.

A. Appointment of HPC Chair

B. Appointment of HPC Vice Chair

C. Ordinance TBD - Series 2024 An Ordinance Amending Chapter 16 - Zoning and Chapter 19 - Historic Preservation of the MMC

9. DISCUSSION / DIRECTION ITEMS

10. STAFF REPORTS

11. HISTORIC PRESERVATION COMMISSION COMMENTS

12. FUTURE AGENDA ITEMS

13. ADJOURN



OFFICIAL MINUTES
Historic Preservation Commission Meeting
Tuesday, July 16, 2024
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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 - 5:30 PM

Ken Halliday called the meeting to order at 5:30 p.m.

2. ROLL CALL AND PLEDGE OF ALLEGIANCE

Members present: HPC Chair Ken Halliday, HPC Vice Chair Larry Stone, and HPC Members Tracy Andersen, Kenneth J. Howell, and Kelly Toon.
Staff members present: Planner I Madison Harris

3. APPROVAL OF MINUTES

A. June 18, 2024

Ken H. would like to clarify that they were not trying to condition the denial on salvaging materials.

Motion by Larry S., second by Kelly T., to approve the minutes of June 18, 2024 as amended.
Motion passed 5-0.

4. APPROVAL OF REGULAR AGENDA

Opportunity for amendment or deletions to the agenda.

Motion by Larry S., second by Kelly T., to approve the agenda as presented. Motion passed 5-0.

5. DECLARATION OF CONFLICTS OF INTEREST

No conflicts of interest.

6. PUBLIC COMMENTS

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 HPC Secretary. 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. Invited presentations are limited to 10 minutes if prior arrangements are made with the HPC Secretary.

A. 25 Harrison Avenue - Meyer's Barn – Update

Ken H. gave an update on the Meyer's Barn. Next month they will come with application to move to Little Beach. It's been looked at by a number of people. It's extremely expensive to move as a whole and so will be turned into a community project to disassemble and move. This is in line with the Little Beach Master Plan to use as the "New Concessions Facility"

8. BUSINESS ITEMS

Items and/or Public Hearings are listed under Business may be old or new and may require review or action by the HPC.

9. DISCUSSION / DIRECTION ITEMS

A. Historic Preservation Process

Madison H. introduced the topic. At the April 16, 2024 Historic Preservation Commission Meeting, there was a request to staff to create flyers to handout or show the public about the Historic Preservation process for education purposes. Staff put together a flowchart of how the difference processes within Chapter 19 relate to each other. At their May 21, 2024 meeting the HPC asked staff to assign best case and worst case scenarios to this entire process. Staff went through and assigned a "best case" and "worst case" set of dates, taking the longest "route" possible. In assigning these dates, staff had to make assumptions such as application dates for the next type of application, as well as that the applications received were complete and ready for public review in the form they were submitted. Staff chose to start the timeline in the last week of February/first week of March, as that is when people often start making inquiries/applications to change their property in order to get ready for building season in May/June. In the "best case" scenario, starting February 26, 2024 and going through all six applications above, building permit was reached August 2024. In the "worst case" scenario, starting February 26, 2024 and going through all six applications above, building permit was reached October 2024. Going through the flow chart the "best case" scenario starts with the nomination being submitted early on in the two week stay process which allowed it to be put on the HPC meeting in March. The "worst case" scenario has the nomination being submitted on the last day in the two week stay process, and thus the public hearing being pushed to the HPC meeting in April. Approved nominations made it through Council April 3, 2024 and May 1, 2024 respectively. For the Certificate of Appropriateness application segment, in the "best case" scenario the application is submitted the day after structure is officially designated after two readings at Council. In the "worst" the application is submitted a week later. (Please note that these are assumptions that staff is making, as we have no way of knowing how much an applicant will have prepared or how long it will take them to submit.) Getting through the Certificate of Appropriateness process puts the "best case" scenario at April 17, 2024, and the "worst case" at June 5, 2024. (Please note that as staff is exhibiting the longest "route"

possible, the Certificate of Appropriateness application results in a denial.) For the Exemption application segment, staff gave each scenario a week to submit the Exemption application. If the Exemption is approved the “best case” scenario is June 5, 2024 and the “worst case” is July 17, 2024. At this point if the Exemption is approved, the Applicant is free to go on to DRB and Building Permit, ending up at August 2024 and October 2024 respectively. Staff would like to reiterate that based on the assumptions made by staff, in a real world example, if applications are not complete and necessitate a back and forth, and/or are not submitted in the extremely optimistic timeline presented in the flowchart, it is likely that two-three months (or more) could be added to both timelines. As HPC and the Town Council are having a joint discussion on July 17, 2024 to discuss Historic Preservation and ways to potentially streamline the process, staff thought it opportune to bring this back for review and any questions before the joint meeting.

Kelly T. pointed out that on one end if someone wants to get rid of a building there’s good and bad associated with it and how lengthy this process is.

Larry S. asked what our Town Attorney thinks about “takings” of someone’s structure being designated without their permission. Would like to bring up at the joint work session how much weight we should give to the property owner’s wants.

Kenneth H. said the basis by which the Council decides how far they want to take the notion of historic preservation. You would be hard pressed to argue that you were out money when this applies to the whole town. In favor of streamlining.

10. STAFF REPORTS

A. Staff Update Memo

491 Main Street

The property owner of 491 Main St. in Minturn recently applied to demolish the structure.

The structure was originally built in 1939, thus surpassing the 75 year threshold and triggering the requirement of posting a sign on the property detailing that an application for demolition has been submitted, and that the structure is eligible for nomination to be designated as a historic property.

The sign posting was completed on June 28, 2024 with no nominations.

856 Main Street

The property owner of 856 Main St. in Minturn recently applied to demolish the structure.

The structure was originally built in 1937, thus surpassing the 75 year threshold and triggering the requirement of posting a sign on the property detailing that an application for demolition has been submitted, and that the structure is eligible for nomination to be designated as a historic property.

The sign posting was completed on June 27, 2024 with no nominations.

Historic Resource Survey RFP

Staff requests a volunteer from the HPC to participate in interviewing applicants for the RFP for the Historic Resource Survey. Interviews are likely to take place July 30-31.

Kelly T. volunteered. Ken H. will be a backup.

11. HISTORIC PRESERVATION COMMISSION COMMENTS

Kenneth H. will not be applying for another term, but thanked everyone for the opportunity to learn and grow. He will not be available for tomorrow’s work session.

Ken H. thanked Kenneth H. and Larry S. for their time served on the HPC.

12. FUTURE AGENDA ITEMS

13. ADJOURN

Motion by Larry S., second by Kenneth H., to adjourn the regular meeting of July 16, 2024 at 6:16 p.m. Motion passed 5-0.

Ken Halliday, Commission Chair

ATTEST:

Michelle Metteer, Town Manager

Minturn Planning Department
Minturn Town Center
301 Boulder St. #309
Minturn, CO 81645
970-827-5645
planner1@minturn.org
www.minturn.org



Minturn Historic Preservation Commission
Chair – Ken Halliday
Tracy Andersen
Robert Creasy
Lynn Teach
Kelly Toon

Memorandum

Date: August 16, 2024
To: Minturn Historic Preservation Commission
From: Madison Harris, Planner I
Re: Appointment of HPC Chair and Vice Chair

As part of the establishment of the Historic Preservation Commission, Sec. 19-2-40. – *Officers* requires the election of a Chair

“HPC shall, by majority vote, elect one (1) of its members to serve as chairperson to preside over HPC's meetings and one (1) member to serve as the vice-chairperson. The members so designated shall serve in these capacities for terms of one (1) year. A Town employee appointed by the Town Manager pursuant to Section 19-2-50 shall serve as Secretary of the HPC.”

Staff requests that the HPC elect Chair and Vice Chair to run meetings and who can duly address all powers and duties required of the HPC.

Sec. 19-2-80. – Powers and duties.

The HPC:

- (1) May conduct surveys and create inventories of properties and areas for the purpose of defining those of historic significance.
- (2) Shall review and determine qualifications of buildings, structures, objects, sites, and historic districts nominated for designation and recommend that the Town Council designate by ordinance such buildings, structures, objects, sites, or historic districts qualifying for such designation.
- (3) Shall recommend to the Town Council the establishment of construction and design guidelines, consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties, for the review of proposals to alter, relocate, or demolish historic properties.

(4) Shall review and make recommendations on any application for alteration, relocation, or demolition of a historic property or historic district or planning and design for a project that may affect the character or integrity of the historic property or historic district.

(5) May participate in review of National Register of Historic Places nominations.

(6) May advise and assist owners on physical and financial aspects of preservation, rehabilitation, restoration, and reconstruction, including nomination to the Town's Historic Register, the Colorado State Register of Historic Properties, and the National Register of Historic Places.

(7) May develop and assist in public education programs on history, archaeology, and historic preservation.

(8) Shall advise the Town Council on matters related to preserving the historic character and substance of the Town and recommend easements, covenants, licenses, and other methods which will implement the completion of the purposes of this Chapter.

(9) Shall participate in federal Section 106 Review under the National Historic Preservation Act of 1966 as requested by Town Council or staff.

(10) May actively pursue financial assistance for preservation-related programs.

(11) Shall draft and recommend for adoption by the Town Council such by-laws, operating policies and other rules of procedure for HPC, as HPC may deem appropriate.

There are no pre-qualifications that the Chair and Vice Chair need to have, such as number of years sitting on the HPC. This appointment is a vote by the HPC members.



To: Historic Preservation Commission
From: Madison Harris
Date: August 16, 2024
Agenda Item: Ordinance TBD - Series 2024 An Ordinance Amending Chapter 16 - Zoning and Chapter 19 – Historic Preservation of the MMC

REQUEST:

Review and make a recommendation to the Town Council to approve, approve with modifications, or deny Ordinance TBD - Series 2024 An Ordinance Amending Chapter 16 - Zoning and Chapter 19 - Historic Preservation of the MMC.

INTRODUCTION:

The Town Council and HPC conducted a joint session on July 17, 2024 to discuss options to help give property owners certainty concerning historic preservation.

ANALYSIS:

At the June 5, 2024 meeting Council discussed balancing historic preservation, economic feasibility, and the utilization of property, particularly in the Town's downtown, commercial generating area. In response to this a work session was scheduled at the July 17, 2024 meeting.

During the work session staff brought forth nine different ideas for Council to discuss and give direction on. Staff was directed to bring back an ordinance addressing Options 1-7:

1. Option 1: Eliminate the requirement for two sets of design review guidelines
2. Option 2: Eliminating potentially redundant approval requirements
3. Option 3: Allow for historically designated structures in the downtown corridor to have the immediate ability to function as short term rentals on all floors
4. Option 4: Encourage historic preservation reinvestment as part of the Downtown Development Authority Operations Plan
5. Option 5: Require a minimum of two nominators for a structure to be nominated for historic designation
6. Option 6: Create a process whereby property owners can determine if their structure would be historically designated without necessarily "supporting" such a designation
7. Option 7: Allow residential in the Downtown Character Area on the back 50% ground floor of historically designated commercial buildings to create live/work opportunities

Staff is presenting this ordinance to the HPC to receive feedback and a recommendation before bringing it to the Planning Commission for their recommendation and Council for final decision. Several of these options, should they be implemented, should provide additional flexibility and stability to individual property owners within the 100 Block and throughout the rest of Town.

COMMUNITY INPUT:

Ongoing.

BUDGET / STAFF IMPACT: TBD

STRATEGIC PLAN ALIGNMENT:

PRACTICE FAIR, TRANSPARENT AND COMMUNICATIVE LOCAL GOVERNMENT

ATTACHMENTS:

- Ordinance TBD - Series 2024 An Ordinance Amending Chapter 16 - Zoning and Chapter 19 – Historic Preservation of the MMC

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.

* * *

ARTICLE 6 – Old Town Character Area

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 Resid ential Zones	Comme rcial Zones	100 Blo ck: A	100 Blo ck: B	All Mix ed- Use Zon es	All Recrea tion & Open Space Zones	All Feder ally Regul ated Zones	Light Indus try and Publi c Facili ties Zone	PUD Hold ing Zone	Railroad Right-of- Way/Transp ortation 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 establishments	N	C	N	N	N	N	—	—	—	—
Drugstores and pharmacies	N	R	R	R	R	N	—	—	—	—
Dry cleaners	N	R	N	N	N	N	—	—	—	—
Duplexes (street level)	N	C	N ^{**} ₌	N ^{**} ₌	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	$\begin{smallmatrix} N^{**} \\ * \\ = \end{smallmatrix}$	$\begin{smallmatrix} N^{**} \\ * \\ = \end{smallmatrix}$	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;	N	R	R	R	R	N	—	—	—	—

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										
<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	N	R	R	R	R	N	—	—	—	—

(second floor or above)										
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% ground floor of historic structures with the 100 Block Zones while meeting all residential parking requirements.*

* * *

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	All Federal Regulatory	Light Industry and Public Facilities	PUD Holding Zone	Railroad Right-of-Way/Transportation Zone

				Space Zones	ed Zones	es 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	N	R		N	—	—	—	—

and record stores; newsstands and tobacco stores; sporting goods stores; stationery stores; toy stores; variety stores; yardage and dry goods stores.								
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 repair shops, excluding furniture repair	N	R	—	—	N	—	—	—
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/ups 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	N	—	—	—	—	—	—	—

stores; music and record stores; newsstands and tobacco stores; 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	—	—	—	—	—	—	—
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** 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;	N	R	N	N

sporting goods stores; stationery stores; toy stores; variety stores; yardage and dry goods stores				
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 Industrial 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; 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 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 with food service			N	N		N		
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 nonprofit organizations			R	N		N		
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 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			N	N		N		

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 permitted uses			R	R		R		

* 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.

* * *

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 forty-five (45) days of receipt of 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.

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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