



2012

Planning Commission Meeting

February 8, 2012

Regular Session:
(Town Hall)

6:30 p.m.

Council Goals

Top Council Priorities:

- **Street Repairs and Drainage Improvements**
- **Sidewalk Installations**
- **Improve Planning and Apply for Infrastructure Grants and Loans**
- **Implement Streetscape Plan**
- **Strengthen Marketing and Events**
- **Clean UP Parking Area on North Taylor Street**

Town of Minturn

Planning Commission Agenda February 8, 2012

Regular Session – 6:30 p.m.
Minturn Town Hall – 302 Pine Street

Call to Order/Roll Call

Approval of Agenda Items

- a. Items to be pulled from Action Items
- b. Emergency Items to be added
- c. Order of the Agenda Items
- d. Approval of the agenda

Approval of Minutes

Planning Commission meeting minutes from January 25, 2012

Public Comment

Members of the public may have 5 minutes to comment on any item they wish that is not on the agenda

Action Items

1. **Zoning Text Amendment 2012-03; A Zoning Text Amendment to create open space dedication requirements for subdivisions, Planned Unit Developments and multi-family developments that are subject to a Conditional Use Permit.**

Discussion Items

1. Lot Coverage Definition Revision
2. Design Review Board submittal requirements and public hearing procedures.

Planning Department Update

Commissioner Comments

Adjournment

**Town of Minturn
Planning Commission Agenda
January 25, 2012**

**Regular Session – 6:30 p.m.
Minturn Town Hall – 302 Pine Street**

Call to Order/Roll Call

The January 25, 2012 meeting of the Minturn Planning Commission was called to order by Chairman Stuart Brummett at 6:34 p.m.

Member Present: Stuart Brummett, Chairman
Lynn Teach, Vice – Chair
Melissa Decker

Members Absent: Tim Osborne
Michael Gallagher – resigned on 1/23/12

Staff Present: Chris Cerimele, Town Planner

Approval of Agenda Items

Chairman S. Brummett asked if there were any changes to the agenda. None were noted.

A motion to approve the agenda as presented was made by Commissioner Decker and seconded by Commissioner Teach. The motion passed 3-0

Approval of Minutes

Planning Commission meeting minutes from January 11, 2012

Chairman Brummett requested that the following note be added to the 1.11.12 minutes:

Staff agreed to discuss the neighbor's concerns with the Town Attorney and applicant.

Commissioner Teach made a motion to approve the minutes as amended. Commissioner Decker seconded the motion. The motion passed 3-0.

Public Comment

None

Action Items

- 1. Zoning Text Amendment 2012-01; A Zoning Text Amendment to revise the lot coverage definition as defined in section 16-2-20 of the Minturn Municipal Code.**

Chris Cerimele introduced the agenda item. He proceeded to read the proposed lot coverage definition:

Lot Coverage: the portion of a lot that is covered by buildings, including all cantilevered portions of the building, roof overhangs greater than twenty-four inches (24"), covered porches, covered walkways and similar covered areas.

Chairman Brummett had concerns with excluding decks from the lot coverage calculation. He stated that decks contribute to the bulk of a building.

A discussion ensued regarding decks. It was decided that they would be included as cantilevered portions of a building. The Commission also requested staff to bring forth an amendment that would limit the amount of impervious surface allowed for each lot.

Commissioner Teach made a motion to approve ZTA 2012-01. Commissioner Decker seconded the motion. The motion passed 3-0

- 2. Zoning Text Amendment 2012-02; A Zoning Text Amendment to create new submittal requirements and public hearing procedures for Design Review Applications.**

Chris Cerimele introduced the proposed Zoning Text Amendment. He proceeded highlight the main provisions that were outlined in the amendment.

Staff and Planning Commission discussed the following changes to the proposed amendment:

- Adding the requirement that the property corners be staked and remain in place throughout the public hearing process.

- Revising point C-3e to read: *All roof ridge lines with ridge elevations and mid-point of roof gable.*
- Adding the following language to E-2: *This requirement may be waived for a structures whose exterior walls are designed three feet or more from all property setbacks and easements.*
- Changing miscellaneous grammatical errors.

Commissioner Decker made a motion to approve ZTA 2012-02. Commissioner Teach seconded the motion. The motion passed 3-0

Discussion Items

None

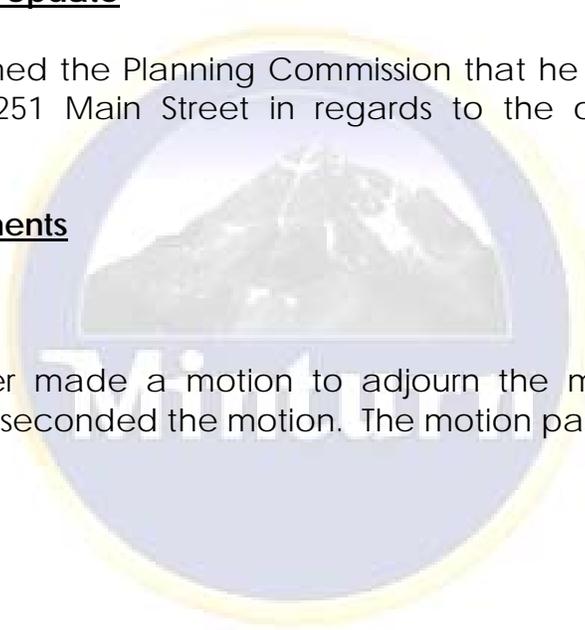
Planning Department Update

Chris Cerimele informed the Planning Commission that he had spoken with the property owner at 251 Main Street in regards to the ongoing construction project.

Commissioner Comments

Adjournment

Commissioner Decker made a motion to adjourn the meeting at 7:53 p.m. Commissioner Teach seconded the motion. The motion passed 3-0.



PLANNING COMMISSION STAFF REPORT

Planning Commission Hearing Date: February 8, 2012

FILE NUMBER: ZTA 2012-03
PROJECT TYPE: Zoning Text Amendment - Open Space Dedication Requirements
LOCATION: The incorporated areas of Minturn
OWNER: Not Applicable
APPLICANT: Town of Minturn
REPRESENTATIVE: Chris Cerimele, Town Planner

SUMMARY

This Zoning text Amendment proposes to amend the Town of Minturn zoning and subdivision regulations by creating new standards for open space dedication requirements. The dedication requirements will apply to subdivisions of land that create more than two parcels of land, Planned Unit Developments and multi-family developments that are subject to a conditional use permit.

PROPOSED CODE AMENDMENT

Section 16-17-300. Open Space Dedication Requirements

A. Intent. To ensure that a comprehensive and integrated network of parks and open space is developed and preserved as the Town of Minturn experiences redevelopment and new growth.

B. Applicability. These regulations shall apply to all Planned Unit Developments, subdivisions and multi-family developments that are subject to a Conditional Use Permit.

C. General Provisions

- 1. Open Space Should Serve as the Neighborhood Focus.** Open space shall be used to organize and focus lot, block and circulation patterns and to enhance surrounding development. Street, block, lot and building patterns shall respond to the views, landscape and recreational opportunities provided by the open space.
- 2. Public Access.** With the exception of open space that is created with a redevelopment of the rail yard area, open space shall be for the use of the residents that are served by the development that necessitates the open space dedication.

3. **Open Space Uses.** Uses designated within the open space shall be appropriate to the context and character of the site and the intensity of the proposed development.
4. **Ownership and Maintenance of Open Space.** Recommendations on the ownership and maintenance of public open space shall be made by the Planning Commission and determined by the Town Council on a case by case basis through the review process. Areas designated as open space shall be protected by a deed restriction or other appropriate method to ensure that the designated area(s) remains open in perpetuity.

D. Open Space Requirements

1. **Open Space Includes:**

- a. Areas within the community designated for the common use of the residents of an individual development and/or the community at large;
- b. Areas designated for preservation and protection of the environmental resources including floodplain, natural drainage ways, and wetland areas;
- c. Areas of historic significance.

2. **Open Space Shall Not Include the Following:**

- a. Required setback areas;
- b. Disconnected remnants of land created by division of sites into lots or parcels that do not qualify as functional open space or that do not preserve environmental resources.
- c. Required parking lot landscaping associated with all uses.

3. **Amount of Open Space Required.** For each of the following project types, open space shall be provided in the following amounts:

- a. **Residential Subdivision.** The developer shall provide a minimum of ten (10) percent of the gross land area being subdivided as functional open space.
- b. **Multi-Family Residential Subdivisions.** The developer shall provide:
 - A minimum of fifteen (15) percent of the gross land area being subdivided as functional open space.

- c. **Planned Unit Developments (PUD).** The developer shall provide:
- A minimum of fifteen (15) percent of the gross land area being developed as common functional open space.
- d. **Commercial and Industrial Developments.** The developer shall provide:
- A minimum of ten (10) percent of the gross land area being developed as common functional open space.
- e. **Multi-Family Developments.** For multi-family developments that require a conditional use permit, the developer shall provide:
- A minimum of (15) percent of the gross land area being developed as common functional open space.
4. **Exemption.** Subdivisions of land that create one additional parcel of land shall be exempt from these provisions.
5. **Fee-in-Lieu of Dedication.** The subdivider of a parcel of land that is less than ten (10) acres may pay a fee-in-lieu of land dedication in those cases where dedication of land is not the preferred alternative. Such payment shall be based on the fair market value of the entire property, to be determined after completion of the platting process. Such payment shall be held by the Town Council for the acquisition of sites and land areas by the Town of Minturn. Money received through this method may also be used for sidewalks, trails and recreational amenities within the Town of Minturn.

STAFF ANALYSIS

The proposed amendment is being processed under MMC *section 16-21-410; Amendments to text of land use regulations or Character Area and Zone District Map.*

Section 16-21-420 – Purpose – states:

The purpose of this Division is to provide a means for changing the boundaries or any other map incorporated herein by reference, and for changing the text of these Land Use Regulations. It is not intended to relieve particular hardships or to confer special privileges or rights on any person, but only to make necessary adjustments in light of changed conditions.

The proposed code amendment is consistent with the purpose of this section. The procedure for a Zoning Text Amendment is outlined in section 16-21-440 (b); *Procedure*. This section states:

Review and recommendation of Planning Commission. The Planning Commission shall conduct a public hearing on an application for amendment to the Character Area Zoning Map, any other map incorporated in these Land Use Regulations or the text of these Land Use Regulations. At the public hearing, the Planning Commission shall consider the application, the relevant support materials, the staff report and the public testimony given at the public hearing. After the close of the public hearing, the Planning Commission shall recommend to the Town Council either to approve or disapprove the application based on the standards in this Chapter and forward the application to the Town Council.

Section 16-21-450; Standards - outlines the factors that the Planning Commission shall consider when reviewing a Zoning Text Amendment. Staff comments are provided in bold text.

- (1) *Consistency with Master Plan. Whether and the extent to which the proposed amendment is consistent with the purposes, goals, policies and Character Area Zoning Map of the Master Plan.*

Staff believes that the proposed ZTA is consistent with the following goals and strategies of the 2009 Community Plan.

Goal (PRG 1): Enhance Recreational Opportunities for all Town Residents and Visitors.

- ***Support and promote the development of a regional trail system.***
- ***Investigate the opportunities for the development of a playgrounds and parks.***
- ***Promote, maintain and improve access to open space.***
- ***Support and promote the development of recreational facilities and programs for multiple user groups.***

- (2) *Compatible with surrounding uses. Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate Character Area and zone district for the land, considering its consistency with the purpose and standards of the proposed zone district.*

Not Applicable

- (3) *Changed conditions. Whether and the extent to which there are changed conditions that require an amendment to modify the use, density or intensity.*

As Minturn experiences growth and redevelopment, the proposed open space dedication requirements will ensure that the residents have access to parks and open space within the town.

(4) Effect on natural environment. Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment, including but not limited to water, air, noise, stormwater management, wildlife habitat, vegetation and wetlands.

The proposed amendment will help to enhance the natural environment through the creation of additional open space within the town.

(5) Community need. Whether and the extent to which the proposed amendment addresses a demonstrated community need.

The residents of Minturn will benefit through the creation of additional trails and open space within the Town.

(6) Development patterns. Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern and not constitute spot zoning, and whether the resulting development can logically be provided with necessary public facilities and services.

Not Applicable

(7) Public interest. Whether and the extent to which the area to which the proposed amendment would apply has changed or is changing to such a degree that it is in the public interest to encourage a new use or density in the area. (Prior code 16-21-8)

Not Applicable

STAFF RECOMMENDATION

Staff recommends approval of ZTA 2012-03 as presented.

DRAFT MOTION ZTA 12-03:

I move to approve ZTA 2012-03 and the associated Planning Commission Resolution (2023-03).

PLANNING COMMISSION ALTERNATIVES TO DRAFT MOTION:

1. Do not forward this zoning text amendment with a recommendation of approval
2. Provide staff with alternate direction

Respectfully Submitted

Chris Cerimele, Planner

Attachments:

Planning Commission Resolution 2012-03

**TOWN OF MINTURN, COLORADO
PLANNING COMMISSION RESOLUTION 2012-03**

A RESOLUTION APPROVING ZONING TEXT AMENDMENT 2012-03

WHEREAS, consistent with Section 16-21-430 of the Minturn Municipal Code, the Town of Minturn has proposed a Zoning Text Amendment to create open space dedication requirements for subdivisions, Planned Unit Developments and multi-family developments subject to a Conditional Use Permit; and

WHEREAS, public notice was given pursuant to Minturn Municipal Code Sec. 16.21.610; and

WHEREAS, on February 8, 2012 the Planning Commission held a public hearing on application ZTA 2012-03 pursuant to Minturn Municipal Code Section 16.21.620 and recommended approval of the application to the Minturn Town Council; and

WHEREAS, pursuant to Minturn Municipal Code Section 16.21.450, the Planning Commission makes the following finding:

- Zoning Text Amendment 2012-03 is consistent with the applicable standards of Minturn Municipal Code section 16-21-450.

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE TOWN OF MINTURN, COUNTY OF EAGLE, STATE OF COLORADO:

Recommends approval to the Minturn Town Council of ZTA 2012-03

INTRODUCED, READ, APPROVED, ADOPTED AND RESOLVED this 8th day of February, 2012.

TOWN OF MINTURN

By: _____
Chairman

ATTEST:

Town Clerk

PLANNING COMMISSION STAFF REPORT

FILE NUMBER: ZTA 2012-01
PROJECT TYPE: Zoning Text Amendment
LOCATION: The incorporated areas of Minturn
OWNER: Not Applicable
APPLICANT: Town of Minturn
REPRESENTATIVE: Chris Cerimele, Town Planner

BACKGROUND

ZTA 2012-01 was presented to the Town Council at their 2/1/12 meeting. The Council voted to table the item until their March 7, 2012 meeting in order for staff and Planning Commission to make an exception for second and third level decks and to clarify the language regarding eaves.

The Town Council was in agreement that only fifty (50) percent of the total area of second and third level decks should be included towards the allowable lot coverage. As an example, if an applicant wanted to construct a second level deck that was 14' x 7', 49 sq. feet would be counted towards the allowable lot coverage. ($14 \times 7 = 98$ and $98/2 = 49$).

The Council also requested clarification of the language regarding the eaves. It was interpreted that the entire eave would be counted towards lot coverage if the eave was greater than 24".

REVISED LOT COVERAGE DEFINITION

Lot Coverage: the portion of a lot that is covered by buildings, including all enclosed cantilevered portions of a building, covered porches, covered walkways and similar covered areas. Fifty percent (50%) of the total area of second and third level decks shall also be included in the lot coverage calculation. For eaves extending greater than twenty-four (24) inches from the face of a building, the first twelve (12) inches of the roof eave shall be counted towards the allowable lot coverage.

FILE NUMBER: ZTA 2012-02
PROJECT TYPE: Zoning Text Amendment
LOCATION: The incorporated areas of Minturn
OWNER: Not Applicable
APPLICANT: Town of Minturn
REPRESENTATIVE: Chris Cerimele, Town Planner

BACKGROUND

The Town Council reviewed the proposed DRB submittal requirements and public hearing procedures at their February 1st meeting. A number of minor revisions were requested by the Council. These include:

- Requiring that the boundary survey be dated no later than 5 years before the application date.
- Eliminating the requirement to show neighboring structures within 15 feet of a shared property line.
- Clarifying the stream setback by adding ordinary high water mark as the point where the stream setback is measured from.
- Adding an option for DRB applications to be extended for a one year period.
- Eliminating the foundation location certificate waiver for structures whose exterior walls are designed three feet or more from all property setbacks.

Staff and Planning Commission were requested to discuss the proposed changes and make recommendation for the March 7th Town Council meeting. A red-lined copy with the suggested revisions is attached for your review.

PROPOSED CODE AMENDMENT

Section 16-21-615. Design Review Applications

- (a) **Purpose.** The purpose of a Design Review is to ensure that all new development and major redevelopments in Minturn are constructed in a manner that complies with the adopted regulations of the Town.
- (b) **Applicability.** All major construction must receive Design Review approval from the Design Review Board prior to the issuance of a building permit. Major construction is defined as all new construction projects and any building addition that increases the building footprint and or square footage of an existing structure.
- (c) **Application Requirements.** In addition to the requirements of section 16-21-170, the following information must be submitted for a Design Review application.
1. Application form and fee. Application fees are set annually by the Minturn Town Council;
 2. A boundary survey with a wet stamp and signature of a licensed surveyor that includes the following information:
 - a. Date of survey (must be within five (5) years of the application date.)
 - b. Right-of-way and property lines; including bearings, distances and curve information.
 - c. Labeled ties to existing USGS benchmark.
 - d. Property boundaries to the nearest one one-hundredth of a foot (.01) accuracy. Distances and bearings and a basis of bearing must be shown. Show existing pins or monuments found and their relationship to the established corner.
 - e. All existing easements recorded with the Eagle County Clerk and Recorder. Include bearings and distances
 - f. Spot elevations at the edge of asphalt along the street frontage of the property at five (5) foot intervals, and a minimum of two (2) spot elevations on either side of the lot.
 - ~~g. Existing buildings and structures and portions of neighboring structures within fifteen (15) feet of shared property lines.~~

~~h.g.~~ Topographic conditions at two foot contour intervals.

~~i.h.~~ Existing trees or groups of trees having trunks with diameters of four (4) inches or more.

~~j.i.~~ Rock outcroppings and other significant natural features.

~~k.j.~~ All utility meter locations, including any pedestals on site or in the right-of-way adjacent to the site and the exact location of existing utility sources.

~~l.k.~~ Environmental hazards where applicable. (i.e. rock fall, wetlands, floodplain)

~~m.l.~~ Watercourse setbacks, if applicable. Show centerline and edge of stream or creek in addition to the required stream setback from the ordinary high water mark.

~~Residential additions of 250 square feet or less may have the boundary survey requirement waived by the Design Review Board.~~

3. A scaled site plan showing the following information:

- a. Property line locations and dimensions
- b. Setback lines
- c. Existing and proposed easements
- d. Existing and proposed buildings including sheds and enclosures. Include decks, patios and balconies. Indicate the building face (exterior finish) with a dashed line and the roof edge with a solid line. All cantilevered portions of the building must also be shown with a solid line.
- e. Height elevations of all roof ridgelines and mid-point of roof gables
- f. Driveways and parking areas. Indicate finished surface, heated or unheated, grade, percent slope, dimensions, turning radii, and spot elevations at the property line
- g. Identify all slopes between 30-40%
- h. Identify slopes greater than 40%.
- i. Existing and proposed retaining walls (including materials).
- j. Existing and proposed fences (including height and materials)
- k. Waterbodies and stream setbacks from the ordinary high water mark
- l. Snow storage areas

- m. Landscaped areas
 - n. Sidewalks and walkways.
4. Elevations of all sides of the proposed structure(s), indicating type and color of all exterior materials, building heights, setback lines, locations of exterior lighting fixtures, roof and building drainage system (i.e. gutters and downspouts).
 5. Color chips and a materials board shall be required for all projects.
 6. A landscaping plan, including existing and proposed vegetation. The plan should indicate the quantity, type and size of the proposed vegetation. For projects less than 250 sf, a landscaping plan is required for the disturbed area of the property only.
 7. Floor plans of all levels shall be included that indicate the proposed uses. For additions to existing structures, floor plans must be provided for the existing building.
 8. Multi-family and commercial developments may require one or more of the following; a three-dimensional model of the proposed project and adjacent buildings to scale; a three-dimensional architectural model including adjacent structures; a two dimensional photo illustration of the proposed building in relation to adjacent structures.
 9. Property corners shall be staked and remain in place throughout the public hearing process.
 10. Such additional information as the Planning Department or Design Review Board may require.

(d) Administrative Procedure.

1. Upon receipt of a completed and proper application, the application for Design Review will be scheduled for a public hearing. The hearing will be conducted in accordance with the procedures set forth in Chapter 16.

2. Criteria and Findings. Before acting on a Design Review application, the Planning Commission, acting as the Design Review Board, shall consider the following factors with respect to the proposal:
 - a. The proposals adherence to the Town's zoning regulations.
 - b. The proposals adherence to the applicable goals and objectives of the Community Plan.
 - c. The proposals adherence to the Town's Design Standards.
3. Necessary Findings. The Design Review Board (DRB) shall make the following findings before approving a Design Review application:
 - a. That the proposal is in conformance with the Town of Minturn zoning regulations.
 - b. That the proposal helps achieve the goals and objectives of the Town of Minturn Community Plan.
 - c. That the proposal complies with the Town of Minturn Design Standards.
4. Conditions of approval. The following conditions shall apply to all projects approved by the Design Review Board:
 - a. No changes to an approved plan or design may be made without the written consent of the Town staff. Staff reserves the right to forward any change to the DRB for final approval;
 - b. Design Review Board approval does not constitute a permit for building.
 - c. DRB approval shall not become valid for 20 days following the date of approval, pursuant to the Minturn Municipal Code Chapter – Appeals
 - d. Approval of this project shall lapse and become void one (1) year following the date of final approval, unless a building permit is issued and construction is commenced and ~~is~~ diligently pursued toward completion. A one year extension may be granted by the Design Review Board if the applicant can demonstrate that circumstances beyond their control prevented the authorized work from proceeding and that no significant changes to the land use regulations are applicable to the site.

(e) Construction Process

1. Once an application has been approved by the DRB, the applicant may apply for a building permit. Please consult the Building Department for the applicable submittal requirements.

~~2.~~ A Foundation Location Certificate must be submitted after the building foundation has been poured. Construction may not proceed until the location of the foundation has been verified by the Building Official. ~~This requirement may be waived for a structure whose exterior walls are designed three (3) feet or more from all property setbacks and easements.~~

~~3.2.~~ After the framing of the structure has been completed, an Improvement Location Certificate is required for verification of the roof height and to ensure that no setback encroachments exist on the property. The framing inspection will not be approved until this survey has been approved by the Building Official.

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REVISED CODE AMENDMENT

Section 16-21-615. Design Review Applications

- (a) **Purpose.** The purpose of a Design Review is to ensure that all new development and major redevelopments in Minturn are constructed in a manner that complies with the adopted regulations of the Town.
- (b) **Applicability.** All major construction must receive Design Review approval from the Design Review Board prior to the issuance of a building permit. Major construction is defined as all new construction projects and any building addition that increases the building footprint and or square footage of an existing structure.
- (c) **Application Requirements.** In addition to the requirements of section 16-21-170, the following information must be submitted for a Design Review application.
1. Application form and fee. Application fees are set annually by the Minturn Town Council;
 2. A boundary survey with a wet stamp and signature of a licensed surveyor that includes the following information:
 - a. Date of survey (must be within five (5) years of the application date.)
 - b. Right-of-way and property lines; including bearings, distances and curve information.
 - c. Labeled ties to existing USGS benchmark.
 - d. Property boundaries to the nearest one one-hundredth of a foot (.01) accuracy. Distances and bearings and a basis of bearing must be shown. Show existing pins or monuments found and their relationship to the established corner.
 - e. All existing easements recorded with the Eagle County Clerk and Recorder. Include bearings and distances
 - f. Spot elevations at the edge of asphalt along the street frontage of the property at five (5) foot intervals, and a minimum of two (2) spot elevations on either side of the lot.
 - g. Topographic conditions at two foot contour intervals.
 - h. Existing trees or groups of trees having trunks with diameters of four (4) inches or more.

- i. Rock outcroppings and other significant natural features.
 - j. All utility meter locations, including any pedestals on site or in the right-of-way adjacent to the site and the exact location of existing utility sources.
 - k. Environmental hazards where applicable. (i.e. rock fall, wetlands, floodplain)
 - l. Watercourse setbacks, if applicable. Show centerline and edge of stream or creek in addition to the required stream setback from the ordinary high water mark.
3. A scaled site plan showing the following information:
- a. Property line locations and dimensions
 - b. Setback lines
 - c. Existing and proposed easements
 - d. Existing and proposed buildings including sheds and enclosures. Include decks, patios and balconies. Indicate the building face (exterior finish) with a dashed line and the roof edge with a solid line. All cantilevered portions of the building must also be shown with a solid line.
 - e. Height elevations of all roof ridgelines and mid-point of roof gables
 - f. Driveways and parking areas. Indicate finished surface, heated or unheated, grade, percent slope, dimensions, turning radii, and spot elevations at the property line
 - g. Identify all slopes between 30-40%
 - h. Identify slopes greater than 40%.
 - i. Existing and proposed retaining walls (including materials).
 - j. Existing and proposed fences (including height and materials)
 - k. Waterbodies and stream setbacks from the ordinary high water mark
 - l. Snow storage areas
 - m. Landscaped areas
 - n. Sidewalks and walkways.
4. Elevations of all sides of the proposed structure(s), indicating type and color of all exterior materials, building heights, setback lines, locations of exterior lighting fixtures, roof and building drainage system (i.e. gutters and downspouts).

5. Color chips and a materials board shall be required for all projects.
6. A landscaping plan, including existing and proposed vegetation. The plan should indicate the quantity, type and size of the proposed vegetation. For projects less than 250 sf, a landscaping plan is required for the disturbed area of the property only.
7. Floor plans of all levels shall be included that indicate the proposed uses. For additions to existing structures, floor plans must be provided for the existing building.
8. Multi-family and commercial developments may require one or more of the following; a three-dimensional model of the proposed project and adjacent buildings to scale; a three-dimensional architectural model including adjacent structures; a two dimensional photo illustration of the proposed building in relation to adjacent structures.
9. Property corners shall be staked and remain in place throughout the public hearing process.
10. Such additional information as the Planning Department or Design Review Board may require.

(d) Administrative Procedure.

1. Upon receipt of a completed and proper application, the application for Design Review will be scheduled for a public hearing. The hearing will be conducted in accordance with the procedures set forth in Chapter 16.
2. Criteria and Findings. Before acting on a Design Review application, the Planning Commission, acting as the Design Review Board, shall consider the following factors with respect to the proposal:
 - a. The proposals adherence to the Town's zoning regulations.
 - b. The proposals adherence to the applicable goals and objectives of the Community Plan.

- c. The proposals adherence to the Town's Design Standards.
3. Necessary Findings. The Design Review Board (DRB) shall make the following findings before approving a Design Review application:
 - a. That the proposal is in conformance with the Town of Minturn zoning regulations.
 - b. That the proposal helps achieve the goals and objectives of the Town of Minturn Community Plan.
 - c. That the proposal complies with the Town of Minturn Design Standards.
 4. Conditions of approval. The following conditions shall apply to all projects approved by the Design Review Board:
 - a. No changes to an approved plan or design may be made without the written consent of the Town staff. Staff reserves the right to forward any change to the DRB for final approval;
 - b. Design Review Board approval does not constitute a permit for building.
 - c. DRB approval shall not become valid for 20 days following the date of approval, pursuant to the Minturn Municipal Code Chapter – Appeals
 - d. Approval of this project shall lapse and become void one (1) year following the date of final approval, unless a building permit is issued and construction is commenced and diligently pursued toward completion. A one year extension may be granted by the Design Review Board if the applicant can demonstrate that circumstances beyond their control prevented the authorized work from proceeding and that no significant changes to the land use regulations are applicable to the site.

(e) Construction Process

1. Once an application has been approved by the DRB, the applicant may apply for a building permit. Please consult the Building Department for the applicable submittal requirements.

A Foundation Location Certificate must be submitted after the building foundation has been poured. Construction may not proceed until the location of the foundation has been verified by the Building Official.

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2. After the framing of the structure has been completed, an Improvement Location Certificate is required for verification of the roof height and to ensure that no setback encroachments exist on the property. The framing inspection will not be approved until this survey has been approved by the Building Official.