

TOWN OF MINTURN, COLORADO  
ORDINANCE NO. 5 – SERIES 2016

AN ORDINANCE OF THE TOWN OF MINTURN,  
COLORADO AMENDING THE ZONING CODE OF THE  
TOWN OF MINTURN SET FORTH AS CHAPTER 16 OF THE  
MINTURN MUNICIPAL CODE.

**WHEREAS**, the Town of Minturn (“Town”) is a legal and political subdivision of the State of Colorado for which the Minturn Town Council (“Town Council”) is authorized to act; and

**WHEREAS**, the Town is authorized by the Local Government Land Use Control Enabling Act of 1974, §29-20-101 through §29-20-108, C.R.S., as amended, and §31-23-301, C.R.S., as amended, to plan for and regulate the use of land within the Town’s jurisdiction, and to enact zoning, subdivision, and other land use and development regulations; and

**WHEREAS**, the Town Council and Planning Commission have held various work sessions and public hearings to receive public input on changes to the Zoning Code; and

**WHEREAS**, §31-23-304, C.R.S., provides that the Town shall provide for the manner in which its land use and development regulations are amended, supplemented, or changed; and

**WHEREAS**, §16-21-430 of the Minturn Municipal Code provides that Town Council, Planning Commission or Planning Director may initiate an amendment of the Zoning Code, and §16-21-440 provides that the Town’s Planning Commission shall review all proposed amendments to the Town’s Zoning Code at a duly noticed public hearing and shall recommend approval or denial of a proposed amendment by Town Council, and that the Town Council shall finally approve or deny a proposed amendment at a duly noticed public hearing; and

**WHEREAS**, the Planning Commission at a duly noticed public hearing on August 24, 2016 considered the Zoning Code amendments and provided a recommendation to the Town Council; and

**WHEREAS**, the Town Council at duly noticed public hearings on September 7, 2016 and September 21, 2016 considered the proposed Zoning Code amendments and recommendation of the Planning Commission and determined that the amendments are in the best interest of the public health, safety and welfare of the citizens of the Town and conformed in all respects to the Minturn Municipal Code.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO:

SECTION 1. The foregoing recitals are incorporated herein as if set forth in full.

SECTION 2. Chapter 16 of the Minturn Municipal Code, the Zoning Code of the Town of Minturn, is hereby amended to read as follows, with additions shown in double underlined

~~text, and strike-through language is deleted.~~ Sections of Chapter 16 which are not expressly described in this Ordinance are deemed to continue to be in full effect without change.

#### **Sec. 16-6-10. – Character Area Characteristics.**

The intent of the Community Plan is that the Old Town Character Area maintain its unique and friendly small town character while providing for a compatible mix of retail/commercial and residential uses. Old Town provides for low-impact retail/commercial and residential uses that support and enhance the friendly small town character. Small town main street characteristics such as walkability, window fronts, main entrances fronting sidewalks, and smaller scale buildings are to be promoted. The intent is to concentrate retail/commercial uses on Main Street and Williams Street and discourage retail/commercial uses on secondary streets when they would conflict with existing residential uses. ~~Until the Game Creek area is redeveloped,~~ The Old Town Character Area is to function as the primary retail/commercial core that encourages compatible retail/commercial activity and economic vitality. Subdivisions and planned unit developments occurring within the Old Town Character Area need to comply with the zoning code and promote the objectives in the Design Guidelines.

The small town main street characteristics for the Old Town Character Area are set forth in the Minturn Design Standards and Guidelines. The Design Guidelines are the foundation underlying the Design Review process and are essential for the Town in it's efforts to maintain the eclectic small town atmosphere, character and the over-all charm of our community. The Guidelines are a great starting point when considering building or remodeling in Town. Please visit the Planning Department Staff with any questions about your project after consulting the Design Guidelines.

#### **Sec. 16-6-30. - Old Town Commercial Zone.**

(a) The Old Town Commercial Zone is located on either end of the 100 Block Commercial Zone. The Old Town Commercial Core Zone is also characterized by a compact commercial core area bisected by Main Street or Highway 24. The area Old Town Commercial Zone, however, is adjacent to primary residential areas and does not extend off of the Highway 24/Main Street corridor. The area consists of businesses and residences with an identity of the historic commercial core that is distinct from other parts of the community.

(b) The purpose of this area is to provide convenient commercial services to residents and visitors and to promote the development of the Town's retail commercial district along Highway 24 and Main Street. Accommodation of sales tax-generating commercial uses and ~~secondary~~ residential units can enhance Old Town vitality while maintaining the visual character and scale. An objective is to facilitate small business development and economic vitality with land uses that are compatible and supportive, such as retail, office, institutional and residential uses, while maintaining the community scale.

**Sec. 16-6-35. - 100 Block Commercial Zone.**

(a) The 100 Block Commercial Zone is characterized by a compact retail/commercial core area bisected by Highway 24. The area consists of businesses and residences with an identity of the historic commercial core that is distinct from other parts of the community.

(b) The purpose of this area is to provide convenient commercial services to residents and visitors and to promote the development of the Town's primary retail commercial district. Accommodation of sales tax-generating commercial uses and residential units can enhance Old Town vitality while maintaining the visual character and scale. An objective is to facilitate small business development and economic vitality with land uses that are compatible and supportive, such as retail, office, institutional and residential uses, while maintaining the community scale.

(c) The 100 Block Commercial zone should function as pedestrian shopping corridor. Buildings should be oriented toward sidewalks and pedestrian areas with storefront windows and main entrance doors. The scale of buildings both in terms of height and width should encourage pedestrian engagement and facilitate pedestrian movement not only along Highway 24 but also between Highway 24, Williams Street and Eagle Street.

(d) The small town main street character will be maintained by keeping scale of original plat of 25' x 100' lots and 1-2 story building heights. Large monolithic buildings and "strip" retail areas are discouraged.

**Sec. 16-6-60. - Old Town Character Area map.**

The Old Town Character Area map is set forth in Illustration 16-7 below:

**Exhibit A is new zoning map to be incorporated into zoning code**

**Sec. 16-6-70. - Old Town Character Area use table.**

The following uses in the Old Town Character Area use table under "All Commercial Uses" are hereby changed as follows. Any uses not changed herein shall remain the same.

Automotive Detail Shop	<u>R C</u>
Automotive Parts Sales	<u>R C</u>
Car Wash	<u>C N</u>
Convenience Stores	<u>R C</u>
Gas Stations	<u>C N</u>
Health/Medical Offices (street level)	<u>R C</u>

- Health/Medical Offices (second floor or above) R
- Professional Offices, business offices and studios (street level) R C
- Professional Offices, business offices and studios (second floor or above) R
- Theaters, meeting rooms, and convention centers R C

The following uses in the Old Town Character Area use table are hereby deleted for all zone districts.

~~Office Uses~~

~~Retail Uses greater than 5,000 square feet~~

~~Service Businesses~~

**Sec. 16-6-70. – Commercial Zone Districts Design Guidelines.**

**Exhibit B is the Design Guidelines for Commercial Zone Districts within Old Town to be incorporated into the code.**

**Sec. 16-2-40. - General lot requirements and dimensional standards.**

The following Table 16-A sets forth general lot requirements and dimensional standards:

TABLE 16-A

Dimensional Standards

Character Area	Zone	Min. Lot Area (sq. ft.)	Min. Lot Dimension (feet)	Maximum Building Lot Coverage (%)	Maximum Impervious Surface Area (%)	Minimum Setbacks			River/Creek Setback (ft) <small>Not to be included in lot square footage for purposes of Maximum Building Lot Coverage and Maximum Impervious Surface Area</small>
						Front	Rear (feet)	Side	
Old Town	Recreation & open space					To be determined as part of conditional review			30
	<b>100 block commercial</b>	<b>2,500</b>	<b>25</b>	<b>80</b>	<b>10</b>	<b>10</b>	10	<b>5</b>	
	Commercial	2,500	25	80	10	10	10	5	
South Town	Mixed use	5,000	50	(Note 1)	50	10	10	5	
	Residential	5,000	50	40	50	20	10	5	30
	Commercial	2,500	50	70	50	20	10	5	
	Fed. reg. land use	N/A	N/A	N/A	N/A	Rec. 50	Rec. 50	Rec. 10	

**Sec. 16-2-60. - Building height limitations for all zone districts except 100 Block Commercial Zone.**

(a) Building roof height is not to exceed twenty-eight (28) feet at the mid-roof line in all character areas and zones, with the exception of the Old Town character area in the Old Town Commercial Zone. Residential construction in the Old Town ~~character area~~ Commercial Zone must follow residential building height limitations.

(b) The maximum angle of the roof is forty-five (45) degrees of the bulk plane from the property line in a Commercial Zone district. See illustrations No. 16-3.

(c) Flat roofs shall not exceed twenty-eight (28) feet in height for any character area or zone (including commercial and mixed-use zones).

(d) In the Old Town Character Area, commercial buildings in the commercial zone can have a maximum roof height of thirty-five (35) feet with a maximum angle of forty-five (45) degree bulk plane from the street front setback or a maximum of twenty-eight (28) feet for a flat roof.

(e) No building shall exceed three (3) stories in height.

(See also Illustration No. 16-2 and Appendix B, Design Standards and Guidelines) The following Table 16-B contains the regulations for building height.

**Sec. 16-2-65. – 100 Block Commercial Zone Building Height Limitations**

(a) In the 100 Block Commercial Zone, commercial buildings not fronting or adjacent to Highway 24 can have a maximum building height of thirty-five (35) feet with a maximum angle of forty-five (45) degree bulk plane from the street front setback or a maximum of twenty-eight (28) feet for a flat roof.

(b) All buildings in the 100 Block Commercial Zone fronting or adjacent to Highway 24 located between Eagle Street and Williams Street can have a maximum building height of twenty-eight (28) feet with a maximum angle of forty-five (45) degree bulk plane from the street front setback or a maximum of twenty-eight (28) feet for a flat roof.

(c) Slope of roof shall be a minimum of 4:12.

(d) Residential construction in the 100 Block Commercial Zone must follow residential building height limitations.

(See also Illustration No. 16-2 and Appendix B, Design Standards and Guidelines) The following Table 16-B contains the regulations for building height.

**Sec. 16-2-70. - Specific Front, Side and Rear Yard Set-backs Requirements for 100 Block Commercial Zone**

- (a) No parking spots allowed in the front or side setback on Highway 24 in the 100 Block Commercial Zone.
- (b) No asphalt.
- (c) Landscaping to include native trees, plants, tables, chairs, benches, decorative hardscape and planters for flowers.
- (d) Pedestrian lights to be hung on building for pedestrian lighting. Meet dark sky requirements in code section 16-17-180 Exterior Illumination Standards.
- (e) Must include irrigation.
- (f) Must have exterior power outlets.
- (g) All setbacks shall contain an area equal to five (5) percent of the total setback area for temporary snow storage (until snow can be removed off-site).
- (h) 10% of each setback area must be landscaped area.
- (i) Properties fronting Williams Street are encouraged to create an attractive, pedestrian friendly streetscape.
- (j) Dumpsters, trash, and storage areas shall be properly screened.

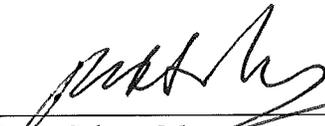
**Sec. 16-2-80. – Block and Building Site Patterns and Side yard Setbacks for 100 Block Commercial Zone**

- (a) Vacations of or building across originally platted lot lines shall not result in a building greater than seventy-five (75) feet in width along Highway 24, Williams Street or Eagle Street.
- (b) Building facades along Highway 24, Williams Street and Eagle Street shall not create the appearance of a single building that is wider than fifty (50) feet. Building facades must maintain the historic platted character of this area with buildings widths of twenty-five (25) feet to fifty (50) feet.
- (c) Maximum lot area (sq. ft): seven thousand five hundred (7500).
- (d) Minimum side yard setback is five (5) feet per 25 foot wide platted lot. For buildings fronting or adjacent to Highway 24 located between Eagle Street and Williams Street, the Planning Commission may require that the side yard setbacks be combined for the purpose of creating a 10 to 15 foot side yard corridor between 2 buildings.
- (e) Corner lots: ten (10) foot front yard setback facing Highway 24; five (5) foot setback on side facing any new or existing street connecting to Highway 24.

Exhibit C is a diagram depicting block and building site patterns to be incorporated into the code.

INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THE 21 DAY OF September 2016. 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 5 DAY OF October, 2016 AT 6:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO

  
\_\_\_\_\_  
Matt Scherr, 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 WEB SITE THIS 5 DAY OF October, 2016.

TOWN OF MINTURN, COLORADO

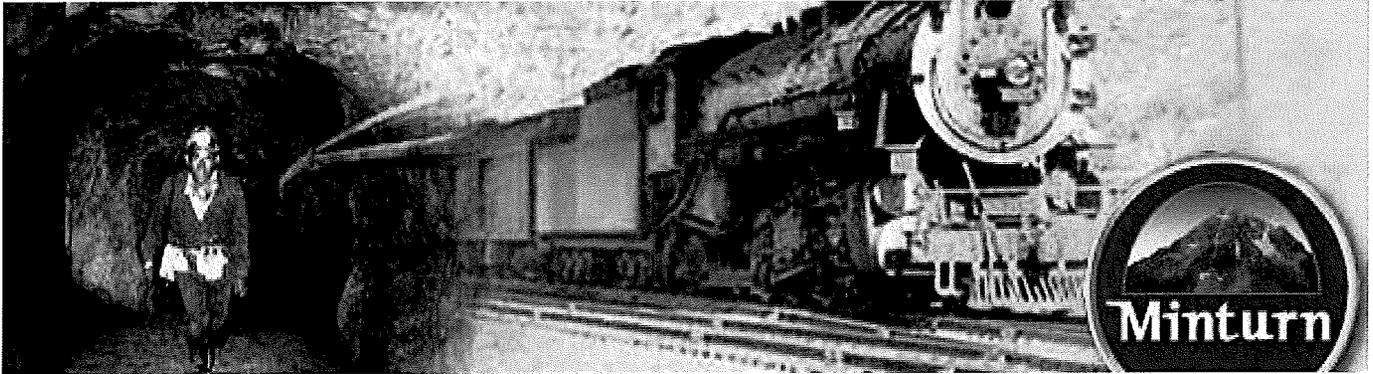
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Matt Scherr, Mayor

ATTEST:

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



# Design Guidelines 100 Block Commercial Zone



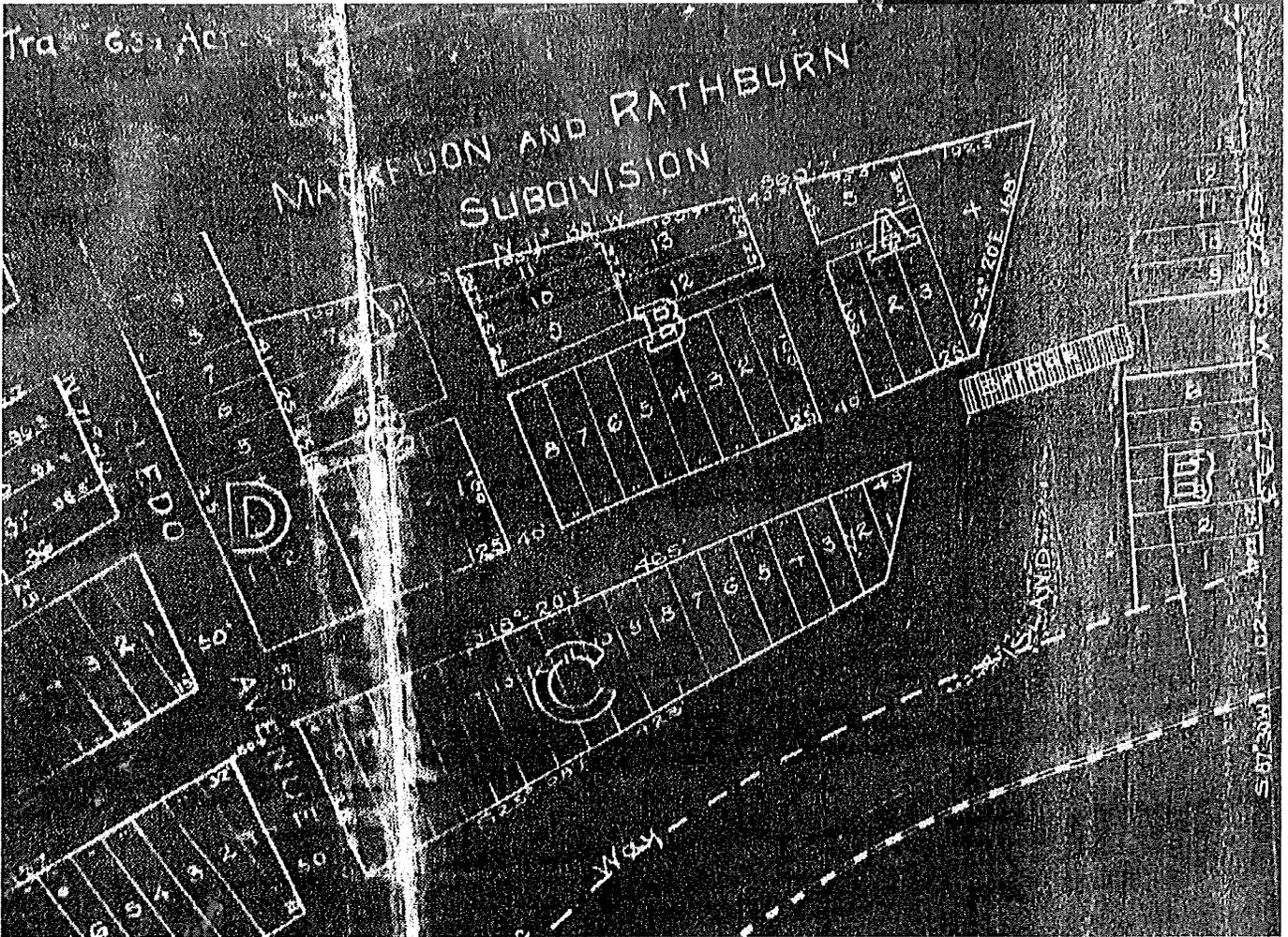
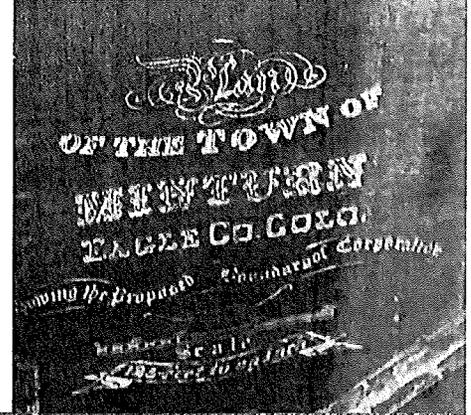
## ‘History meets Present’

- utilize historic cadence of original plat - 25’ wide lots
- reflect history of the “working class town into the design & character of design
- bring historic materials and industry into modern architecture - combine history with present technology and architecture
- use environmental sustainable building practices
- express historic industries of Minturn in the design:  
mining - railroad - farming

# Cadence in Design:

- utilize the 25' wide historic lot cadence in design, mass and scale of new buildings and facades

Original Plat of the 100 Block Commercial & Residential Area



# Eclectic:

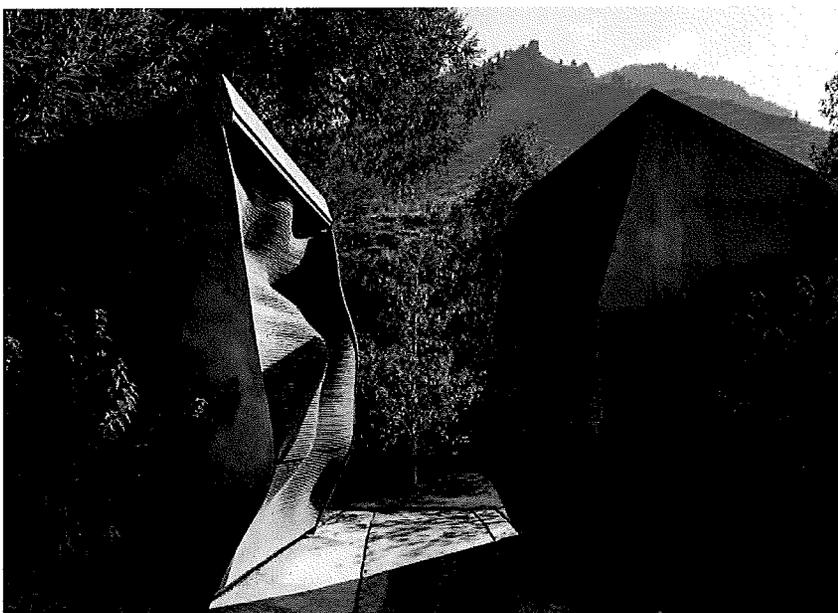
original - creative - varying:

- materials
- designs
- roof lines
- colors
- store fronts
- building facades
- size - height
- corridors
- pathways
- history combined with new technology



Minturn 'Eclectic' Restrooms:

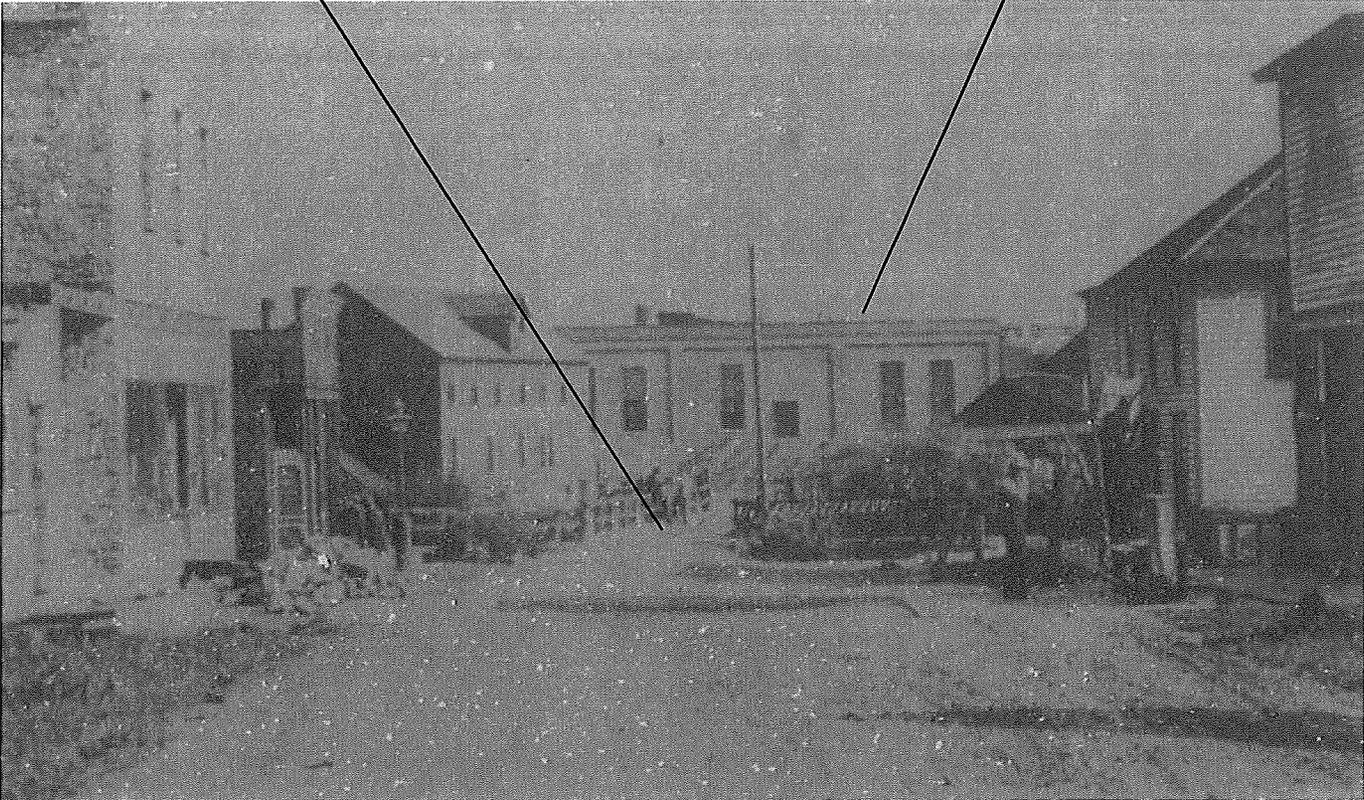
The Adit: the horizontal passageway into a mine meets parametric modeling



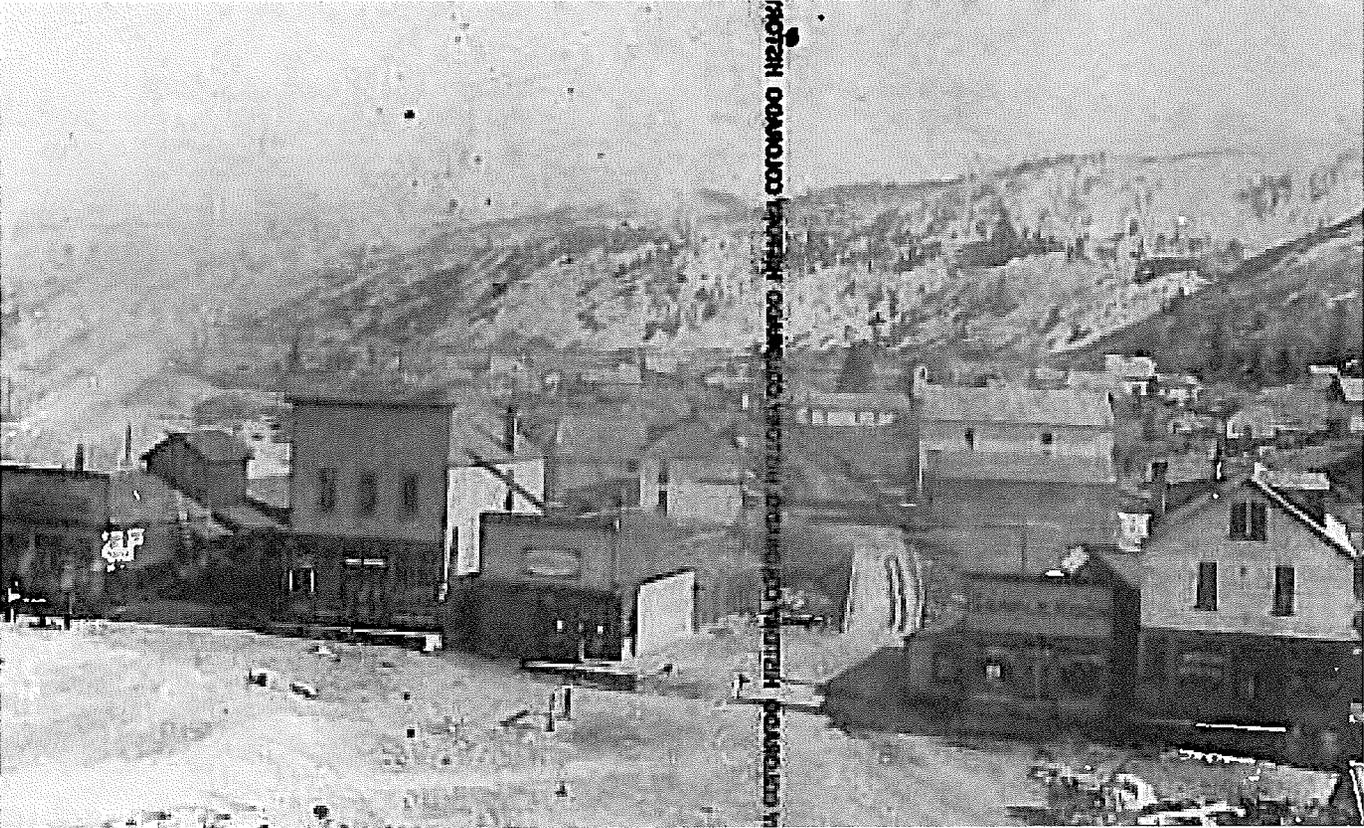
Downtown 100 Block on Highway 24 looking NE across river

bridge

railroad turn-table building

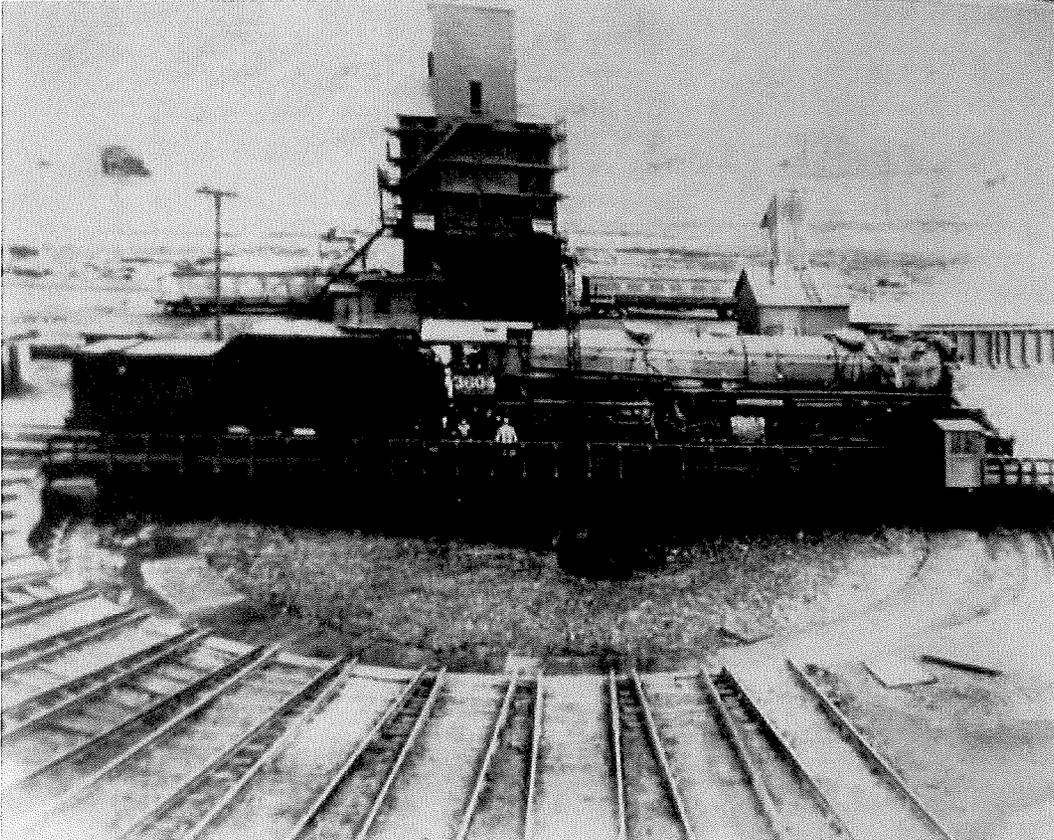
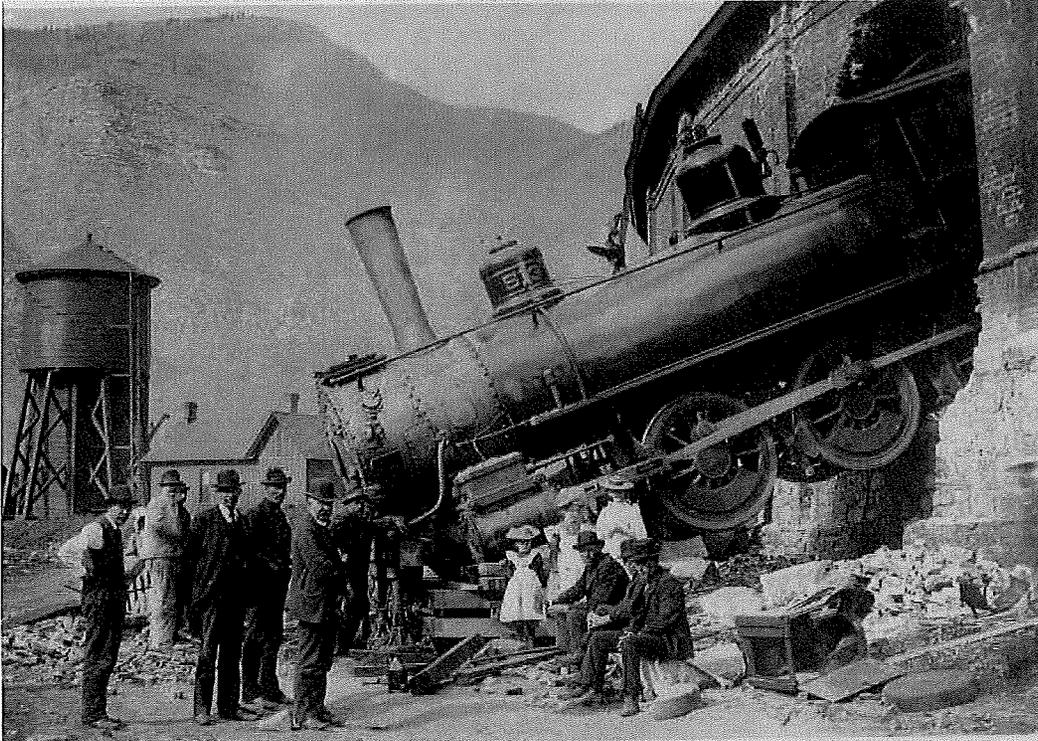


100 block looking SE across bridge



**History meets Present Day**

The Minturn Railroad Turn-Table:  
utilize in design materials, patterns, industry -



# History meets Present Day

Gilman Zinc Mine: materials, patterns, industry -  
express in present day architecture



# History meets Present Day

Gilman Zinc Mine: materials, patterns, industry -  
express in present day architecture



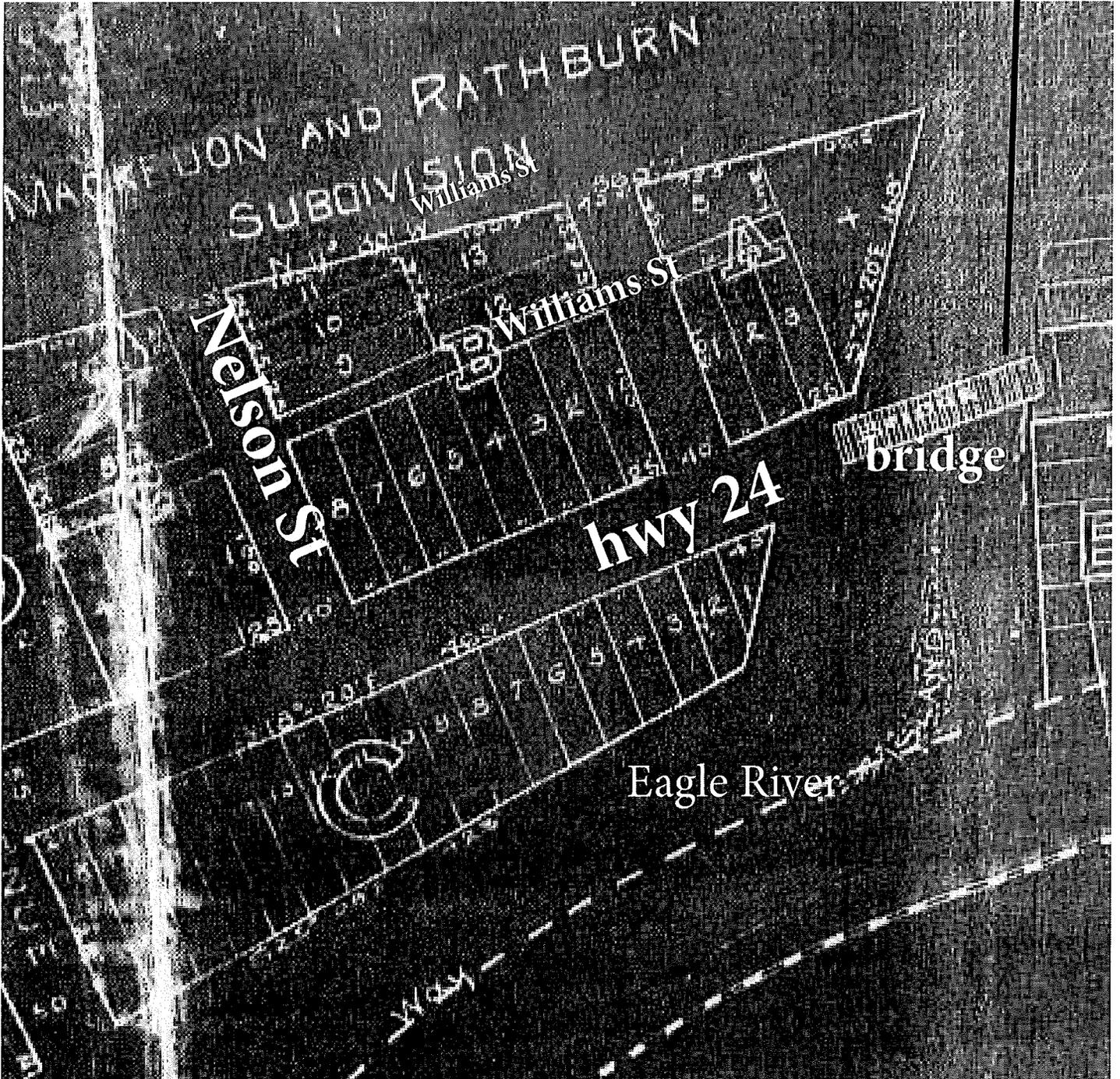
## Mass & Scale:

- smaller houses - single story - multiple building  
industrial - pedestrian scale - working class town
- by the river and roads - structures are shorter
- similar to the mine - structures grow taller next to the mountains



# Historic Plat of 100 Block

Historically - Highway 24 came straight into Town over bridge



## Diagram Example of:

### 100 Block Commercial Zones: Setbacks & Mass & Scale

#### Design to encourage:

- 15' wide corridors are encourage for walkways to create a pedestrian friendly commercial 100 block
- corridors for tables, landscaping and market space
- encourage street fronts on buildings between William Street and Highway 24
- landscape for beautification - storm water managment - shade
- 10' front & rear setbacks for landscaping, patios, flowers, trees, seating, snow storage
- reflect the historic & present cadence of original plat of downtown Minturn

