



Agenda

Town Council Regular Meeting | 5:30 PM

Wednesday, August 20, 2025

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/83774188943>

Zoom Call-In Information: 1 651 372 8299 or 1 301 715 8592 **Webinar ID:** 837 7418 8943

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 minutes for public comment.

Public Comments: If you are unable to attend, public comments regarding any items on the agenda can be submitted to Jay Brunvand, Town Clerk, prior to the meeting and will be included as part of the record.

1. Call to Order

2. Roll Call and Pledge of Allegiance

3. Approval of Consent Agenda

Consent agenda items are routine Town business, items that have received clear direction previously from the council, final land-use file documents after the public hearing has been closed, or which do not require council deliberation.

A. 08-06-2025 Minutes

4. Approval of Regular Agenda

Opportunity for amendment or deletions to the agenda.

5. Declaration of Conflicts of Interest

6. Public Comment

Citizens are invited to comment on any item on the Consent Agenda, or not on the regular Agenda subject to a public hearing. Please limit your comments to five minutes per person

unless arrangements have been made for a presentation with the Town Clerk. Those who are speaking are requested to state their name and address for the record.

7. Council and Committee Reports

8. Staff Reports

A. Manager's Update

9. Special Presentations

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

A. Colorado Wildfire Resiliency Code

B. TreeTop Child Advocacy Center (Presented by ECSO Detective Thomas Wright and Cailin Ellis from TreeTop)

C. ECSO National Night Out - 2025 Recap and 2026 Funding Request

10. Business Items

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

A. Ordinance 08 - Series 2025 An Ordinance Amending Chapter 16 of the MMC to Add Article 27, Natural Medicine Businesses and to Make Changes to the Use Tables in Sections 16-5-40, 16-6-70, and 16-7-60

B. Resolution 35, Series 2025, A Resolution Approving the Selection of a Municipal Advisor

11. Discussion / Direction Items

A. Possible Use of a Broker for an Opinion of Value on the Highlands Parcels

12. Future Agenda Items

A. Future Meeting Topics

13. Adjourn

Information Only Items

Upcoming Council Meetings: September 3, September 17, October 1, October 15. Upcoming Special Events: September First Friday (9/5) at Minturn Saloon, Fall Festival (Details to follow) 9/27.



OFFICIAL MINUTES

Town Council Work Session I 4:00 p.m. I Regular Meeting | 5:30 PM

Wednesday, August 6, 2025

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.

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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/86347498537>

Zoom Call-In Information: 1 651 372 8299 or 1 301 715 8592 **Webinar ID:** 863 4749 8537

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 minutes for public comment.

Public Comments: If you are unable to attend, public comments regarding any items on the agenda can be submitted to Jay Brunvand, Town Clerk, prior to the meeting and will be included as part of the record.

1. Joint Work Session (Town Council and Planning Commission) - 4:00 P.M.

A. Minturn Forward: Land Use Code Update Housing Discussion

2. Call to Order

Mayor Earle Bidez called the meeting to order at 5:38 pm.

3. Roll Call and Pledge of Allegiance

Council present: Mayor Earle Bidez, Mayor Pro Tem Eric Gotthelf, Town Council members Lynn Feiger, and Gusty Kanakis Tom Priest, and Brian Rodine. Note: Kate S. was excused absent.

Staff present: Town Attorney Harper Powell, Town Manager Rob Gutierrez, Town Clerk Jay Brunvand (zoom), and Town Planners Scot Hunn, and Madison Harris.

4. Approval of Consent Agenda

Consent agenda items are routine Town business, items that have received clear direction previously from the council, final land-use file documents after the public hearing has been closed, or which do not require council deliberation.

- A.** 07-16-2025 Minutes
- B.** 0018 Silver Star Trail - New Single Family Residence
- C.** 0226 Miles End Lane - Change to Approved Plans
- D.** Liquor License Renewal - Meatuna, DBA The Crazy Chicken - Hotel / Restaurant Renewal Application, 455 Main St. (Kyle Fowler, Owner / Manager)

Motion by Gusty K., second by Tom P., to approve the Consent Agenda for August 6, 2025 as presented. Motion passed 7-0. Note: Kate S. was excused absent.

5. Approval of Regular Agenda

Opportunity for amendment or deletions to the agenda.

Motion by Eric G., second by Tom P., to approve the Agenda for August 6, 2025 as presented. Motion passed 7-0. Note: Kate S. was excused absent.

6. Declaration of Conflicts of Interest

7. Public Comment

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

Mr. George Brodin, 273 Boulder St, asked about the proposed lot sizes and still needs to follow the municipal code.

Mr. Kelly Toon, 531 Main St, asked for water moratorium clarification on water taps.

8. Council and Committee Reports

9. Staff Reports

- A.** Manager's Report

Top Updates

- 1. Highlands Property** – Broker interviews scheduled; recommendation expected **Aug 20**.
- 2. Municipal Advisor** – Interviews scheduled; recommendation expected **Aug 20**.

3. **Water Treatment Plant** - 60% design complete; updated cost estimate **\$11M**.
4. **Bellm Bridge** - CDOT RFQ approved; repurposed bridge option deemed infeasible.
5. **Taylor Street Repaving** - Public meeting set for **Aug 21, 4:30–6:30 p.m.**

Active Initiatives

Highlands Property

- Council formed a committee (July 8) to engage brokers for valuation/marketability.
- **Next step:** Committee interviews and recommendation for **Aug 20 meeting**.

Municipal Advisor

- Council formed a committee (July 8) to engage an advisor for water plant financing.
- Interviews delayed for scheduling; **recommendation to Council Aug 20**.

Minturn Forward

- Four modules total; current focus on Modules 1 & 2.
- **Module 1 (Completed – March 2025):**
 - Article 5: Land Use Application Requirements & Procedures
 - Article 8: Subdivision Application Requirements & Procedures
 - Articles 10 & 11: Annexation and Disconnection of Land
 - Article 12: Environmental/Development Impact Report
- **Module 2 (In Progress)**
 - Article 2: Zone Districts
 - Article 3: Use Regulations & Standards
 - Article 4: Dimensional Requirements
 - Article 9: Community Housing Standards & Guidelines
- **Next Steps**
 - Incorporate direction from the last two Planning Commission meetings and the upcoming Joint Work Session.
 - Aim to **wrap up Module 2 in August** and begin **Modules 3 & 4**.

Emerging Initiatives

Housing

- Staff are exploring **town-led strategies** to increase local housing supply and maintain/increase the share of full-time resident households.
- Expect a Council presentation from Scot Hunn on a Town Housing Action Plan by **September**.
- Avon-Eagle County led Multijurisdictional Housing Authority exploratory project will begin this fall, expect a presentation and discussion with Town Council.

Community Activation

- Conducting meetings with staff and residents about exploring expanded community events.
- Evaluating options for downtown streetlight replacements that would facilitate placemaking and community event promotion.

Parks and Recreation

- Evaluating the potential for conducting a Parks and Recreation Master Plan in FY 2026

Economic Development

- Staff are exploring potential town-led strategies to develop and grow small business.

- Examining regulatory reform of mobile business/mobile vendor regulations to allow increased flexibility for pop-up business.
- Working to identify barriers to entry for small businesses and how the town could facilitate increased commercial space for startup businesses.

Capital Projects

Minturn Water Treatment Plant

- **Status:** 60% design reviewed with HDR on July 10.
- **Cost Estimate:** ~\$11M, including Memcor membranes selected by Council in July.
- **Next Step:** Full plan walkthrough by HDR's Jarod Limke at a September Council meeting.

Little Beach Park & Historic Meyer's Barn

- **Engineering:** Access road & retaining wall in design; additional southern survey by Aug 1.
- **Funding:** GOCO submission postponed to early 2026 to allow shovel-ready plan. DOLA EIAF grant reimbursement is active.
- **Next Step:** Complete access road & retaining wall this year.

US 24 Pedestrian Improvement

- Contract with Phoenix Industries executed; work to begin in the **coming weeks**.

North Main Street Pedestrian Improvement & Cemetery Road Crossing

- Notice of award issued to 360 Civil Inc.
- **Next Step:** Contract execution pending; construction to follow.

Bellm Bridge Design RFQ

- CDOT approved RFQ to hire design firm.
- Repurposed CDOT truss bridge not feasible; will explore premanufactured truss option.

Taylor Street Repaving

- Design complete.
- **Next Step:** Public meeting at Town Hall on **Aug 21, 4:30–6:30 p.m.**

10. Special Presentations

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

11. Business Items

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

- A. Ordinance 06 - Series 2025 (Second Reading), An Ordinance Authorizing the Renewal of an Updated Xcel Energy Franchise Agreement (Powell)**

A. Background

A franchise agreement governs the relationship between a public utility service provider and a municipality. The agreement grants a company the right to use a town's streets, easements, and property to provide utility service to the Town and its residents. This involves a company locating its facilities and operating within the Town subject to a "franchise fee," which requires the company to pay the Town a percentage of its gross

revenues from sales of its utility service. The franchise fee is imposed as a surcharge upon Town residents who are the company's customers. In exchange for the Town's granting of the franchise to the company, the Town is not subject to paying the surcharge for the franchise fee on its utility bills. Additionally, the Town may use the company's electric distribution poles for police, fire, emergency, public safety, or traffic control purposes free of charge. Another central component of electric utility franchise agreements is the creation of an undergrounding program for the purpose of placing electrical distribution lines underground. As part of the agreement, a company allocates a percentage of the preceding year's electric gross revenues to the undergrounding program, to be used for relocation of existing above-ground electric distribution lines underground beneath Town streets and property. The revenue generated from the undergrounding program helps defray the costs of undergrounding projects but likely does not cover the full cost of such projects, in which case the Town, the utility company, or a contractor would be responsible for the remaining amount. The company is also generally required to construct new electrical distribution lines underground in newly developed areas of the Town.

B. Review of Existing and Proposed Agreements

The Town has held a 20-year franchise with the Company since 2005 for the provision of gas and electrical service within the Town (the "Prior Franchise"). The term of the Prior Franchise expired on June 1, 2025 and was extended for 90 days pursuant to Ord. 05-2025. The Town now wishes to renew the franchise to ensure continued utility service is provided within the Town. The Prior Franchise and the Agreement share several terms and provisions in common. Both agreements grant the Company a nonexclusive right to use Town streets, public utility easements, and other Town property to provide gas and electric utility service to Town residents. The franchise fee in both agreements requires the Company to pay the Town three percent (3%) of its gross revenues collected as a surcharge on Town residents that receive the Company's utility service. The franchise exempts the Town from paying the franchise fee to receive utility service for its own consumption and provides the Town the ability to use the Company's poles for the purposes described in part A of this memo. While the Company is subject to all Town laws and codes, as well as sales and use taxes, the Town may not impose any sort of occupancy or occupation tax on the Company. For undergrounding, the Company must allocate one percent (1%) of the preceding year's electric gross revenues for electrical line relocation as part of the Town's Underground Program. The Underground Program over the years has collected more than \$350,000, of which the Town currently has available \$133,673 for undergrounding projects. The agreements also require the Company to locate all new electric distribution lines underground. The Agreement provides the Company with 240 days to complete the undergrounding installation (see Article 11, Section 11.3(B)). While in most respects the Agreement echoes the terms of the Prior Franchise, the two differ in a few ways. The term of the Agreement is shorter, lasting for a period of 10 years beginning on September 1, 2025 and terminating on August 31, 2035 (See Article 2, Section 2.3). Both agreements provide for an audit of the Company's finances to ensure the franchise fee reflects the amount owed to the Town. The Prior Franchise gives the Town the right to examine the Company's metering records during normal business hours and upon reasonable notice to ensure compliance with the franchise fee requirement. In contrast, the Agreement requires the Company to conduct an internal audit every three years upon the Town's request (see Article 4, Section 4.2(C)). The Agreement upholds the Town's power of condemnation of Company facilities for the Town's public purposes (see Article 12), unlike the Prior Franchise that prohibits the Town from condemning Company facilities. Finally, the Agreement contains additional

provisions binding the Company to various environmental and conservationist programs and principles (see Article 14) and expressing the Company's commitment to providing equal opportunity to individuals in underrepresented groups (see Article 20). The Town's legal team negotiated with the Company on several provisions in the Agreement. Among these were ensuring sufficient protection against the Company's ability to install facilities such as high-voltage transmission lines on Town property. The Agreement requires the Company to obtain Town approval of the location of Company facilities prior to the installation of such facilities on Town property that is not parks or open space (see Section 2.1(C)). This would include obtaining a permit under the Town's Areas and Activities of Statewide Interest Code provision. To locate facilities on Town parks or open space requires the Company to obtain a revocable license, permit, or other approval agreement from the Town, subject to the Town's sole discretion in granting or denying such approval (see Section 2.1(D)). The Agreement also subjects any installation, renovation, and replacement of Company facilities in Town streets or property to permitting, inspection, and approval by the Town in accordance with applicable Town laws (see Section 6.5(D)). Additionally, the legal team pushed for inclusion of a provision requiring the Company to notify the Town of any incident of which it has knowledge that resulted in damage to Town facilities (See Section 8.3(C)).

C. Process of Publication

The Company submitted a Notice of Application for Franchise that was published once a week for three successive weeks in the Vail Daily leading up to first reading of the ordinance to approve the Agreement on July 16, 2025. If approved on first reading, Notice of Further Consideration of Ordinance Granting a Gas and Electric Franchise will be published leading up to second reading of the ordinance on August 6, 2025. Each of these notices states that a public hearing will be held at the regular meeting of the Town Council, which requires allowing the public to comment on the adoption ordinance for the Agreement. If adopted upon second reading, the ordinance would go into effect August 13, 2025.

D. Conclusion and Recommendation

Town staff has reviewed the Agreement and believes its terms are reasonable and acceptable to ensure continued utility service is available in the Town. Town staff has compared the Prior Franchise and the Agreement and surveyed existing franchise agreements in other municipalities to more thoroughly understand the rights and responsibilities provided for under the Agreement. Town staff is comfortable moving forward with the Agreement between the Town and the Company and recommends its approval, along with authorization of the Mayor to execute the same.

Earle B. commented on the agreement and noted we have the right to condemn is in this agreement.

Public Hearing Opened

Ms. Amanda Mire, 414 Eagle River St, asked do we have the right to audit Xcel; yes.

Public Hearing Closed

Motion by Tom P., second by Brian R., to approve Ordinance 06 - Series 2025 (Second Reading),

An Ordinance Authorizing the Renewal of an Updated Xcel Energy Franchise Agreement Motion as presented. Motion passed 6-0. Note: Kate S. was excused absent.

B. Ordinance 07 - Series 2025 (First Reading), An Ordinance Authorizing an Encroachment Agreement for 501 Pine St. (Gutierrez)

Approval of an encroachment license for the property located at 501 Pine Street Minturn, Colorado. The property owners, Chris and Juliet Rhodes, have requested an encroachment license to allow for an existing concrete pad within the Town right-of-way along Meadow Lane. The encroachment includes built-in snowmelt, electrical, and gas infrastructure, and measures 50 feet by 11.25 feet (562.5 square feet). The pad has been constructed prior to securing a formal encroachment agreement. Under Chapter 11, Article 3 of the Town Code, encroachments into Town rights-of-way require Town Council approval by ordinance, including findings that the encroachment does not constitute a nuisance or hazard, and that indemnity and insurance provisions are met. Staff has reviewed the application and determined that the encroachment meets the necessary requirements and does not impede the Town's use of Meadow Lane.

Ms. Juliet Rhodes, spoke as the applicant asking if everything needs to be removed from the easement. Discussion of the assessed annual fee ensued. No permit was required and there was no malintent.

Lynn F. asked how this occurred, they used the existing slab and didn't have a survey.

Ms. Juliet Rhodes asked how do they ensure if they remove the encroachments and build a new fence on the surveyed line this will not be an ongoing issue? Who do they work with? They need to work with the Town Planner, Madison H.

Public Hearing Opened
No Public Comment
Public Hearing Closed

This request was withdrawn by the applicant during the discussion and presentation. Ms. Rhodes will work with the Planning Department on a plan to remove the existing encroachments to the established surveyed lot line(s) and a timeline for this process.

C. Resolution 32 - Series 2025, A Resolution Approving a Variance Request for Relief from Minimum Lot Width for 886 Main Street and 892 Main Street (Harris)

The Applicant, Tom Sullivan, requests review of a request for relief from the fifty foot (50') minimum lot dimension to allow for a subdivision of 886 and 892 Main Street into three lots in the South Town Residential Zone District. The Applicant's Representative Michael Pukas has been proactive in meeting with Town staff prior to submitting the variance request. All zone districts have dimensional limitations associated with them. The most commonly referenced are setbacks and building height limitations. A less commonly referenced one though is the minimum lot width dimension. The definition provided by Sec. 16-2-20 states that Lot width means the average distance between the medians of the two (2) side lot lines, measured perpendicularly from one (1) of the sides. Since, for the most part, zoning and the associated dimensional limitations was applied after lots in Town had already been developed, that has left staff with many instances all over Town where the minimum lot dimension is not adhered to.

Council makes the following findings:

- (1) There are exceptional or extraordinary circumstances or conditions applicable to the site of the variance that do not apply generally to other properties in the same zone;
- (2) The exceptional or extraordinary circumstances of the site create a situation in which the strict, literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of this Chapter;
- (3) That the granting of the variance will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity and will not result in substantial impairment to the purposes of this Chapter.
- (4) There is no substantial impairment to the public that would result from the granting of the variance.

Mr. Tom Sullivan spoke for the applicant.

Motion by Gusty K., second by Tom P., to approve Resolution 32 - Series 2025, A Resolution Approving a Variance Request for Relief from Minimum Lot Width for 886 Main Street and 892 Main Street as presented. Motion passed 7-0

D. Resolution 33 - Series 2025, A Resolution Appointing HPC Members (Harris)

The HPC is a five member commission appointed with “three year staggered terms...” - Minturn Municipal Code (“MMC”) Sec. 19-2-30 (1). Sec. 19-2-20 of the MMC states that “At least 3 of the voting members shall be full time Residents, Property or business Owners, or designated representatives of Property or business Owners within the Town” and that “At least 2 of the voting members shall be professionals or shall have extensive expertise in a preservation-related discipline, including but not limited to History, Architecture, Landscape Architecture, American Studies, American Civilization, Construction and Building Trades; Cultural Geography, Cultural Anthropology, Environmental Expertise, Planning, Real Estate, or Archeology. The Town Council may waive this requirement on a determination that there are not eligible prospective members who meet these criteria.” There are no term limits, only that public review and appointment take place. Staff has advertised the openings of the HPC and received four applications, who are qualified to serve. Council is asked to appoint two applicants to the two open three year terms.

Applicants:

- Daniel Benson Brown - 802 Chickadee Ln., Gypsum
- Ken Halliday - 811 Main St., Minturn
- Tammy M. Ramsey - 850 Main St. Unit 2, Minturn
- Kelly Toon - 531 Main St., Minturn

Each applicant introduced themselves, spoke to their qualifications and stood for questions. It was agreed that the Committee would be expanded to appoint two voting members and two committee advisory members from this pool.

Vote round one:

- Daniel Benson Brown - advisory
- Ken Halliday – voting member
- Tammy M. Ramsey – advisory
- Kelly Toon - voting member

Motion by Tom P., second by Gusty K., to approve Resolution 33 - Series 2025, A Resolution Appointing HPC Members as amended to appoint two voting members and two advisory nonvoting members. (Motion passed 6-0)

- E. Resolution 34 - Series 2025, a Resolution to Approve a Formal Comment Letter Regarding the Environmental Assessment for the Avon-to-Gilman 115-kv Transmission Line Project strongly recommending and supporting Alternative 4

Council was thrilled with Option 4.

Ms. Amanda Mire, 414 Eagle St, recommended we encourage public comment throughout the county.

Mr. Jeff Armistead, 1632 Main St, was concerned it did not go further and was in site of the gun range.

Ms. Terry Armistead, 1632 Main St, (zoom), stated Alt 4 Was a good option and one that benefits the town.

Motion by Eric G., second by Lynn F., to Approve a Formal Comment Letter Regarding the Environmental Assessment for the Avon-to-Gilman 115-kv Transmission Line Project strongly recommending and supporting Alternative 4 as presented. Motion passed 6-0. Note: Kate S. was excused absent.

12. Discussion / Direction Items

A. Minturn Forward: Land Use Code Update - Housing Discussion

Q1: *Allowed Land Uses/Development Types.* Are there any changes that need to be made to the land uses/types of development that are proposed to be allowed in the new zone districts?

- Lynn T.: more belongs in Conditional Use. Single Family and ADUs can be use by right. Wants to discuss size of ADU.
- Amanda: ADUs should be for Community Housing not STR
- Jeff: ADUs and Duplexes should be use by right, Multi-Family it depends on the zone district
- Eric R.: Anything to help local families: ADUs, Duplexes, Multi-Family
- Gusty: voted against ADUs, concerned about parking
- Brian: Single Family results in high housing costs and low economic growth. All housing types should be a use by right (ADUs, Duplexes, Multi-Family)
- Tom: ADU by right, others should be Conditional. Later on in the discussion changed to being ok with everything being a use by right.
- Lynn F.: Minturn is not set up for growth
- Eric G.: ADU, Multi-Family, Duplexes should all be use by right
- Earle: Multi-Family should be a use by right in some areas, not in Old Town. Important to grow. Parking on site.

- Direction confirmed in regular meeting to have ADUs, Duplexes, and Multi-Family as a use by right as long as the Use Standards are beefed up in order to address any concerns that would otherwise require a Conditional Use Permit.

Q2: Dimensional Standards. Are there any changes that need to be made to the dimensional standards (i.e., minimum lot size, maximum building lot coverage, maximum impervious surface area, minimum setbacks, maximum building height) proposed for the new zone districts?

- Earle: Incentives for affordable and mixed use is important
- Gusty: 2,500 square feet for a lot doesn't fit the character of Minturn. Not in favor of incentives or low income housing
- Lynn T.: Not in favor of 2,500 square foot lots. Agrees with Gusty
- Lynn F.: We need subsidized housing
- Eric G.: Thinks 2,500 square feet for a lot is appropriate in certain areas
- No direction given as the discussion ran out of time

General Comments:

- Brian: Would like to discuss low impact commercial in the future.
- Gusty: Worried about losing commercial in South Town
- Earle: Discussed incentives in MU2 for commercial



Minturn Forward Memo

TO:	Minturn Planning Commission and Town Council
FROM:	Town Staff and Matt Farrar (Western Slope Consulting)
DATE:	August 1, 2025
ATTACHMENTS:	Summary of Community Plan Recommendations & Proposed Zoning Changes

A. STATUS OF MINTURN FORWARD PROCESS

1. What's Been Accomplished

The following is a list of the Articles for the updated Land Use Code that staff and the Planning Commission have completed a review of:

- Article 5: Land Use Application Requirements & Procedures
- Article 8: Subdivision Application Requirements & Procedures
- Article 11: Annexation & Disconnection of Land
- Article 12: Development Impact Report (formerly Environmental Impact Report)

Further, the Planning Commission concluded their initial review of the proposed changes to the Town’s zoning regulations at their meeting on July 23.

2. Next Steps

Below is a list of the remaining Articles of the updated Land Use Code to be addressed:

- Article 1: General Provisions
- Article 2: Zone Districts
- Article 3: Use Regulations & Standards
- Article 4: Dimensional Requirements
- Article 6: Development/Design Standards
- Article 7: Subdivision Standards
- Article 9: Development Impact Report (formerly Environmental Impact Report)
- Article 13: Areas and Activities of State Interest
- Article 14: Terms & Definitions

B. UPDATE TO MINTURN’S ZONING REGULATIONS

1. Desired Outcomes of Zoning Update

Over the past few months, the Minturn Forward process has been focused on updating the Town’s zoning regulations. The update to the Town’s zoning regulations is intended to achieve the following:

- Align Minturn’s zoning regulations with the vision, objectives, recommendations set forth in the 2023 Community Plan and the vision, mission, values, and priorities set forth in the 2025-2027 Minturn Strategic Plan.
- Simplify the zoning regulations by eliminating “Character Areas” and consolidating existing zone districts. The proposed changes reduce the number of zone districts in Minturn from 27 to 17 (not including the Bolts Lake zone districts, Belden Place PUD, Minturn North PUD, or Midtown Village PUD).
- Simplify the Use Table for Minturn’s zone districts by consolidating similar types of land uses. The following table provides some examples of how terms for similar land uses have been consolidated and simplified.

Existing Land Use Terms		Simplified/Consolidated Land Use Terms
Accessory Apartments Accessory Dwellings	→	Accessory Dwelling Units
Automotive Parts Sales Grocery Stores Pawn Shops Other Similar Land Use/Development Types	→	Retail Stores
Barbershops Beauty Shops Other Similar Land Use/Development Types	→	Personal Services

2. Community Outreach & Engagement

The Town recognizes the importance of informing the community about the proposed changes to Minturn's zoning regulations, as well as providing ample opportunity for community members to provide input on those changes.

The following is a summary of the community outreach and engagement efforts that the Town has, and is, undertaking:

Outreach:

- A flyer with information about the zoning update Open Houses was included in the annual door-to-doors and was delivered to all properties in Minturn.
- A letter containing information about the Minturn Forward/zoning update process, the zoning update Open Houses, the packets posted to the Town's website detailing the proposed zoning changes, and the online input form was mailed to every property owner in Minturn.
- Information about the zoning update Open Houses was provided on the Town's variable messaging board located outside of the Post Office.
- Email blasts were sent out to subscribers of the Town's newsletter to encourage participation in the zoning update Open Houses and the online input form. Additional email blasts will be sent out to encourage additional participation in the online input form.
- Town staff will be hosting one (1) or more booths at the Minturn summer concert series in August to share information about the proposed zoning changes and encourage community members to share their input.

Engagement Activities:

- Public open houses were hosted at Minturn Town Hall from 4-7pm on June 9, June 19, and June 24. **A total of fifty-five (55) people participated in the open houses.**
- An online input form has been made available on the Town's website. The online input form was open through the end of July. **At closing, a total of ten (10) responses had been received via the online input form.**
- Staff has, and will continue to be, available to meet with anyone with concerns about the proposed zoning changes.
- Staff has reviewed and discussed the proposed changes to Minturn's zoning regulations at public meetings with the Planning Commission on July 9 and July 23. Further review and discussion of the proposed zoning changes will occur at public meetings with the Planning Commission over the coming months.
- A joint Planning Commission and Town Council work-session will be held on August 6 to review and discuss proposed zoning changes, with a focus on housing.

3. Importance of Aligning Zoning Regulations with Community Objectives

Minturn's zoning regulations are one of the most effective tools that the Town has for working to achieve the community's objectives, specifically those related to housing and sales tax generation.

Given that the Minturn Forward process is in the midst of an update to the Town's zoning regulations and will soon shift focus to an update of the Town's Use Standards, Development/Design Standards, and Subdivision Standards, it is critical that staff have clear direction from the Planning Commission and the Town Council on the regulatory changes that need to be incorporated.

Staff is specifically requesting direction from the Planning Commission and Town Council on the following:

- *Allowed Land Uses/Development Types.* Are there any changes that need to be made to the land uses/types of development that are proposed to be allowed in the new zone districts?
- *Dimensional Standards.* Are there any changes that need to be made to the dimensional standards (i.e., minimum lot size, maximum building lot coverage, maximum impervious surface area, minimum setbacks, maximum building height) proposed for the new zone districts?
- *Parking Standards.* What, if any, changes should be made in conjunction with the update to the Town's parking standards?
- *Development/Design Standards.* What, if any, changes should be made in conjunction with the update to the Town's development/design standards (e.g., architectural standards, landscaping standards, outdoor lighting standards)?
- *Community Housing Standards and Guidelines.* What, if any, changes should be made in conjunction with the update to the Town's Community Housing Standards and Guidelines?
- *Review Processes.* What, if any, changes should be made to the Town's review processes? In other words, should staff explore options for streamlining the review process for certain types of development (e.g., affordable housing, commercial development, etc.).

4. 2023 Community Plan Recommendations & Proposed Zoning Changes

The 2023 Community Plan sets forth a number of recommendations for land use and zoning in Minturn, local housing, and the local economy. A summary of these recommendations and the zoning changes being proposed to implement the recommendations is attached to this memo.

C. KEY FINDINGS FROM REGIONAL HOUSING NEEDS ANALYSIS

The following are key findings from the [2025 Eagle County Regional Housing Needs Analysis](#). These findings were presented to the Town Council in May 2025. This information is being provided to help provide context for the discussion about housing in Minturn and potential regulatory changes to be made to address the community's housing needs.

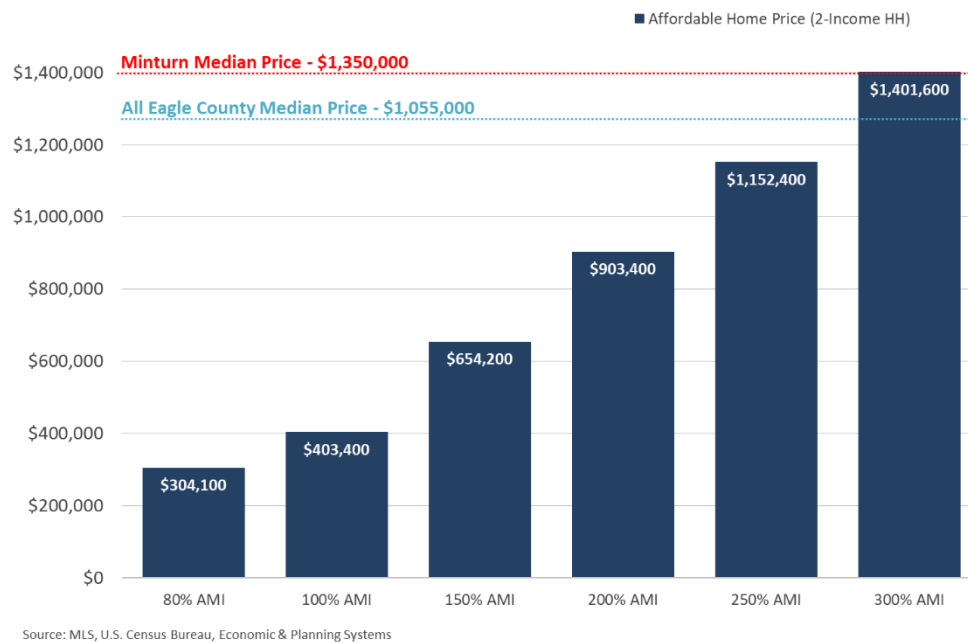
1. Minturn Home Prices (Non-Resort Area (i.e., excludes the resorts))

- Minturn's median non-resort purchase price was \$1.35 million in 2023.
- Rapid acceleration in prices starting in 2020.

- Median non-resort sale price increased \$600,000 from 2019-2023; 16% annual growth rate.

2. Housing Affordability - Income

- The median 2023 home purchase price in Minturn was over \$1.3 million, far above Eagle County median.
- Only affordable for a 2-person household making 290% AMI.



3. Housing Affordability - Wages

- Households must have 6.5 median-wage earners to afford median-priced home in Minturn.

4. Housing Affordability - Rent

- Property managers and focus groups indicate “typical” rent of \$1,500/room.
- Unaffordable for 1-earner household.

5. Needs - 10-yr. Regional (Gross) Need

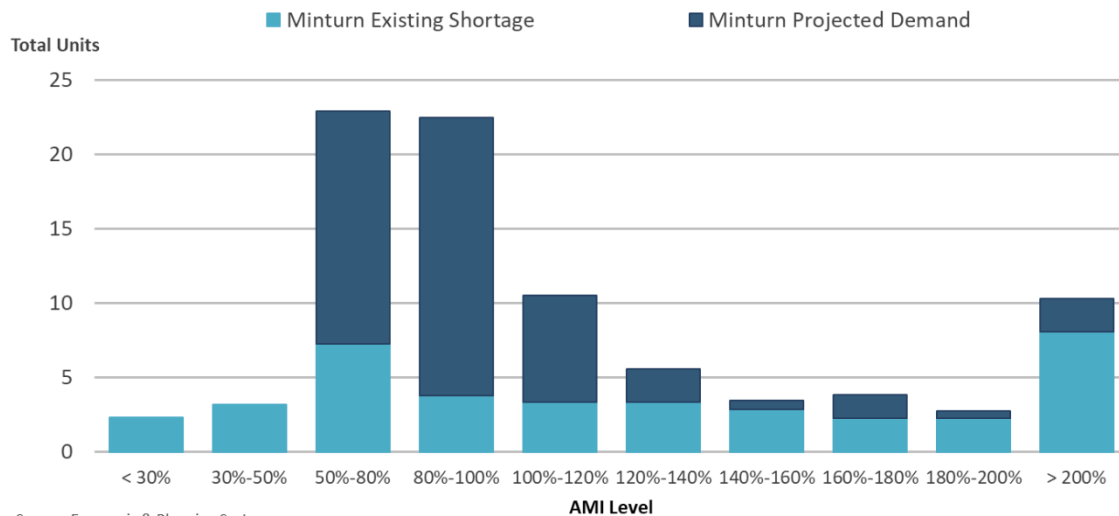
- 40% existing shortages.
- 60% projected housing needs (e.g. job growth).
- Largest sources of need are employment growth, retirees, and in-commuters.
- Total Units Needed through 2035 = 6,375.

6. Regional Allocation of Need by Jobs and AMI

- Minturn has a net housing need of 87 units.
- Minturn accounts for about 1% of the total need in Eagle County.
- Regional need is concentrated at 50%-80% AMI and 80%-100% AMI.

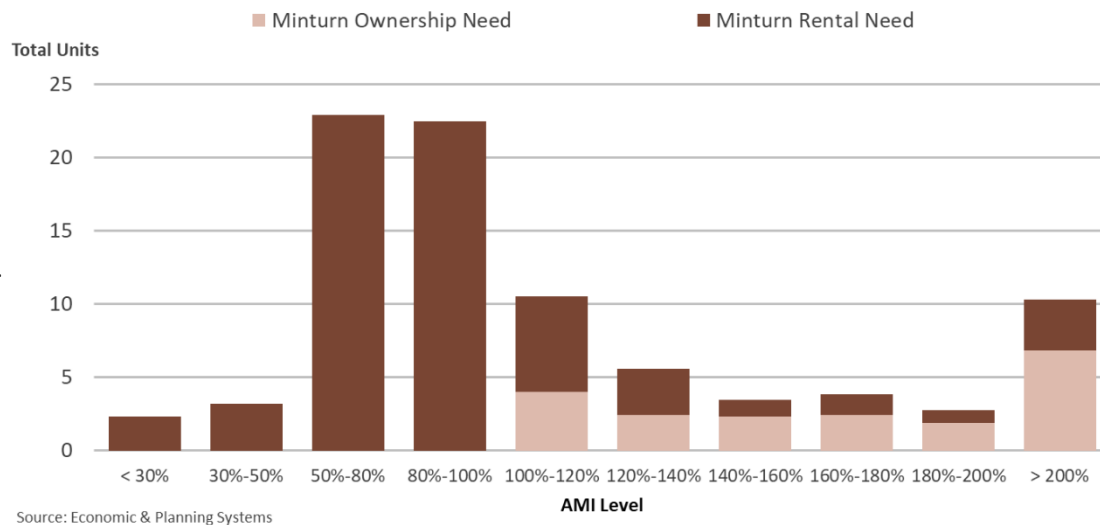
7. Town of Minturn Net Need by AMI

- Projected demand is higher than existing shortage, especially between 50%-100% AMI



8. Minturn Net Need by Tenure (Own vs. Rent)

- Need for rental units at 50%-100% AMI.
- Need above 100% AMI split between owners and renters.



9. Location Preference (outreach survey)

- 10% of respondents want to live in Minturn

2023 Community Plan Recommendations & Proposed Zoning Changes

LAND USE & ZONING	
2023 Community Plan Recommendations	Proposed Zoning Changes
The Community Plan recommends the following Zone Districts: ■ Federal Lands, Recreation & Open Space ■ Industrial/Business Park ■ Light Industry & Public Facilities ■ Mixed-Use 1 (MU-1) ■ Mixed-Use 2 (MU-2) ■ Mixed-Use 3 (MU-3) ■ R1 ■ R2 ■ R3 ■ Transit-Oriented Development (TOD) (<i>this only applies to Dowd Junction</i>)	The proposed zoning changes work to consolidate the Town's existing zone districts into the zone districts recommended in the 2023 Community Plan. Some of the Town's existing zone districts (e.g., 100-Block, Bolt's Lake, Belden Place PUD, etc.) are proposed to remain as-is due to the complexities of modifying these zone districts. Staff is proposing the following changes to the zone districts recommended in the 2023 Community Plan: ■ Separate "Federal Lands" and "Recreation & Open Space" into two (2) zone districts. ■ Rename the "Industrial/Business Park" zone district to "Makerspace." ■ In place of a "Light Industry & Public Facilities" zone district, create a new "Civic" zone district to accommodate town-owned properties, the cemetery, and other similar properties. Given the uncertainties of future development of Dowd Junction, a new "Transit-Oriented Development (TOD)" zone district has not been proposed as part of the update to the Town's zoning regulations.
Recommended Dimensional Standards for MU-1: ■ <u>Minimum Lot Size for Zone District:</u> 2,500 square feet ■ <u>Minimum Lot Size for Multi-Family (3+ units):</u> 7,500 square feet ■ <u>Maximum Lot Coverage:</u> 80% for mixed-use and commercial structures 50% for purely residential structures ■ <u>Maximum Building Height:</u> 28-35 feet ■ Property owners should be able to gain an additional half-floor by meeting identified requirements.	Proposed Dimensional Standards for MU-1: ■ <u>Minimum Lot Size:</u> 2,500 square feet ■ <u>Minimum Lot Size per 3+ Dwelling Units:</u> 7,500 square feet ■ <u>Maximum Building Lot Coverage:</u> 80% (Commercial/Mixed-Use Development) 50% (Residential Development) ■ <u>Maximum Building Height:</u> 35 feet (Commercial/Mixed-Use Development) 28 feet (Residential Development) Note: A building height incentive has not yet been considered as part of the update to the Town's zoning regulations.

LAND USE & ZONING	
2023 Community Plan Recommendations	Proposed Zoning Changes
Recommended Dimensional Standards for MU-2: ▪ <u>Minimum Lot Size for Zone District:</u> 5,000 square feet ▪ <u>Minimum Lot Size for Multi-Family (3+ units):</u> 7,500 square feet ▪ <u>Maximum Lot Coverage:</u> 60% ▪ <u>Maximum Building Height:</u> 28 feet	Proposed Dimensional Standards for MU-2: ▪ <u>Minimum Lot Size:</u> 2,500 square feet ▪ <u>Minimum Lot Size per 3+ Dwelling Units:</u> 7,500 square feet ▪ <u>Maximum Building Lot Coverage:</u> 80% (Commercial/Mixed-Use Development) 50% (Residential Development) ▪ <u>Maximum Building Height:</u> 28 feet
Recommended Dimensional Standards for MU-3: ▪ <u>Minimum Lot Size for Zone District:</u> 5,000 square feet ▪ <u>Minimum Lot Size for Multi-Family (3+ units):</u> 7,500 square feet ▪ <u>Maximum Lot Coverage:</u> 60% ▪ <u>Maximum Building Height:</u> 28 feet	Proposed Dimensional Standards for MU-3: ▪ <u>Minimum Lot Size:</u> 5,000 square feet ▪ <u>Minimum Lot Size per 3+ Dwelling Units:</u> 7,500 square feet ▪ <u>Maximum Building Lot Coverage:</u> 50% ▪ <u>Maximum Building Height:</u> 28 feet
Recommended Dimensional Standards for R1: ▪ <u>Minimum Lot Size for Zone District:</u> 2,500 square feet ▪ <u>Maximum Lot Coverage:</u> 50% ▪ <u>Maximum Building Height:</u> 28 feet	Proposed Dimensional Standards for R1: ▪ <u>Minimum Lot Size:</u> 2,500 square feet ▪ <u>Minimum Lot Size per 3+ Dwelling Units:</u> 5,000 square feet ▪ <u>Maximum Building Lot Coverage:</u> 50% ▪ <u>Maximum Building Height:</u> 28 feet
Recommended Dimensional Standards for R2: ▪ <u>Minimum Lot Size for Zone District:</u> 5,000 square feet ▪ <u>Minimum Lot Size for Multi-Family (3+ units):</u> 7,500 square feet ▪ <u>Maximum Lot Coverage:</u> 50% ▪ <u>Maximum Building Height:</u> 28 feet	Proposed Dimensional Standards for R2: ▪ <u>Minimum Lot Size:</u> 5,000 square feet ▪ <u>Minimum Lot Size per 3+ Dwelling Units:</u> 7,500 square feet ▪ <u>Maximum Building Lot Coverage:</u> 50% ▪ <u>Maximum Building Height:</u> 28 feet
Recommended Dimensional Standards for R3: ▪ <u>Minimum Lot Size for Zone District:</u> 2 acres	Proposed Dimensional Standards for R3: ▪ <u>Minimum Lot Size:</u> 2 acres
Action 1.1.3 Consider establishing minimum and maximum setbacks in mixed-use and residential districts. This requirement is intended to encourage a visually pleasing development pattern with slightly varied setbacks and to address a current misalignment between lot coverage and setback requirements on several lots in town.	The proposed zoning changes include minimum setbacks for the new mixed-use (MU-1, MU-2, MU-3) and residential (R1, R2, R3) zone districts. These minimum setbacks were developed based on the setback requirements for the existing zone districts that have been consolidated into these new zone districts. Note: Maximum setbacks have not yet been considered as part of the update to the Town's zoning regulations.

LAND USE & ZONING	
2023 Community Plan Recommendations	Proposed Zoning Changes
Action 1.2.1 Across all zone districts where multi-family is allowed as a use by right, at or above 15 total units, the project would need to go through the PUD process. However, if the project is a redevelopment of a lot already at or above 15 total units, it should not need to go through the PUD process. This allows smaller projects in which local impacts would be minor to proceed efficiently and at a lower cost to the developer, which allows these projects to provide the housing at more attainable prices. With a higher threshold for the number of units, the PUD process would allow for greater design flexibility, assurance of property planning, and further scrutiny of potential impacts, such as access and impacts to neighboring properties.	The proposed zoning regulations do not require multi-family development (i.e., 3 or more dwelling units) to go through the PUD process, regardless of how many dwelling units are proposed. Multi-family development (i.e., 3 or more dwelling units) is proposed to be a Permitted Use (“Use by Right”) in the following zone districts: ■ MU-1 ■ MU-2 ■ MU-3 Multi-family development is proposed to be a Conditional Use in the following zone districts: ■ R1 ■ R2 Note: ■ “Employee Housing” is proposed as a Permitted Use (“Use by Right”) in the new “Civic” zone district. This could allow for multi-family development depending on how Employee Housing is defined. ■ Staff is considering a recommendation that multi-family development (2nd Floor or Above) be a Permitted Use (“Use by Right”) in the new “Makerspace” zone district.
Action 1.2.2 Explore reducing parking requirements for both commercial and residential uses. Focus efforts on areas with good connectivity to transit or with ample on-street parking.	To Be Determined: A review and discussion of the Town’s parking standards will occur at a later phase of the Minturn Forward process. However, staff is currently requesting direction from the Planning Commission and the Town Council to guide changes to the Town’s parking standards.
Action 1.2.3 Resume efforts to revisit the Article 22 nonconformities section to encourage flexibility and appropriate expansions. The goals of this update should be to maintain historic resources, incentivize reinvestment in older properties, increase accessibility of the property, and promote community character. Specific updates to nonconformity standards should be reviewed by the Town Council and Planning Commission.	To Be Determined: A review and discussion of the Town’s regulations for legal non-conforming land uses, structures, and lots will occur at a later phase of the Minturn Forward process. Staff will work to incorporate the Community Plan recommendations as part of the update to these regulations.
Action 1.2.4 Consider implementing a lot coverage bonus of 15% for the development of deed-restricted ADUs in residential and/or mixed-use districts.	A lot coverage incentive in the new residential (R1, R2, R3) and mixed-use (MU-1, MU-2, MU-3) zone districts has not yet been considered as part of the update to the Town’s zoning regulations.

HOUSING	
2023 Community Plan Recommendations	Proposed Zoning Changes
Action 4.1.1 Implement remaining Tier One recommendations in the <i>2019 Housing Action Plan</i>. TIER ONE Revisit and update current ADU regulations, including: ▪ Broaden areas where Accessory Dwelling Units (ADUs) are allowed. ▪ Streamline the permitting/review process and consider waiving or deferring fees when there will be a deed restriction. ▪ Loosen parking requirements where applicable and consider creative off-site or public transit alternatives. ▪ Consider expanding or removing the size cap as applicable and revisit dimensional requirements. ▪ Consider waiving water tap fees with local deed restriction on long-term rentals. ▪ Develop and adopt policies for negotiating deed restricted housing in annexation agreements. ▪ Although future annexation opportunities may be limited, having standards in place if they do occur will ensure that the Town can effectively use these instances to meet community needs and housing goals.	Accessory Dwelling Units (ADUs): ADUs are proposed to be a Permitted Use (“Use by Right”) in the following zone districts: ▪ R1 ▪ R2 ▪ R3 ▪ MU-1 ▪ MU-2 ▪ MU-3 As a Permitted Use, an ADU requires review/approval by the Town’s Design Review Board and issuance of a building permit before construction can begin. Staff is currently working on reviewing and updating standards for land uses (i.e., Use Standards), including standards for ADUs. Staff will be proposing a minimum of one (1) parking space per ADU. Staff welcomes input from the Planning Commission and/or Town Council on expanding or eliminating the size cap on ADU. The existing Code limits ADUs to a maximum size of 1,200 square feet.
Action 4.1.2 Implement remaining Tier Two recommendations in the <i>2019 Housing Action Plan</i>. TIER TWO ▪ Collaborate with The Valley Home Store (TVHS), which currently offers down-payment and mortgage assistance to Eagle County residents, to ensure that Minturn residents are aware of this resource. ▪ Consider establishing a supplementary Minturn local assistance fund. ▪ Consider adopting a density or Floor Area Ratio (FAR) bonus for the inclusion of deed restricted housing in new development. ▪ Consider partnering with private developers to create new community housing on available Town-owned land. An inventory of such parcels is provided in the 2019 Housing Plan but further analysis and consideration is necessary. ▪ Partner with regional organizations such as NWCCOG and Energy Outreach Colorado at Walking Mountains and/or establish a local	Floor Area Ratio (FAR) Incentive: A FAR incentive for deed-restricted housing in new development has not yet been considered as part of the update to the Town’s zoning regulations. An FAR incentive may not be appropriate since the Town’s zoning regulations do not include FAR requirements. Other regulatory incentives, such as increased building height, reduced minimum lot size, reduced parking requirements, etc. might be more appropriate. Some of these regulatory incentives are already incorporated in the Town’s Community Housing Standards and Guidelines. Community Housing on Town-Owned Land: “Employee Housing” is proposed as a Permitted Use (“Use by Right”) in the new “Civic” zone district. This could allow for the Town to partner with a private developer(s) to create community housing on Town-owned land. Note: It is not possible to address the other recommendations listed under Action 4.1.2 via the update to Minturn’s Land Use Code.

HOUSING	
2023 Community Plan Recommendations	Proposed Zoning Changes
program to share resources and support local housing rehabilitation, weatherization, and energy efficiency projects.	
Action 4.2.3 Conduct periodic development code reviews to promote innovative and smaller homes, including ADUs.	Reduced Minimum Lot Size: A minimum lot size of 2,500 square feet is proposed for the new R1, MU-1, and MU-2 zone districts. A smaller, minimum lot size allows for, and has the potential to encourage, the development of smaller homes in Minturn. Accessory Dwelling Units (ADUs): ADUs are proposed as a Permitted Use ("Use by Right") in the new residential (R1, R2, R3) and mixed-use (MU-1, MU-2, MU-3) zone districts. Ideas for Other Regulatory Changes: The update to Minturn's Land Use Code offers an opportunity to further modify the Town's regulations to allow for and, if appropriate, encourage innovative and smaller homes. Staff welcomes any input that the Planning Commission and/or Town Council may have in this regard. Note: The Town's Land Use Code should be seen as a "living document" that is reviewed and updated (as necessary) on a regular basis (e.g., annually, every two years, or other timeframe deemed appropriate by the Town). The Town may want to consider implementing a policy that sets forth a recommended or required timeframe for reviewing the Land Use Code. Regular "fine-tuning" of the Land Use Code should help to reduce the need for a comprehensive overhaul of the Land Use Code, which is a substantial undertaking.
Action 4.2.4 Continuously support historic preservation to maintain the Town's unique housing stock.	Minturn has historic preservation regulations that can be found under Chapter 19 of the Municipal Code. The update to the Town's Land Use Code was not anticipated to include a review and update to the Town's historic preservation regulations.
OBJECTIVE 4.6 Prioritize housing for full-time residents; ensure that residents of all ages and income levels are able to find housing. Action 4.6.1 Amend the 200% AMI requirement for inclusionary housing in Minturn to promote more equitable and inclusive access to housing. Further assessment may be necessary to determine the most appropriate thresholds for the community, and many communities require units at a variety of thresholds. A 120% AMI requirement should be available for at least a portion of units.	To Be Determined: A review and discussion of the Town's Community Housing Standards and Guidelines will occur at a later phase of the Minturn Forward process. However, staff is currently requesting direction from the Planning Commission and the Town Council to guide changes to these standards and guidelines. Housing Diversity:

HOUSING	
2023 Community Plan Recommendations	Proposed Zoning Changes
Action 4.6.2 Use deed restrictions to require full-time residency in the community in homes created through housing regulations or preserved with public funding such as a buy-down program. Action 4.6.3 Support a diversity of housing types in the Town Code and development guidelines; ensure that updates to PUD guidelines encourage and incentivize affordable housing.	Single-family homes, duplexes, and ADUs are proposed as Permitted Uses (“Uses by Right”) in the new residential zone districts (R1, R2, R3). Multi-family development (i.e., 3 or more dwelling units) is proposed as a Conditional Use in the new R1 and R2 zone districts. Multi-family development is proposed to be prohibited in the new R3 zone district. Duplexes, ADUs, and multi-family development are proposed as Permitted Use (“Uses by Right”) in the new mixed-use zone districts (MU-1, MU-2, MU-3). Single-family homes are proposed as a Permitted Use (“Use by Right”) in the new MU-1 and MU-3 zone districts and proposed to be prohibited in the new MU-2 zone district. Planned Unit Developments (PUDs): The review criteria for Planned Unit Developments (PUDs) have been modified to include the following, which is intended to push someone proposing a PUD to provide a range of housing options: Residential uses in the PUD provide a diversity of housing opportunities for people of varying income levels. Further, all new PUDs proposing five (5) or more dwelling units and/or residential lots will be required to comply with the Town’s Community Housing Standards and Guidelines. The updated requirements for PUDs don’t explicitly include incentives for affordable housing. It’s unclear as to how affordable housing incentives might be incorporated but its something staff could further research if desired by the Planning Commission and/or Town Council.
Action 4.7.2 Routinely revisit designated AMI ranges for affordable housing to ensure that they correspond with Eagle County housing needs analyses and meaningfully contribute to the generation of affordable housing.	The update to Minturn’s Land Use Code offers an opportunity to update the AMI requirements set forth in the Town’s Community Housing Standards and Guidelines. Staff welcomes input from the Planning Commission and/or Town Council on changes to the Town’s existing AMI requirements.
OBJECTIVE 4.8 Ensure that PUD regulations and policies contain provisions that will create full-time resident housing, particularly at Dowd Junction and Martin Creek.	Refer to the explanation of changes made to the Town’s PUD requirements provided above for further information about PUDs and affordable housing. The updated PUD requirements don’t explicitly require PUDs to be designed with active street frontages and/or

HOUSING	
2023 Community Plan Recommendations	Proposed Zoning Changes
Action 4.8.1 Encourage the inclusion of affordable housing in PUDs over and above the current IH requirement; consider offering an expedited review process to incentivize this. Action 4.8.4 Consider implementing “Main Street” or PUD/Master Plan design regulations for new developments that require active street frontage and rear/hidden parking or other elements to increase the likelihood that development proposals will be palatable to and supported by the community.	rear/hidden parking. However, the updated review criteria for PUDs include, but are not limited to, the following: ▪ The innovation, high-quality architecture and design, and community benefit(s) of the PUD justify variations from the requirements of this Code. ▪ The nature, design, and architectural character of development in the PUD reflects, supports, and/or enhances the character of the Town. ▪ The scale, intensity, and type of land uses and development in the PUD are compatible with surrounding areas. Staff can work to further refine the requirements for PUD if desired by the Planning Commission and/or Town Council.
OBJECTIVE 4.9 Support Historic Preservation within Minturn’s broader housing strategy. Action 4.9.1 Review and update Minturn’s development design guidelines to strengthen and further specify how new residential development, redevelopment, and remodels can contribute to the community’s valued architectural character and vibrancy. Action 4.9.2 To preserve existing buildings to the extent possible, consider instituting a demolition delay ordinance or initiative to support adaptive redevelopment as opposed to teardowns and new builds. Action 4.9.3 Foster discussion around materials and design in the early phases of development review to ensure that developers understand the importance of celebrating Minturn’s existing character.	The update to the Town’s Land Use Code was not anticipated to include a review and update to the Town’s historic preservation regulations.

LOCAL ECONOMY	
2023 Community Plan Recommendations	Proposed Zoning Changes
OBJECTIVE 3.3 Pursue land use changes that support Minturn’s tax base and economic growth; plan future development on important catalyst sites, including Dowd Junction.	The update to the Town’s zoning regulations has strived to enhance the land uses/types of development allowed in Minturn’s zone districts, specifically in the new mixed-use (MU-1, MU-2, MU-3) zone districts. Staff welcomes input from the Planning Commission and/or Town Council on further changes to be made to the Town’s zoning regulations to support Minturn’s tax base and economic growth.

LOCAL ECONOMY	
2023 Community Plan Recommendations	Proposed Zoning Changes
OBJECTIVE 3.5 Evaluate options to increase the Town's financial resources and specifically to provide stable, attainable housing for Minturn's residents and workforce.	The 2023 Community Plan notes that <i>"...some Minturn residents have been relocating down-valley because they cannot find housing they can afford in Minturn. This results in critical loss to the social and economic fabric of the Minturn community."</i> The proposed changes to Minturn's zoning regulations strive to expand housing opportunities in Minturn. Staff welcomes input from the Planning Commission and/or Town Council on further changes to be made to the Town's zoning regulations to enhance housing opportunities for the local workforce.
OBJECTIVE 3.6 Ensure that the Town's Zoning and Development Code supports and encourages commercial development and redevelopment in key commercial districts while preserving historic character.	Commercial Development/Redevelopment: The proposed changes to Minturn's zoning regulations work to facilitate commercial development/redevelopment in the Town's commercial districts (e.g., Old Town, South Town, highway corridor, etc.). Specifically, the new mixed-use use (MU-1, MU-2, MU-3) zone districts have been crafted to allow for a variety of commercial land uses/types of development that are compatible with the existing character of the Town. Staff welcomes input from the Planning Commission and/or Town Council on further changes to be made to the Town's zoning regulations to support and encourage commercial development/redevelopment in Minturn. Preserving Historic Character: The update to the Town's Development/Design Standards presents an opportunity to include requirements that work to preserve Minturn's historic character. Staff welcomes input from the Planning Commission and/or Town Council on changes to be made as part of the update to the Town's Development/Design Standards.

13. Future Agenda Items

A. Future Meeting Topics

- 9/20 water plant 60% plans walk through.

14. Adjourn

Motion by Gusty K., second by Eric G., to adjourn the meeting at 7:56 pm. Motion passed 5-0.
Note: Kate S. as excused absent.

Earle Bidez, Mayor

ATTEST:

Jay Brunvand, Town Clerk

Information Only Items

Upcoming Council Meetings:

- August 20, September 3,
- September 17,
- October 1.

Upcoming Special Events:

- September First Friday at Minturn Saloon (9/5),

New Event:

Fall Festival in Downtown Minturn 9/27 (in conjunction with the VRD Cougar Ridge Classic Ultra Race)

AUGUST 2025 TOWN MANAGER'S REPORT



MANAGER'S REPORT

AUGUST 2025



Top Updates

1. **Highlands Property** – Broker interviews scheduled; recommendation expected **Aug 20**.
2. **Municipal Advisor** – Interviews scheduled; recommendation expected **Aug 20**.
3. **Water Treatment Plant** - 60% design complete; updated cost estimate **\$11M**.
4. **Bellm Bridge** - CDOT RFQ approved; repurposed bridge option deemed infeasible.
5. **Taylor Street Repaving** - Public meeting set for **Aug 21, 4:30–6:30 p.m.**

Active Initiatives

Highlands Property

- Council formed a committee (July 8) to engage brokers for valuation/marketability.
- **Next step:** Committee interviews and recommendation for **Aug 20 meeting**.

Municipal Advisor

- Council formed a committee (July 8) to engage an advisor for water plant financing.
- Interviews delayed for scheduling; **recommendation to Council Aug 20**.

Minturn Forward

- Four modules total; current focus on Modules 1 & 2.
- **Module 1 (Completed – March 2025):**
 - Article 5: Land Use Application Requirements & Procedures
 - Article 8: Subdivision Application Requirements & Procedures
 - Articles 10 & 11: Annexation and Disconnection of Land
 - Article 12: Environmental/Development Impact Report
- **Module 2 (In Progress)**
 - Article 2: Zone Districts
 - Article 3: Use Regulations & Standards
 - Article 4: Dimensional Requirements
 - Article 9: Community Housing Standards & Guidelines
- **Next Steps**
 - Incorporate direction from the last two Planning Commission meetings and the upcoming Joint Work Session.
 - Aim to **wrap up Module 2 in August** and begin **Modules 3 & 4**.

Emerging Initiatives

Housing

- Staff are exploring **town-led strategies** to increase local housing supply and maintain/increase the share of full-time resident households.
- Expect a Council presentation from Scot Hunn on a Town Housing Action Plan by **September**.

MANAGER'S REPORT

AUGUST 2025



- Avon-Eagle County led Multijurisdictional Housing Authority exploratory project will begin this fall, expect a presentation and discussion with Town Council.

Community Activation

- Conducting meetings with staff and residents about exploring expanded community events.
- Evaluating options for downtown streetlight replacements that would facilitate placemaking and community event promotion.

Parks and Recreation

- Evaluating the potential for conducting a Parks and Recreation Master Plan in FY 2026

Economic Development

- Staff are exploring potential town-led strategies to develop and grow small business.
- Examining regulatory reform of mobile business/mobile vendor regulations to allow increased flexibility for pop-up business.
- Working to identify barriers to entry for small businesses and how the town could facilitate increased commercial space for startup businesses.

Capital Projects

Minturn Water Treatment Plant

- **Status:** 60% design reviewed with HDR on July 10.
- **Cost Estimate:** ~\$11M, including Memcor membranes selected by Council in July.
- **Next Step:** Full plan walkthrough by HDR's Jarod Limke at a September Council meeting.

Little Beach Park & Historic Meyer's Barn

- **Engineering:** Access road & retaining wall in design; additional southern survey by Aug 1.
- **Funding:** GOCO submission postponed to early 2026 to allow shovel-ready plan. DOLA EIAF grant reimbursement is active.
- **Next Step:** Complete access road & retaining wall this year.

US 24 Pedestrian Improvement

- Contract with Phoenix Industries executed; work to begin in the **coming weeks**.

North Main Street Pedestrian Improvement & Cemetery Road Crossing

- Notice of award issued to 360 Civil Inc.
- **Next Step:** Contract execution pending; construction to follow.

Bellm Bridge Design RFQ

- CDOT approved RFQ to hire design firm.
- Repurposed CDOT truss bridge not feasible; will explore premanufactured truss option.

Taylor Street Repaving

- Design complete.
- **Next Step:** Public meeting at Town Hall on **Aug 21, 4:30–6:30 p.m.**

DEPARTMENT OF PUBLIC SAFETY

Division of Fire Prevention and Control

8 CCR 1507-39

THE ADOPTION OF MINIMUM CODES AND STANDARDS FOR HARDENING
STRUCTURES AND REDUCING FIRE RISK IN THE DEFENSIBLE SPACE
SURROUNDING STRUCTURES IN THE WILDLAND-URBAN INTERFACE

STATEMENT OF BASIS, STATUTORY AUTHORITY, AND PURPOSE

Pursuant to Section 24-33.5-1236, C.R.S., the Wildfire Resiliency Code Board ("Board") shall promulgate rules that accomplish the following, at a minimum:

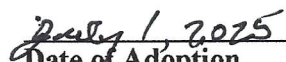
- I. Define the Wildland-Urban Interface and identify the areas of Colorado that are included within it.
- II. Adopt minimum Codes and Standards ("Codes") that apply to permitting and inspections for new construction of structures and the defensible space around such structures and are based on best practices to reduce the risk to life and property from the effects of wildfires.
- III. Adopt minimum Codes and Standards ("Codes") that apply to new external additions, alterations, or repair to existing structures or the defensible space around such structures and are based on best practices to reduce the risk to life and property from the effects of wildfires.
- IV. Identify the range of hazards and the types of buildings, entities, and defensible space around structures within the wildland-urban interface to which the codes apply.
- V. Establish the process by which a Governing Body may petition the Board for a modification to the Codes and establish the criteria and process for the Board to deny or grant an appeal from a decision by the Board on a petition for modification.
- VI. Establish criteria and parameters consistent with sections 24-65.1-105 AND 29-20-108, C.R.S., for expedited consideration or approval of an exemption from the Codes for activities or investments related to repair, replacement, or hardening of existing utility infrastructure primarily within existing transmission routes that mitigate wildfire risk.

This rule is proposed pursuant to this authority and is intended to be consistent with the requirements of the State Administrative Procedures Act, Section 24-4-101, et seq., C.R.S.

Pursuant to Section 24-33.5-1237(2)(b), C.R.S., enforcement of the Codes adopted through the promulgation of these rules shall be in accordance with the rules and regulations for code enforcement by the Governing Body; therefore, enforcement of the Codes is not addressed in these rules.

Section 24-33.5-1237(2)(a), C.R.S., permits a Governing Body with jurisdiction in an area within the wildland-urban interface that has the authority to adopt building or fire codes to adopt a code that exceeds the minimum standards set forth in the Codes adopted through the promulgation of these rules. Section 24-33.5-1237(2)(c), C.R.S., establishes the Board's authority to review a Governing Body's alternative adopted code. These rules establish the Board's process and criteria for conducting and denying or approving these alternative adoptions.


Karola Hanks, Chair
Wildfire Resiliency Code Board
Division of Fire Prevention and Control
Colorado Department of Public Safety

 July 1, 2025 4:09 PM
Date of Adoption

DEPARTMENT OF PUBLIC SAFETY

Wildfire Resiliency Code Board, Division of Fire Prevention and Control

THE ADOPTION OF MINIMUM CODES AND STANDARDS FOR HARDENING STRUCTURES AND REDUCING FIRE RISK IN THE DEFENSIBLE SPACE SURROUNDING STRUCTURES IN THE WILDLAND-URBAN INTERFACE

8 CCR 1507-39

APPLICABILITY

These rules and regulations apply to all newly constructed buildings and structures, and to significant additions, repairs, and remodels in the wildland-urban interface, as identified in these rules and as described in the code, with the exception of any thirty-five-acre parcel with only one residential structure on it that does not abut a residential or commercial area pursuant to the provisions of C.R.S. 24-33.5-1236 and C.R.S. 24-33.5-1237.

ARTICLE 1 - AUTHORITY TO ADOPT RULES AND REGULATIONS

- 1.1 The Wildfire Resiliency Code Board, established by the provisions of section 24-33.5-1236(2), C.R.S., has the authorization, pursuant to section 24-33.5-1236(4), C.R.S., to promulgate rules in order to carry out the duties of the Wildfire Resiliency Code Board within the Division of Fire Prevention and Control.
- 1.2 Section 24-33.5-1236(4)(b)(II), C.R.S. establishes the authority and duty of the Wildfire Resiliency Code Board to:
 - 1.2.1 Adopt minimum codes and standards that apply to permitting and inspections for new construction of structures and the defensible space around such structures and are based on best practices to reduce the risk to life and property from the effects of wildfires.
 - 1.2.2 Adopt minimum codes and standards that apply to new external additions, alterations, or repair to existing structures or the defensible space around such structures and are based on best practices to reduce the risk to life and property from the effects of wildfires.
 - 1.2.3 Identify the range of hazards and the types of buildings, entities, and defensible space around structures within the wildland-urban interface to which the codes apply.
 - 1.2.4 Establish the process by which a Governing Body may petition the Board for a modification to the Code and establish the criteria and process for the Board to deny or grant an appeal from a decision by the Board on a petition for modification.
 - 1.2.5 Establish criteria and parameters consistent with sections 24-65.1-105 AND 29-20-108, C.R.S., for expedited consideration or approval of an exemption from the Code for activities or investments related to repair, replacement, or hardening of existing utility infrastructure primarily within existing transmission routes that mitigate wildfire risk.
- 1.3 Section 24-33.5-1237(2)(c), C.R.S., establishes the Board's authority to review a Governing Body's alternative adopted code, as allowed by section 24-33.5-1237(2)(a), C.R.S.

ARTICLE 2 - DEFINITIONS

- 2.1 The definitions provided in 24-33.5-1202, C.R.S., apply to these rules. The following additional definitions also apply:

“Board” means the Wildfire Resiliency Code Board created in section 24-33.5-1236(2).

“Codes” means the minimum codes and standards adopted by the Board pursuant to section 24-33.5-1236(4)(b)(II).

“Construction” means work that is not considered as maintenance or service and that requires a permit as prescribed in the adopted codes and standards of the Governing Body or the Division.

“C.R.S.” means Colorado Revised Statutes.

“Department” means the Department of Public Safety.

“Director” means the Director of the Division of Fire Prevention and Control.

“Division” means the Division of Fire Prevention and Control in the Department of Public Safety.

“Executive Director” means the Executive Director of the Colorado Department of Public Safety.

“Governing Body” means:

- I. The city council, town council, board of trustees, or other governing body of a city, town, or city and county;
- II. The board of directors of a fire protection district organized pursuant to part 1 of article 1 of title 32, C.R.S.;
- III. The governing body of an improvement district that provides fire protection services organized pursuant to part 5 of article 20 of title 30, C.R.S.; or
- IV. The board of county commissioners with respect to the area within a county that is outside the corporate limits of a city or town and outside the boundaries of a fire protection district.

“ICC” means the International Code Council.

“Maintenance” means to sustain in a condition of repair that will allow performance as originally designed or intended. Maintenance does not include replacement of elements of a system which alter the performance criteria of the system as approved by the Authority Having Jurisdiction.

“Wildland-Urban Interface” means that geographical area where structures and other human development meets or intermingles with wildland or vegetative fuels.

ARTICLE 3 - CODES

3.1 The Colorado Wildfire Resiliency Code

The Board hereby adopts and incorporates by reference the Colorado Wildfire Resiliency Code, published by the Division of Fire Prevention and Control on June 01, 2025, and its referenced standards for the construction and maintenance of all property, buildings, and structures subject to the provisions of C.R.S. 24-33.5-1236 and these rules.

The Colorado Wildfire Resiliency Code is an adaptation of Chapters 1, 2, 3, and 5 of the 2024 International Wildland Urban Interface Code by the International Code Council (ICC), © 2023 by International Code Council, Inc. and based on other identified best practices for structure hardening and reducing fire risk in the defensible space surrounding structures.

3.2 Public Copies

The Colorado Wildfire Resiliency Code can be accessed through the Division of Fire Prevention and Control within the Department of Public Safety at dfpc.colorado.gov. For further information regarding how this material can be obtained or examined, contact the Administrator for the Wildfire Resiliency Code Board at 1697 Cole Blvd, Lakewood, CO 80401 and/or The State Depository Libraries.

The Division will maintain electronic copies of the complete texts of the adapted and attributed codes and standards, which are available for public inspection during regular business hours. Interested parties may inspect the referenced incorporated materials and/or the adapted and attributed codes and standards by contacting the Administrator for the Wildfire Resiliency Code Board at 690 Kipling St, Lakewood, CO, and/or The State Depository Libraries. Copies of the referenced incorporated materials and/or the adapted and attributed codes and standards are available directly from the organization originally issuing the codes and standards: the International Code Council, Inc., through the International Code Council Regional Office Bookstores, reached by calling 888-ICC-SAFE or on the web at www.iccsafe.org.

3.3 Governing Body's Alternative Adoption

As allowed by section 24-33.5-1237(2)(a), C.R.S., a Governing Body may adopt an alternative code, so long as the alternative code meets or exceeds the minimum standards set forth in the code adopted in 3.1 of these rules. Pursuant to section 24-33.5-1237(2)(c), C.R.S., the Board shall review a Governing Body's alternative code adoption and make a ruling as to whether or not the alternative code meets these provisions.

ARTICLE 4 - CODE APPLICATION, FIRE INTENSITY CLASSIFICATION, AND MAPPING

4.1 Code Application

The Board hereby declares that, in accordance with the provisions of C.R.S. 24-33.5-1236, the Code adopted in 3.1 and its referenced standards shall apply to the construction and maintenance of property, buildings, and structures subject to these rules that are within the wildland-urban interface as defined by these rules and that are subject to a Fire Intensity Classification of Low or greater.

4.2 Fire Intensity Classification

The Board hereby adopts the Wildfire Resiliency Code - Fire Intensity Classification layer for the Colorado Wildfire Resiliency State Code Map, developed by the Division of Fire Prevention and Control (DFPC) and the Colorado State Forest Service (CSFS) at the direction of the Wildfire Resiliency Code Board (WRCB), for the purposes of determining the Fire Intensity Classification for a given location.

4.2.1 The Fire Intensity Classification layer encompasses both the current and potential Wildland Urban Interface (WUI), as defined by these rules.

4.2.2 The Fire Intensity Classification's starting point is the 2022 Colorado Wildfire Risk Assessment (CO-WRA) Fire Intensity Scale (FIS) layer, which primarily relies on vegetative fuel data, but also topography and weather conditions to generate a state-wide indication of how intense a wildfire may be in a given location and therefore can be used to forecast the potential harm or damage if a wildfire occurs.

Note: The layer does not consider probability or risk of wildfire ignition or structure-to-structure conflagration.

4.2.3 The intensity values are classified into standard fire intensity levels based on flame length values for easy interpretation, and the levels in the original 2022 CO-WRA FIS layer include lowest, low, moderate, and high intensity. The original layer was generated at a 20-meter resolution, and was deemed too detailed for state-wide planning, code implementation, and enforcement efforts by the WRCB. The layer was further refined through smoothing, filtering, and aggregation techniques to provide simple but consistent transitions across classification types based on WRCB input.

4.2.4 The final form illustrates only three levels of the original fire intensity (low, moderate, and high) for the purpose of code application, and appears as a hexagon layer, a GIS method that is useful for grouping geospatial data into hexagonal grids.

Note: This aggregation method supports the reality that wildfire hazards are experienced at scales beyond that of an individual parcel or home and is influenced in part by adjacent conditions.

4.2.5 Fire Intensity Classifications shall be applied to the code adopted in 3.1 in the following manner:

- A. Moderate and High Fire Intensity Classifications correspond to Class 2 construction and site hardening requirements.
- B. Low Fire Intensity Classification corresponds to Class 1 construction and site hardening requirements within the Colorado Wildfire Resiliency Code.

4.2.6 Public Access

The Colorado Wildfire Resiliency State Code Map can be accessed through the Wildfire Resiliency Code Board within the Division of Fire Prevention and Control at dfpc.colorado.gov/WRCB. For further information regarding how this material can be obtained or examined, contact the Administrator for the Wildfire Resiliency Code Board at 1697 Cole Blvd, Lakewood, CO, and/or The State Depository Libraries. Questions related to the Colorado Wildfire Resiliency State Code Map can be sent to cdps_dfpc_wrcb@state.co.us

4.3 Locally Developed Mapping

A Governing Body may develop and adopt a local map designating WUI areas and identified Fire Intensity Classifications within its jurisdictional boundaries. Local mapping shall be consistent with the methodologies and criteria established by the Board.

4.3.1 Local maps shall incorporate factors including, but not limited to:

- 1. Vegetative fuel types
- 2. Historical wildfire occurrence
- 3. Topography and slope
- 4. Local weather patterns
- 5. Fire behavior modeling and risk assessment.

4.3.2 Review and Approval. Local maps shall be subject to review for compliance verification and/or approval by the Board to ensure consistency with state standards and methodologies. Approved maps shall be recorded and made available for public inspection.

4.3.3 A local map shall be reviewed and updated by the Governing Body at intervals not to exceed three (3) years, or sooner if substantial changes in conditions, data, or methodology occur. Updates shall be submitted for review and approval in accordance with Section 4.3.2.

4.3.4 Where local mapping is adopted, it shall either supplement or supersede the state-provided Fire Intensity Classification map, as verified or approved by the Board. In cases where no local map has been adopted, the most current state mapping shall apply.

4.4 Local Ground-Truthing

4.4.1 A Governing Body may develop and adopt a process for site-specific ground-truthing that identifies or modifies the Fire Intensity Classification as described in the 2025 Colorado Wildfire Resiliency Code.

- A. Ground-truthing shall incorporate the factors identified in 4.3.1.

- 4.4.2 These ground-truthing amendments do not require the state-developed map to be updated.

ARTICLE 5 – PETITIONS FOR MODIFICATION

5.1 General

The Colorado Wildfire Resiliency Code Board (the board) shall appoint a Petition Committee (the committee) that will serve as the group to hear a Governing Body's petition to modify requirements of the code. If a petition for modification is denied by the committee, the Governing Body may appeal the decision to the full board.

- 5.1.1 Only Governing Bodies may make petitions and appeals to the code. Requests from non-governing bodies for individual code modifications must be made to the local Governing Body with jurisdiction.
- 5.1.2 Any Governing Body that is maintaining jurisdiction for the local enforcement of the code, shall have the right to petition and appeal for modifications within its jurisdictional boundaries. If a Governing Body has requested the Colorado Division of Fire Prevention and Control to assume local enforcement for the code, it is disqualified from petitioning or appealing for modifications.
- 5.1.3 The committee shall have the authority to hear evidence pertaining to the application and intent of the code for the purpose of issuing reasonable interpretations of the provisions of the code and determining the suitability of alternative materials, design, and methods of construction and equipment.
- 5.1.4 Neither the committee nor the board shall have authority to waive requirements of the code or interpret the administration of the code.
- 5.1.5 Petitions and appeals shall stay the enforcement of the code until the petition and appeal is heard by the committee and a decision is communicated in writing to the petitioner.

5.2 Membership of the Committee.

The petition committee shall consist of five voting members appointed by the board chairperson. Each member shall serve for two years or until a successor has been appointed. The board vice chairperson shall be an ex officio member of said committee, but shall not vote on any matter before the committee.

- 5.2.1 The committee shall consist of board members who are qualified by expertise and training to pass on matters pertaining to hazards of wildfire, construction, vegetation management and community planning.
- 5.2.2 The board chairperson is authorized to appoint two alternate members who shall be called by the committee chairperson to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for committee membership and shall be appointed for the same term or until a successor has been appointed.
- 5.2.3 Vacancies shall be filled for an unexpired term in the same manner in which original appointments are required to be made.
- 5.2.4 The committee shall annually select one of its members to serve as chairperson.
- 5.2.5 The committee shall designate a qualified member to serve as secretary to the committee. The secretary shall file a detailed record of all proceedings, which shall set forth the reasons for the committee's decision, the vote of each member, the absence of a member and any failure of a member to vote.

- 5.2.6 A member with any personal, professional or financial interest in a matter before the committee shall declare such interest and refrain from participating in discussions, deliberations and voting on such matters.
- 5.2.7 Members shall not be compensated for their service other than for reimbursement of travel expenses, or as determined by law.
- 5.2.8 The committee shall establish policies and procedures necessary to carry out its duties consistent with the provisions of the code and applicable local, state and federal law. The procedures shall not require compliance with strict rules of evidence but shall mandate that only relevant information be presented.
- 5.2.9 The committee shall meet at stated periodic intervals.
- 5.2.10 Three members of the committee shall constitute a quorum.
- 5.2.11 The State of Colorado shall provide legal counsel to the committee to provide members with general legal advice concerning matters before them for consideration. Members shall be represented by legal counsel at the State of Colorado's expense in all matters arising from service within the scope of their duties.
- 5.2.12 The committee shall only affirm the petition to modify the requirements of the code by a concurring vote of a majority of the members. In the instance of a tie, the petition is not affirmed.
- 5.2.13 The decision of the committee shall be by resolution. Every decision shall be promptly filled in writing to the office of the Administrator of the Colorado Division of Fire Prevention and Control within 30 days and shall be open to the public for inspection. A certified copy shall be furnished to the petitioner or the petitioner's representative and to the board chairperson.

5.3 Petition Process

An application for petition shall be based on a claim that the intent of the code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of the code do not fully apply, or an equally good or better material, design or form of construction is proposed.

- 5.3.1 An application to petition shall be filed on a form obtained from the committee within 30 days prior to the next regular committee meeting. If the appeal is submitted less than 30 days prior to the next committee meeting, the hearing will be delayed until the following committee meeting.
- 5.3.2 All petitions shall be heard at the next regularly scheduled meeting of the committee, unless for good cause shown otherwise. The administrator of the committee shall notify the petitioner of the time, date and place of the committee hearing.
- 5.3.3 Pursuant to the petition application, the petitioners shall provide the specific code section for which they are requesting a modification, the reason for the modification, and the alternative method of compliance being proposed. The petitioner shall provide supporting documents (manufacturers' specification sheets, research reports, results from a testing laboratory or other supporting documents) and a written narrative as to the reason for the petition.
- 5.3.4 The committee may modify, affirm or deny the petition for modification, stating the reasons for the decision. The decision shall be provided in writing to the petitioner no more than 30 business days after the hearing.
- 5.3.5 If the petition is upheld or modified, the petitioner shall be approved to implement the requested modifications to the code.

- 5.3.6 If the petition is denied, the stay of enforcement of the code is revoked, and the appealing Governing Body shall take immediate action in accordance with the decisions of the committee, unless the petitioner chooses to appeal the decision to the board.

5.4 Appeals Process

An appeal application shall be filed with the board within 10 business days of the petition decision of the committee, but no less than 30 days prior to the next regularly scheduled board meeting. If the appeal is submitted less than 30 days prior to the next board meeting, the hearing will be delayed until the following meeting.

- 5.4.1 A member with any personal, professional or financial interest in a matter before the committee shall declare such interest and refrain from participating in discussions, deliberations and voting on such matters.
- 5.4.2 All appeals shall be heard at the next regularly scheduled meeting of the WRCB, unless for good cause shown otherwise. The administrator of the WRCB shall notify the petitioner of the time, date and place of the hearing.
- 5.4.3 Pursuant to the appeals application, the appellants shall provide the specific code section for which they are requesting a modification, the reason for the modification, and the alternative method of compliance being proposed. The appellants shall provide supporting documents (manufacturers' specification sheets, research reports, results from a testing laboratory or other supporting documents) and a written narrative as to the reason for the petition.
- 5.4.4 The board may modify, uphold or deny the petition decision, stating the reasons for the decision. The decision shall be provided in writing to the appellant no more than 30 days after the hearing.
- 5.4.5 If the appeal is upheld or modified, the appellant shall be approved to implement the requested modifications to the code.
- 5.4.6 If the appeal is denied, the stay of enforcement of the code is revoked, and the appealing Governing Body shall take immediate action in accordance with the decisions of the board.

5.5 Further Legal Procedures

Any Governing Body that is aggrieved by the appeals process decision of the board may appeal to the courts of Colorado in accordance with the Colorado rules of civil procedure, pursuant to Title 24, Article 4, C.R.S.

ARTICLE 6 –RECORDS AND REPORTING

6.1 Governing Body Records Retention

- 6.1.1 The Governing Body shall keep a record of proposed and approved modifications as submitted to or received from the Board concerning:
- a. Mapping
 - b. Site and area requirements
 - c. Building requirements
- 6.1.2 Upon the adoption of the code, the details of modifications granted by a Governing Body shall be recorded and entered in the files of the Governing Body.

6.2 Governing Body Reporting Requirements

- 6.2.1 A Governing Body shall provide a copy of the adopted ordinance or resolution with a statement attesting to meeting or exceeding the Colorado Wildfire Resiliency Code. Jurisdictions shall report to the Board by July 31 of each year beginning in 2026. Governing Bodies that have not made change to the adopted codes, ordinances, or resolutions shall submit a statement of attestation to that fact and resubmitting the adopted ordinance or resolution is not necessary.
- 6.2.2 A Governing Body is encouraged to provide recommendations to the Board so that appropriate and reasonable modifications to the Colorado Wildfire Resiliency Code may be determined.
- 6.2.3 The Governing Body shall be responsible for maintaining appropriate records for the enforcement and maintenance of those requirements as established by the Colorado Wildfire Resiliency Code to enable accurate reporting as required.

ARTICLE 7 – ENFORCEMENT

- 7.1 In accordance with 24-33.5-1237(2)(b), C.R.S., enforcement of the adopted code in 3.1 and/or 3.3 of these rules, shall be in accordance with the rules and regulations for code enforcement by the Governing Body. The period to comply with an adopted code shall be in accordance with the rules and regulations of the Governing Body or within three months of the date the code is adopted by the Governing Body, whichever is sooner.
- 7.2 As allowed in Section 24-33.5-1237(2)(d), C.R.S., if a Governing Body does not have rules and regulations in place for the enforcement of a code adopted in 3.1 and/or 3.3 of these rules, the Governing Body may request support from the Division in conducting inspections and enforcing the code pursuant to the Division's procedures set forth in 24-33.5-1213; except that, any civil penalty collected pursuant to Section 24-33.5-1213(4) shall be deposited in the code board cash fund.
 - 7.2.1 A Governing Body requesting such support is subject to the provisions of 5.1.2 of these rules.

ARTICLE 8 – CRITERIA AND PARAMETERS FOR EXISTING UTILITY INFRASTRUCTURE

- 8.1 The Board shall establish criteria and parameters consistent with sections 24-65.1-105 and 29-20-108, C.R.S., for expedited consideration or approval of an exemption from the Code for activities or investments related to repair, replacement, or hardening of existing utility infrastructure primarily within existing transmission routes that mitigate wildfire risk.

ARTICLE 9 – INQUIRIES

- 9.1 Questions, clarification, or interpretation of these Rules should be addressed in writing to: Wildfire Resiliency Code Board Administrator, Colorado Division of Fire Prevention and Control, 1697 Cole Blvd, Lakewood, CO 80401. Telephone number: (303) 239-4600.
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COLORADO
Wildfire
Resiliency
Code Board

2025

Colorado Wildfire Resiliency Code

01 June 2025



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Chapter 1 - Scope and Administration

PART 1 GENERAL PROVISIONS

SECTION 101 SCOPE AND GENERAL REQUIREMENTS

101.1 Title. These regulations shall be known as the Colorado Wildfire Resiliency Code as adopted by [NAME OF JURISDICTION], hereinafter referred to as “this code.”

101.2 Scope. The provisions of this code shall apply to the construction, alteration, movement, repair, maintenance and use of any building, structure or premises that contain *occupiable* and/or *habitable space*, or change in use resulting in an occupiable and/or habitable space, unless excepted, within the *wildland-urban interface* areas of Colorado, as designated in this code.

Buildings or conditions in existence at the time of the adoption of this code are allowed to have their use or occupancy continued, if such condition, use or occupancy was legal at the time of the adoption of this code, provided that such continued use does not constitute a distinct danger to life or property.

Buildings or structures moved into or within the jurisdiction shall comply with the provisions of this code for new buildings or structures.

101.2.1 Appendices. Provisions in the appendices shall not apply unless specifically adopted.

101.2.2 Factory-Built Structures (nonresidential, residential, and tiny homes). Structure hardening provisions of this code for factory-built structures as defined by sections 24-32-3302(9), (10), (11), and (35), C.R.S., are in accordance with Rules adopted by the Division of Housing in 8 CCR 1302-1, Rule 2 Codes and Standards.

101.2.3 HUD Code Homes. Homes built to the HUD Manufactured Home Construction and Safety Standards are exempt from structure hardening requirements on their first installation. Homes built to the HUD Manufactured Home Construction and Safety Standards which are moved into an applicable Wildfire Resiliency code area are subject to the provisions of this code as required by the authority having jurisdiction.

101.3 Purpose. The purpose of this code is to establish minimum regulations for the safeguarding of life and for property protection. Regulations in this code are intended to mitigate the risk to life and structures from intrusion of fire from wildland fire exposures and fire exposures from adjacent structures and to mitigate structure fires from spreading to wildland fuels. The extent of this regulation is intended to be tiered commensurate with the relative level of hazard present.

The unrestricted use of property in *wildland-urban interface* areas is a potential threat to life and property from fire and resulting erosion. Safeguards to prevent the occurrence of fires and to



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provide adequate fire protection facilities to control the spread of fire in *wildland-urban interface* areas shall be in accordance with this code.

This code shall supplement the jurisdiction's building and fire codes, if such codes have been adopted, to provide for special regulations to mitigate the fire- and life-safety hazards of the *wildland-urban interface* areas.

101.4 Retroactivity. The provisions of the code shall apply to conditions arising after the adoption thereof, conditions not legally in existence at the adoption of this code and conditions that, in the opinion of the *code official*, constitute a distinct hazard to life or property.

Exception: Provisions of this code that specifically apply to existing conditions are retroactive.

101.5 Additions or alterations. Additions or alterations shall be permitted to be made to any building or structure without requiring the existing building or structure to comply with all of the requirements of this code, provided that, when the work increases the footprint of the existing structure by 500 square feet or greater, the addition or alteration conforms to that required for a new building or structure.

Exception: Provisions of this code that specifically apply to existing conditions are retroactive.

Additions or alterations shall not be made to an existing building or structure that will cause the existing building or structure to be in violation of any of the provisions of this code nor shall such additions or alterations cause the existing building or structure to become unsafe. An unsafe condition shall be deemed to have been created if an addition or alteration will cause the existing building or structure to become structurally unsafe or overloaded; will not provide adequate access in compliance with the provisions of this code or will obstruct existing exits or access; will create a fire hazard; will reduce required fire resistance or will otherwise create conditions dangerous to human life.

101.6 Roof coverings. The *roof covering* on buildings or structures in existence prior to adoption of this code that are replaced or have 25 percent or more of the surface area of the roof replaced, or where work to reconstruct, alter, or repair the *roof covering* effectively replaces such material, shall require the entirety of the *roof covering* to be replaced with a *roof covering* required for new construction specified in Sections 403.2 through 403.2.2.

Exception: Existing *roof coverings* that are compliant with Section 403.2.

101.7 Exterior walls. The exterior walls of building or structures in existence prior to adoption of this code where 25 percent or more of the total exterior wall surface area is replaced, or where work to reconstruct, alter or repair the exterior walls effectively replaces the exterior wall material, shall require the entirety of the exterior wall surface area, including attachments, to be replaced with materials required for new construction specified in Section 404.3 through 404.3.2



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and the immediate zone within 5 feet of the structure shall be made to comply with Section 503.1.

Exception: Existing exterior walls that are compliant with Section 404.3.

101.8 Maintenance. Buildings, structures, landscape materials, vegetation, *defensible space* or other devices or safeguards required by this code shall be maintained in conformance to the code edition under which installed. The owner or the owner's authorized agent shall be responsible for the maintenance of buildings, structures, landscape materials and vegetation.

SECTION 102—APPLICABILITY

102.1 General. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern. Where, in any specific case, different sections of this code, or any other adopted code, specify different materials, methods of construction or other requirements, the most restrictive shall govern.

102.2 Other laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

102.3 Application of references. References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

102.4 Referenced codes and standards. The codes and standards referenced in this code are listed throughout this code. Such codes and standards shall be considered as part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.4.1 and 102.4.2.

102.4.1 Conflicts. Where conflicts occur between provisions of this code and the referenced codes and standards, the provisions of this code shall govern.

102.4.2 Provisions in referenced codes and standards. Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code, the provisions of this code, as applicable, shall take precedence over the provisions in the referenced standard.

102.5 Subjects not regulated by this code. Where applicable standards or requirements are not set forth in this code, or are contained within other laws, codes, regulations, ordinances or policies adopted by the authority having jurisdiction, compliance with applicable standards of other nationally recognized safety standards, as *approved*, shall be deemed as prima facie evidence of compliance with the intent of this code. Nothing herein shall derogate from the authority of the *code official* to determine compliance with codes or standards for those activities or installations within the code official's jurisdiction or responsibility.

102.6 Matters not provided for. Requirements that are essential for the public safety of an existing or proposed activity, building or structure, or for the safety of the occupants thereof,



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which are not specifically provided for by this code, shall be determined by the *code official* consistent with the necessity to establish the minimum requirements to safeguard the public health, safety and general welfare.

102.7 Partial invalidity. In the event that any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions.

102.8 Existing conditions. The legal occupancy or use of any structure or condition existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the *International Fire Code* or the *International Property Maintenance Code*, or as is deemed necessary by the *code official* for the general safety and welfare of the occupants and the public.

102.9 Historic structures. A variance is authorized to be issued for the repair or rehabilitation of a historic structure or construction of a contributing structure upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure, and the variance is the minimum necessary to preserve the historic character and design of the structure, within the spirit of this code.

Exception: Within wildfire hazard areas, historic structures that do not meet one or more of the following designations:

1. Listed or preliminarily determined to be eligible for listing in the National Register of Historic Places.
2. Determined as contributing to the historical significance of a registered historic district or a district preliminarily determined to qualify as an historic district.
3. Designated as historic under a state or local historic preservation program.

102.9.1 Historic preservation exemption. The authority having jurisdiction may establish a historic preservation exemption or exemptions in their jurisdiction that consists of the spirit and intent of this code.

102.10 Work exempt from permit under this code. Exemptions from code requirements shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of the jurisdiction. Compliance with this code shall not be required for the following:

1. Interior alterations of existing structures.
2. Additions that do not increase the footprint of a structure by more than 500 square feet.
3. The reconstruction, replacement, alteration, or repair of the exterior walls of an existing building, when less than 25 percent of the surface area of all exterior walls is affected.
4. The reconstruction, replacement, alteration, or repair of the exterior *roof covering* of an existing building, when less than 25 percent of the surface area of the exterior *roof covering* or an attachment thereto is affected.



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5. Alterations or repairs to the exterior of an existing structure, or an attachment to it, when less than twenty-five percent of the exterior of the structure is affected by the alteration or repair.
6. Painting, staining and similar maintenance or restorative work.
7. One-story detached accessory, nonhabitable structures, such as tool and storage sheds, playhouses and similar uses, provided that the floor area does not exceed 120 square feet and the structure is located greater than or equal to 10 feet from the nearest adjacent occupiable structure.
8. *Accessory structures* and buildings of an accessory character classified as Utility and Miscellaneous Group U (including Agricultural Structures) located more than 50 feet from a structure containing *occupiable* or *habitable space*.
9. Fences located more than 8 feet from a habitable structure.
10. Any thirty-five acre parcel with only one residential structure on it that does not abut a residential or commercial area.

PART 2—ADMINISTRATION AND ENFORCEMENT

SECTION 103—CODE COMPLIANCE AGENCY

103.1 Creation of agency. The [INSERT NAME OF DEPARTMENT] is hereby created and the official in charge thereof shall be known as the *code official*. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

103.2 Appointment. The *code official* shall be appointed by the chief appointing authority of the jurisdiction.

103.3 Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the *code official* shall have the authority to appoint a deputy *code official*, other related technical officers, inspectors and other employees. Such employees shall have powers as delegated by the *code official*.

SECTION 104—DUTIES AND POWERS OF THE CODE OFFICIAL

104.1 Powers and duties of the code official. The *code official* is hereby authorized to enforce the provisions of this code.

104.2 Determination of compliance. The *code official* shall have the authority to determine compliance with this code, to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures:

1. Shall be in compliance with the intent and purpose of this code.
2. Shall not have the effect of waiving requirements specifically provided for in this code.



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104.2.1 Technical assistance. To determine compliance with this code, the *code official* is authorized to require the owner, the owner's authorized agent or the person in possession or control of the building or premises to provide a technical opinion and report.

104.2.1.1 Costs. A technical opinion and report shall be provided without charge to the jurisdiction.

104.2.1.2 Preparer qualifications. The technical opinion and report shall be prepared by a qualified engineer, specialist, laboratory or fire safety specialty organization acceptable to the *code official*. The *code official* is authorized to require design submittals to be prepared by, and bear the stamp of, a registered design professional.

104.2.1.3 Content. The technical opinion and report shall analyze the properties of the design, operation or use of the building or premises, the facilities and appurtenances situated thereon and fuel management to identify and propose necessary recommendations.

104.2.1.4 Tests. Where there is insufficient evidence of compliance with the provisions of this code, the *code official* shall have the authority to require tests as evidence of compliance. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized test standards, the *code official* shall approve the testing procedures. Such tests shall be performed by a party acceptable to the *code official*.

104.2.2 Alternative materials, design and methods. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been *approved*.

104.2.2.1 Approval authority. An alternative material, design or method shall be *approved* where the *code official* finds that the proposed alternative is satisfactory and complies with Sections 104.2.2.2 through 104.2.2.7, as applicable.

104.2.2.2 Application and disposition. Where required, a request to use an alternative material, design or method of construction shall be submitted in writing to the *code official* for approval. Where the alternative material, design or method of construction is not approved, the *code official* shall respond in writing, stating the reasons the alternative was not approved.

104.2.2.3 Compliance with code intent. An alternative material, design or method of construction shall comply with the intent of the provisions of this code.



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104.2.2.4 Equivalency criteria. An alternative material, design or method of construction shall, for the purpose intended, be not less than the equivalent of that prescribed in this code with respect to all of the following, as applicable:

1. Quality.
2. Strength.
3. Effectiveness.
4. Durability.
5. Safety, other than fire safety.
6. Fire safety.

104.2.2.5 Tests. Tests conducted to demonstrate equivalency in support of an alternative material, design or method of construction application shall be of a scale that is sufficient to predict performance of the end use configuration. Tests shall be performed by a party acceptable to the *code official*.

104.2.2.5.1 Fire tests. Tests conducted to demonstrate equivalent fire safety in support of an alternative material, design or method of construction application shall be of a scale that is sufficient to predict fire safety performance of the end use configuration. Tests shall be performed by a party acceptable to the *code official*.

104.2.2.6 Reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall comply with Sections 104.2.2.6.1 and 104.2.2.6.2.

104.2.2.6.1 Evaluation reports. Evaluation reports shall be issued by an *approved* agency and use of the evaluation report shall require approval by the *code official* for the installation. The alternate material, design or method of construction and product evaluated shall be within the scope of the *code official's* recognition of the *approved* agency. Criteria used for the evaluation shall be identified within the report and, where required, provided to the *code official*.

104.2.2.6.2 Other reports. Reports not complying with Section 104.2.2.6.1 shall describe criteria, including but not limited to any referenced testing or analysis, used to determine compliance with code intent and justify code equivalence. The report shall be prepared by a qualified engineer, specialist, laboratory or fire safety specialty organization acceptable to the *code official*. The *code official* is authorized to require design submittals to be prepared by, and bear the stamp of, a registered design professional.

104.2.2.7 Peer review. The *code official* is authorized to require submittal of a peer review report in conjunction with a request to use an alternative material, design or



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method of construction, prepared by a peer reviewer that is *approved* by the *code official*.

104.2.3 Modifications. Where there are practical difficulties involved in carrying out the provisions of this code, the *code official* shall have the authority to grant modifications for individual cases, provided that the *code official* shall first find that one or more special individual reasons make the strict letter of this code impractical, that the modification is in conformance with the intent and purpose of this code, and that such modification does not lessen health, life and fire safety requirements. The details of the written request and action granting modifications shall be recorded and entered into the files of the code enforcement agency.

104.3 Applications and permits. The *code official* is authorized to receive applications, review construction documents and issue permits for construction regulated by this code, issue permits for operations regulated by this code, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.

104.4 Access to Property. For the purpose of inspecting and enforcing the provisions of this code and the terms and conditions of any permit issued under this code, the *code official* is authorized to enter upon private property at reasonable times and upon reasonable notice for the purpose of determining compliance with this code and to evaluate conditions relative to the permit application.

104.4.1 Authorization. The owner or occupant of the property having a permit under this code shall allow the *code official* access to the property to perform the required inspections. If access is denied, the *code official* shall apply to the Court with jurisdiction to seek authority to access the property.

104.5 Identification. The *code official* shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

104.6 Notices and orders. The *code official* shall issue all necessary notices or orders to ensure compliance with this code.

104.7 Official records. The *code official* shall keep official records as required by Sections 104.7.1 through 104.7.5. Such official records shall be retained for not less than 5 years or for as long as the structure or activity to which such records relate remains in existence, unless otherwise provided by other regulations.

104.7.1 Approvals. A record of approvals shall be maintained by the *code official* and shall be available for public inspection during business hours in accordance with applicable laws.

104.7.2 Inspections. The *code official* shall keep a record of each inspection made, including notices and orders issued, showing the findings and disposition of each.



104.7.3 Code alternatives and modifications. Application for alternative materials, design and methods of construction and equipment in accordance with Section 104.2.2; modifications in accordance with Section 104.2.3; and documentation of the final decision of the *code official* for either shall be in writing and shall be retained in the official records.

104.7.4 Tests. The *code official* shall keep a record of tests conducted to comply with Sections 104.2.1.4 and 104.2.2.5.

104.7.5 Fees. The *code official* shall keep a record of fees collected and refunded in accordance with Section 106.

104.8 Liability. The *code official*, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction, in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered personally liable, either civilly or criminally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act or by reason of any act or omission in the discharge of official duties.

104.8.1 Legal defense. Any suit or criminal complaint instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code or other laws or ordinances implemented through the enforcement of this code shall be defended by legal representatives of the jurisdiction until final termination of the proceedings. The *code official* or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code.

104.9 Approved materials and equipment. Materials, equipment and devices approved by the *code official* shall be constructed and installed in accordance with such approval.

104.9.1 Materials and equipment reuse. Materials, equipment and devices shall not be reused unless such elements are in good working order and *approved*.

104.10 Other agencies. When requested to do so by the *code official*, other officials of this jurisdiction shall assist and cooperate with the *code official* in the discharge of the duties required by this code.

SECTION 105—TEMPORARY USES, EQUIPMENT AND SYSTEMS

105.1 General. The *code official* is authorized to issue a permit for temporary uses, equipment and systems. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The *code official* is authorized to grant extensions for demonstrated cause.

105.2 Conformance. Temporary uses, equipment and systems shall conform to the requirements of this code as necessary to ensure health, safety and general welfare.



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105.3 Temporary service utilities. The *code official* is authorized to give permission to temporarily supply service utilities.

105.4 Termination of approval. The *code official* is authorized to terminate such permit for temporary uses, equipment and systems and to order the same to be discontinued.

SECTION 106—FEES

106.1 General. An AHJ has the authority to establish fees.

SECTION 107—STOP WORK ORDER

107.1 Authority. Where the *code official* finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the *code official* is authorized to issue a stop work order.

107.2 Issuance. The stop work order shall be in writing and shall be given to the owner of the property, the owner's authorized agent or the person performing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work is authorized to resume.

107.3 Emergencies. Where an emergency exists, the *code official* shall not be required to give a written notice prior to stopping the work.

107.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to fines established by the authority having jurisdiction.

Chapter 2 - Definitions

SECTION 201 GENERAL

201.1 Scope. Unless otherwise expressly stated, the following words and terms shall, for the purposes of this code, have the meanings shown in this chapter.

201.2 Interchangeability. Words stated in the present tense include the future; words stated in the masculine gender include the feminine and neuter; and the singular number includes the plural and the plural the singular.

201.3 Terms defined in other codes. Where terms are not defined in this code and are defined in other International Codes, such terms shall have the meanings ascribed to them as in those codes.

201.4 Terms not defined. Where terms are not defined through the methods authorized by this section, such terms shall have their ordinarily accepted meanings such as the context implies.

SECTION 202 DEFINITIONS

ACCESSORY STRUCTURE. A building or structure used to shelter or support any material, equipment, chattel or occupancy other than a habitable building.

AGRICULTURAL BUILDING. A structure designed and constructed to house farm implements, hay, grain, poultry, livestock or other horticultural products. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated or packaged, nor shall it be a place used by the public.

APPROVED. Acceptable to the *code official*.

BUILDING. Any structure intended for supporting or sheltering any occupancy.

CLASS A TESTS. Class A Tests are applicable to *roof coverings* that are expected to be effective against severe fire exposure, afford a high degree of fire protection to the *roof deck*, do not slip from position, and are not expected to present a flying brand hazard.

CODE OFFICIAL. The official designated by the jurisdiction to interpret and enforce this code, or the *code official's* authorized representative.

DEFENSIBLE SPACE. An area either natural or man-made, where material capable of allowing a fire to spread unchecked has been treated, cleared or modified to slow the rate and intensity of an advancing wildfire and to create an area for fire suppression operations to occur.



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EMBELLISHMENTS. Elements incorporated in design and construction for ornamental or decorative purpose that are not integral to the structure or structural support.

FIRE INTENSITY CLASSIFICATION. The level of fire intensity identified for areas where significant fuel hazards and associated dangerous fire behavior may exist, based upon vegetative fuels, topography, weather conditions, and flame length value.

FIRE-RESISTANCE-RATED CONSTRUCTION. The use of materials and systems in the design and construction of a building or structure to safeguard against the spread of fire within a building or structure and the spread of fire to or from buildings or structures to the *wildland-urban interface* area.

FIRE-RETARDANT-TREATED WOOD. Fire-retardant-treated wood is any wood product that, when impregnated with chemicals by a pressure process or other means during manufacture, shall have, when tested in accordance with ASTM E84 or UL 723, a listed *flame spread index* of 25 or less. The ASTM E84 or UL723 test shall be continued for an additional 20-minute period and the flame front shall not progress more than 10.5 feet beyond the centerline of the burners at any time during the test.

FLAME SPREAD INDEX. A comparative measure, expressed as a dimensionless number, derived from visual measurements of the spread of flame versus time for a material tested in accordance with ASTM E84.

FUEL MODIFICATION. A method of modifying fuel load by reducing the amount of nonfire-resistive vegetation or altering the type of vegetation to reduce the fuel load.

HABITABLE SPACE. A space in a building for living, sleeping, eating or cooking.

HEAVY TIMBER CONSTRUCTION. As described in Section 602.4 of the 2024 *International Building Code*.

HOME IGNITION ZONE. Home Ignition Zone is the home and the area around the home (or structure). The HIZ takes into account both the potential of the structure to ignite and the quality of *defensible space* surrounding it.

IGNITION-RESISTANT BUILDING MATERIAL. A type of building material that resists ignition or sustained flaming combustion sufficiently so as to reduce losses from wildfire exposure of burning embers and small flames.



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IGNITION-RESISTANT VEGETATION. Plants that are less likely to readily ignite from a flame or other ignition source and produce fewer embers. While they can still be damaged by fire, their foliage and stems don't significantly contribute to the intensity of the fire.

LOG WALL CONSTRUCTION. A type of construction in which exterior walls are constructed of solid wood members and where the smallest horizontal dimension of each solid wood member is not less than 6 inches. Log wall construction shall follow requirements of ICC 400.

MULTILAYERED GLAZED PANELS. Window or door assemblies that consist of two or more independently glazed panels installed parallel to each other, having a sealed air gap in between, within a frame designed to fill completely the window or door opening in which the assembly is intended to be installed.

NONCOMBUSTIBLE. As applied to building construction material means a material that, in the form in which it is used, is either one of the following:

1. Material of which no part will ignite and burn when subjected to fire.
2. Any material conforming to ASTM E136 shall be considered noncombustible within the meaning of this section.
3. For the purposes of this code, fire-rated gypsum board tested in accordance with ASTM C1396 with no less than a 1-hour fire-resistance-rating with fire exposure from the outside only is considered a noncombustible material.

OCCUPIABLE SPACE. A room or enclosed space designed for human occupancy in which individuals congregate for amusement, education or similar purposes or in which occupants are engaged at labor.

ROOF ASSEMBLY. A system designed to provide weather protection and resistance to design loads. The system consists of a *roof covering* and *roof deck* or a single component serving as both the *roof covering* and the *roof deck*. A *roof assembly* can include an underlayment, thermal barrier, ignition barrier, insulation or a vapor retarder.

ROOF COVERING. The covering applied to the *roof deck* for weather resistance, fire classification or appearance.

ROOF DECK. The flat or sloped surface not including its supporting members or vertical supports.

SLOPE. The variation of terrain from the horizontal; the number of feet rise or fall per 100 feet measured horizontally, expressed as a percentage.

STRUCTURE. That which is built or constructed.

STRUCTURE IGNITION ZONE. Structure Ignition Zone is the structure and the area around the structure (or home). The SIZ takes into account both the potential of the structure to ignite and the quality of *defensible space* surrounding it.

TREE CROWN. The primary and secondary branches growing out from the main stem, together with twigs and foliage.

WILDLAND-URBAN INTERFACE. That geographical area where structures and other human development meets or intermingles with wildland or vegetative fuels.

Chapter 3 - Wildfire Hazard Identification

SECTION 301 GENERAL

301.1 Scope. The provisions of this chapter provide methodology to establish and record wildfire hazard based on the findings of fact to be regulated by this code.

301.2 Objective. The objective of this chapter is to provide simple baseline criteria for determining *wildland-urban interface* areas based on the wildfire hazard.

SECTION 302 WILDLAND-URBAN INTERFACE AREA DESIGNATIONS

302.1 Declaration. The AHJ shall declare the *wildland-urban interface* areas within the jurisdiction as defined by this code. The *wildland-urban interface* areas shall be based on the findings of fact.

SECTION 303 MAPPING AND APPLICABILITY

303.1 Mapping of Wildfire Hazard Areas. Wildfire Hazard shall be recorded on official maps. These maps identify areas subject to the provisions of this code and shall be available for public inspection through an accessible online platform and at designated local government offices.

303.1.1 Map. This map shall be based on a combination of factors including, but not limited to, vegetative fuels, topography, local weather patterns, and fire behavior modeling data.

303.1.2 Locally Developed Mapping. The AHJ may develop and adopt local maps designating wildfire hazard and *fire intensity classifications* within its jurisdictional boundaries in accordance with Sections 303.1 through 303.3.

303.2 Fire Intensity Classification. *Fire Intensity Classification* shall be identified on the map in accordance with Section 303.1. *Fire Intensity Classification* is determined by expected wildfire behavior, including flame length and suppression difficulty and is separated into three levels: low, moderate, and high. The identified *fire intensity classification* establishes code requirements for construction and mitigation.

303.2.1 Low Fire Intensity Classification. *Low Fire Intensity Classification* is identified in areas with light to medium surface fuels, such as grasses, shrubs, and scattered low-density vegetation. These fuels are often discontinuous, which limits flame propagation but can sustain burning under moderate weather conditions. Fires in this class may occur on gentle to moderate *slopes*, where topography begins to influence the rate of spread. Although flame lengths remain relatively small—typically less than two feet—limited spotting may occur, especially with wind. Trained firefighters with protective equipment and standard hand tools can usually suppress these fires through



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direct attack, particularly on *slopes* under 30 percent. Mechanized equipment is typically unnecessary.

Key Characteristics Include:

1. **Fuels:** Light to medium surface fuels, including grasses, shrubs, and scattered vegetation (e.g., WNL, USL fuel types).
2. **Flame Length:** Less than 2 feet.
3. **Rate of Spread:** Low, increasing with *slopes* over 20 percent.
4. **Spotting:** Very short-range spotting is possible under windy conditions.
5. **Terrain Influence:** More active fire behavior on moderate *slopes* (20 to 30 percent).
6. **Suppression Difficulty:** Easily suppressed by trained firefighters using basic protective gear and hand tools. Direct attack is effective, and mechanized support is rarely needed.

303.2.2 Moderate Fire Intensity Classification. *Moderate Fire Intensity Classification* is identified in areas with moderate to heavy fuel loads, such as dense shrubs, small trees, and accumulated ground fuels. Fires in this class present continuous horizontal and vertical fuel arrangements, allowing flames to reach up to 8 feet in length. Fire behavior is notably influenced by moderate to steep *slopes*, often accelerating the spread. Short-range spotting becomes more common, complicating suppression efforts. Ground crews typically require mechanized support, such as engines and dozers, to establish control lines. Aircraft assistance may be necessary, particularly in inaccessible terrain. There is a significant increase in the potential for property damage and risk to life, especially in *wildland-urban interface* areas.

Key Characteristics Include:

1. **Fuels:** Moderate to heavy fuels, including dense shrublands, small trees, timber litter, and canopy fuels (e.g., USH, UIH fuel types).
2. **Flame Length:** Up to 8 feet.
3. **Rate of Spread:** Moderate to high, increasing significantly on *slopes* over 30 percent.
4. **Spotting:** Short-range spotting is common.
5. **Terrain Influence:** Steep *slopes* (30 percent or greater) increase fire spread and intensity.
6. **Suppression Difficulty:** Challenging for ground crews without support from engines, dozers, or aircraft. Dozers and plows are generally effective on moderate terrain.

303.2.3 High Fire Intensity Classification. *High Fire Intensity Classification* is identified in areas with heavy, continuous fuel loads, such as dense forest canopies, thick



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understory growth, and heavy dead/downed material. Fires in this class frequently occur on steep *slopes*, often exceeding 40 percent, where topography dramatically increases the rate of spread and severity. Flame lengths can exceed 30 feet, and both short- and medium-range spotting are common, particularly in windy conditions. Direct suppression by ground crews is typically ineffective, requiring indirect attack strategies, such as backburns and aerial retardant drops. Fires in this class pose extreme risk to life, property, and firefighter safety, especially in rugged or remote areas.

Key Characteristics Include:

1. **Fuels:** Heavy fuels, including dense forests, urban core areas with heavy fuel loads, and canopy-dominated regions (e.g., WNH, USH, UCH fuel types).
2. **Flame Length:** Up to 30 feet or more.
3. **Rate of Spread:** Rapid, especially on *slopes* greater than 40 percent.
4. **Spotting:** Short-range spotting is common; medium-range spotting is possible under windy conditions.
5. **Terrain Influence:** *Slopes* over 40 percent amplify intensity and spread, creating dangerous conditions for suppression.
6. **Suppression Difficulty:** Direct attack by ground forces and dozers is generally ineffective. Indirect strategies (backburning, aerial support) are often necessary.

These fires present significant danger to life, property, and responder safety.

303.3 Applicability of Code Provisions. The requirements of this code shall apply to all parcels located within designated Wildfire Hazard Areas and corresponding *fire intensity classifications* as identified on the official maps. The level of structure hardening, *defensible space*, and other mitigation measures required shall correspond to the applicable *fire intensity classification*—Low, Moderate, or High—as established by the board.

Structures and parcels identified with low *fire intensity classification* shall be constructed and maintained in accordance with the provisions for Class 1 structure hardening and site and area requirements.

Structures and parcels identified with moderate to high *fire intensity classifications* shall be constructed and maintained in accordance with the provisions for Class 2 structure hardening and site and area requirements.

SECTION 304 GROUND-TRUTHING

304.1 Purpose. This section establishes a process for owners or the owners authorized representative to request a ground-truthing review of their property's Wildfire Hazard or *fire intensity classification* as identified on state or locally adopted maps. The intent is to provide an opportunity to verify that mapping accurately reflects current, site-specific conditions.



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304.2 Determination of Fire Intensity Classification and Code Requirements. As determined by the *code official*, the *fire intensity classification* and associated requirements shall be based on a review of the vegetative fuels on the parcel and within 300' of the parcel boundary, topography, local weather patterns, and fire behavior modeling data and in accordance with the following *fire intensity classifications*:

304.2.1 Low *Fire Intensity Classification* in accordance with Section 303.2.1

304.2.2 Moderate *Fire Intensity Classification* in accordance with Section 303.2.2

304.2.3 High *Fire Intensity Classification* in accordance with Section 303.2.3

This determination shall be made based on existing conditions or conditions that have been established by a development plan approved by the local jurisdiction. Technical documentation shall be submitted in support of such request by a qualified wildfire professional and in accordance with Section 104.2.



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Chapter 4- Structure Hardening

SECTION 401 GENERAL

401.1 Scope. Exterior design and construction of new buildings and structures within the *wildland-urban interface* areas of Colorado shall be constructed in accordance with this chapter.

Exceptions:

1. Buildings of an accessory character classified as Group U occupancy (including *agricultural buildings*) of any size located at least 50 feet from a structure containing *occupiable* or *habitable space*.
2. One-story detached accessory, nonhabitable structures, such as tool and storage sheds, playhouses and similar uses, provided that the floor area does not exceed 120 square feet and the structure is located greater than or equal to 10 feet from the nearest adjacent occupiable structure.
3. The reconstruction, replacement, alteration, or repair of the exterior walls of an existing building, when less than 25 percent of the surface area of all exterior walls is affected.
4. The reconstruction, replacement, alteration, or repair of the exterior *roof covering* of an existing building, when less than 25 percent of the surface area of the exterior *roof covering* or an attachment thereto is affected.
5. Alterations or repairs to the exterior of an existing structure, or an attachment to it, when less than twenty-five percent of the exterior of the structure is affected by the alteration or repair.
6. Additions that do not increase the footprint of a structure by more than 500 square feet.

SECTION 402 BUILDING MATERIAL

402.1 Building material. Building materials shall comply with any one of the requirements in Section 402.2 through 402.4.

402.2 Noncombustible material. *Noncombustible* material shall comply with the definition of *noncombustible* materials in Section 202.

402.3 Fire-retardant-treated wood. *Fire-retardant-treated wood* shall be identified for exterior use and shall meet the requirements of Section 2303.2 of the 2024 *International Building Code*.

402.4 Ignition-resistant building material. Material shall be tested on the front and back faces in accordance with the extended ASTM E84 or UL 723 test, for a total test period of 30 minutes, or with the ASTM E2768 test. The materials shall bear identification showing the fire test results. Panel products shall be tested with a ripped or cut longitudinal gap of 1/8 inch. The materials, when tested in accordance with the test procedures set forth in ASTM E84 or UL 723



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for a test period of 30 minutes, or with ASTM E2768, shall comply with Sections 402.4.1 through 402.4.3.3. Materials or products which melt, drip or delaminate to the extent that the flame front is interrupted are not permitted.

Exception: Materials composed of a combustible core and a noncombustible exterior covering made from either aluminum at a minimum 0.019 inch thickness or corrosion-resistant steel at a minimum 0.0149 inch thickness shall not be required to be tested with a ripped or cut longitudinal gap.

402.4.1 Flame spread. The material shall exhibit a *flame spread index* not exceeding 25.

402.4.2 Flame front. The material shall exhibit a flame front that does not progress more than 10 feet 6 inches beyond the centerline of the burner at any time during the test.

402.4.3 Weathering. *Ignition-resistant building materials* shall maintain their performance in accordance with this section under conditions of use. The materials shall meet the performance requirements for weathering (including exposure to temperature, moisture and ultraviolet radiation) contained in Sections 402.4.3.1 through 402.4.3.3, as applicable to the materials and conditions of use.

402.4.3.1 Evaluation requirements for weathering. Fire-retardant-treated wood, wood-plastic composite materials and plastic lumber materials shall be evaluated after weathering in accordance with Method A “Test Method for Accelerated Weathering of Fire-Retardant-Treated Wood for Fire Testing” in ASTM D2898.

402.4.3.2 Wood-plastic composite materials. Wood-plastic composite materials shall also demonstrate acceptable fire performance after weathering by the following procedure: first testing in accordance with ASTM E1354 at an incident heat flux of 50 kW/m² in the horizontal orientation, then weathering in accordance with ASTM D7032 and then retesting in accordance with ASTM E1354 and exhibiting an increase of no more than 10 percent in peak rate of heat release when compared to the peak heat release rate of the nonweathered material.

402.4.3.3 Plastic lumber materials. Plastic lumber materials shall also demonstrate acceptable fire performance after weathering by the following procedure: first testing in accordance with ASTM E1354 at an incident heat flux of 50 kW/m² in the horizontal orientation, then weathering in accordance with ASTM D6662 and then retesting in accordance with ASTM E1354 and exhibiting an increase of no more than 10 percent in peak rate of heat release when compared to the peak heat release rate of the nonweathered material.



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SECTION 403 CLASS 1 STRUCTURE HARDENING

403.1 General. Class 1 structure hardening shall be in accordance with Sections 403.2 through 403.4.2 and shall apply to buildings and structures hereafter constructed, modified or relocated into or within areas of the *wildland-urban interface* having a low fire hazard severity.

403.2 Roofing. Roofs shall have a *roof covering* or *roof assembly* classified as Class A when tested in accordance with ASTM E108 or UL 790.

403.2.1 Flame and ember protection of roofs. For roof assemblies where the roof covering profile creates a space between the roof covering and roof deck, the space shall resist the entry of flames and embers by one or more of the following methods:

1. Firestopping with noncombustible material of the space between the roof covering and the roof deck.
2. Installation of one layer of cap sheet complying with ASTM D3909 over the combustible roof deck.
3. Installation of a listed Class A classified roof assembly.

403.2.2 Roof valley flashings. Valley flashings shall be not less than 0.019 inch (No. 26 galvanized sheet gage) corrosion-resistant metal installed over a minimum 36-inch-wide underlayment consisting of one layer of cap sheet complying with ASTM D3909 running the full length of the valley.

403.3 Gutters and downspouts. Gutters and downspouts shall be constructed of *noncombustible* material.

403.4 Ventilation Openings. Ventilation openings for enclosed attics, enclosed rafter spaces, and underfloor spaces shall be in accordance with Section 403.4.1 or Section 403.4.2 as applicable.

403.4.1 Performance Requirements. Ventilation openings shall be fully covered with listed vents, tested in accordance with ASTM E2886, to demonstrate compliance with all the following requirements:

1. There shall be no flaming ignition of the cotton material during the Ember Intrusion Test.
2. There shall be no flaming ignition during the Integrity Test portion of the Flame Intrusion Test.
3. The maximum temperature of the unexposed side of the vent shall not exceed 662°F (350°C).

403.4.2 Prescriptive Requirements. Ventilation openings for enclosed attics, enclosed rafter spaces, and underfloor spaces shall be covered with *noncombustible* 404.3 corrosion-resistant mesh with openings not to exceed 1/8-inch.



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SECTION 404 CLASS 2 STRUCTURE HARDENING

404.1 General. Class 2 structure hardening shall be in accordance with Sections 404.2 through 404.10.1 as well as the provisions of Class 1 structure hardening in Sections 403.2-403.4.2 and shall apply to buildings and structures hereafter constructed, modified or relocated into or within areas of the *wildland-urban interface* having a moderate or high fire hazard severity. See also Sections 101.6-101.7.

404.2 Protection of eaves. Eaves and soffits shall be protected on the exposed underside by *noncombustible material, ignition-resistant materials*, or by materials approved for not less than 1-hour *fire-resistance-rated construction, 5/8-inch Type X drywall*, 2-inch nominal dimension lumber, or 1 inch nominal *fire-retardant-treated wood* or 3/4 inch nominal fire-retardant-treated plywood, identified for exterior use and meeting the requirements of Section 2303.2 of the 2024 *International Building Code*. Fascias are required and shall be protected on the backside by *noncombustible material, ignition-resistant materials*, or by materials approved for not less than 1-hour *fire-resistance-rated construction, 5/8-inch Type X drywall*, or 2- inch nominal dimension lumber.

404.3 Exterior Walls. Exterior walls of buildings or structures shall be constructed with one of the following methods:

1. Exterior wall assemblies with a minimum of 1-hour fire-resistance rating, rated for exposure on the exterior side.
2. *Approved noncombustible materials.*
3. *Heavy timber or log wall construction.*
4. *Noncombustible materials* complying with Section 402.2 on the exterior side.
5. *Fire-retardant treated wood* complying with Section 402.3 on the exterior side. The *fire-retardant-treated wood* shall be labeled for exterior use and meet the requirements of Section 2303.2 of the 2024 *International Building Code*.
6. Ignition-resistant materials complying with Section 402.4 on the exterior side.

Such material shall extend from the top of the foundation to the underside of the eave or the underside of the roof sheathing.

Exceptions:

1. Exterior wall *embellishments* and architectural trim (exclusive of trim on exterior windows and doors) not to exceed 5 percent of the square footage of the exterior wall.
2. Roof or wall top cornice projections and similar assemblies.
3. Solid wood rafter tails and solid wood blocking installed between rafters having minimum dimension 2 inch nominal.

404.3.1 Exterior Wall Coverings. Exterior wall coverings shall be limited to the following:

1. *Noncombustible materials.*
2. *Fire-retardant-treated wood.*
3. *Ignition-resistant building materials.*



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Exception: Where options 1 or 2 in section 404.3 are used, vinyl siding may be used as an exterior covering.

404.3.2 Flashing. A minimum of 6 inches of metal flashing or *noncombustible* material applied vertically between the wall sheathing and the exterior cladding shall be installed at the ground, decking, and roof intersections.

Combustible sheathing products exposed by the gap created at the base of the exterior walls, posts, or columns must be protected with *noncombustible material* or *ignition-resistant building materials* while still permitting drainage and moisture control from behind exterior cladding.

404.4 Underfloor enclosure. Buildings or structures shall have underfloor areas enclosed to the ground or comply with exterior walls in accordance with Section 404.3.

404.5 Decking. Unenclosed decks shall have the deck walking surface constructed of one of the following:

1. *Approved noncombustible* materials
2. Class A rated material

Exception: Composite decking material with a minimum of Class B rating

3. *Fire-retardant-treated wood* identified for exterior use and meeting the requirements of Section 2303.2 of the 2024 *International Building Code*
4. *Ignition-resistant building materials* in accordance with Section 402.4.

404.6 Appendages and Projections. Appendages and projections shall be constructed in accordance with Section 404.3.

404.7 Exterior Glazing. Exterior windows, window walls and glazed doors, windows within exterior doors, and skylights shall be tempered glass, *multilayered glazed panels*, glass block or have a fire protection rating of not less than 20 minutes.

404.8 Exterior Doors. Exterior doors shall be *approved noncombustible* construction, solid core wood not less than 1 ¾-inches thick, or have a fire protection rating of not less than 20 minutes. Windows within doors and glazed doors shall be in accordance with Section 404.7.

Exception: Vehicle access doors.

404.9 Vehicle Access Door Perimeter Gap. Exterior vehicle access doors shall resist the intrusion of embers from entering by preventing gaps between doors and door openings, at the head, sill, and jamb of doors from exceeding ⅛ inch as approved by the AHJ.

Gaps between doors and door openings shall be controlled by one of the following methods:

1. Weather-stripping products made of materials that: (a) have been tested for tensile strength in accordance with ASTM D638 (Standard Test Method for Tensile Properties of Plastics) after exposure to ASTM G155 (Standard Practice for Operating Xenon Arc Light Apparatus for Exposure of Non-Metallic Materials) for a period of 2,000 hours, when the maximum allowable difference in tensile strength values between exposed and



non-exposed samples does not exceed 10 percent; and (b) exhibit a V-2 or better flammability rating when tested to UL 94 (Standards for Tests for Flammability of Plastic Materials for Parts in Devices and Appliances).

2. Door overlaps onto jambs and headers.
3. Garage door jambs and headers covered with metal flashing.

404.10 Detached Accessory Structures. Detached *accessory structures* located less than 50 feet from a building containing *habitable* or *occupiable space* shall have exterior walls constructed in accordance with Section 404.3 through 404.3.2.

404.10.1 Underfloor areas. Where the detached structure is located and constructed so that the structure or any portion thereof projects over a descending *slope* surface greater than 10 percent, the area below the structure shall have underfloor areas enclosed to within 6 inches of the ground, with exterior wall construction in accordance with Section 404.3 or underfloor protection in accordance with Section 404.4 or with 1/8-inch metal corrosion-resistant screen with a hardened zone within 5 feet.

Exception: The enclosure shall not be required where the underside of exposed floors and exposed structural columns, beams and supporting walls are protected as required for exterior 1-hour *fire-resistance-rated construction*, *heavy timber construction*, *noncombustible* materials on the exterior side, or *fire-retardant-treated wood* on the exterior side. The *fire-retardant-treated wood* shall be labeled for exterior use and meet the requirements of Section 2303.2 of the 2024 *International Building Code*.



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Chapter 5- Site and Area Requirements

SECTION 501 GENERAL

501.1 Scope. The provisions of this chapter shall apply to parcels subject to this code.

501.2 Reference. As needed, the *code official* shall refer to the Home Ignition Zone (HIZ) Guide as developed by the Colorado State Forest Service.

Where conflicts occur between provisions of this code and the HIZ Guide, the provisions of this code shall govern. The provisions of this code, as applicable, shall take precedence over the provisions in the referenced standard.

SECTION 502 CLASS 1 REQUIREMENTS

502.1 Structure Ignition Zone 1 (0-5 feet): Immediate Zone

502.1.1 Objective. This zone is designed to reduce or eliminate ember ignition and direct flame contact with the structure, decks, stairs, and attachments.

502.1.2 Materials. Use *noncombustible*, hard surface materials in this zone, such as rock, gravel, sand, concrete, bare earth or stone/concrete pavers.

Exception: Ignition-resistant plantings, per an approved list by the AHJ that is not less than that created by the Colorado State Forest Service, are allowed in the Immediate Zone.

502.1.3 Plantings. Remove all plantings including shrubs, slash, combustible mulch and other woody debris, with the exception of ignition-resistant vegetation.

502.1.4 Trees. There shall be no planting of new trees in the immediate zone. Mature trees of no less than 10-inch diameter at 4.5 feet above ground level may be maintained.

Tree crowns extending to within 10 feet of any structure shall be pruned to maintain a minimum clearance of 10 feet.

Prune tree branches to a height of 6-10 feet from the ground or a third of the total height of the tree, whichever is less.

502.2 Site Signage

502.2.1 Marking of roads. *Approved* signs or other *approved* notices shall be provided and maintained for access roads and driveways to identify such roads and prohibit the obstruction thereof.

502.2.2 Marking of fire protection equipment. Fire protection equipment and fire hydrants shall be clearly identified in a manner *approved* by the *code official* to prevent obstruction.



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502.2.3 Address markers. Buildings shall have a permanently posted address, which shall be placed at each driveway entrance and be visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter, and the address shall be visible and legible from the road on which the address is located in a manner *approved* by the *code official*.

502.3 Retaining Walls

502.3.1 Retaining Walls. Retaining walls shall be constructed with either *noncombustible* or ignition-resistant materials when any of the following conditions exist:

1. The retaining wall is within 8 feet of a structure regulated by this code or up to the property line when the property line is less than 8 feet away from the structure.
2. The retaining wall is integral to the support of a structure regulated by this code.
3. The retaining wall is integral to the egress from a structure regulated by this code to a public way, easement, or private road.

502.4 Fencing

502.4.1 Fencing. Fencing within 8 feet of a structure regulated by this code or up to the property line when the property line is less than 8 feet away from the structure shall be constructed with *noncombustible* or ignition-resistant materials.

Exception: Vinyl fencing. Vinyl fencing may be allowed.

SECTION 503 CLASS 2 REQUIREMENTS

503.1 General. Class 2 site and area requirements shall be in accordance with Sections 503.2 through 503.3.2 and include all requirements of Class 1 in Sections 502.1 through 502.4.

503.2 Structure Ignition Zone 2 (5-30 feet) Intermediate Zone

503.2.1 Objective. This zone is designed to give an approaching fire less fuel, which will help reduce its intensity as it gets nearer to structures.

503.2.2 Dead Materials. Within the *fuel modification* area, hazardous dead plant material must be removed from live vegetation.

503.2.3 Fuels Accumulation. Avoid large accumulations of surface fuels such as logs, branches, slash and combustible mulch.

503.2.4 Trees. *Tree crowns* extending to within 10 feet of any structure shall be pruned to maintain a minimum clearance of 10 feet.

Prune tree branches to a height of 6-10 feet from the ground or a third of the total height of the tree, whichever is less.



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503.2.4.1 Tree Spacing. *Tree crowns* within this zone shall be spaced to prevent structure ignition and promote fuel discontinuity to limit fire spread.

503.2.5 Shrubs. Shrub groups within this zone shall be spaced to prevent structure ignition. Shrubs shall be at least 10 feet away from the edge of tree branches.

503.3 Structure Ignition Zone 3 (30-100 feet) Expanded Zone

503.3.1 Objective. This zone focuses on mitigation that keeps fire on the ground.

503.3.2 Tree Spacing. *Tree crowns* within this zone shall be spaced at a minimum of 6-10 feet.



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Appendix A: PERMITS

The provisions of this appendix apply only when adopted by the governing body in the final ordinance.

A101.1 General. Where not otherwise provided in the requirements of the *International Building Code* or *International Fire Code*, permits are required in accordance with Sections A101.2 through A101.9.

A101.2 Permits required. Unless otherwise exempted, buildings or structures regulated by this code shall not be erected, constructed, altered, repaired, moved, converted, changed, or changed in use or occupancy unless a separate permit for each building or structure has first been obtained from the *code official*.

For buildings or structures erected for temporary uses, see Section 105.

A101.3 Permit application. To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished by the code enforcement agency for that purpose. Every such application shall:

1. Identify and describe the work, activity, operation, practice or function to be covered by the permit for which application is made.
2. Describe the land on which the proposed work, activity, operation, practice or function is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building, work, activity, operation, practice or function.
3. Indicate the use or occupancy for which the proposed work, activity, operation, practice or function is intended.
4. Be accompanied by plans, diagrams, computation and specifications and other data as required in Appendix B.
5. State the valuation of any new building or structure or any addition, remodeling or alteration to an existing building.
6. Be signed by the applicant or the applicant's authorized agent.
7. Give such other data and information as required by the *code official*.

A101.3.1 Preliminary inspection. Before a permit is issued, the *code official* is authorized to inspect and approve the systems, equipment, buildings, devices, premises and spaces or areas to be used.

A101.3.2 Time limitation of application. An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that



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the *code official* is authorized to grant one or more extensions of time for additional periods not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

A101.4 Permit approval. Before a permit is issued, the *code official*, or an authorized representative, shall review and approve permitted uses, occupancies or structures. Where laws or regulations are enforceable by other agencies or departments, a joint approval shall be obtained from agencies or departments concerned.

A101.5 Permit issuance. The application, plans, specifications and other data filed by an applicant for a permit shall be reviewed by the *code official*. If the *code official* finds that the work described in an application for a permit and the plan, specifications and other data filed therewith conform to the requirements of this code, the *code official* is allowed to issue a permit to the applicant.

When the *code official* issues the permit, the *code official* shall endorse in writing or stamp the plans and specifications APPROVED. Such *approved* plans and specifications shall not be changed, modified or altered without authorization from the *code official*, and work regulated by this code shall be done in accordance with the *approved* plans.

A101.5.1 Refusal to issue a permit. Where the application or construction documents do not conform to the requirements of pertinent laws, the *code official* shall reject such application in writing, stating the reasons therefor.

A101.6 Validity of permit. The issuance or granting of a permit or approval of plans, specifications and computations shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or conceal the provisions of this code or other ordinances of the jurisdiction shall not be valid.

A101.7 Expiration. Every permit issued by the *code official* under the provisions of this code shall expire by limitation and become null and void if the building, use or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building, use or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days.

Any permittee holding an unexpired permit is allowed to apply for an extension of the time within which work is allowed to commence under that permit where the permittee is unable to commence work within the time required by this section for good and satisfactory reasons. The *code official* is authorized to extend the time for action by the permittee for a period not exceeding 180 days on written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. Permits shall not be extended more than once.



A101.8 Retention of permits. Permits shall at all times be kept on the premises designated therein and shall at all times be subject to inspection by the *code official* or other authorized representative.

A101.9 Revocation of permits. Permits issued under this code can be suspended or revoked where it is determined by the *code official* that:

1. It is used by a person other than the person to whom the permit was issued.
2. It is used for a location other than that for which the permit was issued.
3. Any of the conditions or limitations set forth in the permit have been violated.
4. The permittee fails, refuses or neglects to comply with any order or notice duly served on him or her under the provisions of this code within the time provided therein.
5. There has been any false statement or misrepresentation as to material fact in the application or plans on which the permit or application was made.
6. The permit is issued in error or in violation of any other ordinance, regulations or provisions of this code.

The *code official* is allowed to, in writing, suspend or revoke a permit issued under the provisions of this code whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or regulation or any of the provisions of this code.

Appendix B: CONSTRUCTION DOCUMENTS

The provisions of this appendix apply only when adopted by the governing body in the final ordinance.

B101.1 General. Plans, engineering calculations, diagrams and other data shall be submitted in the format as required by the jurisdiction. The construction documents shall be prepared and submitted where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the *code official* is authorized to require additional documentation.

Exception: Submission of plans, calculations, construction inspection requirements and other data, if it is found that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance with this code.

B101.2 Information on plans and specifications. Plans and specifications shall be drawn to scale on substantial paper or cloth and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed, and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations.

B101.3 Site plan. In addition to the requirements for plans in the *International Building Code*, site plans shall include topography, landscape and vegetation details and locations of structures or building envelopes. The *code official* is authorized to waive or modify the requirement for a site plan where the application for permit is for alteration or repair or where otherwise warranted. Identify the *fire intensity classification*.

B101.3.1 Defensible Space Site Plans. Defensible space site plans shall be prepared and submitted to the *code official* for review and approval as part of the site plans required for a permit. The *code official* is authorized to waive or modify the requirement for a defensible space site plan where the application for permit is for alteration or repair or where otherwise warranted.

B101.5 Other data and substantiation. Where required by the *code official*, the plans and specifications shall include classification of fuel loading, fuel model light, medium or heavy, and substantiating data to verify classification of fire-resistive vegetation.

B101.6 Retention of plans. One set of *approved* plans, specifications and computations shall be retained by the *code official* for a period of not less than 180 days from date of completion of the permitted work or as required by state or local laws.

B101.7 Examination of documents. The *code official* shall examine or cause to be examined the accompanying construction documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances.



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B101.8 Amended construction documents. Work shall be installed in accordance with the *approved* construction documents, and changes made during construction that are not in compliance with the *approved* documents shall be resubmitted for approval as an amended set of construction documents.

B101.9 Previous approvals. This code shall not require changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within 180 days after the effective date of this code and has not been abandoned.

B101.10 Phased approval. The *code official* is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.

Appendix C: INSPECTION AND ENFORCEMENT

The provisions of this appendix apply only when adopted by the governing body in the final ordinance.

C101.1 Inspection. Inspections shall be in accordance with Sections C101.1.1 through C101.1.4.3.

C101.1.1 General. Construction or work for which a permit is required by this code shall be subject to inspection by the *code official* and such construction or work shall remain visible and able to be accessed for inspection purposes until *approved* by the *code official*.

It shall be the duty of the permit applicant to cause the work to remain visible and able to be accessed for inspection purposes. Neither the *code official* nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid.

Where required by the *code official*, a survey of the lot shall be provided to verify that the mitigation features are provided and the building or structure is located in accordance with the *approved* plans.

C101.1.2 Authority to inspect. The *code official* shall inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the *code official* for the purpose of ascertaining and causing to be corrected any conditions that could reasonably be expected to cause fire or contribute to its spread, or any violation of the purpose of this code and of any other law or standard affecting fire safety.

C101.1.2.1 Approved inspection agencies. The *code official* is authorized to accept reports of approved inspection agencies, provided that such agencies satisfy the requirements as to qualifications and reliability.

C101.1.2.2 Inspection requests. It shall be the duty of the holder of the permit or their duly authorized agent to notify the *code official* when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code.

C101.1.2.3 Approval required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the *code official*. The *code official*, upon notification, shall make the requested inspections and shall



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either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his or her agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the *code official*.

C101.1.3 Reinspections. To determine compliance with this code, the *code official* can cause a structure to be reinspected. A fee can be assessed for each inspection or reinspection where work for which inspection is called is not complete or where corrections called for are not made.

Reinspection fees can be assessed where the *approved* plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested or for deviating from plans requiring the approval of the *code official*.

To obtain a reinspection, the applicant shall pay the reinspection fee as set forth in the fee schedule adopted by the jurisdiction. Where reinspection fees have been assessed, additional inspection of the work will not be performed until the required fees have been paid.

C101.1.4 Testing. Installations shall be tested as required in this code and in accordance with Sections C101.1.4.1 through C101.1.4.3. Tests shall be made by the permit holder or authorized agent and observed by the *code official*.

C101.1.4.1 New, altered, extended or repaired installations. New installations and parts of existing installations that have been altered, extended, renovated or repaired, shall be tested as prescribed herein to disclose defects.

C101.1.4.2 Apparatus, instruments, material and labor for tests. Apparatus, instruments, material and labor required for testing an installation or part thereof shall be furnished by the permit holder or authorized agent.

C101.1.4.3 Reinspection and testing. Where any work or installation does not pass an initial test or inspection, the necessary corrections shall be made so as to achieve compliance with this code. The work or installation shall then be resubmitted to the *code official* for inspection and testing.

C101.2 Enforcement. Enforcement shall be in accordance with Sections C101.2.1 and C101.2.2.

C101.2.1 Authorization to issue corrective orders and notices. Where the *code official* finds any building or premises that are in violation of this code, the *code official* is authorized to issue corrective orders and notices.

C101.2.2 Service of orders and notices. Orders and notices authorized or required by this code shall be given or served on the owner, the owner's authorized agent, operator, occupant or other person responsible for the condition or violation either by verbal notification, personal service, or delivering the same to, and leaving it with, a person of suitable age and discretion on the premises; or, if such person is not found on the



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premises, by affixing a copy thereof in a conspicuous place on the door to the entrance of said premises and by mailing a copy thereof to such person by registered or certified mail to the person's last known address.

Orders or notices that are given verbally shall be confirmed by service in writing as herein provided.

C101.3 Compliance with orders and notices. Compliance with orders and notices shall be in accordance with Sections C101.3.1 through C101.3.8.

C101.3.1 General compliance. Orders and notices issued or served as provided by this code shall be complied with by the owner, the owner's authorized agent, operator, occupant or other person responsible for the condition or violation to which the corrective order or notice pertains.

If the building or premises is not occupied, then such corrective orders or notices shall be complied with by the owner or the owner's authorized agent.

C101.3.2 Compliance with tags. building or premises shall not be used when in violation of this code as noted on a tag affixed in accordance with Section C101.3.1.

C101.3.3 Removal and destruction of signs and tags. A sign or tag posted or affixed by the *code official* shall not be mutilated, destroyed or removed without authorization by the *code official*.

C101.3.4 Citations. Persons operating or maintaining an occupancy or premises subject to this code who allow a hazard to exist or fail to take immediate action to abate a hazard on such occupancy, premises or vehicle when ordered or notified to do so by the *code official* shall be guilty of a misdemeanor.

C101.3.5 Unsafe conditions. Buildings, structures or premises that constitute a fire hazard or are otherwise dangerous to human life, or that in relation to existing use constitute a hazard to safety or health or public welfare, by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster damage or abandonment as specified in this code or any other ordinance, are unsafe conditions. Unsafe buildings or structures shall not be used. Unsafe buildings are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal, pursuant to applicable state and local laws and codes.

C101.3.5.1 Record. The *code official* shall cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.

C101.3.5.2 Notice. Where an unsafe condition is found, the *code official* shall serve on the owner, owner's authorized agent or person in control of the building, structure or premises, a written notice that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or



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Department of Public Safety



COLORADO
Division of Fire
Prevention & Control
Department of Public Safety

requires the unsafe structure to be demolished. Such notice shall require the person thus notified, or their designee, to declare to the *code official* within a stipulated time, acceptance or rejection of the terms of the order.

C101.3.5.2.1 Method of service. Such notice shall be deemed properly served where a copy thereof is served by one of the following methods:

1. Delivered to the owner or the owner's authorized agent personally.
2. Sent by certified or registered mail addressed to the owner or the owner's authorized agent at the last known address with a return receipt requested.
3. Delivered in any other manner as prescribed by local law.

Where the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner on the owner's authorized agent or on the person responsible for the structure shall constitute service of notice on the owner.

C101.3.5.3 Placarding. Upon failure of the owner, the owner's authorized agent or the person responsible to comply with the notice provisions within the time given, the *code official* shall post on the premises or on defective equipment a placard bearing the word "UNSAFE" and a statement of the penalties provided for occupying the premises, operating the equipment or removing the placard.

C101.3.5.3.1 Placard removal. The *code official* shall remove the unsafe condition placard whenever the defect or defects on which the unsafe condition and placarding action were based have been eliminated. Any person who defaces or removes an unsafe condition placard without the approval of the *code official* shall be subject to the penalties provided by this code.

C101.3.5.4 Abatement. The owner, the owner's authorized agent, operator or occupant of a building, structure or premises deemed unsafe by the *code official* shall abate, correct or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other *approved* corrective action.

C101.3.5.5 Summary abatement. Where conditions exist that are deemed hazardous to life and property, the *code official* is authorized to abate or correct summarily such hazardous conditions that are in violation of this code.

C101.3.5.6 Evacuation. The *code official* shall be authorized to order the immediate evacuation of any occupied building, structure or premises deemed unsafe where such hazardous conditions exist that present imminent danger to the occupants. Persons so notified shall immediately leave the structure or premises and shall not enter or reenter until authorized to do so by the *code official*.



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Division of Fire
Prevention & Control
Department of Public Safety

C101.3.6 Prosecution of violation. If the notice of violation is not complied with promptly, the *code official* is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

C101.3.7 Violation penalties. An AHJ has the authority to establish fees.

C101.3.8 Abatement of violation. In addition to the imposition of the penalties herein described, the *code official* is authorized to institute appropriate action to prevent unlawful construction or to restrain, correct or abate a violation; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct of business or occupancy of a structure on or about any premises.

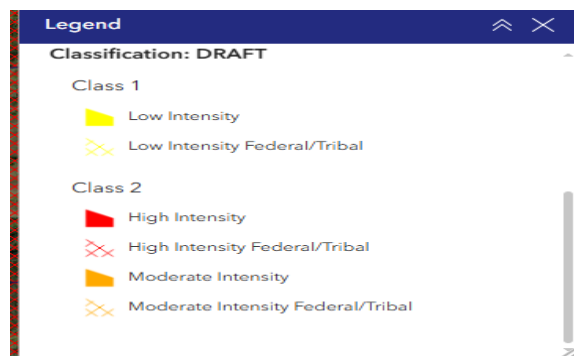
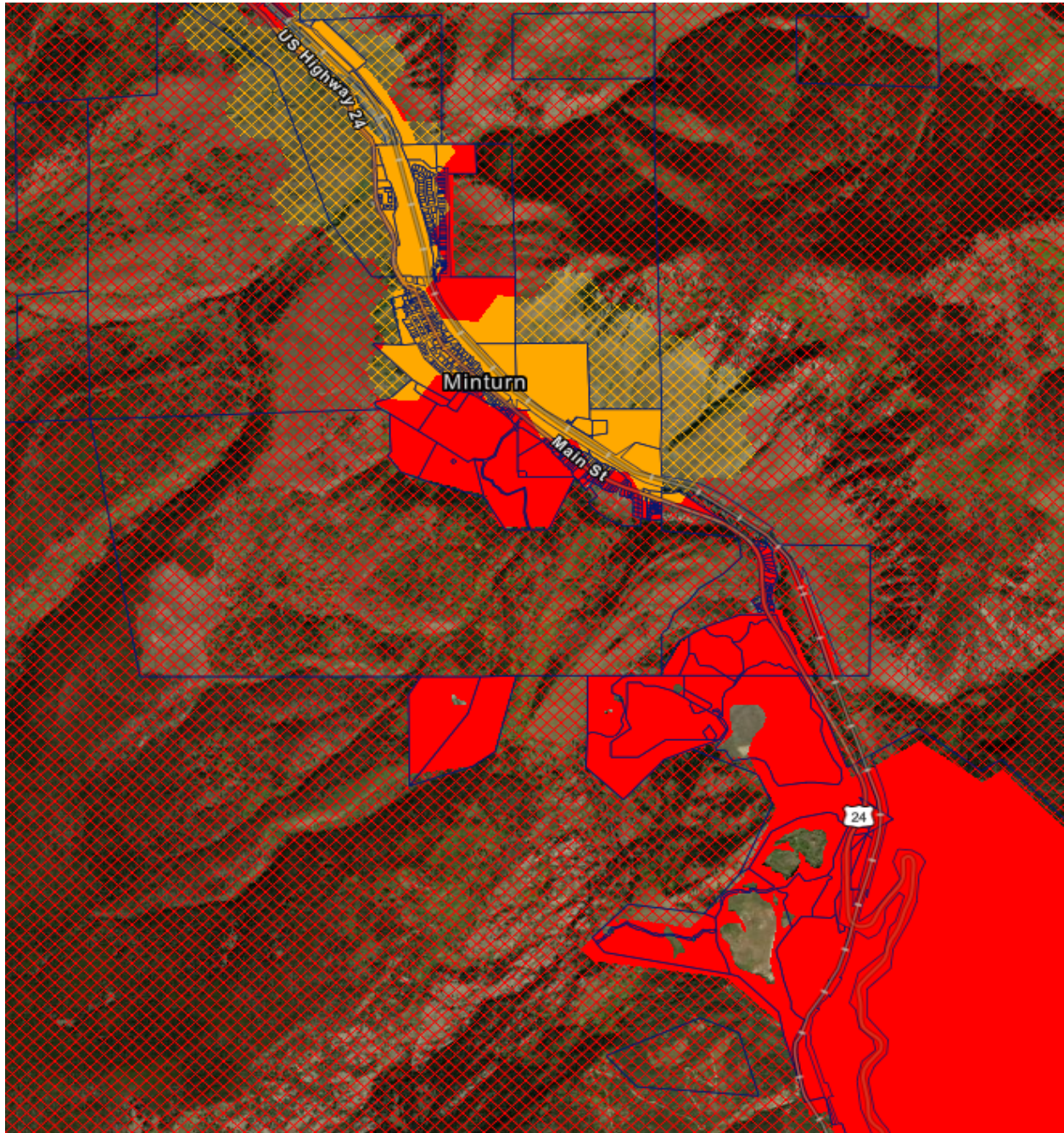


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Department of Public Safety



COLORADO
Division of Fire
Prevention & Control
Department of Public Safety

2025 Colorado Wildfire Resiliency Code Map





TREETOP CHILD ADVOCACY CENTER

Child Advocacy Center of the 5th Judicial District

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We serve children of Clear Creek, Eagle, Lake, and Summit Counties.

OUR VISION

A community where all children and families feel supported, safe and empowered to pursue justice after experiencing abuse.

OUR MISSION

Our mission is to support child victims of abuse and their families through intervention, advocacy and support services.

VALUES: Trust, Respect, Equity, + Education



OUR HISTORY



1985

District Attorney Bud Kramer heard of a child victim who had to tell their story six to different agencies.

To create a system that better serves abused children, he created the first Child Advocacy Center in Huntsville, AL.

2018

TreeTop Child Advocacy Center (CAC) was established in 2018 as the only non-profit organization that forensically interviews child victims of violence in the 5th Judicial District in Colorado.

2024

Child Advocacy Centers operate in the US and in more than 34 countries around the world.

TreeTop coordinates the response of agencies like law enforcement, child protective services, prosecutors' offices, advocates, mental health and medical professionals to ensure that when a child discloses abuse, they are not re-victimized by the very systems designed to protect them.



OUR TEAM



Amy Oliveira
Executive Director

M: 970-409-2111
amy@treetopcenter.org



Becca Largent
Operations Manager + Family
Victim Advocate

M: 970-409-2111
becca@treetopcenter.org



Mariana Wenzel
Bilingual Family Victim
Advocate

M: 970-409-2111
mariana@treetopcenter.org



By combining these three tools into one system, CAC's are able to increase the quality of the investigation and work to ensure the rights of the victim are prioritized.

MULTI DISCIPLINARY TEAM



**Law
Enforcement**



DHS



SANE



Advocates



**District
Attorney**



**Mental
Health**

THE CHILD ADVOCACY CENTER MODEL

The Child Advocacy Center Model is a research-supported approach that draws on the following three components:

1. **Forensic Interviews:** Recorded conversations between a trained interviewer and the child that are child-centered.
2. **Multidisciplinary Teams:** Collaboration of professionals who combine their efforts to benefit the investigation and the families.
3. **Victim Advocacy:** Providing assistance to families through trauma-informed support and resources.



53 CHILDREN VICTIMS AND
87 SECONDARY VICTIMS WERE HELPED

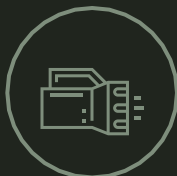
TreeTop Statistics from 2024

IMPACTED COUNTIES IN 2024



36%

SUMMIT



34%

LAKE



9%

EAGLE



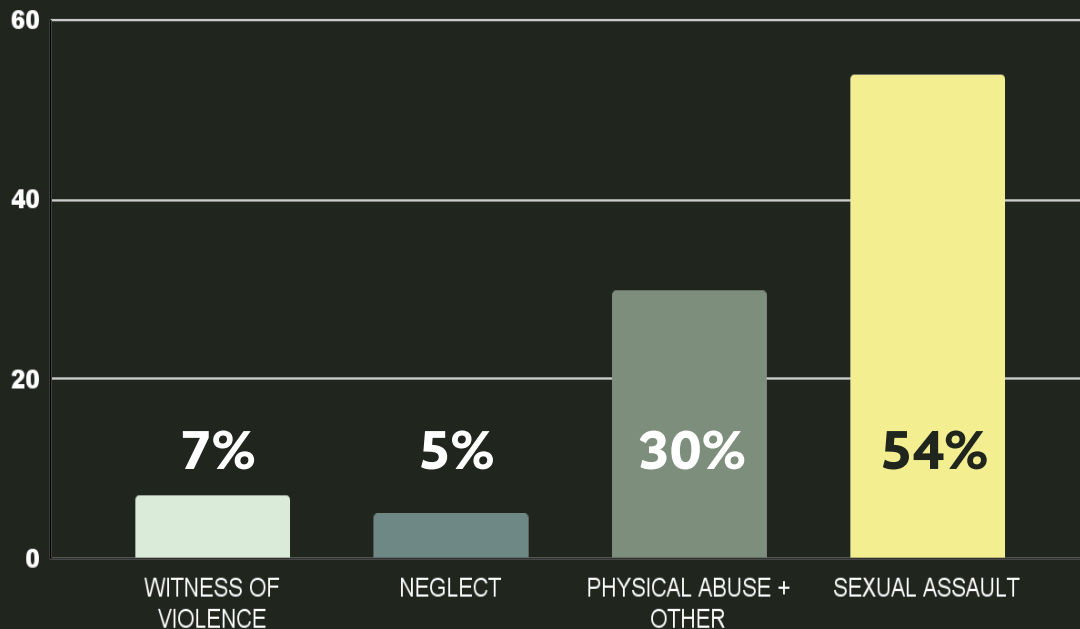
21%

OTHER

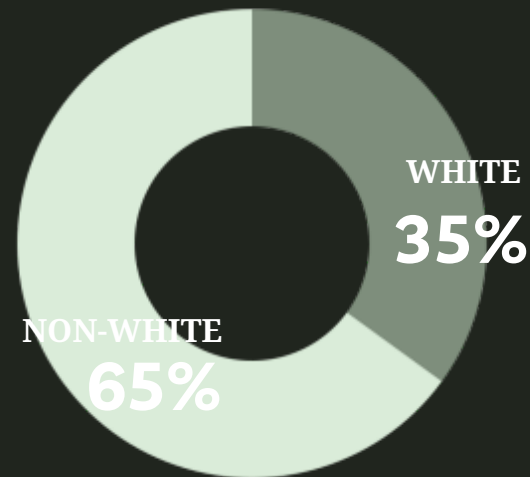


TYPES OF ABUSE (%) IN 2024

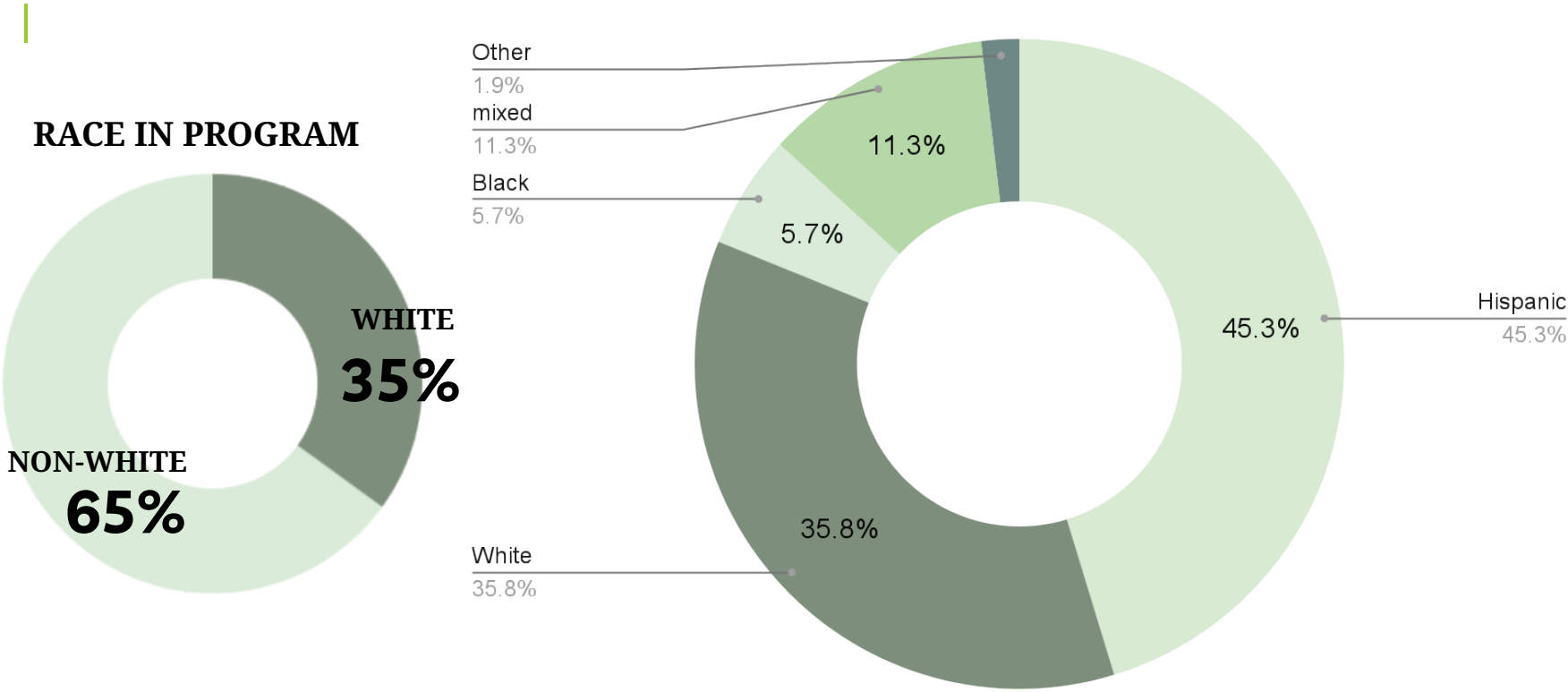
53 CHILDREN VICTIMS SERVED



RACE IN PROGRAM

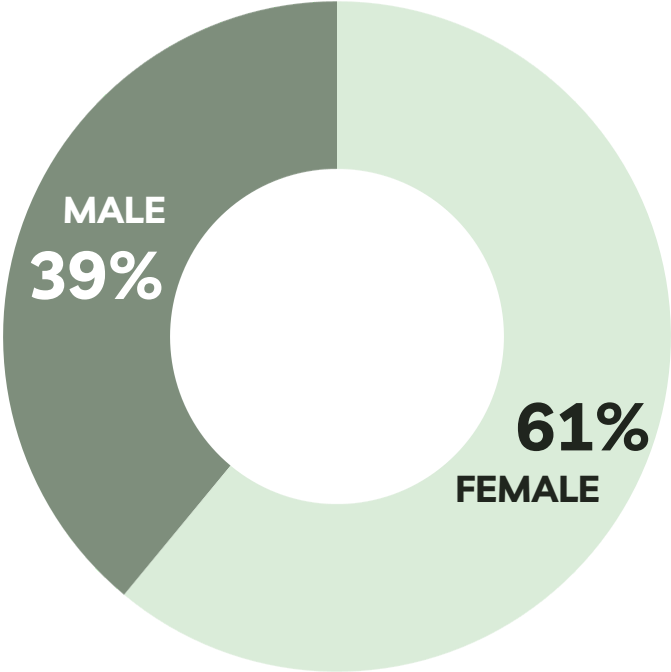


RACE EXPANDED (%) IN 2024



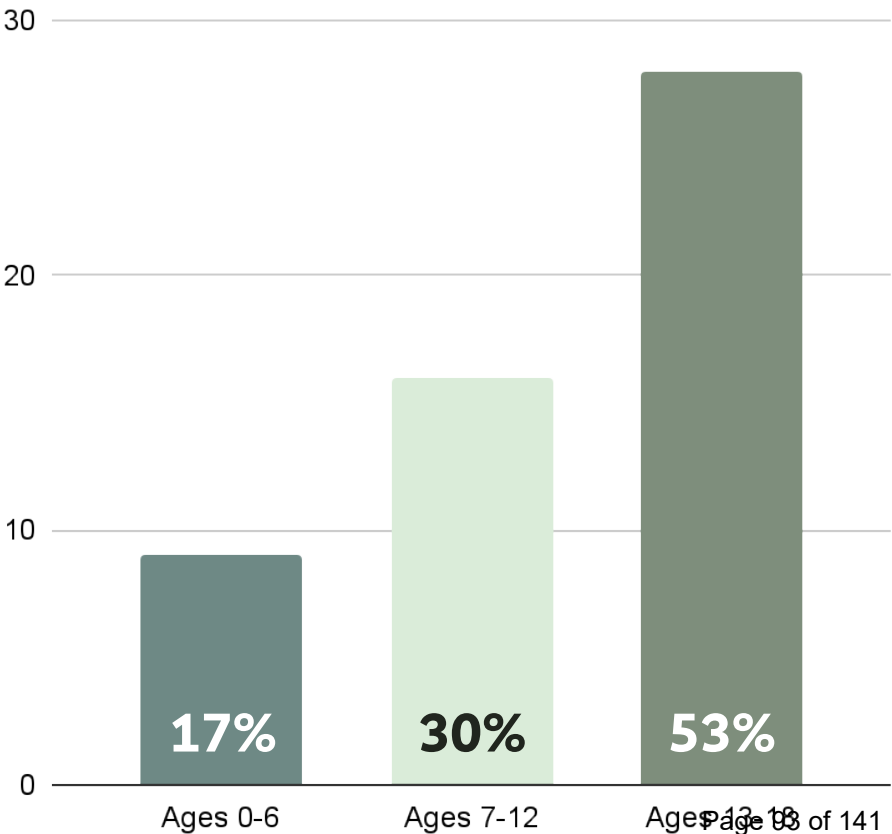
AGE + GENDER STATISTICS

53|CHILDREN VICTIMS



GENDER IN PROGRAM

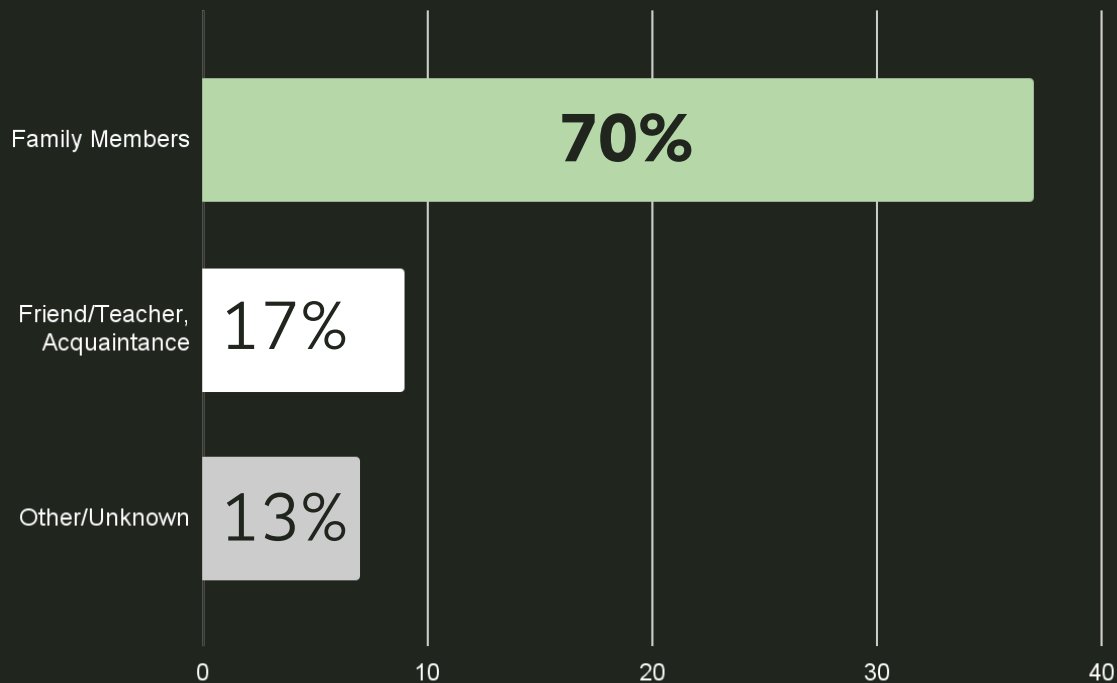
AGE IN PROGRAM





TYPES OF OFFENDERS

53 CHILDREN VICTIMS SERVED



As of Jan 1st, 2025 through today, we have completed
**18 forensic interviews with families
located in Eagle County.**

46 total interviews provided for the 5th Judicial District since Jan 1, 2025.

24 total interviews for sexual assault.

16 total interviews for witness to a crime.

6 total interviews for physical abuse.

**Enhance Community
Awareness**

**Achieve Operational
Excellence**

Sustain Financial Stability

STRATEGIC GOALS





STRATEGIC PLAN

TREETOP CHILD ADVOCACY CENTER



GOVERNANCE

To obtain full accreditation with the National Children's Alliance.

Strengthen community partner relationships and the MDT.

To diversify and increase capacity of the Board of Directors.

Review and revise all internal policies and procedures to ensure the organization has all necessary documents and that documents are updated regularly with best and current practices.



FINANCIAL STABILITY

Increase private and business donations through increased marketing efforts.

Obtain financial stability and sustainability.

Move to a larger, more appropriate location for TreeTop.



OPERATIONAL EFFICIENCIES

Improve access to mental health treatment for CAC clients.

Increase access to medical expertise for CAC clients to ensure they are offered wraparound paths to healing.

Strengthen the FI program in order to be able to offer developmentally appropriate, language-specific interviews to every referred child.

Improve the advocacy program in-house at TreeTop so that it is consistent across all advocates and effective for all clients.



COMMUNITY PARTNERSHIPS

Strengthen community partner relationships and the MDT.

Work towards creating an in-house prevention program that is implemented in the schools.

At TreeTop Advocacy, every child's journey to healing is unique, but one thing remains constant—comprehensive, compassionate care is critical. On average, it costs **\$5,000** to provide a child and their family with the full range of services needed to navigate crisis and begin healing.

The Cost of Care: \$5,000 Per Child

Each child's healing journey includes:

- A forensic interview in a child-friendly setting
- Advocacy & crisis support for the entire family
- Access to trauma-informed mental health care
- Coordination with law enforcement & child welfare
- Bilingual services & medical care access
- Long-term follow-up for continued support

Your donation makes healing possible. 💙

Milestones of 2024

- **Child Advocacy & Support**
 - Every family received personalized support – legal, financial, & mental health resources.
 - Ongoing advocacy ensured no family navigated recovery alone.
 - New Bilingual Case Manager expanded services for Hispanic families.
- **Community Collaboration**
 - Expanded partnerships with schools, MDTs, & organizations like Smart Bellies.
 - Enhanced access to food security, education, & community resources.
 - Strengthened outreach across the 5th Judicial District.
- **Behavioral Health Partnerships**
 - Key partnerships provided critical therapy & counseling referrals.
 - Targeted trauma support helped families heal & rebuild trust.
 - Increased early intervention & child-focused therapy options.
- **Forensic Interviews**
 - 53 children received trauma-informed forensic interviews.
 - Minimized re-traumatization by reducing repeated storytelling.
 - Stronger agency collaboration improved investigative processes.



Club of Summit County



OUR SUPPORTERS

Thank YOU

TreeTop Child Advocacy Center
130 Ski Hill Road, Suite 200
Breckenridge, CO 80424

Prevention is Key

We believe that every child deserves a safe and nurturing environment.

Together, we can prevent child abuse and neglect by staying informed, being vigilant, and supporting one another. Remember, it takes a community to protect a child.









MEMORANDUM

DATE: August 14, 2025
TO: Minturn Town Council
FROM: Karp Neu Hanlon, P.C.
RE: Natural Medicine Businesses

In 2022, Colorado voters approved Proposition 122: “Access to Natural Psychedelic Substances” (the “Natural Medicine Health Act” or the “Act”), which legalizes the supervised use of psychedelic mushrooms at licensed facilities by individuals 21 years and older. The Act authorizes the State to promulgate rules and regulations for the operation of licensed natural medicine businesses. Local governments may not prohibit licensed natural medicine facilities but may regulate the time, place, and manner of operation of such facilities.

In 2023, the State published the Colorado Natural Medicine Code, establishing the regulatory structure for the operation of natural medicine businesses, including licensing and registration and requirements for the use, cultivation, manufacture, and testing of natural medicine substances.

The purpose of the Ordinance, attached as **Exhibit A**, is to regulate the time, place, and manner of operation of licenses issued pursuant to the Colorado Natural Medicine Code. Staff has determined that the most appropriate zoning districts for operation of natural medicine healing centers—where natural medicine services are provided under supervision—are in the Grouse Creek Character Area Commercial Zone, the 100-Block Commercial Zones, the Old Town Commercial Zone, the Old Town Mixed Use Zone, and the South Town Character Area Commercial Zone. Planning Commission recommended natural medicine healing centers be permitted on the second floor or above, not on the first floor, in the 100-Block Commercial Zones. Other natural medicine businesses, including cultivation facilities, products manufacturers, testing facilities, and other licensed natural medicine businesses would be permitted in the Grouse Creek Area Commercial Zone. The Ordinance also limits any natural medicine business to be at least 1,000 feet from any day care center, preschool, school, or family child care home. The hours of operation of natural medicine businesses are restricted from 7:00 a.m. to 9:00 p.m. All other operations of natural medicine businesses must conform to state regulations.

On August 13, 2025, Planning Commission recommended Town Council approve the Ordinance. Staff advises Town Council adopt the Ordinance.

**TOWN OF MINTURN, COLORADO
ORDINANCE NO. 08 – SERIES 2025**

**AN ORDINANCE OF THE TOWN OF MINTURN,
COLORADO AMENDING THE MINTURN MUNICIPAL
CODE TO ADD ARTICLE 27, *NATURAL MEDICINE
BUSINESSES*, IN CHAPTER 16 AND TO MAKE CHANGES
TO THE USE TABLES IN SECTIONS 16-5-40, 16-6-70, AND
16-7-60**

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 State of Colorado passed Proposition 122: “Access to Natural Psychedelic Substances,” which is now codified in C.R.S. §§ 12-170-101 through 115 (the “Natural Medicine Health Act”); and

WHEREAS, the Natural Medicine Health Act allows the supervised use of psychedelic mushrooms by individuals aged 21 and over at licensed facilities and requires the state to create a regulatory structure for the operation of these licensed facilities; and

WHEREAS, the Natural Medicine Health Act prohibits local governments from banning licensed facilities, services, and use of natural medicines permitted by the Natural Medicine Health Act, while allowing local governments to regulate the time, place, and manner of operation of these facilities; and

WHEREAS, the State legislature enacted Senate Bill 23-290, which is codified in C.R.S. §§ 44-50-101 through 904 (the “Colorado Natural Medicine Code”), to create the regulatory structure for the operation of these licensed facilities, which includes the licensing and registration of facilities and related businesses that provide the use, cultivation, manufacture, and testing of these substances; and

WHEREAS, the Town Council desires to enact this ordinance to regulate the time, place, and manner of the operation of licenses issued pursuant to the Colorado Natural Medicine Code; to establish the appropriate zoning districts for the operation of licenses issued pursuant to the Colorado Natural Medicine Code; and to establish distance restrictions for buildings where natural medicine services are provided within the vicinity of a day care center; preschool; elementary, middle, junior or high school; or a family child care home pursuant to the Colorado Natural Medicine Code; and

WHEREAS, the Town Council wishes to allow natural medicine healing centers in the Grouse Creek Character Area Commercial Zone, the Old Town Character Area 100-Block A and B Zones, and the South Town Character Area Commercial Zone, as amended from time to time; and wishes to allow natural medicine cultivation facilities, natural medicine products manufacturers, natural medicine testing facilities, and any other state-licensed natural medicine businesses in the Grouse Creek Area Commercial Zone; and

WHEREAS, at a public hearing held on August 13, 2025, the Planning Commission considered the proposed amendments and heard evidence and testimony from the Town Staff, and members of the public. The Planning Commission recommended that the Town Council approve the proposed amendments; and

WHEREAS, at their regular meeting of August 20, 2025, the Town Council considered the amendments to the Minturn Municipal Code (the “Town Code”) to regulate the sale, manufacturing, and use of Natural Medicine, as shown in **Exhibit A** on first reading and scheduled a public hearing and second reading for the ordinance for September 3, 2025, for a meeting beginning no earlier than 5:30 PM at the Minturn Town Hall, 302 Pine Street, Minturn, Colorado; and

WHEREAS, at a public hearing and second reading on September 3, 2025, the Town Council heard evidence and testimony as offered by the Town Staff and members of the public; and

WHEREAS, the Town Council finds and determines that the proposed amendments to the Town Code outlined herein are reasonably necessary to promote the legitimate public purposes of the public health, safety and welfare.

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

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

SECTION 2. The Town Code is hereby amended as set forth in **Exhibit A**.

SECTION 3. If any section, subsection, paragraph, clause, or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, subsection, paragraph, clause, or provision shall in no manner affect any remaining provisions of this resolution, the intent being that the same are severable.

SECTION 4. Upon passage of this Ordinance, the provisions hereof shall become effective on September 10, 2025.

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 20TH DAY OF AUGUST 2025. 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 3rd DAY OF SEPTEMBER 2025 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 3RD DAY OF SEPTEMBER 2025.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:

By:_____
Jay Brunvand, Town Clerk

Exhibit A

The Town Code is hereby amended as follows. Additions are shown in **bold, double underlined** text.

Sec. 16-5-40. Grouse Creek Character Area use table.

The following Table 16-1 sets forth the uses for the Grouse Creek Character Area:

TABLE 16-1
Grouse Creek Character Area Use Table

<i>Use</i>	<i>All Residential Zones</i>	<i>All Commercial Zones</i>	<i>All Mixed-Use Zones</i>	<i>All Recreation & Open Space Zones</i>	<i>All Federally Regulated Zones</i>	<i>Light Industry and Public Facilities Zone</i>	<i>PUD Holding Zone</i>	<i>Railroad Right-of-Way/Transportation Zone</i>
R - Use by right	C - Conditional use		L - Limited use		N - Not allowed			
Accessory apartments	—	N	—	—	—	—	—	—
Accessory dwellings	—	N	—	—	—	—	—	—
Automotive detail shops	—	R	—	—	—	—	—	—
Automotive parts sales	—	R	—	—	—	—	—	—
Bakeries and confectioneries	—	R	—	—	—	—	—	—
Bakeries and delicatessens with food service	—	R	—	—	—	—	—	—
Banks and financial institutions	—	R	—	—	—	—	—	—
Barbershops	—	R	—	—	—	—	—	—
Beauty shops	—	R	—	—	—	—	—	—
Business and office services	—	R	—	—	—	—	—	—
Car washes	—	C	—	—	—	—	—	—
Cocktail lounges, taverns	—	R	—	—	—	—	—	—
Commercial accommodations	—	R	—	—	—	—	—	—
Convenience stores	—	R	—	—	—	—	—	—
Delicatessens and specialty food stores	—	R	—	—	—	—	—	—
Drive-thru/up establishments	—	C	—	—	—	—	—	—

Drugstores and pharmacies	—	R	—	—	—	—	—	—
Dry cleaners	—	R	—	—	—	—	—	—
Duplexes	—	N	—	—	—	—	—	—
Garden landscaping supply and seed stores	—	R	—	—	—	—	—	—
Gas stations	—	C	—	—	—	—	—	—
Grocery stores	—	R	—	—	—	—	—	—
Health/medical offices	—	R	—	—	—	—	—	—
Institutional uses	—	R	—	—	—	—	—	—
Laundries	—	C	—	—	—	—	—	—
Laundromats	—	R	—	—	—	—	—	—
Liquor stores	—	R	—	—	—	—	—	—
Manufacturing, light	—	C	—	—	—	—	—	—
Multi-family dwellings	—	N	—	—	—	—	—	—
<u>Natural medicine healing center</u>	==	<u>R</u>	==	==	==	==	==	==
<u>Natural medicine cultivation facility</u>	==	<u>C</u>	==	==	==	==	==	==
<u>Natural medicine products manufacturer</u>	==	<u>C</u>	==	==	==	==	==	==
<u>Natural medicine testing facility</u>	==	<u>C</u>	==	==	==	==	==	==
<u>Natural medicine business, other</u>	==	<u>C</u>	==	==	==	==	==	==
Office uses	—	R	—	—	—	—	—	—
Pawn shops	—	R	—	—	—	—	—	—
Photographic studios	—	R	—	—	—	—	—	—
Professional activities	—	R	—	—	—	—	—	—
Professional offices, business offices and studios	—	R	—	—	—	—	—	—
Radio and television stores and repair shops	—	R	—	—	—	—	—	—

Restaurant	—	R	—	—	—	—	—	—
Retail stores including: apparel stores; art supply stores and galleries; bookstores; camera stores and Retail stores including: apparel stores; art supply stores and galleries; bookstores; camera stores and retail 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.	—	R	—	—	—	—	—	—
Retail uses greater than 5,000 square feet	—	C	—	—	—	—	—	—
Service businesses	—	R	—	—	—	—	—	—
Single-family residential dwellings	—	N	—	—	—	—	—	—

Small appliance repair shops, excluding furniture repair	—	R	—	—	—	—	—	—
Tailors and dressmakers	—	R	—	—	—	—	—	—
Theaters	—	R	—	—	—	—	—	—
Theaters, meeting rooms and convention centers	—	R	—	—	—	—	—	—
Travel and ticket agencies	—	R	—	—	—	—	—	—

* * * *

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

<i>Use</i>	<i>All Residential Zones</i>	<i>Commercial Zones</i>	<i>100 Block: A</i>	<i>100 Block: B</i>	<i>All Mixed-Use Zones</i>	<i>All Recreation & Open Space Zones</i>	<i>All Federally Regulated Zones</i>	<i>Light Industry and Public Facilities Zone</i>	<i>PUD Holding Zone</i>	<i>Railroad Right-of-Way/Transportation Zone</i>
	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	N***	N***	C	N	—	—	—	—
Multi-family dwellings (second floor or above)	N	C	R	R	C	N	—	—	—	—
<u>Natural medicine healing center (street level)</u>	<u>N</u>	<u>C</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>N</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>Natural medicine healing center (second floor or above)</u>	<u>N</u>	<u>R</u>	<u>R</u>	<u>R</u>	<u>C</u>	<u>N</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
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	—	—	—	—
Short-term rental**	R	R	R	R	R	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; chinaware and glassware stores; florists; gift stores; hobby stores; household appliance stores;	N	R	R	R	R	N	—	—	—	—

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										
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 (second floor or above)	N	R	R	R	R	N	—	—	—	—
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 fifty percent (50%) of the proposed ground floor area of historic properties within the 100 Block Zones while meeting all residential parking requirements.

* * * *

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

<i>Use</i>	<i>All Residential Zones</i>	<i>All Commercial Zones</i>	<i>All Mixed-Use Zones</i>	<i>All Recreation & Open Space Zones</i>	<i>All Federally Regulated Zones</i>	<i>Light Industry and Public Facilities Zone</i>	<i>PUD Holding Zone</i>	<i>Railroad Right-of-Way/ Transportation Zone</i>
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/up 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	—	—	—
<u>Natural medicine healing center</u>	<u>N</u>	<u>R</u>	<u>—</u>	<u>—</u>	<u>N</u>	<u>—</u>	<u>—</u>	<u>—</u>
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	N	R		N	—	—	—	—

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.								
Service businesses	N	R	—	—	N	—	—	—
Short-term rental*	R	R	—	—	N	—	—	—
Single-family residential dwellings	R	R	—	—	N	—	—	—
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.

* * * *

CHAPTER 16 - Zoning

ARTICLE 27 - Natural Medicine Businesses

The premises for a natural medicine healing center is permitted in the Town subject to the requirements included in this Code, including but not limited to Chapter 6 and this Chapter.

Sec. 16-27-10. - Definitions.

The following words, terms and phrases, when used in this Article, shall have the following meanings unless the context clearly indicates otherwise:

Natural medicine means psilocybin or psilocyn and other substances described as “natural medicine” in C.R.S. §§ 44-50-101 through 904 (the “Colorado Natural Medicine Code”).

Natural medicine business shall have the meaning provided in the Colorado Natural Medicine Code, as may be amended from time to time, and shall include the following:

- (a) Natural medicine healing centers;
- (b) Natural medicine cultivation facilities;
- (c) Natural medicine products manufacturers;
- (d) Natural medicine testing facilities; and
- (e) Any other business entity licensed to perform operations related to natural medicine by the state licensing authority.

Natural medicine cultivation facility shall have the meaning provided in the Code of Colorado Regulations, Natural Medicine Division, 1 CCR § 213-1, as may be amended from time to time.

Natural medicine healing center shall have the same meaning as “healing center” as provided in the Colorado Natural Medicine Code, as may be amended from time to time.

Natural medicine product shall have the meaning provided in the Colorado Natural Medicine Code, as may be amended from time to time.

Natural medicine products manufacturer shall have the meaning provided in the Code of Colorado Regulations, Natural Medicine Division, 1 CCR § 213-1, as may be amended from time to time.

Natural medicine services shall have the meaning provided in the Colorado Natural Medicine Code, as may be amended from time to time.

Natural medicine testing facility shall have the meaning provided in the Code of Colorado Regulations, Natural Medicine Division, 1 CCR § 213-1, as may be amended from time to time.

Participant shall have the meaning provided in the Colorado Natural Medicine Code, as may be amended from time to time.

Regulated natural medicine shall have the meaning provided in the Colorado Natural Medicine Code, as may be amended from time to time.

State licensing authority shall have the meaning provided in the Colorado Natural Medicine Code, as may be amended from time to time.

Sec. 16-27-20. - Zoning.

Natural medicine businesses may be allowed in the zone districts as set forth in the Schedule of Use Tables in Sections 16-5-40, 16-6-70, and 16-7-60 and if in compliance with the requirements of this Article 27. A natural medicine business is prohibited unless specifically permitted by this article and by the zoning district regulations applicable to the subject property.

Sec. 16-27-30. - Location limits for natural medicine businesses.

The premises for a natural medicine business permitted under State Law may be approved provided they satisfy:

- (a) The Town business licensing requirements outlined in [Chapter 6](#); and,
- (b) The State Licensing requirements under C.R.S. § 44-50-101, et seq; and,
- (c) The character area use requirements outlined in Sections 16-5-40, 16-6-70, and 16-7-60 and are located within areas zoned for that use as outlined below:
 - (1) Natural medicine healing centers must be located within the Grouse Creek Commercial Zone, the 100 Block Commercial Zones (second floor or above), the Old Town Commercial Zone, the Old Town Mixed Use Zone, or the South Town Commercial Zone.
 - (2) Natural medicine cultivation facilities, natural medicine products manufacturers, natural medicine testing facilities, and any other business entity licensed to perform operations related to natural medicine must be located within the Grouse Creek Commercial Zone.

Sec. 16-27-40. - Additional limitations.

- (a) As determined by the Colorado Natural Medicine Code, no natural medicine business shall be within one thousand (1,000) feet as measured by means of direct pedestrian route of any:
 - (1) Day care center;
 - (2) Preschool;
 - (3) Elementary, middle, junior, or high school; or
 - (4) Family child care home.
- (b) The hours of operation of any natural medicine business are restricted to 7:00 a.m. to 9:00 p.m.

- (c) All natural medicine businesses shall have a security plan for the secure storage of natural medicine and natural medicine products approved by the State of Colorado Natural Medicine Division and shall provide the plan to the Town prior to beginning operation, and shall provide any updated plans to the Town within ten (10) business days.
- (d) All doorways, windows and other openings of natural medicine business buildings shall be located, covered, or screened in such a manner to prevent a view into the interior from any exterior public or semipublic area. All activities of natural medicine businesses shall occur indoors.
- (e) Primary entrances, parking lots and exterior walkways shall be clearly illuminated with downward facing security lights to provide after-dark visibility for facilitators, participants, and employees.
- (f) All storage for natural medicine businesses shall be located within a permanent building and may not be located within a trailer, tent, or motor vehicle. All storage of regulated natural medicine and regulated natural medicine products shall be in a secured and locked container.
- (g) Natural medicine businesses shall provide secure disposal of natural medicine and natural medicine product remnants or by-products. Natural medicine and natural medicine product remnants or by-products shall not be placed within the facilities' exterior refuse container, nor discharged into any street, alley, or public place, or into any municipal storm sewer and/or system in the Town.
- (h) The processing of natural medicine or natural medicine product that includes the use of hazardous materials, including, without limitation, and by way of example, flammable and combustible liquids, carbon dioxide, and liquified petroleum gases, such as butane, is prohibited.
- (i) Licenses. All natural medicine businesses must obtain:
 - (1) A business license from the Town under Chapter 6; and,
 - (2) A license from the state licensing authority pursuant to the conditions set forth in the Colorado Natural Medicine Code.
- (j) Indemnification of the Town. By accepting a license issued pursuant to this article, a licensee, jointly and severally if more than one, agrees to indemnify and defend the Town, its officers, elected officials, employees, attorneys, agents, insurers and self-insurance pool against all liability, claims and demands on account of injury, loss or damage, including, without limitation, claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage or any other loss of any kind whatsoever, which arise out of or are in any manner connected with the operation of the natural medicine business that is the subject of the license. The licensee further agrees to investigate, handle, respond to and provide defense for and defend against any such liability, claims or demands at its expense and to bear all other costs and expenses related thereto, including court costs and attorney fees. The Town Manager

may require a licensee to execute a written instrument confirming the provisions of this section.

- (k) *Existing Uses.* Any natural medicine healing center that has applied for or received a license from the State licensing authority prior to the effective date of the ordinance establishing this Article 27 shall be treated as a legal nonconforming use under the Town Code.

TOWN OF MINTURN, COLORADO

RESOLUTION NO. 35 – SERIES OF 2025

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MINTURN,
COLORADO, APPROVING THE ENGAGEMENT OF TROY BERNBERG OF
NORTHLAND SECURITIES AS THE TOWN’S MUNICIPAL ADVISOR FOR
THE PURPOSE OF EXPLORING BOND FINANCING FOR THE TOWN’S NEW
WATER TREATMENT PLANT, AND AUTHORIZING THE MAYOR AND
TOWN MANAGER TO EXECUTE AN ENGAGEMENT AGREEMENT**

WHEREAS, the Town of Minturn (“Town”) is in the process of planning and financing the construction of a new water treatment plant to meet the community’s present and future water needs; and

WHEREAS, the Town Council established a committee of two council members to interview potential firms to serve as the Town’s Municipal Advisor for the purpose of exploring bond financing for the water treatment plant; and

WHEREAS, the committee, with the participation of the Town Manager, conducted interviews with four candidates: Melissa Buck of UMB, Troy Bernberg of Northland Securities, Mattie Prodanovic of Hilltop Securities, and Matthew O’Meara of Choice Advisors; and

WHEREAS, following such interviews, the committee and the Town Manager have recommended that the Town select Troy Bernberg of Northland Securities as the Town’s Municipal Advisor; and

WHEREAS, the Town Council finds that engaging Mr. Bernberg and Northland Securities will provide the Town with the expertise and guidance necessary to evaluate and structure potential bond financing in a manner that supports the Town’s fiscal responsibility and long-term sustainability; and

WHEREAS, the Town Council desires to authorize the Mayor and Town Manager to execute an engagement agreement with Northland Securities, subject to review and approval as to form by the Town Attorney.

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

Section 1. The Town Council hereby approves the engagement of Troy Bernberg of Northland Securities as the Town's Municipal Advisor for the purpose of exploring bond financing for the Town's new water treatment plant.

Section 2. The Mayor and Town Manager are hereby authorized to execute an engagement agreement with Northland Securities, subject to review and approval as to form by the Town Attorney.

Section 3. This Resolution shall take effect immediately upon adoption.

INTRODUCED, READ, AND ADOPTED by the Town Council of the Town of Minturn, Colorado this 20th day of August, 2025.

Earle Bidez, Mayor

ATTEST:

Jay Brunvand, Town Clerk



Town of Minturn
302 Pine St.
PO Box 309
Minturn, CO 81645
<https://www.minturn.org>

Date: August 20, 2025

To: Mayor Bidez and Members of the Minturn Town Council

From: Rob Gutierrez, Town Manager

Subject: Recommendation for Selection of Municipal Advisor – Water Treatment Plant Bond Financing

Background

The Town Council recently authorized the formation of a committee consisting of Council Member Gusty Kanakis, Mayor Earle Bidez, and Town Manager Rob Gutierrez to interview prospective firms to serve as the Town's Municipal Advisor. The purpose of this engagement is to assist the Town in exploring potential bond financing strategies for the construction of Minturn's new water treatment plant.

The committee conducted interviews with four qualified candidates:

- Melissa Buck – UMB
- Troy Bernberg – Northland Securities
- Mattie Prodanovic – Hilltop Securities
- Matthew O'Meara – Choice Advisors

Committee Recommendation

Following the interviews and evaluation of each candidate's qualifications, experience, and approach, the committee and Town Manager are unanimously recommending that the Town Council select **Mr. Troy Bernberg of Northland Securities** to serve as the Town's Municipal Advisor for this project.

Mr. Bernberg demonstrated:

- Extensive experience in structuring and executing municipal bond financing for infrastructure projects of similar scale and complexity.
- A strong understanding of Colorado municipal finance law and regulatory requirements.
- A collaborative approach that aligns with Minturn's goals of fiscal responsibility and long-term sustainability.

Next Steps

Should the Council approve this recommendation at the August 20, 2025, meeting, staff will proceed with the following actions:

1. Draft terms of engagement with Northland Securities.
2. Submit the draft agreement to the Town Attorney for legal review.



Town of Minturn
302 Pine St.
PO Box 309
Minturn, CO 81645
<https://www.minturn.org>

3. Present the finalized agreement for Council approval via resolution at the September 3, 2025, regular meeting.

Requested Action

Staff respectfully requests that the Town Council approve the selection of **Troy Bernberg, Northland Securities**, as the Town of Minturn's Municipal Advisor for the water treatment plant bond financing project, and direct staff to proceed with preparation of the engagement agreement.

Pleased to serve,

Rob Gutierrez
Town Manager

Town of Minturn

Proposal to Serve as Municipal Advisor

August 8, 2025



Northland Securities, Inc.

Colorado Office: 5251 DTC Parkway | Suite 1020 | Greenwood Village, Colorado 80111

Corporate Office: 150 South Fifth Street | Suite 3300 | Minneapolis, Minnesota 55402

Member FINRA and SIPC / Registered with SEC and MSRB

August 8, 2025

Rob Gutierrez
Town Manager
Town of Minturn, CO



Dear Rob:

Northland Securities, Inc. (“Northland”), is pleased to submit the enclosed proposal for Municipal Advisory services to the Town of Minturn (the “Town”). The proposal is prepared at the request of the Town Manager.

Northland is experienced in compiling, analyzing, and presenting information the Town needs to make strategic decisions regarding the proposed issuance of enterprise revenue bonds for water/wastewater capital improvements. Northland prepares a plan of finance that contains thorough and understandable information to assist the Town in making policy decisions about the timing, structure, method of bond sale, rating implications, etc.

Northland distinguishes itself with our client-focused approach, the Northland difference.

- Northland approaches each project with the highest standard of excellence. We constantly strive to provide a level of service that exceeds expectations. We find that being a Financial and Municipal Advisor within a larger financial firm that is an active participant in the bond market makes us better equipped to structure Bond sales to achieve favorable outcomes for our clients.
- The Northland difference is the people. We believe that the high caliber of the professionals that work with the Town exemplify Northland’s values and the Town benefits from our collective knowledge and expertise. We provide the resources in debt management, financial planning, and development needed for an effective staff/consultant team.

Thank you for the opportunity to submit our proposal. Please contact me directly with any questions about this proposal.

Sincerely,

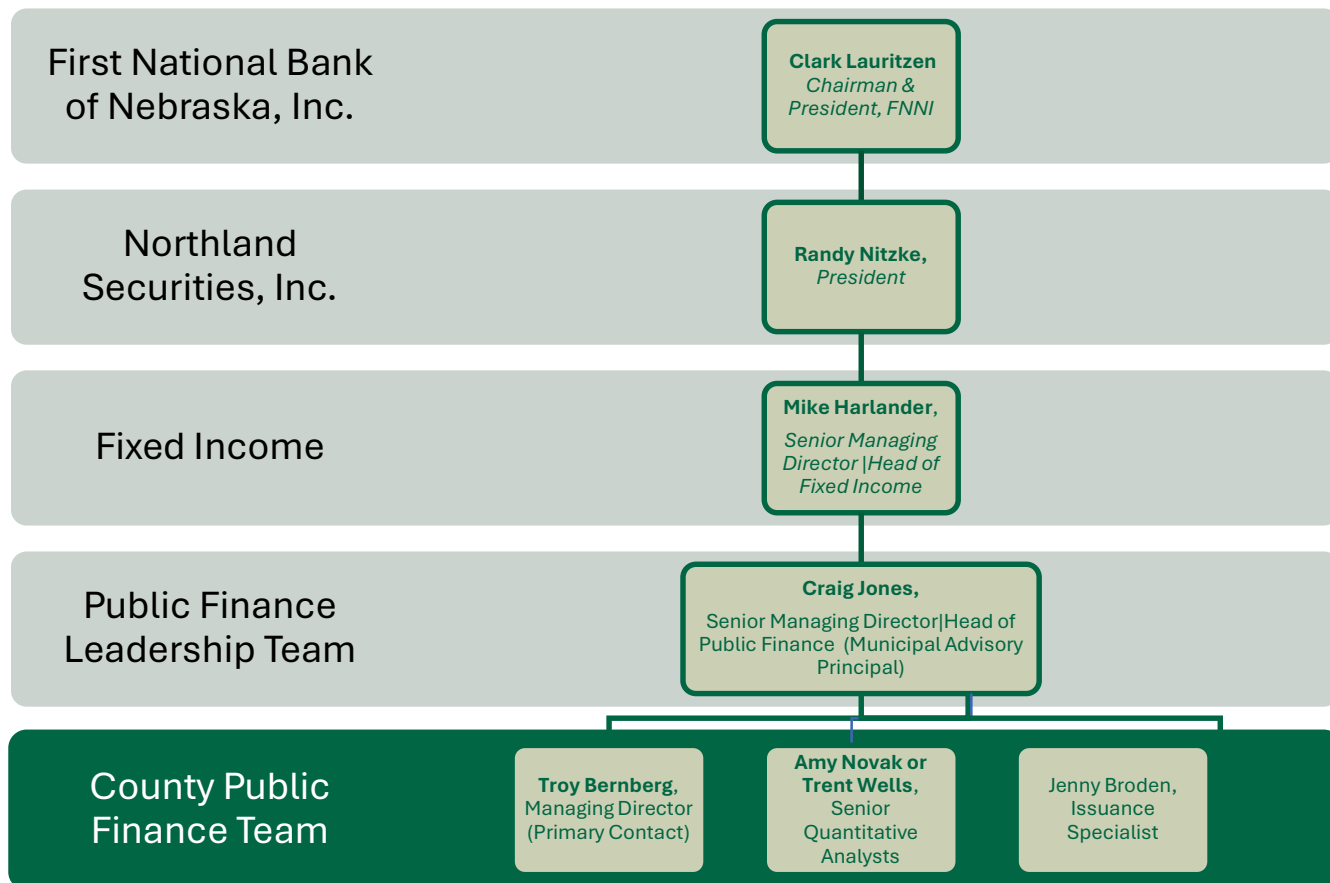
A handwritten signature in blue ink, appearing to read 'T. Bernberg'.

Troy Bernberg , Managing Director
303.801.3386 | tbernberg@northlandsecurities.com



Organizational Structure

Northland is both a registered municipal advisor and a broker-dealer that has been a leading regional underwriter of municipal bonds for over a decade. Northland Public Finance connects issuers and investors through negotiated underwritings, private placements, and competitive sales. We provide a complete array of financial advisory services coupled with an understanding of municipal securities which only comes from underwriting bonds.



Our professionals are committed to the highest level of integrity and accountability to clients, industry regulators, investors, and employees. We strive to provide exceptional value in everything we do. We invite you to learn more about the factors which distinguish Northland Securities from other public finance firms.

Northland's philosophy is built on the guiding principles of providing direction and producing results. Today, those principles have never been more important. Northland Securities provides direction to help our clients navigate challenges and seize opportunities.



Northland Public Finance is a division of Northland Securities blending the capabilities and market insights of a full-service broker-dealer with the array of services provided by a municipal advisor. We serve governmental and non-profit clients throughout the Midwest, Rocky Mountains, and Great Lakes regions, from our headquarters in Minneapolis, to our branch offices in Columbus, Denver, Des Moines, Madison, Milwaukee, St. Louis, and Omaha.

Northland provides its clients with unparalleled service and execution. To date, Northland has underwritten more than \$38 billion in fixed income securities and loans. We consistently rank in the top 10 nationally for the number of new bank qualified competitive and negotiated issues. We achieve these results utilizing a diversified, national investor base – including over 800 community banks and over 6,500 retail accounts.

Northland's services go well beyond debt issuance and management. We help local governments create plans to make best use of limited financial resources. We help communities use the available finance tools to implement and achieve public infrastructure plans and economic development, redevelopment, and housing strategies and objectives.

Federal securities regulations prohibit Northland from serving as municipal advisor and underwriter on the same issue. When Northland serves as advisor, we have fiduciary responsibility to the issuer (a client).

Northland is involved in the municipal bond market in ways that are not possible for firms that are solely advisory firms. Northland's Trading Desk is a leading underwriter of municipal bonds. Our bond traders and sales staff have daily interactions with other underwriters and bond investors. The Northland team serving the Town draws on these internal resources for valuable and real-time insights about investor interests and market conditions. We use this knowledge to help advise our clients to successfully achieve their borrowing objectives.

Qualifications

Northland is a member of Financial Industry Regulatory Authority (FINRA) and Securities Investor Protection Corporation (SIPC) and is registered with the Security and Exchange Commission (SEC) as a Municipal Advisor and the Municipal Securities Rulemaking Board (MSRB). The key team members that will serve the Town are Registered Municipal Advisor Representative (Series 50). The team members also hold other licenses, including General Securities Representative (Series 7) and Uniform Securities Agent State Law (Series 63), among other licenses.



Northland has approximately 50 public finance professionals serving local governments. Our employees meet professional and testing standards and possess all required licenses and permits to perform requested services in the RFP.

Northland provides public finance services to Colorado municipalities, counties, special districts as well as urban renewal authorities (URAs), downtown development authorities (DDAs), and business improvement districts (BIDs). The lead banker assigned to the Town's engagement has several current engagements implementing relevant services and expertise in the areas of strategic financial planning and management; proforma and quantitative analysis; and creative bond structuring.

Northland Team

Northland believes that the strength of a firm is built on the knowledge and expertise of its professionals. Our staff is committed to providing financial services with excellence and a dedication to achieving the goals of our clients. The professional experience of our staff, the techniques, and methodologies they apply to each situation, and our reputation are just a few of the reasons we believe Northland is well suited to serve the Town. The team is comprised of senior professionals with broad experience and expertise. Northland's team lead is available to join all necessary meetings in person, and on short notice. The remaining team members are in Minneapolis and Milwaukee locations and available for video meetings (e.g., Teams/Zoom).

Troy Bernberg, Managing Director will serve as primary contact and will perform and/or coordinate all of Northland's activities and resources as they relate to the Town. Mr. Bernberg has over 22 years' experience in Colorado public finance serving primarily municipalities and counties. Beginning nearly ten years ago, Mr. Bernberg expanded into development finance using tax increment and other financing mechanisms. Mr. Bernberg (while at a previous employer) arranged a \$39 million tax exempt transaction for the United States Olympic and Paralympic Museum in Colorado Springs. Mr. Bernberg's proposal was the only submitted proposed by a traditional lender/investment bank. The amortization and structure employed by Mr. Bernberg addressed several obstacles facing the tax increment bond issuance. Ultimately, the issuer, the project and lender were all protected ensuring a successful outcome for everyone.

Mr. Bernberg is involved from the very beginning of an engagement, assisting the Town with structuring insight to maximize flexibility for the issuer and security for the investors to achieve optimal execution. Mr. Bernberg is also responsible of keeping the Town informed on day-to-day bond market conditions in developing a strong pre-marketing book as well as identifying an ideal date for marketing the bonds.



Supporting the lead advisor, Northland provides a dedicated senior quantitative analyst and transaction coordinator for each engagement.

The Northland team places value on striving to be plain-spoken and having a client-focused style that seeks to effectively communicate needed information and develop clear action plans. We understand the importance of communicating clearly and effectively and having a well-crafted plan that achieves results and meets a project's objectives.

Potential Conflicts of Interest

As of the date of this proposal, Northland is not aware of any existing or potential conflicts of interest that would prevent us from serving as MA to the Town.

Included in the Northland Municipal Advisory Agreement, before providing any municipal advisory services to a client, the relevant Public Finance employee must provide the client with a document disclosing all material conflicts of interest and any legal or disciplinary event that is material to the client's evaluation of NSI or the integrity of NSI's management or advisory personnel ("MA Disclosure"). Each MA Disclosure must be approved in advance by the President or the Public Finance Manager. All MA Disclosures must be sufficiently detailed to inform the client of the nature, implications and potential consequences of each conflict and must include an explanation of how NSI addresses or intends to manage or mitigate each conflict. If the relevant Public Finance employee determines based on reasonable diligence that there are no known material conflicts of interest, the employee instead must provide a written notice to the client to that effect. The relevant Public Finance employee can satisfy the requirement to disclose legal or disciplinary events by identifying the specific type of event, specifically referencing the relevant portions of NSI's Form MA and Form MA-I and providing detailed information to the client specifying where to electronically access these forms.

Compliance

There are no pending firm investigations or disciplinary actions taken with the prior three years by the SEC, FINRA, MSRB, or other regulatory bodies.

Experience

Our approach to advisory relationships is to focus on the whole client. This includes understanding financial objectives, investigating opportunities, and navigating challenges. We do not focus on a single transaction. We seek to meet regularly with our clients for on-going communication, even when there is not a specific project, and we do so without compensation. We find the investment of our time pays off in our ability to deliver outstanding results when our services are needed.



Northland believes that successful financial planning is crucial to achieving financial strength and agility for an organization, such as the Town. Northland's staff has designed and led a wide range of financial planning projects. We understand the importance of developing well-conceived plans to help guide and inform decision-making. Our team offers a broad range of experience and technical skills.

We can analyze complex financial planning issues and the communication skills necessary to convert these complex matters into useful decision-making materials. A few examples are included below.

Gunnison County

252 attainable workforce, multi-family development. Debt issued by county housing authority to provide 100% tax-exempt financing. Northland structured a diverse and well secured financing that achieved an "A+" underlying credit rating which made the bonds eligible for principal & interest bond insurance. For a seldom used bond, backed primarily by the project itself, attaining "AA" bond insurance was significant.

Downtown Development Authorities (six engagements)

- Financial planning, management, and strategy with variable revenue sources for the funding of infrastructure for new development -including workforce attainable housing.
- Developer (agreement) negotiations and third-party review of developer cash flows and proformas.
- Leveraging tax increment revenues – due diligence, proforma and present value analysis.

Northland has broad and extensive experience with revenue bonds. Revenue bonds are typically issued through a negotiated sale process. In a negotiated sale, the issuer selects an underwriter and negotiates the terms of the bond issue. Revenue bonds benefit from a negotiated sale process when the structure of the revenue bonds has proposed features that are better suited to direct negotiation with an underwriter. There is often a "story" with revenue bonds that can best be communicated to an underwriter and then directly to investors through the negotiated sale process.

The negotiated sale process for revenue bonds produces a fair result, the balancing point between rates acceptable to both the issuer and the investor. It is at this point that the underwriter is willing to invest the firm's capital purchasing the revenue bonds from the issuer. The underwriter also needs to demonstrate that the terms are fair in context of current market conditions and the characteristics of the bond issue. While a negotiated sale may also target a regular meeting to finalize the sale, a negotiated sale has greater



flexibility. If the sale needs to be postponed because of unacceptable market conditions (or other factors), a negotiated sale has more flexibility. The relationship between the underwriter and the issuer typically allows more time between underwriter commitment and approval by the issuer.

The basic legal covenants underpinning any revenue bond should not be assumed to have to match a market standard but rather should be evaluated with the specific financing needs of a particular project along with the current market conditions. Many revenue bonds require the use of a debt service reserve fund as a part of the underlying security.

Plan of Finance

The ultimate objective of Northland as Municipal Advisor is to develop a sound financing program and relate that program to the bond market in such a way to obtain the lowest possible net interest cost and ideal structuring to meet the Town's goals. The services we provide are designed to fulfill that objective. Listed below, please find the minimum services Northland will provide.

Review of Financing Options and Structuring

- Northland will perform an economic analysis of the financing options available to the Town, the costs involved, the approximate annual debt service and provide a summary of the advantages and disadvantages of each option. An important aspect of the analysis considers the cost/benefit of a public offering compared to a private placement.
- Northland will analyze the benefit of having the financing credit-rated relative to the upfront cost and annual cost of the rating and make a recommendation to the Town regarding obtaining ratings.
- As a representative for the Town, Northland will assist the Town in retaining the additional professional services required such as paying agent/trustee, credit rating agency, bond insurance, and bond counsel, etc., as necessary.
- Northland will present a plan of finance outlining the bond structure, bondholder security, maturity schedule, call features, credit enhancement (if applicable) and related data. Such plan shall incorporate all elements of the Town's program, including legal fees, contingency allowances, financing costs, credit rating fees, paying agent fees, Municipal Advisory fees, and other issuance closing costs.

Document Preparation

- Assist the Town and its bond attorney, in connection with the preparation of any necessary governing documents including authorizing resolution/ordinance, indenture of trust, and preliminary official statement (investor disclosure document).
- Northland will attend all meetings and participate in all conference calls regarding the program and provide comments on the authorizing and governing documentation



including the official statement (investor disclosure), continuing disclosure agreement, etc.

Transaction Management

- Strategize a rating agency approach, and if applicable, manage the engagement of a rating agency and coordinate a video meeting that includes a short presentation before addressing rating agency inquiries.
- Solicit underwriters, if directed, to market the bonds with consideration to a syndicate of multiple underwriters. Multiple underwriters maximize the potential investor audience. And the larger the investor audience, the more demand is created, and increased demand aids in the achieving the lowest cost of borrowing.
- Advise the Town, in conjunction with the underwriters, in selecting an appropriate bond marketing date considering the calendar of offerings, both within Colorado and nationally, upcoming Federal Reserve meetings and Federal holidays, to minimize conflict with competition from offerings of similar (rated) securities.
- Northland will participate in all public meetings and hearing and will be available to any potential investor, by telephone or by personal consultation, at their offices, for discussion of any aspects of the financings.

Proposed Fees & Pricing

In compliance with Municipal Securities Rulemaking Board (MSRB) Rule G-42, Northland will provide the Town with a municipal advisory service agreement that will include scope of work, compensation to be paid to Northland, and all required disclosures, for each specific bond issuance. The terms in the municipal advisory service agreements, including compensation, shall be consistent with this proposal to the Town.

As you review the proposed compensation for municipal advisory service, please note that there are no incidental or hidden fees or expenses for debt issuance. For example, Northland does not charge additional municipal advisory service fees for bond series with multiple purposes. We charge the same municipal advisory service fee for a negotiated sale process as we do for a competitive sale.

The experience of our staff allows us to work efficiently and with lower total project budgets. Every bond issue will be based on the carefully conceived finance plan. The plan will be designed to meet the Town's objectives.



The fee quotes below will be in effect until the contract term is completed, as stated in the Municipal Advisory Agreement. Our agreed upon fee would not change regardless of how long it takes to complete a financing project, and the fee is payable from proceeds of the bond financing.

Par Amount			Bond Issuance Fees ⁽¹⁾		
\$0.00	to	\$3,000,000	\$12,000		
\$3,000,001	to	\$10,000,000	\$12,000	+	\$1.75 /\$1000 Bond
\$10,000,001	to	\$20,000,000	\$12,000	+	\$1.50 /\$1000 Bond
\$20,000,001	to	\$50,000,000	\$12,000	+	\$1.25 /\$1000 Bond
\$50,000,001	&	Above	\$12,000	+	\$1.00 /\$1000 Bond

¹ Fee is based on an incremental increase in par amount (i.e., size of financing).

Private Placements/Loan Arrangement Fees for Debt Issuance

In the event a placement is sought for the proposed financing, Northland's fee will be no more than \$45,000.

Advisory Services and Project work not related directly to Debt Issuance

Northland's hourly service basis will be a flat fee for the scope of services provided. Fees are inclusive of travel and normal expenses relative to service performed. Overnight and courier services may incur additional fees.

Municipal Advisor	\$250/ hour
Project Analyst	\$220/ hour

Expenses

Our out-of-pocket expenses for which reimbursement will be requested is limited to travel and lodgings, if necessary, and will not exceed \$1,500 per issuance.



APPENDIX A - Northland Team Resumes



Troy Bernberg (Primary Contact)

Managing Director -Public Finance Department

5251 DTC Pkwy, Suite 1020 Greenwood Village, CO 80111

Office (303) 801-3386 | tbernberg@northlandsecurities.com

BACKGROUND Troy Bernberg is a 21-year public finance veteran, responsible for covering Colorado, the Rocky Mountain West, as well as North Dakota. Troy has worked on over \$2 billion in financings for a variety of borrowers, including municipalities, counties, special districts, education, healthcare, and 501(c)(3) organizations. Troy assists his clients from the plan of finance to closing, structuring the most cost effective and efficient transaction to meets his clients' needs. Specific experience includes work on general obligation bonds, revenue bonds (sales tax, water, wastewater, etc.), certificates of participation/appropriation obligations, as well as tax increment financing, all issued tax-exempt or on a taxable basis. Troy brings creativity to each engagement having worked on the first forward delivery refunding in Colorado in 2014 as well as a unique TIF transaction for the United States Olympic Museum in Colorado Springs, CO. Troy is a member of a variety of industry organizations, including the Colorado Municipal League (CML), Special District Association (SDA), and the Colorado Government Finance Officers Association (CGFOA), with whom he's served as a conference speaker on several occasions. Troy is also a supporter, strategic partner, and Board member with Downtown Colorado Incorporated (DCI).

EDUCATION

Troy received a B.S. degree in Business Administration (Finance Emphasis) from the Leeds School of Business, University of Colorado – Boulder.

PROFESSIONAL LICENSES

Series 7 - General Securities Representative Registration

Series 63 - Uniform Securities Agent Exam Registration

Series 50 - Municipal Advisor Representative Registration





Trent Wells

Director -Public Finance Department

150 South Fifth Street, Suite 3300, Minneapolis, MN 55402

Office (612) 851-5915 | twells@northlandsecurities.com

BACKGROUND

Trent Wells is a Director for Northland Securities, joining the firm in 2014. He has worked with a wide range of cities, counties, school districts, public utilities, economic development authorities, and special districts in Minnesota, Iowa, Missouri, North Dakota, and Colorado. Trent's areas of focus include structuring bond issues, identifying potential refunding opportunities, creating rate studies, and determining tax abatement areas. He also works with issuers to help them prepare their disclosure documents for competitive and negotiated bond sales.

Prior to joining Northland, Trent worked across several different levels of government. At the Minnesota Department of Revenue, he travelled across the State teaching taxpayers how to prepare individual income tax and property tax refund returns. He also interned in the Administrative Services Department of Carver County, Minnesota, and served as a legislative affairs intern for the Minnesota Governor's office.

EDUCATION

Master of Public Policy in Public Sector Financial Management, University of Maryland
Bachelor of Arts in Political Science, Carleton College, Northfield, Minnesota

PROFESSIONAL LICENSES/REGISTRATIONS

FINRA Registrations:

Series 50 – Municipal Advisor Representative
Series 52 – Municipal Securities Representative
Series 53 – Municipal Securities Principal
Series 63 – Uniform Securities State Law



Jenny Broden

Senior Issuance Specialist -Public Finance Department

150 South Fifth Street, Suite 3300, Minneapolis, MN 55402

Office (612) 851-4954 jjbroden@northlandsecurities.com

BACKGROUND Jenny Broden is a Senior Issuance Specialist for Northland Securities, joining the firm in 2019. As an Issuance Specialist, she works with issuers on their earliest steps of financing to final stages of the issuance process. Jenny works with cities, counties, school districts, special districts, utilities, and authorities, guiding them through all the steps of the issuance process. Her work in public finance has covered issuances in Minnesota, Iowa, Colorado, Ohio and North Dakota. Throughout the issuance process, it is her number one priority to create the utmost quality of work while keeping the process seamless, simplified, and enjoyable for the client.

Prior to joining Northland, Jenny worked in accounting for seven years. During that time, she worked closely with auditors, top level executives, and staff to ensure that the internal processes were accurate, timely, and communicated to all necessary individuals. Jenny's past work experience and her time at Northland have provided the communication and problem-solving skills necessary to work alongside issuers and bond attorneys to ensure a successful financing.

Jenny focuses on providing the highest level of service to every client, with exceptional communication between an issuer, bond counsel, and Northland throughout every step of the process. The depth of her experience and attention to detail ensures that clients receive a high-quality work product and prompt attention both during and after their bond transactions have closed.

EDUCATION

Bachelor of Science in Business, Minor in Marketing, University of Phoenix.

PROFESSIONAL LICENSES/REGISTRATIONS

FINRA Registrations:

Series 50 – Municipal Advisor Representative

Series 52 – Municipal Securities Representative

Series 63 – Uniform Securities State Law





FUTURE MEETING AGENDA ITEMS

Below reflects proposed topics to be scheduled at future Town Council meetings and is informational only. Dates and topics are subject to change.

September 3, 2025

- ERWSD Presentation
 - The Excessive Water User Campaign, and
 - Mandatory regulatory-driven upgrades to the regional wastewater treatment facility, including funding options and general obligation bond question that will appear on the November coordinated election ballot.
- Presentation / Discussion – WTP Design & Cost Estimates / Q&A with HDR
- Resolution XX – Series 2025, A Resolution for an Agreement with a Municipal Advisor
- Ordinance 08 - Series 2025 (Second Reading) An Ordinance Amending Chapter 16 to Provide Zoning for Psilocybin and Healing Centers
- Ordinance __ - Series 2025 (First Reading) An Ordinance Amending Chapter 19, Article 5 to Add the Secretary of Interior's Design Guidelines as a Review Standard

September 17, 2025

- Ordinance __ - Series 2025 (First Reading), An Ordinance amending Chapter 7, Article 8 regarding air quality (Section 7-8-30 Solid Fuel Burning Devices) to allow for EPA rated wood burning devices in new construction
- Ordinance __ - Series 2025 (Second Reading) An Ordinance Amending Chapter 19, Article 5 to Add the Secretary of Interior's Design Guidelines as a Review Standard

October 1, 2025

- Ordinance __ - Series 2025 (Second Reading), An Ordinance amending Chapter 7, Article 8 regarding air quality (Section 7-8-30 Solid Fuel Burning Devices) to allow for EPA rated wood burning devices in new construction

October 15, 2025:

- Proclamation - High Five Access Media Day

Dates to be Determined / Long Term Scheduling:

- Motion to approve the posting of an RFP for the Highlands Parcel
- Resolution Approving a Contract for Little Beach Park Improvements
- Resolution Approving a Contract for the Repaving of Taylor Street
- Adoption of the updated Regional Housing Authority Action Plan
- Traffic Calming
- Golf Cart Discussion
- Ordinance __ (First Reading) - An Ordinance Adopting the 2024 Model Traffic Code (with Amendments) – Legal/Krieg