

Town of Marble

Special Meeting of the Board of Trustees

March 19th, 2026 6:00 pm

Marble Community Church, 121 W. State St. Marble, Colorado

Agenda

- A. 6:00 P.M. Call to order & roll call of the special March 19th, 2026 meeting of the Board of Trustees of the Town of Marble
- B. Consider approval Ordinance #2026-1 regarding adoption of Colorado Wildfire Resiliency Code
- C. Discussion of draft Ordinance #2026-2 regarding Mixed Use Zoning
- D. Discussion of Wildfire Mitigation Day as discussed at March 5th meeting
- E. Discussion regarding scheduling special meeting with Gunnison County Commissioners
- F. Other business
- G. Adjourn

**Town of Marble
Ordinance 2026-1**

**AN ORDINANCE ADOPTING
THE TOWN OF MARBLE WILDFIRE RESILIENCY CODE**

WHEREAS:

- A. The Town of Marble (the “Town”) is a statutory town organized pursuant to Colorado law; C.R.S. § 31-1-101 et seq.;
- B. The State of Colorado adopted Senate Bill 23-166 (C.R.S. §§ 24-33.5-1236, 24-33.5-1237) (the “Act”) requiring a “governing body with jurisdiction in an area within the wildland-urban interface that has the authority to adopt building codes or fire codes shall adopt a code that meets or exceeds the minimum standards set forth in the model code adopted by the Colorado Wildfire Resiliency Code Board, Division of Fire Prevention and Control, Colorado Department of Public Safety (the “Code Board”);”
- C. The Board of Trustees of the Town (“Board”) is the governing body that has the authority to adopt building codes and fire codes within the Town;
- D. Pursuant to C.R.S. § 24-33.5-1236, et. seq., the Colorado Wildfire Resiliency Code was adopted on June 1, 2025 by the Code Board;
- E. The Act states that “wildland-urban interface” has the same meaning as set forth by the Code Board in its rules, and the model code adopted by the Code Board defines the “wildland-urban interface” as “that geographical area where structures and other human development meets or intermingles with wildland or vegetative fuels,” and provides that “The AHJ shall declare the wildland-urban interface areas within the jurisdiction as defined by this code;” and
- F. The Board has reviewed the Colorado Wildfire Resiliency Code, and has determined that adoption of the Colorado Wildfire Resiliency Code with certain amendments set forth below, is necessary to comply with state law and to safeguard public safety, health, general welfare, and property protection through mitigation of risk to life and structures from wildland fire exposures.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF MARBLE, COLORADO, THAT:

- 1. The Colorado Wildfire Resiliency Code, Version 1.0, adopted on June 1, 2025, by the Code Board, including Appendices A, B, and C thereto, which is attached hereto as **EXHIBIT A** (the “Model WRC”), as modified and supplemented by the provisions set forth below, is hereby adopted in full as the Town of Marble Wildfire Resiliency Code (“Marble WRC”).
- 2. To the extent that any provision of the Marble WRC conflicts with any other provision of the ordinances and adopted codes of the Town of Marble, the more restrictive provision shall control.
- 3. Unless the context otherwise requires, any references to “jurisdiction,” “authority having jurisdiction,” or “AHJ” in the Model WRC shall mean the Town.
- 4. Unless the context otherwise requires, any references to “chief appointing authority” in the Model WRC shall mean the Board.

5. The Town Administrator is appointed as the “code official.” Unless the context otherwise requires, any references to “code official” in the Model WRC shall mean the Town Administrator.

6. 101.2.3 is amended by deletion of the following phrase from the last sentence: “as required by the authority having jurisdiction.”

7. 103.1 is deleted.

8. 103.3 is deleted and replaced with the following: The Board shall have the authority to appoint one or more deputy code officials, other related technical officers, inspectors and other employees or contractors. Such employees or contractors shall have powers as delegated by the Board, and shall be subject to supervision by the code official.

9. 106.1 is deleted and replaced with the following: The code official shall charge and collect fees to cover the cost of administering this code. Such fees are in addition to any fees imposed pursuant to the building code, OWTS code, or other code adopted by the Town. The initial fees are as follows: \$250.00 per permit, which includes one of each required plan review and site inspection. Any rereview or reinspection due to submitted plans or completed work not meeting code requirements shall be subject to a reinspection fee of \$100. The fees set forth in this Ordinance are subject to modification by the Board as part of any comprehensive fee schedule adopted after the date of this Ordinance.

10. 302.1 is deleted and replaced with the following: The entire Town is determined to be within the Wildland-Urban Interface.

11. 303.1 Mapping of Wildfire Hazard Areas is deleted and replaced with the following: The presumptive Fire Intensity Classification of a parcel shall be determined by reference to the official Fire Intensity Classification map adopted by the Board. The initial Fire Intensity Classification map for the Town shall be the Colorado Wildfire Resiliency Code Map adopted by the Code Board, as the same may be amended from time to time. *See* <https://dfpc.colorado.gov/sections/wildfire-resiliency-code-board>. The Board may adopt one or more alternative or supplemental maps to identify the presumptive Fire Intensity Classification of parcels within the Town based on a combination of factors including, but not limited to, vegetative fuels, topography, local weather patterns, and fire behavior modeling data, and in accordance with the classification criteria in Section 303.2. Any such alternative or supplemental maps shall be available for public inspection through an accessible online platform and via the Town Administrator. The presumptive Fire Intensity Classification based on the official Fire Intensity Classification map(s) shall be subject to modification in accordance with the Ground-Truthing provisions of Section 304.

12. C101.3.7 Violation penalties is deleted and replaced with the following: The code official may assess penalty fees for violation of any provision of the Code, which shall be addition to any other fee assessed pursuant to this Code. The maximum penalty shall be \$100 per violation. Each day that a violation continues shall be considered a separate violation.

13. The effective date of the adoption of the WRC by the Town shall be April 1, 2026. The resultant effective enforcement date of the WRC, as determined by statute, shall be July 1, 2026.

INTRODUCED, READ, ADOPTED AND ORDERED PUBLISHED BY TITLE ONLY on March 19, 2026, by a vote of _____ in favor and _____ opposed.

TOWN OF MARBLE:

ATTEST:

Ryan Vinciguerra, Mayor

Ron Leach, Clerk

Town of Marble
Ordinance 2026-2

AN ORDINANCE AMENDING THE ZONING CODE WITH RESPECT TO ALLOWING
RESIDENTIAL USE IN THE BUSINESS ZONE

WHEREAS:

- A. The Town of Marble (the “Town”) is a statutory town organized pursuant to Colorado Law; C.R.S. §31-1-101 *et seq.*
- B. The Town is authorized to regulate land use matters within its boundaries, *see* C.R.S. § 31-23-101 *et seq.*, and has adopted land use regulations known as the Zoning Code.
- C. Section 7.2.10 of the Zoning Code establishes three zones: Residential, Business, and Public Use. Section 7.2.20 defines “uses by right” and “uses by review” within each zone.
- D. The Town last completed a comprehensive update of its Zoning Map in 1996. In general, the 1996 Zoning Map zoned parcels with then-existing commercial uses as “Business,” and all other parcels as “Residential.”
- E. The Town adopted a Master Plan in the year 2000, *see* Ordinance No. 4, Series of 2000. The 2000 Master Plan stated: “The Town should adopt zone districts that are based on encouraging a range of uses, as opposed to a more urban land use pattern which creates strong boundaries between residential and commercial land uses. A more “mixed use” approach appears to fit the landscape of Marble in a more consistent fashion than traditional zoning approaches.”
- F. From 2023 to 2025, the Town completed a master plan study, which culminated in the 2025 Marble Master Plan. The 2025 Master Plan notes that the Master Plan Committee (MPC) discussed a desire for zoning that allows business uses along the main travel corridor through the Town (West Park St., W. 2nd St. between Park St. and State St., State Street between W. 2nd St. and W. 1st St., W. 1st St. between State St. and Main St., Main St. between W. 1st St. and E. 3rd St., E. 3rd St. between Main St. and Silver St., Silver St. east of E. 3rd St.). However, there was a desire to ensure that business uses within this area are compatible with the existing residential uses in this area. Results of a community survey published in the 2025 Master Plan reveal that a majority of residents would like to see additional businesses in Town, and a majority do not support current zoning which has minimal opportunities for new businesses. (Results of Master Plan Survey, p. 2) The “General Directions and Findings” of the 2025 Master Plan state: “Perhaps business growth on main route through the Town but otherwise, commercial equivalent to home occupations.” (p. 34). The Implementation Matrix includes a proposed implementation measure to “Analyze the Commercial/business zone district and update as necessary; Establish a commercial zone district boundaries on the map or allow commercial use based on Impact mitigation.” The Implementation Charts identify an objective to “consider establishing a commercial/business zone district (along paved road).”
- G. Section 7.5.30 of the Town’s Zoning Code provides a process by which the Board, sitting as the Planning Commission, can propose amendments to the Town’s Zoning Map and Zoning Code.

H. The Town has prepared proposed updates to the Zoning Map and Zoning Code to allow a mix of residential uses and commercial uses on parcels of land adjacent to the main travel corridor through the Town.

I. The Board finds that the proposed updates would have a general Town-wide effect, therefore notice of a public hearing was accomplished by publication and posting at town hall.

J. A public hearing was held on _____.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF MARBLE, COLORADO THAT:

1. The Official Zoning Map attached as Exhibit A is adopted as the Official Zoning Map of the Town, and supersedes all prior zoning maps.

2. Section 7.2.10, Establishment of Zones, is amended to add paragraph “d. Mixed Use (M).”

3. Section 7.2.20, Permitted Uses of Land and Buildings, is amended to add:

D. Mixed Use (M) Zone

1. Uses by Right: All uses by right in the Residential Zone or Business Zone as described in Sections 7.2.20.A.1 and 7.2.20.B.1, above.

2. Uses by Review: All uses by review in the Residential Zone or Business Zone as described in Sections 7.2.20.A.2 and 7.2.20.B.2, above, except that “single-family dwelling units and manufactured homes, which have been authorized Uses by Review within the Business Zone, remain uses by right in the Mixed Use Zone.

4. Section 7.2.30, Zoning Regulations, is replaced in its entirety with the following:

The intent of this section is to cause the utilization of building sites in such a manner as to protect the public health and safety, to provide for efficient land use, and to encourage aesthetically pleasing construction. Consequently, each proposed building is to be considered on its own merit and in light of neighboring properties.

A. Minimum Lot Size. Minimum Lot Size. Minimum building sites are hereby established as follows, subject to Section 7.3.20 regarding preexisting non-conforming parcels:

1. Residential, Business, and Mixed Use Zones:

a. 8 lots or 20,000 square feet for all parcels included in the Original Town Plat Area (“Old Town”) shown on the 1913 Town of Marble platted map.

b. 1 acre for all parcels in Alpine Woods Village Subdivision, the Joy Annexation and anything annexed to the Town in or after 1992, including that area which is subject of Ordinance Number 5, Series of 1998 (commonly called Marble Ski Area Filings Number 1 and 2).

2. Public Use Zone: No minimum lot size.

B. Side Yard Setback: In all zones, the minimum distance between the outermost wall of any structure and the side lot line shall be 10 feet.

C. Front Setback: The minimum distance between the outermost wall and the front lot line shall be:

1. Residential and Mixed Use Zones: 25 feet

2. Business Zone: 25 feet, unless a different setback is more appropriate to achieve conformity with neighboring structures.

D. Rear Setback: In all zones, the minimum distance between the rear property line and any structure shall be 10 feet.

E. Maximum Floor Area Ratio. The maximum floor area of structure(s) divided by the surface area of the parcel (Floor Area Ratio, or "FAR") shall be:

1. Residential Zone.

a. 15 percent for the principal structure(s) (measured in aggregate if there are multiple principal structures);

b. 15 percent for the accessory structure(s) (measured in aggregate if there are multiple accessory structures);

2. Business, Mixed Use, and Public Zones: 30 percent for all primary structure(s) and accessory structure(s), in aggregate.

F. Maximum Square Footage. The maximum square footage of any one structure, either primary or accessory, shall be limited as follows:

1. Residential Zone: 5,000 square feet.

2. Business Zone, Mixed Use, and Public Zones: 10,000 square feet. In no case shall any one structure exceed 10,000 square feet;

G. Maximum Height. Maximum height in all zones is 28 feet as measured from the sub-floor to midway between the eaves.

5. Section 7.2.40.K.5: The first sentence is amended to read: The Board of Trustees may authorize the keeping of limited numbers of specified livestock in any zone subject to the following limitations:

6. 7.2.60 Off Street Parking Requirements, is amended by the addition of the following introductory sentence: Off street parking requirements are determined based on the use and occupancy of a particular structure, regardless of the Zone in which it is located.

7. 7.2.60. A Off-Street Parking – Residential, is amended to read:

1. Each residential structure constructed or relocated after the effective date of this Zoning Code shall provide on the building site at least 2 accessible and usable off-street parking spaces per dwelling unit.

2: Said parking spaces may be open or covered. The parking spaces shall be permanent in character and shall be provided with a permanent driveway to a public way.

8. 7.2.90.D, Use District Noise Levels, is amended to read:

Use District	Night	Day
	10:00 P.M. to 7:00 A.M.	7:00 A.M. to 10:00 P.M.
Residential, Mixed Use	50 dB	55 dB
Business	55 dB	65dB

9. 7.2.90.E, Exemptions, is amended to read:

1. During construction in any zone, noise levels shall not exceed 80dB during the day.
2. Noise of safety signals, warning devices and emergency pressure relief valves.
3. Noise resulting from any authorized emergency vehicle when responding to an emergency call or acting in time of emergency.
4. Noise resulting from emergency work as provided for in Section 7.2.90.A.6.

10. 7.2.100.C. The introductory sentence is amended to read: Non-Residential Lighting Standards. The following standards shall be applicable to all properties in the Business Zone, and they may also be utilized in the Mixed Use Zone upon a special use review and a finding by the Board of Trustees that the lightening will not be a nuisance to neighboring properties with residential uses:

11. 7.2.100.E. The introductory sentence is amended to read: Residential Lighting Standards. The following lighting standards shall be applicable to the Residential Zone, and the Mixed Use Zone unless special review approval is obtained pursuant to 7.2.100.C.

12. 7.9.40 is amended to read: Signs for residential uses. In any zone, signs associated with any authorized residential use of a structure or property, including a home-occupation, shall conform to the following requirements:

- A. A maximum area of 4 square feet per sign shall be allowed for an individual use.
- B. Signs may be wall, projecting or ground mounted.
- C. Signs must be set back 6 feet from the existing edge of the road.
- D. If more than one business is located on the same lot, one additional sign may be permitted.

13. 7.9.50 is amended to read: Signs for business uses. In the Business and Mixed Use Zones, signs associated with any authorized commercial use of a structure or property, shall conform to the following requirements:

- A. A maximum area of 16 square feet per sign shall be allowed for an individual use.

B. Signs may be wall, projecting or ground mounted.

C. Signs must be set back 6 feet from the existing edge of the road.

D. If more than one business is located on the same lot, one additional sign may be permitted.

14. 7.9.70.d. The first sentence is amended to read: Political Campaign Signs: Signs announcing candidates seeking public political office are permitted. Size limitations are 6 square feet in the residential zone, and 20 square feet in the business zone and mixed use zone.

15. Section 7.10.40.B is amended to read in its entirety: Short Term Rental licenses will only be issued for parcels zoned as Residential or Mixed Use.

Commented [KB1]: Currently limited to residential zone

INTRODUCED, READ, ADOPTED AND ORDERED PUBLISHED BY TITLE ONLY on _____, 2026, by a vote of ___ in favor and ___ opposed.

TOWN OF MARBLE:

ATTEST:

Ryan Vinciguerra, Mayor

Ron Leach, Clerk

[Attach Exhibit A-Model Code]