

- I. CALL TO ORDER

- II. ROLL CALL

- III. REVIEW AGENDA

- IV. CONSENT OF NOVEMBER 10, 2015 MINUTES

- V. OLD BUSINESS
 - a. School Property Rezoning Update
 - b. Continue Discussion - Retail Marijuana Location Possibilities w/
Federal Restrictions, Zoning & Comprehensive Plan

- VI. ADJOURN

PLEASE NOTE

CITY-COUNTY WORK SESSION TO FOLLOW

6PM

POSTED 12/7/15

OPEN TO THE PUBLIC

**PLANNING & ZONING COMMISSION
CITY OF CREEDE, COLORADO - A TOWN
November 10, 2015**

REGULAR MEETING

The Planning and Zoning Commission of the City of Creede - a Town, County of Mineral, State of Colorado, met in the Creede Town Hall at the hour of 5:30 p.m. There being present at the call of the roll the following persons:

COMMISSIONERS PRESENT: Ed Vita, Frank Freer, Kay Wyley, Eric Grossman
COMMISSIONERS ABSENT: Rex Sheppard, Lauri Jordan
Commissioner Jordan, presiding, declared a quorum present:
Those members of staff also present were as follows: Clyde Dooley, Town Manager
Randi Snead, Town Clerk/Treasurer

AGENDA

An Easement Agreement and a discussion of Planning & Zoning membership were added to New Business items a. and b. Commissioner Grossman moved and Commissioner Wyley seconded to approve the agenda as amended. The vote was unanimous. Commission Chair Jordan declared the motion carried.

CONSENT OF OCTOBER 13, 2015 MINUTES

Commissioner Wyley moved and Commissioner Grossman seconded to approve the October 13, 2015 minutes as presented. The vote was unanimous. Commission Chair Jordan declared the motion carried.

NEW BUSINESS

210 LA GARITA EASEMENT AGREEMENT

Manager Dooley presented a preliminary plan for an easement agreement at the old elementary school. Adjacent land had recently been acquired by the property owner, and the agreement may need to be changed accordingly. The commission will consider the agreement once it has been finalized by the owner.

PLANNING & ZONING MEMBERSHIP DISCUSSION

A member of the commission was recently appointed to serve on the Board of Trustees. Planning & Zoning rules of procedure prohibit more than one Trustee from serving on the Planning & Zoning Commission. Commissioner Freer and Commissioner Wyley agreed to discuss who would remain on the commission and report to the Board of Trustees for a decision at their regular meeting on December 1, 2015. Clerk Snead was directed to advertise to fill Planning & Zoning vacancies.

OLD BUSINESS

PRESENTATION - FINAL DUE PROCESS OF CDC

Manager Dooley presented a schedule to the Commission to adopt the Creede Development Code. The commission will be considering the code February 9, 2015.

UPDATE - FLUME REPAIR

Manager Dooley distributed information on the flume and updated the commission on the repair process.

CONTINUE DISCUSSION - RETAIL MARIJUANA LOCATION POSSIBILITIES W/ FEDERAL RESTRICTIONS, ZONING & COMPREHENSIVE PLAN

Available properties were identified and discussed at length based on newly revised maps. Clerk Snead was directed to draft several recommendation options for consideration at the next meeting.

ADJOURN

There being no further business to come before the Planning and Zoning Commission at this time, Commissioner Grossman moved and Commissioner Wyley seconded that the meeting be adjourned at 6:53 p.m. The vote was unanimous. Commission Chair Jordan declared the motion carried.

Respectfully submitted:

/Randi Snead/

Randi Snead, City Clerk/Treasurer

DRAFT

As requested, here's some recommendation language to work with regarding marijuana locations. Please bring your maps and any other material you may need for this recommendation.

1. Throughout the past year, the Planning and Zoning Commission has been considering properties for various retail marijuana uses in the city limits of Creede according to federal distance regulations as well as zoning and comprehensive plan considerations as tasked by the Board of Trustees. The following properties fell outside of the 1000-foot distance from playgrounds and similar facilities as federally required:

- All North Creede Properties
- Several lots on Capitol Avenue
- A portion of Creede between Main and Loma from Morton Park to the fence south of Town Hall
- Floodplain

The North Creede properties and the lots on Capitol Avenue are zoned R-1 for residential use only. The PZC does not recommend allowing retail marijuana activity in this zoning category. The floodplain is currently undergoing a lengthy rehabilitation process. Once this is complete and the area has been considered on a broader scale for community development, the Board of Trustees may want to revisit allowing such marijuana activity in future developed industrial areas in this zone (rather than green space) if they exist. The PZC does not recommend allowing retail marijuana activity in this area at this time. The portion of Creede between Main and Loma from Morton Park to the fence south of Town Hall is zoned B-1. Many retail uses are currently allowed in B-1; however, this particular location is used entirely for residential or park purposes. Changes to this situation are not anticipated in the near future. Therefore, the PZC does not recommend allowing retail marijuana in this area at this time.

2. Throughout the past year, the Planning and Zoning Commission has been considering properties for various retail marijuana uses in the city limits of Creede according to federal distance regulations as well as zoning and comprehensive plan considerations as tasked by the Board of Trustees. Of the few properties that fell outside of the 1000-foot distance from playgrounds and similar facilities as federally required, most were residentially zoned or currently being used entirely as residential zoning aside from the industrial zones on the floodplain, which is currently undergoing rehabilitation efforts. Therefore, the PZC does not recommend any property as appropriate or available for retail marijuana activities at this time.
3. Throughout the past year, the Planning and Zoning Commission has been considering properties for various retail marijuana uses in the city limits of Creede according to federal distance regulations as well as zoning and comprehensive plan considerations as tasked by the Board of Trustees. The Commission found that the few properties that fall outside the 1000-foot distance requirements were inappropriate and/or unavailable for this type of commercial development at this time. Therefore, the Planning & Zoning Commission does not recommend any properties inside the city limits at this time.

OTHER OPTIONS:

-The Commission recommends that, should substantial redevelopment of these properties occur in the future that renders the property more appropriate for this type of development, the Board of Trustees revisit consideration of these properties for retail marijuana use.

-The Commission recommends that, should industrial development occur on the floodplain in the future, the Board of Trustees revisit consideration of these properties for retail marijuana use.