

- I. CALL TO ORDER

- II. ROLL CALL

- III. REVIEW AGENDA

- IV. CONSENT OF FEBRUARY 14, 2017 MINUTES

- V. NEW BUSINESS
 - a. Aspen Avenue Egress Issues
 - b. Tiny Homes
 - c. IBC Ordinance 400 FYI

- VI. ADJOURN

POSTED 3/10/17

OPEN TO THE PUBLIC

**PLANNING & ZONING COMMISSION
CITY OF CREEDE, COLORADO - A TOWN
February 14, 2017**

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: Lauri Jordan, Ed Vita, Frank Freer, Amy Krueger
COMMISSIONERS ABSENT: Jeffrey Larson
Commission Chair Jordan, presiding, declared a quorum present:
Those members of staff also present were as follows: Clyde Dooley, Town Manager
Randi Snead, Town Clerk

AGENDA

Commissioner Krueger moved and Commissioner Freer seconded to approve the agenda as presented. The vote was unanimous. Commission Chair Jordan declared the motion carried.

CONSENT OF JANUARY 10, 2017 MINUTES

An error was identified in the January 10, 2017 minutes. Commissioner Krueger moved and Commissioner Freer seconded to approve the January 10, 2017 minutes as amended. There were two yes votes and two abstentions (Jordan & Vita). Commission Chair Jordan declared the motion carried.

NEW BUSINESS

FLUME

Manager Dooley updated the commission on the progress of the flume project, slated to begin in the fall of 2018, specifically regarding various concerns about the surrounding properties. Several public hearings will take place with the Board of Trustees. The next year will be busy as we will be clarifying deeds and right-of-ways along the flume. The city will be trying to obtain permanent construction deeds if possible from property owners. Property owners are encouraged to check their deeds to see if any flume property is mentioned as we move forward with plans.

TINY HOMES

Tiny homes regulation was discussed at length. No specific recommendations were made, but direction was established for continuing the conversation at the March 15, 2017 meeting.

RESCHEDULE MEETING

At the request of several Commissioners, the March 14, 2017 meeting was rescheduled to March 15, 2017 at 5:30 p.m.

ADJOURN

There being no further business to come before the Planning and Zoning Commission at this time, Commissioner Krueger moved and Commissioner Vita seconded that the meeting be adjourned at 6:51 p.m. The vote was unanimous. Commission Chair Jordan declared the motion carried.

Respectfully submitted:

 /Randi Snead/
Randi Snead, City Clerk/Treasurer



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Google Earth



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Imagery Date: 10/13/2015 37°51'09.25" N 106°55'42.62" W elev 8901 ft eye alt 9380 ft

MEMO

DATE: March 9, February 10, January 6
TO: PZC
FROM: Randi
SUBJECT: Tiny Home Info Packet

3.9 Update

I didn't have a lot of time to devote to this over the last month, but I did get some clarification on more rules pertaining to RVs in the CDC, in Parking under Article 5, Development Standards:

9-05-050 Parking.

(a) Purpose. The purpose of this Section is to provide adequate parking for motor vehicles while minimizing the visual impact of parking lots and structures.

(b) Standards. In all zone districts, off-street parking facilities for the storage of self-propelled motor vehicles for the use of occupants, employees and patrons of the building or structures hereafter erected, altered or extended shall be provided and maintained as herein prescribed.

(c) Parking Restrictions for Excess Weight Vehicles and Recreational Vehicles.

(1) The owner or operator of any vehicle weighing in excess of ten thousand (10,000) pounds, other than emergency vehicles, shall not park said vehicle on any public right-of-way or roadway, except when making local deliveries, nor shall excess weight vehicles, boats, boat trailers, tractors, trailers, semi-trailers, motor homes, buses or detached/dismounted campers be parked or kept on private property for longer than seventy-two (72) hours, except as herein provided.

(2) No boat, boat trailer, tractor, trailer, semi-trailer, motor home, bus or detached/ dismantled camper shall be kept or parked upon any public right-of-way or roadway, except for visitation purposes not exceeding twenty-four (24) hours.

(3) All excess weight vehicles, boats, boat trailers, motor homes, buses or detached/dismounted campers kept or stored on private residential property for longer than seventy-two (72) hours shall be kept or stored in the rear yard screened from view, or within an enclosed building. No such vehicle shall be used for storage or as a business or residential premises.

(1) All excess weight vehicles, boats, boat trailers, tractors, trailers, semi-trailers, motor homes, buses or detached/dismounted campers kept or stored on private property for longer than seventy-two (72) hours shall be kept or stored in a yard screened from view or within an enclosed building. The property where storage occurs must be properly zoned for the use. No such vehicle shall be used for storage or as a business or residential premises.

(2) No mobile home may be located permanently in any residential area unless it is zoned for the same.

If we allow foundation-less tiny homes which are licensed as an RV in Creede, where and how do we allow them? Are the existing CDC regulations too strict? How can we separate RVs stored on private property and RVs used for year-round (or seasonal) residence? What about the "visual impact" consideration that the code mentions? How can we easily determine what an RV weighs? For reference, Amy's tiny home is 12,060 lbs (thanks Amy).

See past packets for prior research.

**CITY OF CREEDE, COLORADO
ORDINANCE NO 400**

AN ORDINANCE AMENDING CHAPTER 18 TO ALLOW PROPERTY OWNERS TO VOLUNTARILY ELECT TO USE THE 2015 INTERNATIONAL BUILDING CODE

WHEREAS, pursuant to C.R.S. §31-15-103, §31-15-104, and §31-20-105 the Board of Trustees of the City of Creede (“City”), has the power to adopt building code regulations, to provide penalties for violations of adopted building codes, to elect to collect delinquent charges and assessments by certifying such amounts to the Mineral County treasurer, and make and publish ordinances necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the morals, order, comfort, and convenience of its inhabitants; and

WHEREAS, the Board of Trustees finds that permitting property owners to voluntarily elect to use the 2015 International Building Code instead of the 2003 International Building Code will provide flexibility in the use of property through the use of modern construction standards and will thereby promote the health, safety and general welfare of the Creede community; and

WHEREAS, the City of Creede may adopt codes by reference pursuant to Parts 1 and 2 of Article 16 of Title 31, Colorado Revised Statutes and the Board of Trustees conducted a public hearing on April 4, 2017 after publishing notice of the public hearing twice in the Mineral County Miner, a newspaper of general circulation in the Creede community, such publications occurred on March 16, 2017 and March 23, 2017; and

WHEREAS, the City of Creede desires to adopt the 2015 International Building Code by reference with certain amendments as described in this Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE CITY OF CREEDE, COLORADO the following:

Section 1. **Recitals Incorporated.** The above and foregoing recitals are incorporated herein by reference and adopted as findings and determinations of the Board of Trustees.

Section 2. **Sec. 18-2-15. 2015 IBC Adoption.** **Section 18-2-15. 2015 IB Adoption** of the City of Creede Municipal Code is hereby enacted to read as follows:

Sec. 18-2-15 - Adoption.

There is hereby adopted the 2015 International Building Code published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795, to have the same force and effect as if set forth herein in full except as amended herein; provided that the 2015 International Building Code shall only apply if the property owner voluntary requests and agrees to

the application of the 2015 International Building Code and shall then apply in lieu of the 2003 International Building Code.

Section 3. Codification Amendments. The codifier of the City's Municipal Code, American Legal Publishing Corporation, is hereby authorized to make such numerical and formatting changes as may be necessary to incorporate the provisions of this Ordinance within the Creede Municipal Code. The Town Clerk is authorized to correct, or approve the correction by the codifier, of any typographical error in the enacted regulations, provided that such correction shall not substantively change any provision of the regulations adopted in this Ordinance. Such corrections may include spelling, reference, citation, enumeration, and grammatical errors.

Section 4. Severability. If any provision of this Ordinance, or the application of such provision to any person or circumstance, is for any reason held to be invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable. The Board of Trustees hereby declares that it would have passed this Ordinance and each provision thereof, even though any one of the provisions might be declared unconstitutional or invalid. As used in this Section, the term "provision" means and includes any part, division, subdivision, section, subsection, sentence, clause or phrase; the term "application" means and includes an application of an ordinance or any part thereof, whether considered or construed alone or together with another ordinance or ordinances, or part thereof, of the City.

Section 5. Effective Date. This Ordinance shall take effect thirty (30) days after publication in accordance with **Sec. 1-3-70 Publication** of ordinances in the Creede Municipal Code.

Section 6. Safety Clause. The Board of Trustees hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the City of Creede, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Board of Trustees further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained.

Section 7. Publication. The Town Clerk is ordered to publish this Ordinance in accordance with **Sec. 1-3-70 Publication** of ordinances in the Creede Municipal Code.

[SIGNATURE PAGE FOLLOWS]

INTRODUCED AND ADOPTED ON FIRST READING AND REFERRED TO PUBLIC HEARING on March 7, 2017 and setting such public hearing for April 4, 2017 at the City Hall of the City of Creede, located at 2223 North Street, Creede, Colorado.

BY:

ATTEST:

Jeffrey Larson, Mayor

Randi Snead, Town Clerk

ADOPTED ON SECOND AND FINAL READING on April 4 2017.

BY:

ATTEST:

Jeffrey Larson, Mayor

Randi Snead, Town Clerk

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