

- I. CALL TO ORDER

- II. ROLL CALL

- III. REVIEW AGENDA

- IV. CONSENT OF JULY 11, 2017 MINUTES

- V. NEW BUSINESS
 - a. Rio Grande Subdivision: What's Next?
 - b. Vick Property Update

- VI. ONGOING DISCUSSION
 - a. Tiny Home Recommendations/Discussion

- VII. ADJOURN

POSTED 8/4/17

**PLANNING & ZONING COMMISSION
CITY OF CREEDE, COLORADO - A TOWN
July 11, 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 5:31 p.m. There being present at the call of the roll the following persons:

COMMISSIONERS PRESENT: Lauri Jordan, Ed Vita, Frank Freer

COMMISSIONERS ABSENT: Amy Krueger, 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

Old business and new business were switched Commissioner Freer moved and Commissioner Vita seconded to approve the agenda as presented. The vote was unanimous. Commission Chair Jordan declared the motion carried.

CONSENT OF JUNE 15, 2017 MINUTES

Two corrections were made to the June 15, 2017 minutes. Commissioner Freer moved and Commissioner Vita seconded to approve the June 15, 2017 minutes as presented. The vote was unanimous. Commission Chair Jordan declared the motion carried.

NEW BUSINESS

EGOLF/JACKSON REPLAT

Dooley informed the Commission that a boundary agreement and replat was being pursued by property owners on a section of Aspen Avenue. A public hearing will be held on August 1, 2017.

MCLEAN/MORTON/CITY REPLAT

Dooley informed the Commission that a boundary agreement and replat was being pursued by property owners between the Peterson property south of Town Hall to the Courthouse. The city will be joining the property owners to perfect the property that town hall and the shop occupies. A public hearing will be scheduled when the due process reaches that point.

OLD BUSINESS

TINY HOMES

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

ADJOURN

There being no further business to come before the Planning and Zoning Commission at this time, Commissioner Vita moved and Commissioner Krueger seconded that the meeting be adjourned at 6:35 p.m. The vote was unanimous. Commission Chair Jordan declared the motion carried.

Respectfully submitted:

/Randi Snead/

Randi Snead, City Clerk/Treasurer

RIO GRANDE STREET SUBDIVISION

TO: Planning & Zoning Commission
FROM: Clyde
SUBJECT: Rio Grande Street Subdivision
DATE: August 15, 2017

The Rio Grande Street Subdivision was approved last week with Ordinance No. 402. The next step is to identify the new lots and parcel with a resolution. I've started working on that and I'd like to also include the intended uses of the properties in the same resolution. Last discussions I remember was Lot 1 for parking, Lot 2 & 3 to be residential and parcel A as open space. Is that still consistent with your plans? If so, I'll take that to Trustees for discussion at their work session next week and possibly for their approval on September 5th.

The other thing we need to start discussing is restricting or closing this portion of Rio Grande Street to thru traffic.

I'll also start working on a boundary line agreement with the property owners along the east side of Rio Grande Street and expect that to take between 60 & 75 days.

TO: Planning & Zoning Commission
FROM: Clyde
SUBJECT: Final survey
DATE: June 15, 2017

Here is the "almost final survey" for Rio Grande Street Subdivision. I say almost, because there are a couple typo's I've noticed and please let me know if you spot any.

Eric is working on the subdivision ordinance and we'll have that and the corrected survey ready for the Trustee's public hearing on the 18th of July.

Once the subdivision is completed, we'll start the process with the property owners along the east side of Rio Grande Street to vacate and convey property to them.

After your public hearing and discussion, please vote on recommending: The Board of Trustees approve this subdivision at their July 18, 2017 meeting.

TO: Planning & Zoning Commission
FROM: Clyde
SUBJECT: Final survey
DATE: May 14, 2017

I heard back from Clay, Toby and Eric after our meeting with the Planning & Zoning Commission and most of the questions have been answered.

Clay explained the widths of 4th Street and the alley was discussed back in August of 2014 when the Minimum Utility Protection Requirements were discussed along with the Alternate plan of not extending 4th Street. The alley was chosen to be 20' for proper maintenance access to the sewer line and reducing 4th Street to 40', benefited the size of lots 2 and 3.

I also talked with Ron (McLaughlin) and he said the "Lane" designation was intended to avoid development requirements associated with larger municipalities and he didn't realize there were parking issues for some of the property owners on the north end of Rio Grande Street. Ron also thought calling it a "Lane" instead of a "Street" would be more conducive to limiting thru traffic. However Eric explained, that it is the discretion of the City of Creede to open or block any City right-of-way to vehicular traffic regardless of the name. So at this point, we are not going to vacate Rio Grande Street nor establish a new Rio Grande Lane.

This subdivision will be handled as a major subdivision and we'll have public hearings with P&Z and the Board of Trustees that combine the preliminary and final plat review process as well as combine the right-of-way vacation process for portions of Lots 1, 2, 3, and Parcel A to be created. After that process is finished, the City can consider vacating portions of Rio Grande Street and conveying them to the five property owners along the east side.

I've attached a copy of the notice for the public hearing(s) and as you can see this process should be wrapped up by the 18th of July.

We just need to replace "Lane" with "Street" on the final survey, in the title and on the street.

We'll also need to get the property descriptions from Toby for the portions of Rio Grande Street to be conveyed to Lots 1, 2, 3, and Parcel A. We'll use Ordinance No. 402.

VICK VARIANCE

TO: Planning & Zoning Commission
FROM: Clyde
SUBJECT: Sharon Vick Variance request
DATE: August 15, 2017

Sharon Vick submitted a Land Use Application requesting a variance on her front and back yard setbacks.

To: Creede of City, Board of Trustees:

From: Planning & Zoning Commission

Prepared by: Ed Vita

Contents: First pass, draft proposals, ideas and notes. Tiny Home and RVs Topic

Summary:

1. The City of Creede is experiencing a housing shortage.
2. Creede currently has two Tiny Homes and several RV issues that citizens are concerned about.
3. The City has no formal regulatory structure in place for these new dwelling types.
4. These two subjects have recently combined themselves within discussions of the P&Z Commission. This is mostly due to the State of Colorado recently classifying a Tiny Home on a trailer with wheels as a recreational vehicle (RV).
5. Alleviating a housing shortage is a difficult. Current regulatory framework misses the essence of the compact urban development promise. While looking at the current regulations and researching the trend surrounding Tiny Homes, there are several issues within the current CDC document that need to be addressed which could allow the construction and/or placement of a Tiny Home within City limits in a controlled, positive and suitable manner.
6. This is a proactive, first pass, draft proposal.

Needs:

- Keep in the spirit of the Creede Mission & Vision Statement.
 - Balance planning and freedom
 - Make Creede a sustainable place for year-round families
 - Highlighting and supporting key community and economic drivers
- Keep in the spirit of the Creede Development Code document whereby it states that Compact Urban Growth is encouraged using in-fill development
- Address the Tiny home subject. The Tiny Home topic within our local government is a proactive discussion trying to place Creede ahead of the curve on issues happening in Cities and Counties in the nearby San Luis Valley today.
- Address the expansion of the Tiny Home subject since the State of Colorado recently decided that a Tiny Home on a trailer with wheels is an Recreational Vehicle.
- Bring recommendations and fixes to current regulations pertaining to RVs that could lead to issues in the future. Whether for a Tiny Home or a Regular RV vehicle.
- Bring recommendations and fixes to current regulations to assist in alleviating the “housing crunch” that Creede is currently experiencing.

Activities:

- Line by line identification and reconstruction of key areas of the CDC (Creede Development Code) that speak directly to building, zones, standards, allowable/special uses, RVs, RV parks.
 - Current CDC-Article 4 (Zone Districts and Official Zoning Map)
 - Current CDC-Article 5 (Development Standards)
 - Current CDC-Article 6 (RV Parks)
- Craft the proposal itself:
 - Formulate a first pass, comprehensive proposal in draft form to present to the City P&Z Commission.
 - Discussion and possible revision/addition/subtraction of ideas, fixes, etc.
 - Presentation to the Board of Trustees for review, possible acceptance and/or direction
 - Possible revision per Trustee suggestions
- Adoption of fixes to enhance our City's future position

Evaluation: including notes, fixes and ideas:

- **Article 4: Notes and Recommendations: (Zone Districts and Official Zoning Map)** (Article 4 - included as PDF for reference)
 1. 09-04-060: TABLE, second to last line: minimum square footage should be decreased to 250sq ft. Currently the P&Z has mentioned lowering it to 400 sq. ft. with a review process for anything lower. As per nationwide Tiny Home trends. 250 sq. ft. is recommended. The Special Review process could allow homes of smaller size. The minimum could be 120 sq. ft. This minimum is open to discussion.
 2. 09-04-060: Permitted uses (6): is listed as single family detached dwellings. What is that definition? If this is meant to be just a single-family dwelling detached from other we should just leave this alone.
 3. 09-04-070: Table, second to last line; minimum square footage should be decreased to 250sq ft. Currently the P&Z has mentioned 400 square ft. Trends suggest that this is too high. Should someone want to build smaller condo type structures we should encourage it. 250 sq. ft. is recommended and a special review could allow home of smaller size.
 4. 09-04-080: Residential Uses; Currently in B1 single family residences are not allowed. Same for accessory dwellings. Currently B1 has single family residences which are non-compliant. Zone B1 needs to be revamped or split into parts. There is some concern to maintain a "Main Street Corridor" and preserve its integrity as it stands today. There are concerns to prevent a tiny home from being placed in the concerned area of the new Main Street Zone.
 - Idea #1: Creation of an entirely new "Main Street" Zone
 - Idea #2: B1 Zone could be divided in to B1A and B1B. B1A could be the new Main Street Zone. B1B could be created to allow single family residences, some already exist, then allow a smaller/tiny home to be built/placed off the Main Street Corridor but... behind it or near it... in some instances. Example: Krueger property.

5. 9-04-090: (c) Special Review Uses: (1) Residential Uses: Accessory Dwelling should be allowed for single family dwellings that are in this zone. 250sq. ft. could be the minimum with a special review for any accessory dwelling under 250 sq. ft.
6. 9-04-090: (c) Special Review Uses: (1) Commercial Uses: The term "Rental" could be added here to augment any type of "sales" activities that are permitted here. There is concern and mention of "rentals" happening in the area. This is a good place to put language to support that activity here and not in other zones. Could add "ATV" verbiage in here as well. Both Commercial and Industrial Zones could have the term "rental(s)" added.
7. 9-04-100: Table: second to last line: Minimum square footage needs to be decreased here as well. It currently states 800. P&Z talked about this in the initial "rework" discussions of the CDC document. Seems that it never got changed in our original CDC discussions before passing onward to Trustees. 250 square foot is the minimum that is recommended. Currently no Mobile Home is larger than 850sq. ft. thereby creating conflict should a Mobile Home need replacement or reconstruction.
8. 9-04-170: Table: Permitted Uses: accessory dwelling should be permitted in B1B... should the Commission decide to go this route of splitting the Zone. This would allow increased density around the B1 zone which the rest of this document suggests.
9. 9-04-170: Table: Permitted Uses: Two-Family Dwellings: Currently multi-family dwellings are allowing in B2. If the condition permits we could allow a two-family unit in the Zone as well. It seems we allow a multi-family dwelling and not a two-family dwelling. Seems to contradict overall message of this document to increase density.
10. 9-04-170: Table: Permitted Uses: Mixed Use Dwelling Units: The description of this type of building are vague to non-existent. If this suggests that a dwelling could exist within a business type structure, it would make sense to allow this in the Industrial Zone as well as other parts of this document suggest that as well.
11. 9-04-190: (d) General Standards: (4) Same Ownership Required: This is an important topic for ADU construction throughout this document. The City of Creede would have issues with allowing ADUs to be sold off from the main property.
12. 9-04-190: (d) General Standards: Size: Currently the maximum size for an ADU is 600 sq. ft. Elsewhere it is stated as 800sq.ft. Fixing the discrepancy and allowing ADUs of a smaller size would promote density in these areas. It is suggested that we protect the integrity of the main property by not allowing an ADU to exceed the size of the main residence. If a maximum is desired a recommendation of 1000sq ft. Special Review for anything bigger.
13. 9-04-190: (e) Additional Standards for Specific Accessory Uses and Structures: (iii) Size: Currently there is a conflict with what is mentioned in "Note #12" and what is written in this section. Here it states 850 sq. ft. as the maximum size. As mentioned earlier a maximum of 1000sq ft. could be used.
14. 9-04-190: (e) Additional Standards for Specific Accessory Uses & Structures: (iv) Limit on number: This is important to note that we already have a restriction on the number of ADUs. It is listed here and should be placed elsewhere in the document. Single owner of both residence and ADU should be placed elsewhere in the document.

15. 9-04-080: Special Review Uses: (2) Residential Uses: Currently a single-family dwelling is a Special Review case. In the instances where we have this non-compliance already we should allow an ADU on the property to allow for increased density.
- **Article 5: Notes and Recommendations: (Development Standards)** (Article 5 - included as PDF for reference)
 1. 9-05-050: Parking: (c) Parking Restrictions for Excess Weight Vehicles and RV's: This is currently very restrictive. There is non-compliance all over the city. 72 hours is not enough time for a visit. Restricting the parking of vehicles on the public right of way seems to be an area of concern. Some of the restrictions to which an owner can park vehicles is harsh. It is recommend to remove the following individual items from being restricted on private property; boats, boat trailers, trailers, motor homes, atv, rvs, detached/dismounted campers.
 2. 9-05-050: Parking: (c) Parking Restrictions for Excess Weight Vehicles and RV's: This is really harsh as well. A visitor is visiting and they only get 24 hours? I would suggest at least 72 hours on the public road granted nothing (traffic flow etc) isn't being blocked or impeded.
 3. 9-05-050: Parking: (c) Parking Restrictions for Excess Weight Vehicles and RV's: Colorado has just determined that a Tiny Home on wheels is considered an RV. Colorado doesn't give many definitions to RVs. However, Creede does have many definitions of an RV in CDC-Article 6 – RV Parks. We could allow a RV/Tiny Home onto private property in certain zones if a new classification of RV is established. Reference CDC-Article 6 in this proposal. When connected to basic utilities it could be classified as an ADU given its construction. This same “connected to water/sewer” requirement could pertain, in summer months, to a RV/Motorhome/travel trailer for a visitor to this community provided that there is only one unit on any one piece of private property. More than 1 RV unit, of any type, on a single parcel is currently classified as an RV park in other areas of the CDC document. We want to allow visitors but restrict RV parks to where they are most appropriate. We want visitors and workers here in Creede.
 - **Article 6: Notes and Recommendations: (RV Parks)**: (Article 6 - included as PDF for reference):
 1. 9-06-010: Definitions: Recreational Vehicle (RV): RVs are clearly defined here. Several definitions of several different renditions of a recreational vehicle. The descriptions are quite good. These could serve the City well for research, enforcement, etc. They're also helpful/descriptive enough to be able to distinguish between the many types listed.
 - I suggest the City add a new RV classification to this list:
 - (g): Tiny Home/RV. Simple Definition: Usually constructed of similar materials resembling residential home construction. However, mounted on a trailer with wheels. Skirts are sometimes used to hide the wheels when in one stationary place. Tiny Home/RVs usually do not have “cartridge type” toilet systems require hookup to local water and sewer utilities to be fully operational. Kitchen, bathrooms, lighting, fixtures, electrical outlets, windows and doors tend to resemble residential construction as well. Not intended to be pulled around the highways often. Usually manufactured by a Tiny Home builder/company or using plans designated as a Tiny Home Structure. Owner built units need to

submit detailed plans, obtain building permits as they would have to for normal residential construction. Electricity could be solar or hookup to local utility.

- I leave this definition open to debate
2. 9-06-030: Location of Recreational Vehicle Parks, (b): This is an important provision in this code to remember for other discussions. We need to create verbiage where only one Tiny Home/RV is allowed on a single parcel in the other areas suggested.
 3. 9-06-220: Permanent Occupancy Prohibited: These two are important to note. I suggest we look at the 6-month maximum timeframe allowed for the RV/Tiny Home classification of RV vehicles. This is where we could offer an exception. Only on this classification of vehicles. Could be good for RV parks to get residents in the winter. Might help pay the bills for their park and increase the usage of the place. This is up to the RV park owner of course.
 4. 9-06-250: Responsibilities of Management: These provisions are for an RV park manager but could be used, after revision, and applied to a private property owner that is allowing a certain type of vehicle to park on their property for a certain time period. The property owner becomes responsible for the tenants actions, shortcomings and/or issues.
 5. 9-06-020: Review Process: Here is verbiage for a review process of a proposed RV Park. We could use this verbiage, tweak it slightly, for use in the Tiny Home/RV approval process when a single unit is requested to be put on a single parcel. There is strong sentiment to have all Tiny Home/RVs to be hooked up to City Water/Sewer. This verbiage here could be modified to allow inspection of the connections before the placement of this vehicle is permitted.
 6. 9-06-050: Park Size and Density: This verbiage could be used in determining what is the appropriate size of area around the placement of a proposed Tiny Home/RV. Tweaking this verbiage will allow a review process of the area surrounding the placement of the vehicle before it is approved.

Next Steps:

1. Debate: Additions, subtractions, alterations, revisions, rewording, etc.
2. Final Draft of all fixes to be properly placed and fitted into the CDC document.
3. Final revision presented to City Board of Trustees.
4. Passage of amendments to the CDC document or step back to #1 of this section: Next Steps.