

ORDINANCE NO. 421

AN ORDINANCE OF THE CITY OF CREEDE, A COLORADO TOWN, AMENDING CHAPTER 2, ARTICLE 9 OF THE CITY OF CREEDE MUNICIPAL CODE (“PLANNING AND ZONING COMMISSION”) TO LIMIT THE NUMBER OF COMMISSION MEMBERS TO FIVE (5) AND TO ESTABLISH CONDITIONS FOR THE REMOVAL OF MEMBERS PRIOR TO TERM EXPIRATION”

WHEREAS, the City of Creede, Colorado, a Colorado Town (the "Town"), is a statutory municipality organized and operating under the laws of the State of Colorado;

WHEREAS, the Board of Trustees of the Town (the “Board”) recognizes that there has been a recurring problem of appointees to the Planning and Zoning Commission failing to attend scheduled meetings of Planning and Zoning Commission; and

WHEREAS, lack of a quorum at Planning and Zoning Commission meetings prevents the Commission from performing the duties assigned to in the Municipal Code; and

WHEREAS, the Board of Trustees feels that limiting the number of Planning and Zoning Commission members to five (5) and establishing conditions for removal of appointees prior to term expiration will help to ensure that the Planning and Zoning Commission will achieve a quorum of members at schedule meetings;

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

Section 1. Amendment of Chapter 2, Article 9 of the City of Creede Municipal Code (“Planning and Zoning Commission”). Chapter 2, Article 9 of the City of Creede Municipal Code is hereby repealed in its entirety and replaced with:

**ARTICLE 9
Planning and Zoning Commission**

Sec. 2-9-10. Creation.

Pursuant to state law, there is hereby created a Planning and Zoning Commission (PZC) as an advisory board for the City as set forth in Sections 31-23-202 and 31-23-306, C.R.S. (Ord. 342 §1, 2006)

Sec. 2-9-20. Members.

The policies and procedures of the PZC shall be developed by the PZC and approved by the Board of Trustees. The PZC shall consist of five (5) members, composed of the Mayor and a member of the governing body as ex officio members and three (3) persons appointed by the Board of Trustees. All members shall be entitled to vote and act with the full authority and powers set forth in this Article 9. All members shall be bona fide

residents of the Municipality. The term of each appointed member shall be four (4) years, and the term of the members of the governing body will end with their respective term expiration. Failure by any member to attend three (3) or more meetings in any calendar year, or any other action or inaction that renders a member incapable of performing the duties conferred upon that member by virtue of the appointed position, shall constitute grounds for removal of said member. Removal of any PZC member shall be by majority vote of the Board of Trustees.

(Ord. 342 §§2-5, 7, 2006; Ord. 377, §2, 2013)

Sec. 2-9-30. Compensation.

All members of the Commission shall serve without compensation, and the appointed members shall hold no other Municipal office.

(Ord. 342 §6, 2006)

Sec. 2-9-40. Purpose.

The Planning and Zoning Commission is created for the following purposes:

(1) To prepare and maintain, subject to periodic revision as necessary, a Master Plan as described by state statutes.

(2) To perform all functions and powers conferred upon it by the City of Creede Municipal Code.

(3) To study and recommend to the Board of Trustees amendments to the Zoning Map of the City.

(4) To study and recommend appropriate zoning classifications for all annexations to the City.

(5) To exchange information with the various governmental agencies charged with planning and zoning responsibilities and with the Board of Adjustment.

(6) To have all other duties and powers incidental to the above and any and all powers and duties set out by state statute, except that nothing herein shall permit the Planning Commission to make amendments or changes in the zoning of the City, such powers expressly being reserved by the Board of Trustees.

(Ord. 347 §1, 2008)

Section 2. Severability. Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such determination shall not affect, impair, or invalidate the remaining provisions hereof, the intention being that the various provisions hereof are severable.

INTRODUCED, APPROVED, PASSED ON FIRST AND FINAL READING, ON THIS 4th DAY OF FEBRUARY, 2020.

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Eryn K Wintz
Mineral County Clerk

By Jeff Larson
Mayor

ATTEST:

By S.A. Clark
City Clerk

