

**TOWN OF SILT
REGULAR BOARD OF TRUSTEES AGENDA
TUESDAY, OCTOBER 13, 2020 – 7:00 P.M.
MUNICIPAL COUNCIL CHAMBERS**

6:00 p.m. Budget work session – Enterprise and Special Revenue Funds

ESTIMATED TIME	AGENDA ITEM	PUBLIC HEARING or ACTION ITEM	STAFF PRESENTOR
	Agenda		Tab A
7:00	Call to order		Mayor Richel
	Roll call		
	Pledge of Allegiance and Moment of Silence		
7:05	Public Comments - Persons desiring to make public comment on items not on the agenda shall activate the “raise hand” function in the meeting program. For persons who will participate in the meeting by telephone, they should send an email by 5:00 p.m. on the day of the meeting to sheila@townofsilt.org indicating their desire to make public comment. Each speaker will limit comments to no more than three (3) minutes, with a total time of 30 minutes allotted to public comments, pursuant to Section 2.28.020 of the Silt Municipal Code		
7:20	Consent agenda – 1. Minutes of the September 28, 2020 Board of Trustees meeting	Action Item	Tab B Mayor Richel
	Conflicts of Interest		
7:25	Agenda Changes		
7:25 10 min	Resolution No. 35, Series 2020 , A RESOLUTION OF THE TOWN OF SILT APPROVING THE SCHOELLER SPECIAL USE PERMIT TO ALLOW FOR THE CONSTRUCTION OF A FACTORY BUILT/MODULAR DUPLEX STRUCTURE ON A PERMANENT FOUNDATION AT 734 N. 7 TH STREET, WITHIN THE TOWN OF SILT, COLORADO	Public Hearing	Tab C Planner Mark Chain
7:35 5 min	Resolution No. 18, Series 2020 , A RESOLUTION OF THE TOWN OF SILT, COLORADO APPROVING A MINOR SUBDIVISION FINAL PLAN AND PLAT FOR PROPERTY KNOWN AS THE VILLAGE AT PAINTED PASTURES ANNEXATION, LOCATED SOUTH OF THE EXISTING PAINTED PASTURES SUBDIVISION AND EAST OF THE LYON COMMERCIAL PLANNED UNIT DEVELOPMENT, WITHIN THE TOWN OF SILT, GARFIELD COUNTY, STATE OF COLORADO (<i>continuance requested by applicant</i>)	Public Hearing	Tab D Attorney Sawyer
7:40 15 min	First reading of Ordinance No. 7, Series 2020 , AN ORDINANCE OF THE TOWN OF SILT, COLORADO (“TOWN”) AMENDING AND RESTATING VARIOUS SECTIONS OF TITLE 5 OF THE SILT MUNICIPAL CODE (“CODE”) RELATED TO THE LICENSING OF MEDICAL MARIJUANA AND RECREATIONAL MARIJUANA FACILITIES WITHIN THE TOWN OF SILT, GARFIELD COUNTY, STATE OF COLORADO	Public Hearing	Tab E Attorney Sawyer

7:55 5 min	First reading of Ordinance No. 12, Series 2020 , AN ORDINANCE OF THE TOWN OF SILT, COLORADO ("TOWN") AMENDING AND RESTATING VARIOUS SECTIONS OF TITLE 17 OF THE SILT MUNICIPAL CODE ("CODE") RELATED TO THE ZONING REQUIREMENTS FOR MEDICAL MARIJUANA AND RECREATIONAL MARIJUANA FACILITIES WITHIN THE TOWN OF SILT, GARFIELD COUNTY, STATE OF COLORADO	Public Hearing	Tab F Attorney Sawyer
8:00 10 min	Fall Event Update	Info Item	Tab G Comm Dev Technician Centeno
8:10 5 min	Administrator and Staff reports	Info Item	Tab H Administrator Layman
8:15 10 min	Updates from Board / Board Comments		
8:25 20 min	Executive Session – For discussion of a personnel matter under CRS Section 24-6-402(4)(f) – Town Administrator evaluation		
8:45	Adjournment		
The next regularly scheduled meeting of the Silt Board of Trustees is Monday, October 26, 2020. Items on the agenda are approximate and intended as a guide for the Board of Trustees. "Estimated Time" is subject to change, as is the order of the agenda. For deadlines and information required to schedule an item on the agenda, please contact the Silt Town Clerk at 876-2353.			

**TOWN OF SILT
REGULAR BOARD OF TRUSTEES MEETING
SEPTEMBER 28, 2020 – 7:00 P.M.**

The Silt Board of Trustees held their regularly scheduled meeting on Monday, September 28, 2020. Mayor Richel called the meeting to order at 7:00 p.m.

Roll call	Present	Mayor Keith Richel
		Mayor Pro-tem Kyle Knott
		Trustee Justin Brintnall
		Trustee Andreia Poston
		Trustee Jerry Seifert
		Trustee Sam Walls
		Trustee Samuel Flores
Absent		

Present remotely were Town Administrator Jeff Layman, Town Clerk Sheila McIntyre, Town Treasurer Amie Tucker, Public Works/Utilities Director Trey Fonner, Chief of Police Mike Kite, Town Attorney Michael Sawyer and members of the public.

Pledge of Allegiance and Moment of Silence

Public Comments – There were no public comments.

Consent Agenda

1. Minutes of the September 14, 2020 Board of Trustees meeting
2. First Amended 7-Party Memorandum of Understanding regarding Garfield County Senior Programs for 2020

Trustee Seifert made a motion to approve the consent agenda as presented. Trustee Poston seconded the motion, and the motion carried unanimously.

Conflicts of Interest – There were no conflicts of interest.

Agenda Changes – There were no agenda changes.

2019 Audit presentation – Blair and Associates – Peter Blair

Pete Blair was present to go over the 2019 Audit for the Town and to answer questions. He added that overall, the town was a lot better off in 2019 than they were in 2018. Mayor Richel asked Mr. Blair about the bulk water plant within the water/wastewater fund and asked if there was any benefit to separating it out into its' own enterprise fund. Mr. Blair stated that if the town wanted more accountability they could certainly set up as a separate account but still keep it

within the water/wastewater account. Mayor Richel stated that it isn't even a service that is being used by our in-town residents and that if it is not making money there is no sense in having it. It was determined to make this line item more detailed so that it can be tracked.

Mayor Pro-tem Knott made a motion to approve the 2019 Audit presentation by Blair and Associates for the Town of Silt. Trustee Walls seconded the motion, and the motion carried unanimously.

Senior Programs Support Overview – Judy Martin

Present tonight was Judy Martin with Senior Programs. She started by thanking the Board for their continued support and for the use of the Town Center for Senior Luncheons on Wednesdays. She proceeded to go through her update report regarding the Congregate Meal Program, the Well & Wise Program and the Transportation Program. The Board thanked Ms. Martin for all of her hard work with these programs and Ms. Martin thanked the town for being so innovative during the COVID crisis.

YouthZone Annual update

Present tonight was Keith Berglund who began by thanking the town for their continued support of YouthZone and for their \$2000 contribution in 2019. He proceeded to go through his report for the 2019-2020 fiscal year and provided an update on the youth that they have worked with from the Town of Silt. He also explained that they are seeing more at risk and unique situations now because of COVID with youth and when kids are in those situations they tend to act out.

Burning Mountain Pizza & Subs, LLC – Modification of Premises application

Town Clerk McIntyre stated that the applicants have requested to extend their premise into the adjoining room and would like to be allowed to add this additional area of approximately 2100 square feet onto their current licensed premise. She added that everything is in order and that staff recommends approval.

The public hearing was opened at 7:58 p.m. There were no public comments and the hearing closed at 7:59 p.m.

Present tonight was applicant Jennifer Gerstner who thanked the town for their support. She stated that this additional space would help them to get through the winter and added that the community has been amazing with their support during these COVID times.

Trustee Seifert made a motion to approve the Modification of Premise for Burning Mountain Pizza & Subs, LLC. Trustee Brintnall seconded the motion, and the motion carried unanimously.

CARES Act Funding update

Administrator Layman updated the Board on where the town stands on reimbursements and wanted to discuss the potential of re-opening a grant program for community, business and

“remarketing” support. He explained that the town was award \$273,000 based on a population formula used by the County from “Coronavirus Relief Funds” that were received from the State. He stated that the funds could be used to help with items such as assisting people with housing, utilities, food assistance, business interruption, rent relief, facilities improvements and/or modifications made necessary by the public health emergency and remarketing tourism industry offerings.

Administrator Layman went over some of the unbudgeted expenditures that the town has been faced with due to COVID that will be billed back to the fund for reimbursement in the current amount of approximately \$87,000. He suggested that the Board reopen the community and business assistance fund in an effort to use money from this fund that would likely go unspent. He asked that the town contribute a portion of the money to a non-profit agency such as the River Center for housing, utilities and food assistance.

Administrator Layman also went over the application for business aid and he explained that it has two different levels of funding, one level that can be approved by staff and the second level which would require review by a subcommittee. Mayor Richel and Mayor Pro-tem Knott both volunteered to sit on the subcommittee and assist with the application reviews and awarding of monies.

Mayor Pro-tem Knott made a motion the reopen the community and business assistance fund program through the CARES Act Funding. Trustee Walls seconded the motion, and the motion carried unanimously.

Ordinance No. 16, Series 2020, EMERGENCY ORDINANCE EXTENDING THE APPROVAL PROCESS FOR AN APPLICATION REQUESTING A CHANGE OF LOCATION OF PREMISES UNDER AN EXISTING LIQUOR LICENSE FOR USE DURING A LOCAL EMERGENCY DECLARATION

Attorney Sawyer went through his report stating that in response to the COVID pandemic Ordinance 13, which expires the end of September, was passed to extend liquor license premises to encompass larger areas for the purpose of opening restaurants and seating customers in more socially distanced ways. Attorney Sawyer stated that the State has extended their modification for another year, until October 1, 2021.

The public hearing was opened at 8:26 p.m. There were no public comments and the hearing closed at 8:26 p.m.

Trustee Seifert made a motion to approve Ordinance No. 16, Series 2020, EMERGENCY ORDINANCE EXTENDING THE APPROVAL PROCESS FOR AN APPLICATION REQUESTING A CHANGE OF LOCATION OF PREMISES UNDER AN EXISTING LIQUOR LICENSE FOR USE DURING A LOCAL EMERGENCY DECLARATION. Mayor Pro-tem Knott seconded the motion, and the motion carried unanimously.

Award of 8th Street and Front Street Improvements bid

Director Fonner went through his report for a project to improve 8th Street and Front Streets in an effort to entice businesses in this commercially zoned area. He explained that the bid came in over budget and he explained that staff didn't fully anticipate all of the work that would be

required after the engineering of the project began plus other added expenses were discovered. There was discussion on whether or not the town should still do the project in its entirety or try to remove a portion of the project to be done at a later date. **There was a consensus to do the entire project at this time.**

Mayor Pro-tem Knott made a motion to award the 8th Street and Front Street Improvements bid to Gould Construction in the amount of \$454,875.20. Trustee Walls seconded the motion, and the motion carried with Trustee Seifert voting nay.

Mayor Pro-tem Knott made a motion to use \$128,860.05 out of the reserves to help supplement the 8th Street and Front Street improvements project. Trustee Walls seconded the motion, and the motion carried with Trustee Seifert voting nay.

August 2020 financials and balance sheets

Treasurer Tucker went over the August 2020 financials and balance sheets and answered questions from the Board.

Administrator & Staff updates

Director Fonner reported about a wastewater backup in Iron Horse Subdivision. It was discovered that someone pulled a manhole cover and filled the trough up with rocks and that there was also lumber in it from what appeared to be a fort that they were building. He explained how extremely dangerous these manholes can be as they are 15 feet deep and full of sewer gases. He asked people to talk to their kids in that area and explain to them how dangerous it could be to play in the manholes.

Administrator Layman stated that staff is working on a Halloween event along with the Library and Silt Historical Society so stay tuned. He also stated that Tony Zancanella was appointed as our ORC (Operator Responsible in Charge) at the water and wastewater plants and that staff is working with him to improve our operations.

Updates from Board / Board comments

The Board all thanked staff for all that they have gotten accomplished and all of their hard work. Trustee Walls stated how nice it is to see the kids playing soccer again. He also commented about the political environment right now and how everyone likes to express their own opinions but that when doing so they still need to be respectful of other people's property.

Mayor Pro-tem Knott stated that it is his goal to make our local businesses successful and for the town to do what we can to help them. Mayor Richel commented about Senate Bill 19-167 that adds another layer of costs to projects, adding that there is concern about how prices are increased astronomically from what he has heard on any projects involving CDoT.

Adjournment

Trustee Seifert made a motion to adjourn. Mayor Pro-tem Knott seconded the motion, and the motion carried unanimously. Mayor Richel adjourned the meeting 8:55 p.m.

Respectfully submitted,

Approved by the Board of Trustees

Sheila M. McIntyre, CMC
Town Clerk

Keith B. Richel
Mayor

**TOWN OF SILT
BOARD OF TRUSTEES REGULAR MEETING
October 13, 2020**

AGENDA ITEM SUMMARY

SUBJECT: Resolution No. 35, Series 2020, A RESOLUTION OF THE TOWN OF SILT APPROVING THE SCHOELLER SPECIAL USE PERMIT TO ALLOW FOR THE CONSTRUCTION OF A FACTORY BUILT/MODULAR DUPLEX STRUCTURE ON A PERMENENT FOUNDATION AT 734 N 7TH STREET, WITHIN THE TOWN OF SILT, COLORADO

PROCEDURE: Public Hearing

RECOMMENDATION: The Planning Commission has reviewed this application and asks that the Board approve the application as presented by staff.

SUMMARY AND BACKGROUND OF SUBJECT MATTER: The applicant has asked that he be allowed for the construction of a factory built/modular duplex that will sit on a permanent foundation.

FUNDING SOURCE: Jesse Schoeller

ORDINANCE FIRST READING DATE: N/A

ORDINANCE SECOND READING DATE: N/A

RESOLUTION READING DATE: October 13, 2020

ORIGINATED BY: Jesse Schoeller

PRESENTED BY: Planner Mark Chain

DOCUMENTS ATTACHED: Resolution No. 35, Series 2020 and Special Use Permit application

TOWN ATTORNEY REVIEW YES NO **INITIALS** _____

SUBMITTED BY:

REVIEWED BY:

Jeff Layman, Town Administrator

Sheila M. McIntyre, Town Clerk

**TOWN OF SILT
RESOLUTION NO. 29
SERIES OF 2020**

**A RESOLUTION OF THE TOWN OF SILT (“TOWN”) APPROVING THE
SCHOELLER SPECIAL USE PERMIT TO ALLOW FOR THE CONSTRUCTION
OF A FACTORY BUILT/MODULR DUPLEX STRUCTURE ON A PERMANENT
FOUNDATION AT 734 No. 7TH STREET, WITHIN THE TOWN OF SILT,
COLORADO**

WHEREAS, the applicants and land owners, Jesse & Jordan Schoeller, (hereinafter “Applicants”), of 484 Canyon Creek Drive, Glenwood Springs, CO, 81601, are the owners of a vacant property located at 734 No. 7th Street (“Property”), within the Town of Silt, Colorado (“Town”);

WHEREAS, the Property currently is vacant and zoned R-2 General Residential Zone District, and

WHEREAS, the Applicants appeared before the Town Planning and Zoning Commission on July 7, 2020 and appealed an Interpretation of the Planning Director regarding findings related to Section 17.43.030(D) regarding architectural standards related to the proposed architectural features of single family/duplex structures; and

WHEREAS, The Town Planning and Zoning Commission reached a consensus that the Planning Director had correctly interpreted Section 17.43.030(D) of the Silt municipal Code regarding said architectural features; and

WHEREAS, on or about May 25, 2020, the applicants submitted a special use permit application requesting approval of the factory built/modular structure proposed for the property; and

WHEREAS, Town staff processed the Application and forwarded the Application as well as staff comments about the Application in various memoranda to the Town Planning and Zoning Commission (“Commission”); and

WHEREAS, the Commission reviewed and discussed the Application at its regular meeting on October 6, 2020; and

WHEREAS, the Commission recommended to the Board of Trustees (“Board”) that the request be granted and that a special use permit be issued with conditions as stated in the staff report and in this resolution; and

WHEREAS, the Board held a public hearing concerning the approval of the Application and special use permit at the Board’s regularly scheduled meeting on October 13, 2020; and

WHEREAS, upon proper consideration and review of the Schoeller Special Use Permit request, the Board has determined that approval of the special use permit is in the best interests of the Town and its residents; and

WHEREAS, the Board finds that the requirements of Silt Municipal Code Chapters 17.78 and other sections have been met substantially by the Applicants and that the Schoeller Special Use Permit should be granted.

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF TRUSTEES OF THE TOWN OF SILT, COLORADO, THAT the Schoeller Special Use Permit is hereby approved for a Factory Built/Modular residential duplex structure at 734 No. 7th Street within the Town of Silt, Colorado (“Town”) subject to the following conditions:

1. That all statements made by the applicants both in the application and in meetings before the Planning & Zoning Commission and the Board of Trustees, be considered conditions of approval, unless modified in the following conditions:
2. That the applicants provide a Shared Access/Driveway Agreement satisfactory to the Planning Department and the Town Attorney which includes provisions for cooperative use and allocating maintenance costs.
3. That a 10-foot irrigation easement be provided along the Front Property boundary and along a portion of the east property boundary in order to accommodate an irrigation line to the applicant and adjacent properties and to other properties if possible.
4. That the existing power pole and overhead electric line be taken care of to the satisfaction of the Building Department and the Town during the building permit and construction process. Easements may be necessary.
5. That the applicant comply with the architectural requirements required by the Planning Director and confirmed that the July 7, 2020 Planning Commission meeting.
6. That the applicant comply with intensity of permitted use regulations outlined in Section 17.20.010 E (1-5) of the Silt Municipal Code.
7. That the applicant pay all fees related to the Town's fees related to the Special Use Permit application, including but not limited to actual public notification costs, copying and printing costs, administrative fees and any consultant costs.
8. That a utility easement be provided at the southwest corner of the property for 4 a water line and meter or that the water line and meter should be removed.

INTRODUCED, READ, PASSED AND ADOPTED at a regular meeting of the Board of Trustees of the Town of Silt, Colorado held on the 13th day of October, 2020.

TOWN OF SILT

ATTEST:

Mayor Keith B. Richel

Town Clerk Sheila M. McIntyre, CMC

STAFF REPORT

For the Board of Trustee Meeting of October 13, 2020

Application:	Schoeller Special Use Permit
Applicant & Property Owner	Jesse and Jordan Schoeller 484 Canyon Creek Drive Glenwood Springs, CO 81601
Site Location:	734 N. 7th Street
Acreage:	1.21 Acres (52,708 ft. ²)
Present Zoning:	R-2 General Residential Zone District
Present Land Use:	Vacant
Proposed Zoning:	No change requested
Public Notice:	Public notice need only occur at Board of Trustee Meeting.
Fees:	\$250.00 application fee, consultant attorney and engineer fees (if any), plus 15% administrative fee on all consultant charges (if any), plus public notice and copying charges
Adjacent Zoning:	South – Public Utility Zone District & R-3 North – R-2 General Residential Zone District West – County (Rural “R” Zone District) East – R-2 General Residential Zone District

Background

Before you tonight is a request from Jesse and Jordan Scholler for a Special Use Permit in order to build a Factory built Duplex in the Town’s R– 2 zone district. Special use permits are issued by the Board after a decision is made and a draft resolution at a public hearing. A public hearing was held before the Planning Commission on October 6. The Schoellers previously appeared in front of the Commission at the July 7 meeting to appeal the Planning Directors decision regarding architectural features on the duplex. The Planning Commission upheld the Directors Decision stating that she had correctly implemented Section 17.43.030 (D) of the Municipal Code regarding architectural features of single-family/duplex structures. It is my understanding that the applicants have made the necessary changes to their structure and wish to move forward. A copy of that portion of the Planning Commission Minutes from July 7 is attached at the end of the staff report.

I. Applicant's Description of Proposal

The applicant states that they are seeking to build a factory built duplex on land in the R-2 Zone District. The Municipal Code states that R-2 Zone District is a general residential district where medium density housing is encouraged. The applicants indicate that they are in compliance with the Comprehensive Plan by promoting infill development/redevelopment which should be a first priority for future growth. The applicants Letter of Request is included on the following page.

The subject property is approximately 1.21 acres in size and is currently vacant. It is located on 7th Street at the edge of Old Town. The site lies north/northwest of the Town's Public Works Shop and other town owned properties and south of the Eagles View Subdivision. The town also owns some vacant land southwest of the Schoeller property on the west side of 7th Street. Finally, the James Craig Bair Ranch Company owns over 100 acres to the west.

A location map is attached as well as a site plan/survey of the site from Bookcliff Surveys. The property shows a driveway on the site which currently provides access to the Carpenter Property and adjacent parcel to the west. There is also a power pole and overhead electric line which will need to be taken care of as part of the building permit and development process. Town Staff has also identified the desirability of having an irrigation easement for nontreated water along the front property line.

II. Comprehensive Plan General Policies and Goals– Designated Urban Growth Areas

Neighborhood Residential

The Comprehensive Plan as amended in 2017 designates this parcel with a Neighborhood Residential Land Use Designation. The description of this Designation indicates that properties with this Land Use Designation are expected to have medium to high densities with up to 16 units per acre. The area is also intended for a variety of housing types; including single-family dwellings, duplexes and smaller multifamily dwellings. ADU's may also be included. This site is also consistent with the locational criterion – that being designated for properties typically located north of downtown with sufficient infrastructure. The “Downtown” core can definitely benefit by having residents located in close proximity. The Comp Plan goes on to suggest that the town should use good planning techniques to intersperse higher densities with lower to medium densities in order to spread out impacts.

Policy A.1-“ Promote compact development patterns by encouraging infill and new development within the Tier 1 Primary Growth Area” is supportive of this development.

May 25, 2020

734 N 7th St Silt, Colorado 81652

To the Town of Silt Community Development:

We Jordan and Jesse Schoeller plan on building a factory built duplex in the Town of Silt on our land which is currently R2 zoning. Silt's Municipal Code states that R2 zoning is a general residential district with medium density housing encouraged. Because R2 zoning does not include factory built homes we are applying for a special use permit.

Within the Town of Silts' Comprehensive Plan; under Growth Framework; states that the Town would like to "Promote infill development/redevelopment which should be first priority for future growth, instead of continuously expanding borders with annexations" Because our property is near the downtown core, we meet this criteria of infill development. The comprehensive plan also states that it would like to promote a range of attainable housing choices and "strive for a diverse, integrated housing supply that is affordable, and accessible to all citizens within all residential zone districts"

A factory built duplex is compatible with the immediate area's surroundings because it blends in yet brings its own character to the Town of Silt while also providing housing for two families. The construction process will be less disruptive to the surrounding area because the majority of construction takes place off site. A factory built duplex will ensure that the design matches Silt's building requirements and adds to the town. This request best meets the use of the land because the building site is currently vacant and unused and being that it is currently zoned for medium density residential use, a factory built duplex is just the right amount of everything.

JESSE SCHOELLER



5/25/2020

JORDAN SCHOELLER



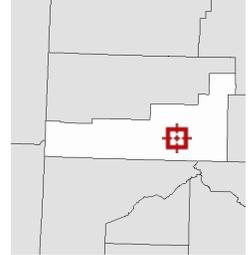
5/25/2020

Schoeller Location Map

Created by: Mark Chain



Overview



Legend

- Parcels
- Roads
- Parcel/Account Numbers
- Limited Access
- Highway
- Major Road
- Local Road
- Minor Road
- Other Road
- Ramp
- Ferry
- Pedestrian Way
- Owner Name
- Lakes & Rivers
- County Boundary Line

Economic Development

This development can also be considered to be compatible with some of the goals and policies contained in the Economic Development Component of the Comprehensive Plan. Specifically, policy C.1 “promote a viable, vibrant downtown area that serves as a hub to the community”.

While this minor development does not check all the boxes for the Action Items within this particular major policy, it is with small steps like this that a critical population mass can locate and live in close proximity to the Downtown area. Enhancement of the Downtown and encourage vibrant residential areas can help the town reach some of its land use and economic development goals.

In summary, a quick look at the Comprehensive Plan shows that this development application is consistent and in keeping with the Comprehensive Plan.

III. Pertinent Silt Municipal Code - B-1 (General Business) Zone District

17.13.020 Schedule of uses.

<u>Type of Use Requested</u>	<u>R-2 Zone District</u>
Factory built, manufactured and modular residential units on permanent foundation	Special Use Permit

(Comment: Factory built and modular residential units are called out as being allowed by Special Use Permit in the R-2 Zone District).

17.40.010 Intensity of permitted use regulations.

Subsection E. Contains the following intensity of permitted use regulations for Duplex Units as follows:

1. Each unit shall be equipped with separately tap service lines from the mainline for water, wastewater, and irrigation, on each unit’s respective property, and further supply with separate water meter and separate water curb stop;
2. Each unit shall be equipped with separately tapped service line for electricity, natural gas, cable and telephone;
3. Applicant shall apply for each duplex unit on a separate original permit, as supplied by the town;

4. Parking for each Unit shall be represented on property appurtenant to such unit, and in conformance with this code; and
5. Each Duplex Unit shall be built in conformance with the Towns of adopted building code, assuming a lot line between the firewall separating the units.

(Comment: The Applicant will have to comply with these code requirements at time of building permit and construction. The staff member is not certain in this case that each duplex unit is required to be on a separate permit, as it is one property owned by the applicant.)

17.78.010 Special use.

This land use – factory built/modular homes is called out as special use permitted in this zone district under certain conditions. A special use is granted by a special use permit which is defined at Section 17.08.550. A special use may or may not be appropriate and may or may not be allowed by the board, in its discretion.

17.78.020 When allowed.

Special uses may be permitted only upon prior approval of the board. The Board shall first receive and consider recommendations from the planning and zoning commission and town administration, and shall conduct a public hearing.

(Comment: The Planning & Zoning Commission’s recommendation is included at the end of the staff report.)

17.78.030 Review Criteria for Planning Commission Decisions

Criteria for review of Special Use Applications are:

- A. Compliance of the application with this code;
(Comment: Application is in general conformance with Chapter 17.78 Special Use Permits-
- B. Compatibility of the proposal with the character of the surrounding area;
(Comment: This proposal is in general compatibility with the surrounding area, as there are other residential uses in the immediately adjacent area. Medium density housing is allowed in this Zone District. Relatively large lot size does allow this proposal to be compatible with adjacent residential and single-family properties. There are also some duplex/townhome structures in Eagles View).
- C. Desirability and need for the proposed use;
(Comment: The proposed land use appears to be consistent with Town zoning regulations and the Comprehensive Plan)
- D. Encouragement of the most appropriate use of land throughout town;
(Comment: This land use and density is appropriate for the specific location.)
- E. Potential for adverse environmental influences that might result from the proposed use;

(Comment: a quick inspection of the property and this general location indicate that adverse environmental impacts are unlikely or would be negligible)

- E. Compatibility of the proposed use with the comprehensive plan; and
(Comment: the proposal is compatible with the Comprehensive Plan).
- F. Adequate provision for ingress and egress of vehicular and other traffic; parking, servicing and loading/unloading; refuse and service areas; utilities; screening and buffering; signage; yards and open space; and any other items determined necessary or appropriate by the board.

Discussion/comments below:

- 1. Shared Driveway. As indicated above, the property to the west accesses its lot through the subject property. I have discussed this with the applicant. Staff recommends that there be some kind of Shared Access/Driveway agreement or easement if the adjacent property is to continue to use this lot for access. It is my understanding that the two property owners are working together. A Shared Access/Easement Agreement can take care of legal issues and maintenance costs can be shared – and hopefully misunderstandings or arguments eliminated. Note: if this was not a pre-existing condition, I would recommend against shared access.**
- 2. Irrigation Easement. The Public Works Director has indicated to me that it would be a good idea to suggest that an irrigation easement be provided across the subject property. This would allow nontreated, irrigation water to be expanded in this area serving the subject site and at a minimum the adjacent property to the west/northwest. This appears to make sense and take pressure off future demand of treated water - putting off the need for expansion of the town's municipal, domestic system.**
- 3. Utilities. As noted earlier in this report, there is an existing power pole and an overhead electrical line on the subject property. This should be taken care of as part of the building permit and development process.**

17.78.040 Application – Public Hearing – Enforceability

- A. A person desiring a special use permit shall submit a written application on a form supplied by the town. The application shall address all review criteria. The town administration shall review the application and refer the same, with recommendations, to the planning and zoning commission. The planning and zoning commission shall consider the application at a regular meeting. The planning and zoning commission shall cause the application to be referred to

the board, with the town administration's recommendations and the recommendations of the planning and zoning commission.

- B. A public hearing shall be held by the board after notifying adjoining property owners of the subject property and after posting notice of such hearing at least fifteen days prior to such hearing in a public place in the community.
- C. Following the hearing, the board shall issue its decision on the application. The board may grant, deny, or grant with terms and conditions the application. On any grant of special use permit, the board may impose terms, conditions, limitations, restrictions and requirements as the board deems necessary, advisable or convenient. With any such grant, the board shall include specific provisions to assure the town's enforceability of the special use permit provisions and the applicant's continuing compliance with all of its terms, conditions, limitations, restrictions and requirements. (Ord. 12, Series of 1984 § 8 (part)).
- D. The applicant for special use permit or any other action under this chapter shall be responsible for all fees and charges incurred by the town in connection with such application, including, but not limited to, legal fees, planning fees, engineering fees, and filing or recording fees. In addition, the applicant shall submit a fifteen percent administrative fee based on the total of all consultant charges for the review of the special use permit application.

IV. Recommendation:

Staff recommends that the Board approve the Schoeller Special Use Permit and adopt Resolution No 35- Series of 2020. The following conditions of approval are included in the resolution.

- 1) That all statements made by the applicants both in the application and in meetings before the Planning & Zoning Commission and the Board of Trustees, be considered conditions of approval, unless modified in the following conditions:
- 2) That the applicants provide a Shared Access/Driveway Agreement satisfactory to the Planning Department and the Town Attorney which includes provisions for cooperative use and allocating maintenance costs.
- 3) That a 10-foot irrigation easement be provided along the Front Property boundary and along a portion of the east property boundary in order to accommodate an irrigation line to the applicant and adjacent properties and to other properties if possible.
- 4) That the existing power pole and overhead electric line be taken care of to the satisfaction of the Building Department and the Town during the building permit and construction process. Easements may be necessary.

- 5) That the applicant comply with the architectural requirements required by the Planning Director and confirmed that the July 7, 2020 Planning Commission meeting.
- 6) That the applicant comply with intensity of permitted use regulations outlined in Section 17.20.010 E (1-5) of the Silt Municipal Code.
- 7) That a utility easement be provided for water line and meter in the Southwest corner of the property or the water line and metered be relocated.

V. Planning commission action:

The Planning Commission review the application at their October 6 meeting. They recommend that you approve the special use permit and adopt Resolution No. 35-2020 with the above-noted conditions.

Recommended Motion: I move to approve the Schoeller Special Use Permit and Resolution No. 35-Series of 2020 including the 7 conditions of approval.

Attachments

Relevant Portion of Minutes of July 7, 2020 Planning Commission Meeting

Scholler Special Use Permit Application

Tab 3 – Appeal to Decision by Community Development Director regarding Compliance of Duplex Architectural Renderings and Site Plan with Chapter 17.43 of the Silt Municipal Code

At 6:36 p.m., Director Aluise reviewed the staff memo for the Commission, stating that the Schoellers are requesting approval of the architectural elements to the duplex structure proposed at 734/736 North 7th Street. She stated that her review of their architectural renderings precedes their actual Special Use Permit Application for a modular/manufactured structure. Director Aluise reviewed Section 17.43.030(D) for the Commission, with specific emphasis on (4), which states that an applicant shall provide no fewer than three roof features, upper level accents or architectural features on the front and/or side of the structure that can be seen from the street. As each unit must have twenty-five points, she used her professional judgment to arrive at twenty points for each unit, attributing five points for the lower horizontal rusting metal wainscot, five points for the bands on the corners of the structure and between the units, five points for the 'oriel' window, and five points for the roof pitch change over the doorways.

At 6:42 p.m., the Commission had the following discussion:

- The Community Development Department correctly applied the code, as the proposed unit is rather plain;
- The 'oriel' windows are proposed for small windows and would not really add architectural appeal to the units; and
- Front porches might help to both achieve points and make the units look better.

At 7:04 p.m., Jordan and Jesse Schoeller addressed the Commission, thanking them for giving direction and insight to the architectural features. Mr. Schoeller stated that it was his intent to have the lower horizontal wainscot at least one-third the building height and would amend the drawing to indicate dimensions (building height is measured from grade to midspan of roof). Mr. Schoeller also stated that he understood that the Commission did not deem the roof pitch change above the doorways as 'dormers', but would work to enhance the front entrance.

At 7:09 p.m., the Commission had consensus that Director Aluise had correctly implemented Section 17.43.030(D) of the Silt Municipal Code regarding architectural features of single family/duplex structures.

Old Business

Chair Classen inquired if the Silt area businesses are still suffering. Director Aluise stated that the Food Voucher Program, the Business Highlight Program, and the No-Interest Small Business Loan Program were all designed to help local businesses and she felt that these programs have helped both small businesses and the citizenry. However, she added that some businesses are still likely not up to pre-Covid sales/activity.

Chair Classen inquired about the Painted Pastures approvals. Director Aluise stated that the staff is reviewing the Village at Painted Pastures Final Plat/Plan now and it will be on the Board's agenda on July 27, 2020.



Land Use Application Form

<input type="checkbox"/> Amended Plat	<input type="checkbox"/> Boundary Adjustment	<input type="checkbox"/> Subdivision Exemption
<input type="checkbox"/> Annexation	<input type="checkbox"/> Sketch Plan	<input type="checkbox"/> Floodplain Development
<input type="checkbox"/> Final Plan	<input type="checkbox"/> Planned Unit Development	<input type="checkbox"/> Vacation of Right-of-Way
<input type="checkbox"/> Text Amendment	<input type="checkbox"/> Site Plan Review	<input type="checkbox"/> Re-Subdivision Final Plan
<input type="checkbox"/> Easement Agreement	<input type="checkbox"/> Zoning or Rezoning	<input type="checkbox"/> Subdivision Improvement Agreement
<input type="checkbox"/> Preliminary Plan	<input checked="" type="checkbox"/> Special Use Permit	<input type="checkbox"/> Annexation & Development Agreement
<input type="checkbox"/> Zoning Variance	Other: _____	

Project Name: Schoeller

Project Description / Property Information:
 Address: 734 N 7th ST Parcel ID Number: _____
 Legal Description (*attach additional sheets if necessary*): _____

 Access to Property: Open
 Acreage or Square Footage: _____ Existing Land Use Designation: _____
 Proposed Land Use Designation: _____
 Existing Zoning: R-2 Proposed Zoning: _____
 Proposed Use / Intensity of Use: Duplex

Submittal Requirements:

- Initially, a completed application with original signatures and four copies shall be submitted to the department for review. The application shall include four sets of 24" x 36" plans, plats and other appropriate drawings. Application must also be submitted in electronic format (MS Word).
- In addition to this application, all information on the supplemental checklist must be submitted.
- Incomplete applications will not be accepted and will delay processing.
- When the documents are deemed adequate, additional copies as required by the department shall be submitted ten (10) days before the public hearing.
- All documents submitted for public hearing shall be hole-punched, collated and paper-clipped (no staples). All plans, plats or drawings shall be folded to 8 1/2" x 11" and inserted into the collated application. Each individual application shall be banded together and ready for public distribution.

STAFF USE ONLY

Pre-app conference: _____ (date)	Application received: _____ (date)
Application complete: _____ (date)	File Number: _____
Fees: _____	Referrals Sent: _____ (date)
Deposits: _____	PZC approval: _____ (date)
Paid: _____ (date)	BOT approval: _____ (date)

Project Team Information (fill in all that apply) (add additional sheets of needed):

Property Owner(s): Name: Jesse & Jordan Schoeller Phone: _____
 Company: _____ Fax: _____
 Address: 484 Canyon Creek Dr Glenwood Springs CO 81601

Authorized Rep.: Name: _____ Phone: _____
 Company: _____ Fax: _____
 Address: _____

Engineer/Designer: Name: _____ Phone: _____
 Company: _____ Fax: _____
 Address: _____

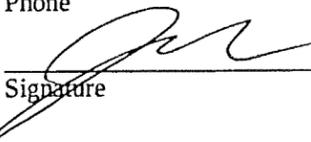
Billable Party: Owner Representative _____ Engineer _____

The Billable Party, by signing below, hereby agrees to reimburse the Town the actual costs to the Town plus 15% administrative fees for all engineering, surveying and legal services rendered in connection with the review of the Application. The Billable Party shall also reimburse the Town for the cost of making any corrections or additions to the master copy of the official Town map and for any fees for recording any plats and accompanying documents with the County Clerk and Recorder of Garfield County. The Billable Party agrees that interest shall be imposed at a rate of 1.5% per month on all balances not paid within thirty (30) days of the date of the statement. In addition to any and all remedies available to the Town and in the event the Town is forced to pursue collection of any amounts due and unpaid, the Town shall be entitled to collect attorney's fees and costs incurred in said collection efforts in addition to the amount due and unpaid.

Jesse Schoeller § _____
 Name (printed)

484 Canyon Creek Drive Glenwood Springs CO 81601
 Address

970-618-2860 _____
 Phone Fax


 Signature

 Type of Identification

Disclosure of Property Ownership

If owner is an individual, indicate name exactly as it appears on the deed.
 If owner is a corporation, partnership, limited partnership or other business entity, name principals on a separate page. Please include articles of organization, partnership agreement, etc., as applicable.
 If owner is a land trust, name beneficiaries on a separate page.
 If applicant is a lessee, indicate the owner(s) on a separate page.
 If applicant is a contract purchaser, attach a copy of the contract and indicate the owner(s) on a separate page.

Please provide the name(s), mailing address(es), street address(es) and phone number(s) for all owners.

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A PARCEL OF LAND SITUATED IN THE NE1/4SW1/4 AND THE SE1/4SW1/4 OF SECTION 3, TOWNSHIP 6 SOUTH, RANGE 92 WEST OF THE SIXTH PRINCIPAL MERIDIAN, GARFIELD COUNTY, COLORADO. SAID PARCEL OF LAND IS MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 214 WHENCE THE INTERSECTION OF NORTH SEVENTH STREET AND GRAND AVENUE IN THE TOWN OF SILT, GARFIELD COUNTY, COLORADO, BEARS: S. 00° 21'06" W. 1456.10 FEET;

(WHENCE THE WEST QUARTER CORNER OF SAID SECTION 3 BEARS: N. 60° 30'53" W. 2324.28 FEET);

THENCE N. 16° 21'00" E. 325.33 FEET;

THENCE S. 71° 00'00" E. 152.67 FEET;

THENCE S. 21° 06'00" W. 440.12 FEET;

THENCE N. 29° 17'00" W. 132.61 FEET TO A POINT ON SAID RIGHT-OF-WY LINE;

THENCE 34.89 FEET ALONG A CURVE TO THE LEFT ALONG SAID RIGHT OF-WAY LINE, HAVING A RADIUS OF 202.30 FEET, THE CHORD OF WHICH BEARS: N. 21° 14'37" W. 34.85 FEET TO THE POINT OF BEGINNING.

COUNTY OF GARFIELD,
STATE OF COLORADO

May 25, 2020

734 N 7th St Silt, Colorado 81652

To the Town of Silt Community Development:

We Jordan and Jesse Schoeller plan on building a factory built duplex in the Town of Silt on our land which is currently R2 zoning. Silt's Municipal Code states that R2 zoning is a general residential district with medium density housing encouraged. Because R2 zoning does not include factory built homes we are applying for a special use permit.

Within the Town of Silts' Comprehensive Plan; under Growth Framework; states that the Town would like to "Promote infill development/redevelopment which should be first priority for future growth, instead of continuously expanding borders with annexations" Because our property is near the downtown core, we meet this criteria of infill development. The comprehensive plan also states that it would like to promote a range of attainable housing choices and "strive for a diverse, integrated housing supply that is affordable, and accessible to all citizens within all residential zone districts"

A factory built duplex is compatible with the immediate area's surroundings because it blends in yet brings its own character to the Town of Silt while also providing housing for two families. The construction process will be less disruptive to the surrounding area because the majority of construction takes place off site. A factory built duplex will ensure that the design matches Silt's building requirements and adds to the town. This request best meets the use of the land because the building site is currently vacant and unused and being that it is currently zoned for medium density residential use, a factory built duplex is just the right amount of everything.

Parcel	Physical Address	Owner
217903200002	368 231 COUNTY RD SILT	JAMES CRAIG BAIR RANCH CO LLC
217903300001	839 N 7TH ST SILT	CARPENTER, KENNETH A & DESIREE D
217903300002	734-000736 N 7TH ST SILT	SCHOELLER, JESSE & JORDAN
217903300003	697 N 7TH ST SILT	SILT, TOWN OF
217903300006	697 N 7TH ST SILT	SILT, TOWN OF
217903300011	642 N 7TH ST SILT	SILT, TOWN OF
217903300013	192 S GOLDEN DR SILT	SILT, TOWN OF
217903300015	Not available SILT	SILT, TOWN OF
217903325001	695 N 7TH ST #1 SILT	695 NTH 7TH LLC
217903325002	693 N 7TH ST SILT	TAUSSIG, TUCKER C
217903325004	689 N 7TH ST SILT	KELLS, MATTHEW
217903325005	687 N 7TH ST SILT	DOMINGUEZ ANTILLON, IGNACIO
217903325016	Not available SILT	SKYLINE CONDO, INC
217903326004	137 S GOLDEN DR SILT	SIGNORINI, JEREMY E & REBECCA A
217903326005	149 S GOLDEN DR SILT	BOLING, MICHAEL & DIANE R
217903326006	161 S GOLDEN DR SILT	BISHOP, NEIL TIMOTHY & SHERRONNA PATRICIA
217903326021	97 FIRST MESA DR SILT	SILT, TOWN OF
217903326022	331 FIRST MESA DR SILT	SILT, TOWN OF
217903326023	150 S GOLDEN DR SILT	SANCHEZ, OSCAR G & DIANA L
217903326024	156 S GOLDEN DR SILT	LOVAS, SAMANTHA N
217903326025	162 S GOLDEN DR SILT	WILLIAMS, LANCE A & ALYSSA L
217903326033	173 S GOLDEN DR SILT	CLARK, CARRIE M TRUST
217903326034	179 S GOLDEN DR SILT	FULK, CODY & MICHAELA
217903326039	181 S GOLDEN DR SILT	BROOKS, KASEY & BROOKS, CHRISTINE
217903326040	185 S GOLDEN DR SILT	GOMEZ, MOISES
217903339003	Not available SILT	SILT, TOWN OF

Account Num	Mailing Address
R200390	66418 HIGHWAY 6 & 24 GLENWOOD SPRINGS, CO 81601
R200216	738 N 7TH STREET SILT, CO 81652
R200137	484 CANYON CREEK DRIVE GLENWOOD SPRINGS, CO 81601
R350550	PO BOX 70 SILT, CO 81652
R350549	PO BOX 70 SILT, CO 81652
R350551	PO BOX 70 SILT, CO 81652
R350817	PO BOX 70 SILT, CO 81652
R083040	PO BOX 70 SILT, CO 81652
R350421	1262 GRAND AVENUE SILT, CO 81652
R350422	693 N 7TH STREET SILT, CO 81652
R350424	689 7TH STREET SILT, CO 81652
R350425	200 W 20TH STREET #C25 RIFLE, CO 81650
R350522	699 NORTH 7TH STREET SILT, CO 81652
R350967	137 S GOLDEN DRIVE SILT, CO 81652
R350968	149 S GOLDEN DRIVE SILT, CO 81652
R350969	161 S GOLDEN DRIVE SILT, CO 81652
R351043	PO BOX 70 SILT, CO 81652
R351044	PO BOX 70 SILT, CO 81652
R351152	993 E 18TH STREET RIFLE, CO 81650
R351153	156 S GOLDEN DRIVE SILT, CO 81652
R005374	162 S GOLDEN DRIVE SILT, CO 81652
R008502	4630 MOUNTAIN SPRINGS ROAD GLENWOOD SPRINGS, CO 81601
R008503	179 S GOLDEN DRIVE SILT, CO 81652
R042033	181 S GOLDEN DRIVE SILT, CO 81652
R042034	170 CEDAR HILLS ROAD SILT, CO 81652-9588
R083503	PO BOX 70 SILT, CO 81652

PUBLIC NOTICE

You are hereby notified that the Town of Silt Planning & Zoning Commission will conduct a Public Hearing to consider the following application. The Public Hearing will be held on July 7, 2020 at 6:30 p.m. in the Council Chambers at Silt Town Hall, 231 N. 7th Street.

Applicant: Jesse & Jordan Schoeller
Property Owner: Same
Subject Address;
Description: 734/736 N. 7th Street, a 1.21 acre parcel southeast of the Eagles
View Subdivision
Legal Description: Parcel # 217903300002
Section: 3 Township: 6 Range: 92 TR in the S1/2NESW
Applicant Request: Construction of a factory-built duplex dwelling on a parcel
zoned R-2, General Residential District

For more information, please contact the Town of Silt Community Development Department:

Mailing address: P.O. Box 70, Silt, CO 81652
Town Hall address: 231 N. 7th Street, Silt, CO 81652
Phone: (970) 876-2353 Ext. 108
Fax: (970) 876-2937
Email: jaluisse@townofsilt.org

May 25, 2020

734 N 7th St Silt, Colorado 81652

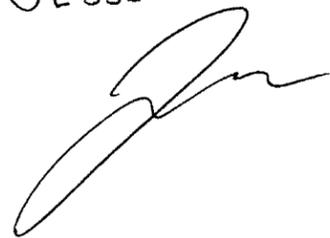
To the Town of Silt Community Development:

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Within the Town of Silts' Comprehensive Plan; under Growth Framework; states that the Town would like to "Promote infill development/redevelopment which should be first priority for future growth, instead of continuously expanding borders with annexations" Because our property is near the downtown core, we meet this criteria of infill development. The comprehensive plan also states that it would like to promote a range of attainable housing choices and "strive for a diverse, integrated housing supply that is affordable, and accessible to all citizens within all residential zone districts"

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JESSE SCHOELLER



5/25/2020

JORDAN SCHOELLER



5/25/2020

Good morning Janet,

Attached is the SUP. I am also attaching our new renderings.
I will either drop a check in the mail or drop it off this afternoon. Let me know if you have any questions.

Thank you

Jesse

On Fri, Aug 7, 2020 at 10:43 AM Janet <janet@townofsilt.org> wrote:

Fabulous, Jesse. We will not go back to P&Z, except with the completed SUP application. I will gladly take your resubmittals and your fee. Thanks so much!

Janet Aluise

Sent from my iPhone

> > On Aug 7, 2020, at 9:05 AM, Jesse Schoeller <schjesse2@gmail.com> wrote:

> Good morning Janet,

>

> Hope you have been well. We have made some changes to the duplex. We have added covered porches to the front and a few other things. We are also having more professional looking renderings drawn up right now.

>

> Do we need to get on the schedule for another meeting with the board?

>

> Thank you,

>

> Jesse & Jordan Schoeller

> 970-618-2860

>

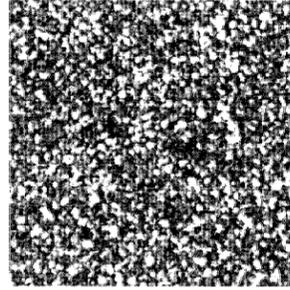
> Sent from my iPhone

Exterior Siding Color

Roof (shingle) Color

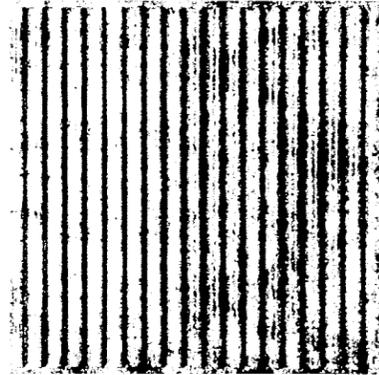


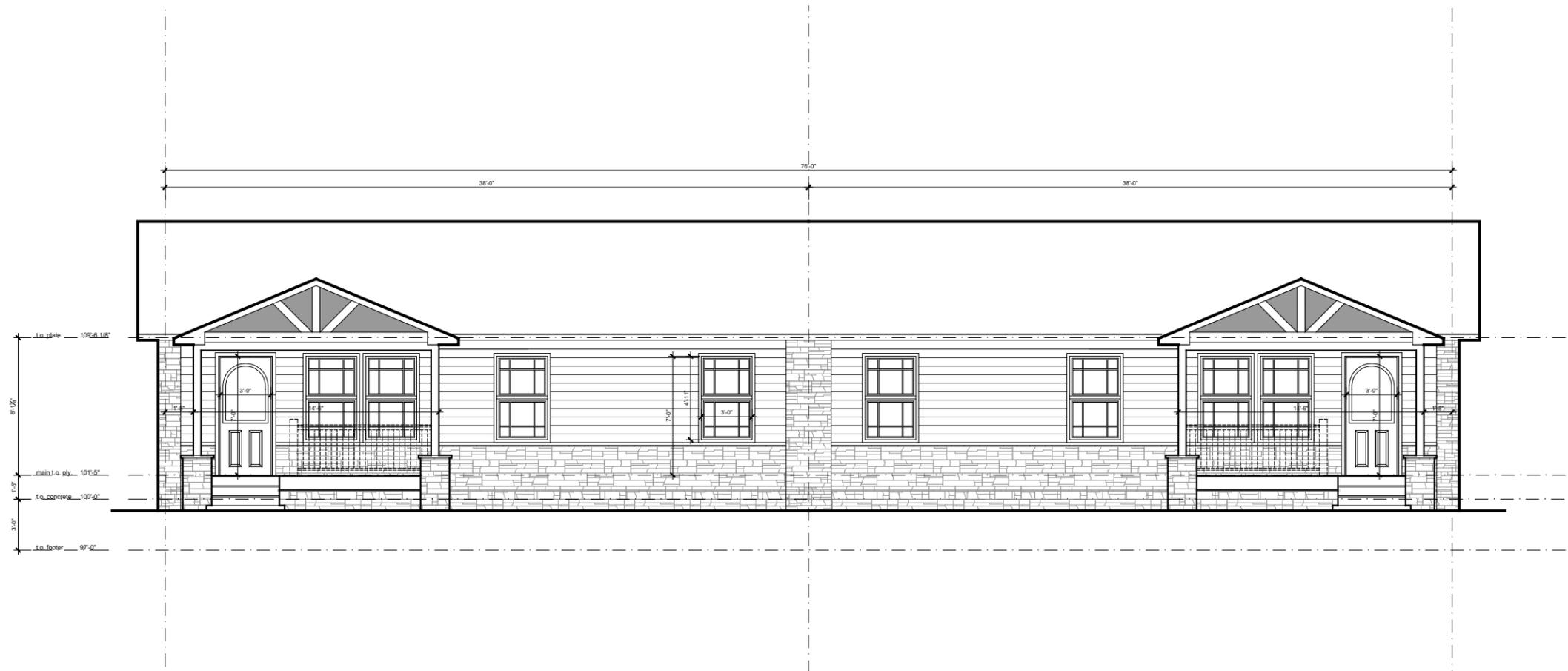
Flagstone



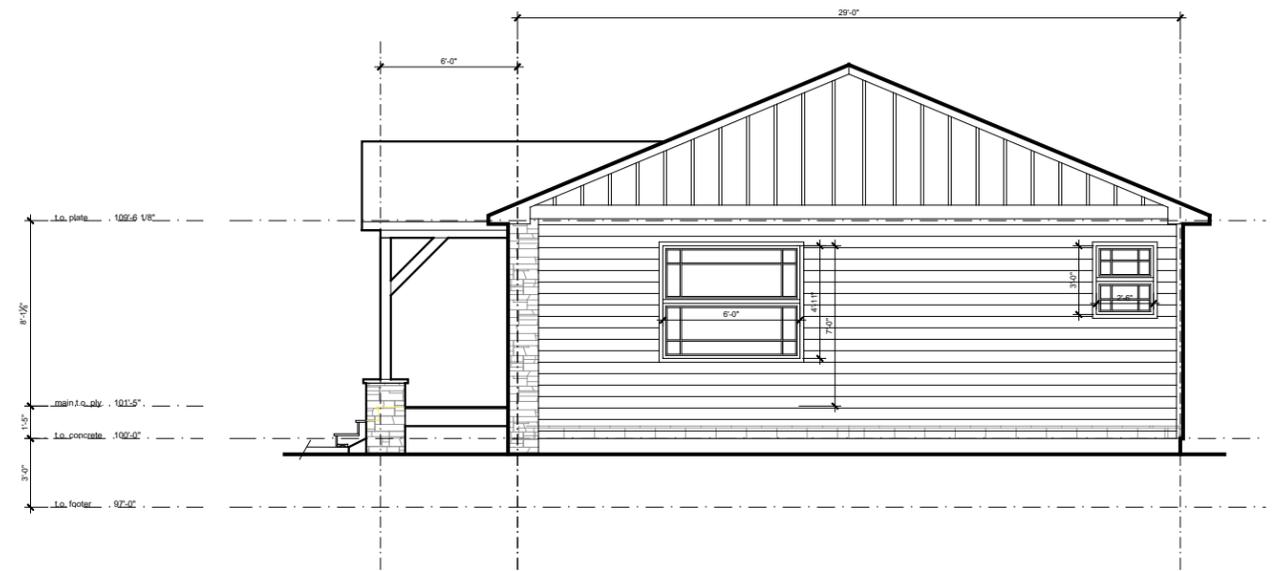
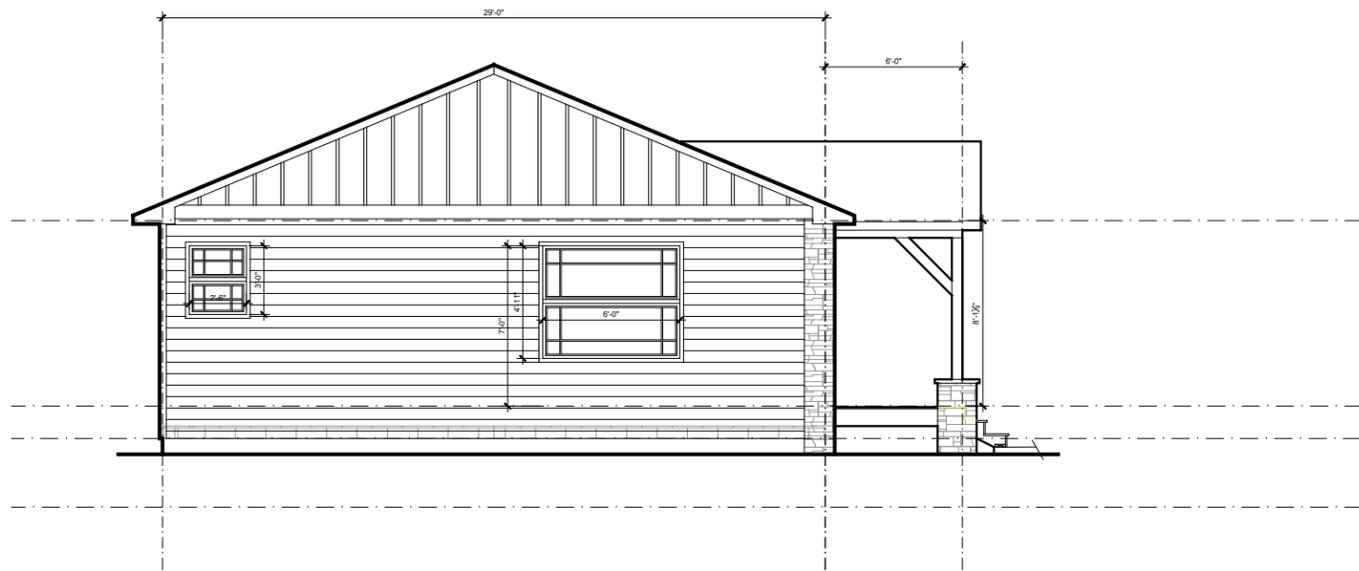
Rustic Redwood

Wainscotting is Rusted Tin

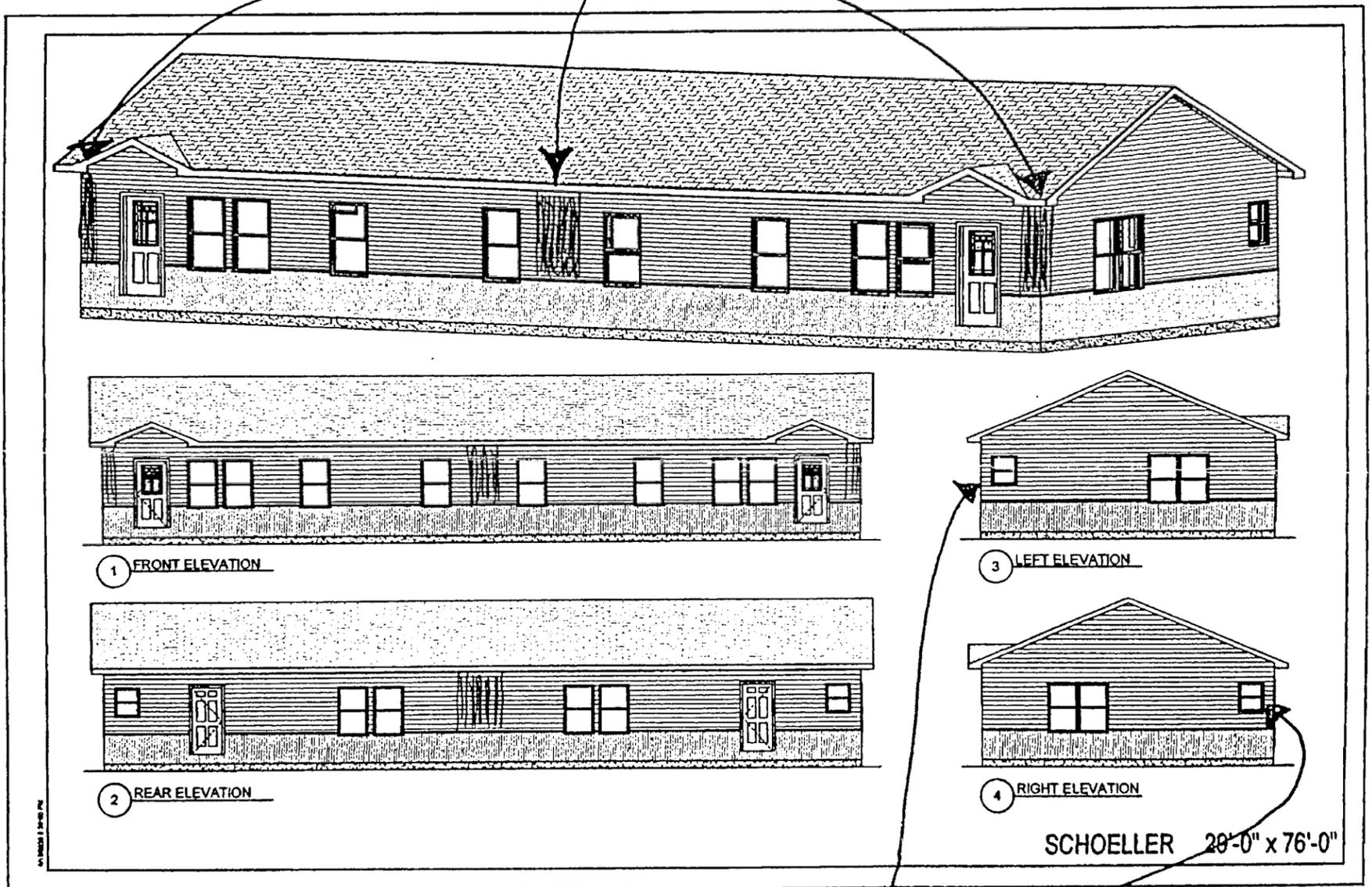




1



Add wainscot
accent to eave



Add "NOTE"
stating "oriel window"

**TOWN OF SILT
BOARD OF TRUSTEES REGULAR MEETING
October 13, 2020**

AGENDA ITEM SUMMARY

SUBJECT: Village at Painted Pastures Final Plat

PROCEDURE: (Public Hearing) Resolution No. 18, Series 2020, A RESOLUTION OF THE TOWN OF SILT, COLORADO APPROVING A MINOR SUBDIVISION FINAL PLAN AND PLAT FOR PROPERTY KNOWN AS THE VILLAGE AT PAINTED PASTURES ANNEXATION, LOCATED SOUTH OF THE EXISTING PAINTED PASTURES SUBDIVISION AND EAST OF THE LYON COMMERCIAL PLANNED UNIT DEVELOPMENT, WITHIN THE TOWN OF SILT, GARFIELD COUNTY, STATE OF COLORADO (*continuance requested to October 26, 2020*)

RECOMMENDATION: The applicants request a continuance.

SUMMARY AND BACKGROUND OF SUBJECT MATTER: On May 26, 2020, the Board approved Ordinances 3 and 4 (Annexation and Zoning). The Ordinances, Annexation and Development Agreement and the Annexation Plat have all been recorded. On April 8, 2020, the Planning & Zoning Commission approved the Village at Painted Pastures Sketch Plan (3 lot minor subdivision) and at their October 6, 2020 meeting they approved the applicant's Site Plan application with modifications.

FUNDING SOURCE: Raley Ranch Project, LLC

ORDINANCE FIRST READING DATE: N/A

ORDINANCE SECOND READING DATE: N/A

RESOLUTION READING DATE: October 13, 2020 (continuance requested)
 September 14, 2020 (continuance requested)
 August 24, 2020 (re-noticed by applicant)
 July 13, 2020 (continuance requested)

ORIGINATED BY: Raley Ranch Project, LLC

PRESENTED BY: Attorney Sawyer

DOCUMENTS ATTACHED: N/A

TOWN ATTORNEY REVIEW [] YES [x] NO INITIALS _____

SUBMITTED BY:

REVIEWED BY:



Jeff Layman, Town Administrator



Sheila M. McIntyre, Town Clerk

Sheila McIntyre

From: landstudio2@comcast.net
Sent: Thursday, October 8, 2020 11:49 AM
To: davis@coloradopanning.com; Jeff Layman; Michael Sawyer; Sheila McIntyre; Deric Walter
Cc: Chad J. Lee; Russ Hatle; John Reed; Yancy Nichol; Colby Christoff; Cate Love; Julie Pratte
Subject: Continuance Request

Dear Town of Silt:

The Applicant for the Village at Painted Pastures Final Plat application requests a continuance for the Town of Silt Trustee's review of the Final Plat from October 13, 2020 to October 26, 2020. Having just received the Village at Painted Pastures Site Plan approval this week, the Applicant and consultant team are currently working on identifying improvements for which security needs to be posted with the Town, phasing of park improvements, requirements in the landscape agreement for the roundabout, and edits to the Final Plat. This continuance will allow the Applicant to address these issues prior to the October 26, 2020 meeting with the Town of Silt Trustees.

Please call or email with discussion and we appreciate the Town's consideration of this request.

Best,

Doug

Douglas Pratte, ASLA
The Land Studio, Inc.
365 River Bend Way
Glenwood Springs, Colorado 81601
(970) 927-3690 Office
(970) 948-6033 Mobile
landstudio2@comcast.net

Glenwood Springs – Main Office
201 14th Street, Suite 200
P. O. Drawer 2030
Glenwood Springs, CO 81602

Aspen
323 W. Main Street
Suite 301
Aspen, CO 81611

Montrose
1544 Oxbow Drive
Suite 224
Montrose, CO 81402

Anna S. Itenberg
Of Counsel

asi@mountainlawfirm.com

Office: 970.945.2261

Fax: 970.945.7336

**Direct Mail to Glenwood Springs*

TO: Board of Trustees

FROM: Karp Neu Hanlon

DATE: October 8, 2020

SUBJECT: Revisions to Titles 5 and 17 of Municipal Code Related to Marijuana Licensing and Land Use Regulations

The Board of Trustees has requested staff to revise Titles 5 and 17 of the Municipal Code. Title 5 regulates the licensing of marijuana businesses and Title 17 sets forth land use regulations related to marijuana. The memo provides a general outline of the most significant revisions to Title 5 proposed in Ordinance No. 7 and revisions to Title 17 proposed in Ordinance No 12.

1. Administrative changes and updates. Titles 5 and 17 includes several references to provisions of the “Colorado Medical Marijuana Code” and “Colorado Retail Marijuana Code.” These statutes were recently repealed and reenacted into a new “Colorado Marijuana Code.” Ordinance Nos. 7 and 12 revise definitions and statutory citations contained in Titles 5 and 17 so they are consistent with the current version of the Colorado Marijuana Code. In addition, many of the definitions in Section 5.32.030 are also set forth in Section 17.73.020. We revised those definitions in Chapter 17.73 to simply reference Section 5.32.030 so the Code does not have two sets of definitions for the same terms.
2. Restrictions on number of marijuana businesses. Section 5.32.060 was revised to limit the number of marijuana stores, medical or retail, permitted in the Town based on the population. Specifically, one marijuana store is permitted for every 1,500 people living in the Town or a fraction thereof.
3. Prohibiting hearing on marijuana business license until receipt of all required land use approvals. Sections 5.32.060 and 5.32.070 were revised to clarify that an applicant must obtain a special use permit, if required, and any other land use approvals that are required for a marijuana business under Title 17 before the Board will hold a public hearing on the license application.

4. Removal of sign regulations. Detailed provisions regulating signs and advertising of marijuana businesses that were previously in the Colorado statutes have been repealed, and no new statutory provisions or regulations have been enacted. To avoid any First Amendment challenges relating to the regulation of signs in the Town, the detailed sign and advertising regulations that were set forth in section 5.32.200 have been deleted. Sections 5.32.200 and 17.73.030 now simply state that signs must comply with the Code and state law. If and when the state issues new regulations regarding signs and advertising, the Town can apply those regulations to marijuana businesses within the Town.
5. Industrial hemp. Section 17.73.026 was revised to clarify that a property owner can engage in the minor cultivation of industrial hemp, defined as two plants per residential lot, without a special use permit in designated zone districts.
6. Restrictions on the location of marijuana businesses. The Code currently prohibits two marijuana businesses, excluding marijuana testing facilities, from being located within 500 feet of each other and prohibits a marijuana business from being located within 500 feet of a school that is not in a commercial or business zone district. The Board of Trustees requested that additional limitations and restrictions be placed on where a marijuana business may be located within the Town. Section 17.73.030 was therefore revised to prohibit a marijuana business from being located within 500 feet of a place of worship, public park, playground, recreation area, or drug or treatment facility and to prohibit more than one marijuana store in the “Downtown area.” Downtown area is defined as “that area between 1st Street and 16th Street, and between Front Street and Home Avenue.” Since there are currently two marijuana stores located in the Downtown area, the second store to receive a business license would be deemed a pre-existing, nonconforming use. Pursuant to Code Section 17.76.020, if the store closes or ceases to operate for 60 days, it will no longer be permitted to operate in the Downtown area. Other regulations were added to address maximum store size, odor, signage, and visibility.
7. Prohibition of delivery to retail marijuana consumer. Colorado now permits local governments to issue a delivery license allowing the delivery of retail marijuana to a consumer. Although businesses within the Town are not permitted to deliver retail marijuana unless the Code expressly authorizes it, we added Section 17.73.110 to ensure that businesses from outside of the Town cannot and do not deliver within the Town.

The remaining revisions are mostly housekeeping issues and are pretty self-explanatory. We will be happy to provide further clarification and address any questions you have at the public hearing.

Very truly yours,

KARP NEU HANLON, P.C.



Anna S. Itenberg

**TOWN OF SILT
ORDINANCE NO. 7
SERIES OF 2020**

AN ORDINANCE OF THE TOWN OF SILT, COLORADO (“TOWN”) AMENDING VARIOUS SECTIONS OF CHAPTER 5.32 OF THE SILT MUNICIPAL CODE (“CODE”) RELATED TO THE LICENSING OF MEDICAL MARIJUANA AND RETAIL MARIJUANA BUSINESSES WITHIN THE TOWN OF SILT, GARFIELD COUNTY, STATE OF COLORADO

WHEREAS, pursuant to C.R.S. Section 31-15-103 and Section 1 of the Town’s Home Rule Charter, the Board of Trustees (“Board”) of the Town has the authority to make and publish ordinances necessary and proper to provide for the safety, preserve the health, promote the prosperity, improve the morals, order comfort and convenience of such municipality and the inhabitants thereof; and

WHEREAS, pursuant to the Colorado Constitution Art. XVIII, Section 16, (5)(f): “A locality may enact ordinances or regulations, not in conflict with this section or with regulations or legislation enacted pursuant to this section, governing the time, place, manner and number of marijuana business operations;” and

WHEREAS, the Board wishes to make amendments to various sections of Chapter 5.32 of the Silt Municipal Code related to the licensing and regulation of medical marijuana and retail marijuana businesses within the Town of Silt; and

WHEREAS, the Town gave proper and timely published and/or posted notice of the dates and times of the public hearings at which the Board considered this ordinance; and

WHEREAS, on or about October 12, 2020, the Board approved Ordinance 7, Series of 2020 upon first reading, a public hearing; and

WHEREAS, on or about October 26, 2020, the Board approved Ordinance 7, Series of 2020, upon second reading, after determining that the adoption of this ordinance is necessary and proper to provide for the safety, health, prosperity and order of the Town.

NOW, THEREFORE, THE BOARD OF TRUSTEES OF THE TOWN OF SILT, COLORADO, ORDAINS AS FOLLOWS:

Section 1

The following sections of Chapter 5.32 are hereby amended as follows double underlined text added and ~~strike through language deleted~~:

5.32.010 Legislative intent, findings and purpose.

The purpose of this article is to establish certain requirements for the licensing and regulation of medical and/or retail marijuana ~~businesses~~ establishments. Sections 14 and 16 of Article XVIII of the Colorado Constitution and ~~Articles 43.3 and 43.4 of Title 12, 10 of Title 44,~~ C.R.S. vests the ~~B~~board of ~~T~~trustees of the Town of Silt with the option to determine whether to license medical and/or retail marijuana ~~establishments-businesses~~ within the boundaries of the town. The purpose of this article is to authorize such licensing for medical and/or retail marijuana ~~establishments-businesses~~ within the town pursuant to the requirements of this article, and to designate a local licensing authority ("authority") to issue and process applications submitted for a license within the town. This article is intended to exercise the authority granted by the C.R.S. pursuant to Amendments 20 and 64 to the Colorado Constitution and for the town to adopt licensing requirements that are supplemental to and/or stricter than, the requirements set forth in state law. The purpose of this article is to license and regulate medical and/or retail marijuana ~~establishments-businesses~~ in the interest of public health, safety and general welfare of the community.

5.32.020 Authority

The town board of trustees hereby finds, determines and declares that it has the power to adopt this article pursuant to:

1. The Local Government Land Use Control Enabling Act, Article 20 of Title 29, C.R.S.;
2. Part 3 of Article 23 of Title 31, C.R.S. (concerning municipal zoning powers);
3. Section 31-15-103, C.R.S. (concerning municipal police powers);
4. Section 31-15-401, C.R.S. (concerning municipal police powers);
5. Section 31-15-501, C.R.S. (concerning municipal authority to regulate businesses);
6. The authority granted to home rule municipalities by Article XX of the Colorado Constitution;
7. Sections 14 and 16 of Article XVIII of the Colorado Constitution;
8. The Colorado ~~Medical~~ Marijuana Code;
9. ~~The Colorado Retail Marijuana Code; and~~
10. ~~Section 1-2 of the Town of Silt Home Rule Charter.~~

5.32.030 Definitions

- C. "Applicant" means a person who has submitted an application for a license to operate a medical marijuana and/or retail marijuana ~~establishment~~business pursuant to this code and Sections 14 and 16 of Article XVIII to the Colorado Constitution.
- D. "Authority" or "local licensing authority" means the Town of Silt Medical/Retail Marijuana ~~Establishment~~Business Licensing Authority.
- E. "Town administrator" means the Town Administrator of the Town of Silt, or his designee.
- F. "Colorado ~~Medical~~ Marijuana Code" means Article ~~43.3~~10 of Title ~~12~~44 of the C.R.S., inclusive of rules and regulations promulgated thereunder, and as the same may be amended from time to time.
- G. "~~Colorado Retail Marijuana Code~~" means ~~Article 43.4 of Title 12 of the C.R.S., inclusive of rules and regulations promulgated thereunder, and as the same may be amended from time to time.~~
- H. "Crime of violence" shall have the same meaning as set forth in C.R.S. § 18-1.3-406 whether committed in Colorado or another state.
- H. "Cultivation" means the process by which a person promotes the germination and growth of a seed to a mature marijuana plant. Cultivation does not include the storing or watering of mature marijuana plants without the aid of grow lighting.
- J. "Day" means a calendar day, unless otherwise indicated.
- K. "Good cause" means and includes: (1) the licensee has violated, does not meet or has failed to comply with any of the terms, conditions or provisions of this code and any rule and regulation promulgated pursuant to this chapter or the C.R.S.; (2) the licensee has failed to comply with any special terms or conditions that were placed on its license at the time the license was issued pursuant to an order of the Colorado Department of Revenue or local licensing authority; or (3) the licensee's medical marijuana and/or retail marijuana ~~establishment~~business has been operated in a manner that adversely affects the public health, welfare or safety of the immediate neighborhood in which the medical marijuana and/or retail marijuana ~~establishment~~business is located.
- L. "License" means a license to operate a medical marijuana and/or retail marijuana ~~establishment~~business issued pursuant to this code.
- M. "Marijuana accessories" shall have the same meaning as set forth in Amendments 20 and/or 64, or as may be more fully defined in the C.R.S.
- N. "~~Marijuana cultivation facility~~" means ~~an entity which grows, prepares and packages marijuana to medical marijuana stores, to marijuana clubs, to retail marijuana stores, to marijuana products manufacturersing facilities and/or to other marijuana cultivation facilities in accordance with Amendments 20 and/or 64 of the Colorado Constitution, but not to consumers.~~

- Ø. "Marijuana club" means a place not used for residential purposes where individuals gather to consume or grow marijuana, regardless of whether such place calls itself private or public or charges an admission or membership fee.
- N. "Marijuana cultivation facility" means an entity which grows, prepares and packages marijuana to medical marijuana stores, to marijuana clubs, to retail marijuana stores, to marijuana products manufacturers and/or to other marijuana cultivation facilities in accordance with Amendments 20 and/or 64 of the Colorado Constitution, but not to consumers.
- PO. "Marijuana products manufacturing facility" means an entity which purchases marijuana; manufactures, prepares and packages marijuana products and/or sells marijuana and marijuana products to other marijuana products manufacturing facilities and/or to medical marijuana and/or retail marijuana stores, but not to consumers, in accordance with Amendments 20 and 64, and Titles 5 and 17 of this code.
- QP. "Marijuana testing facility" means an entity which analyzes and certifies the safety and potency of marijuana in accordance with Amendment 20 and/or Amendment 64, and Titles 5 and 17 of this code.
- RQ. "Medical marijuana" shall have the same meaning as set forth in Amendment 20, or as may be more fully defined in the Colorado ~~Medical~~ Marijuana Code.
- SR. "Medical marijuana business establishment" means a medical marijuana ~~store center~~, a medical marijuana cultivation facility, medical marijuana testing facility ~~an optional premises cultivation operation~~, and a medical marijuana-infused products manufacturing operation as more fully defined in the Colorado ~~Medical~~ Marijuana Code.
- TS. "Operating fees" means fees that must be paid by a licensee for the costs of administering and enforcing this chapter as set forth in Amendment 64 and the Colorado ~~Retail~~ Marijuana Code.
- UT. "Retail marijuana" shall have the same meaning as set forth in Amendment 64, or as may be more fully defined in the Colorado ~~Retail~~ Marijuana Code.
- VU. "Retail marijuana ~~establishment~~ business" means a ~~marijuana club~~, a retail marijuana store, a retail marijuana cultivation facility, a retail marijuana products manufacturing facility, or a retail marijuana testing facility as ~~set forth in Section 16 or Article XVIII of the Colorado Constitution or as may be more fully defined in the Colorado~~ ~~Retail~~ Marijuana Code.
- WV. "Retail marijuana store" means an entity that is licensed in accordance with the Colorado ~~Retail~~ Marijuana Code and this ~~chapter~~ article to purchase marijuana from marijuana cultivation facilities, to purchase marijuana and marijuana products from marijuana products manufacturing facilities, and to sell marijuana and marijuana products to consumers.
- X. ~~"School" means a public or private preschool, elementary school, middle school, junior high, or high school.~~

~~YW.~~ "State licensing authority" means the authority created for the purpose of regulating and controlling the licensing of the cultivation, manufacture, distribution, testing, and sale of regulated marijuana in Colorado.

5.32.040 - License required for medical and/or retail marijuana establishments.

- A. No person shall operate a medical and/or retail marijuana ~~establishment~~business within the town without a valid license issued in accordance with this code.
- B. Any requirements set forth in this code shall be in addition to, and not in lieu of, any other requirements imposed by any state or local law.
- C. ~~The issuance of any medical and/or retail marijuana establishment license pursuant to this code does not create an exception, defense or immunity to any person in regard to any potential criminal liability the person may have for the production, distribution or possession of marijuana, except in the silt municipal court.~~

5.32.050 - Local licensing authority.

- A. There shall be and is hereby created the Town of Silt Medical/Retail Marijuana ~~Establishment~~Business Licensing Authority, hereafter to in this code as the "authority" or the "local licensing authority."
- B. The authority shall be the town board of trustees. The board of trustees may, by resolution, delegate its authority set forth in this code to the town administrator.
- C. The authority shall have the duty and power pursuant to the Colorado ~~Medical Marijuana Code and/or the Colorado Retail Marijuana Code~~, as well as this code to grant or refuse licenses in a manner provided by law.
- D. The authority shall have the power to promulgate rules and regulations concerning the procedures for hearings before the authority.
- E. The authority shall have the power to require any applicant or licensee to furnish any relevant information required by the authority.
- F. The authority shall have the power to administer oaths and issue subpoenas to require the presence of persons and the production of papers, books and records at any hearing which the authority is authorized to conduct.
- G. The local licensing authority shall possess all powers given to local licensing authorities by the provisions of the Colorado ~~Medical Marijuana Code and/or the Colorado Retail Marijuana Code~~ and rules and regulations promulgated thereunder. Any decision made by the authority to grant or deny a license, to revoke or suspend a license, to conditionally grant a license, or to renew or not renew a license shall be a final decision which may be appealed to the district court pursuant to Rule 106(a)(4) of the Colorado Rules of Civil Procedure. No defense or objection may be presented for judicial review unless it is first presented to the authority prior to the effective date of the authority's decision.

5.32.060 – General licensing procedures.

- A. For the purpose of regulating medical marijuana and/or retail marijuana ~~establishments~~businesses, the authority, in its sole discretion, upon application in the prescribed form, may issue and grant to the applicant a local license for a medical marijuana and/or retail marijuana ~~establishment~~business, subject to the restrictions provided in this code, Sections 14 and 16 of Article XVIII of the Colorado Constitution and the Colorado Medical Marijuana and/or the Colorado Retail Marijuana Code.
- B. The number of medical and/or retail marijuana stores permitted in the town is based on population. A maximum of one medical or retail marijuana store shall be permitted for every 1,500 people living within the town or a fraction thereof (i.e. a maximum of two marijuana stores is allowed for a population of 3,200 people). Population shall be determined by the most recent data available from the U.S. Census Bureau and the State demographer's office.
- B.C. The authority shall issue a license under this code when, after thorough consideration of the application in a public hearing, and from review of such other information as required by this code or the Colorado Medical Marijuana Code and/or the Colorado Retail Marijuana Code, the authority determines that the application~~at~~ complies with all of the requirements of this code and the Colorado Medical Marijuana Code and/or the Colorado Retail Marijuana Code, including the following:
1. The application, including any required attachments and submissions, is complete and signed by the applicant;
 2. The applicant has paid the marijuana business application fee as set by the board of trustees by resolution annually, or more often as necessary;
 3. The application does not contain a material falsehood or misrepresentation;
 4. The location of the proposed licensed premises complies with the land use and zoning regulations set forth in Title 17, and the applicant has received a special use permit for the premises, if required, and any other approvals required by Title 17 of the code.~~The location of the medical marijuana and/or retail marijuana establishment is proposed to be located in a location permitted by this code and other applicable provisions of this code.~~
 5. The criminal history of the applicant, and the applicant's owners, officers, and managers, does not disqualify the applicant from holding a license; and
 6. The applicant meets or otherwise will meet all the requirements of this code and the Colorado Medical Marijuana Code and/or the Colorado Retail Marijuana Code.
- D. The authority shall not hold a public hearing on the license application until the requirements of paragraph C.4. of this section have been met.
- G.E. The authority shall approve, conditionally approve, or deny a license application, and shall promptly forward its decision to the state licensing authority.
- D.F. Prior to the issuance of any license, the authority shall make a finding and determination as to the good moral character of the applicant in accordance with the standards and

procedures set forth in the Colorado ~~Medical Marijuana Code and/or the Colorado Retail Marijuana Code~~. In so doing, the authority may incorporate any findings as to the good moral character previously made by the state licensing authority. The authority shall not be required to perform a criminal background check: (i) if the state licensing authority has performed a criminal background check on the applicant to the satisfaction of the authority; or (ii) if the authority issues a license conditioned on the completion and successful review of the criminal background check prior to the approval of the license;

~~E.G.~~ Upon receipt of the application for a medical marijuana and/or retail marijuana ~~business establishment~~ license, the authority shall circulate the application to the community development department and the police department, and any other department the authority deems necessary in order to determine whether the proposed ~~business~~ facility is or will be in compliance with any and all applicable local laws, rules and regulations. Each department shall review the application and provide comments to the applicant and the town clerk for inclusion into the review materials presented at the public hearing where the board considers the application;

~~F.H.~~ After approval of an application and prior to the issuance of a license, the premises proposed to be licensed shall be inspected by the building official, or his designee, to determine compliance with the town's building and other life, health and safety codes. No license shall be issued if the proposed licensed premises do not comply with the town's building and technical codes as identified by the building official or his designee in writing and provided to the applicant. Throughout the term of the license, the building official may inspect the licensed premises to determine continuing compliance with the town's codes;

~~G.I.~~ The authority shall deny any application for a license that is not in compliance with this code, the Colorado ~~Medical Marijuana Code and/or the Colorado Retail Marijuana Code~~ or any other applicable state or local law or regulation. Notwithstanding the foregoing, the authority may, in its discretion, approve the license with conditions~~issue a conditional license;~~

~~H.~~ ~~In the event the town incurs costs in the inspection, clean-up, or any other requirements to remove marijuana of any medical marijuana and/or retail marijuana establishment, the business and responsible person(s) shall reimburse the town all actual costs incurred by the town for such inspection and clean-up;~~

~~I.J.~~ In the event that a medical marijuana and/or retail marijuana ~~establishment~~business does not commence operations within 60 days of issuance of a license from the town, the license shall be deemed forfeited and the business may not commence operations. The Town administrator, in his sole discretion, may grant one extension of 60 days for a business to commence operations upon receiving proof that construction activities have commenced and adequate progress has been made toward opening the medical and/or retail marijuana ~~establishment~~business.

5.32.070 - Application for license.

B. The application must include the following:

2. Consent from the landowner if the proposed premises will be leased. If the owner(s) of the proposed medical marijuana and/or retail marijuana business establishment is not the owner of the proposed licensed premises, the applicant shall provide written authorization to the town from the owner to enter the property for inspection of the proposed licensed premises on a form approved by the town;
3. Name(s), address(es), and social security number(s) of the owner(s) of the proposed medical marijuana and/or retail marijuana business establishment;

6. Name(s), address(es), and social security number(s) of any manager or managers of the proposed medical marijuana and/or retail marijuana business establishment;
7. An operating plan for the proposed medical marijuana and/or retail marijuana business establishment, including the following information:
 - a. A description of the products and services to be provided by the medical marijuana and/or retail marijuana business establishment;
 - b. A floor plan showing all interior dimensions of the proposed licensed premises and the layout of the medical marijuana and/or retail marijuana business establishment, including all limited access areas, areas of ingress and egress, and location(s) of all security cameras. Such floor plan shall also show the principal uses of the floor area depicted therein;
 - c. A security plan indicating how the applicant intends to comply with the requirements of this code, the Colorado Medical Marijuana Code and/or the Colorado Retail Marijuana Code, and any other applicable law, rule or regulation. The security plan should include specialized details of security arrangements and will be protected from disclosure as provided under the Colorado Open Records Act, C.R.S. § 24-72-204(2)(a)(VIII). If the town determines that such security plan and related documents are subject to inspection, it will attempt to provide at least 24 hours' advance notice to the applicant prior to such disclosure;
 - d. An area map, drawn to scale, indicating, within a radius of one-quarter mile from the boundaries of the property upon which the medical marijuana and/or retail marijuana business establishment is proposed to be located, the proximity of the property to any schools, public buildings, parks, playgrounds, recreation facilities, places of worship and religious assembly, drug or treatment facilities, and ~~or to any residential zone district within the town;~~

8. A statement of whether or not any person holding any ownership interest in the proposed medical marijuana and/or retail marijuana ~~business establishment~~ has:
 - a. Ever been denied an application for a medical marijuana ~~business establishment~~ establishment license or a retail marijuana ~~business establishment~~ license by the state or any other local jurisdiction in the state, or has ever had such a license suspended or revoked; and
 - b. Ever been convicted of a felony or has ever completed any portion of a sentence due to a felony charge.
 9. Proof that the proposed medical marijuana and/or retail marijuana ~~business establishment will be located in a location that permits such land use under this code~~ has applied for all applicable land use approvals required under Title 17 and other applicable provisions of this code;
 10. Proof that all initial application, licensing, operational, background, and other fees due and payable to properly license and operate a medical marijuana and/or retail marijuana ~~business establishment~~, and as determined by the authority, have been paid;
 11. Any additional document(s) or information requested by the authority;
 - ~~12. Proof that application is in conformance with zoning code;~~
 - ~~12~~¹³. The contents of the application shall be verified, under oath, by each person or entity holding one percent or greater interest in the proposed medical and/or retail marijuana ~~business establishment~~. The verification shall state, "I (fill in name), state under oath that I have read the contents of the application and verify its contents to the best of my knowledge and belief." Signature(s) of the verification shall be witnessed by a licensed notary public.
- C. A license issued pursuant to this code does not eliminate the need for the licensee to obtain other required town licenses and licenses related to the operation of the approved medical marijuana and/or retail marijuana ~~business establishment~~, including, without limitation:
1. Any required land use approval, ~~specifically including but not limited to~~ a special use permit pursuant to chapter 17.73 of this code and/or commercial site plan pursuant to chapter 17.42 of this code;
 2. A town business and sales tax license; and
 3. Any building permits, including mechanical and plumbing permits.

5.32.080 Denial of license.

The authority shall deny an application for a license under this code when the applicant fails to cooperate with the town during the application phase, when the applicant fails to meet all of the standards set forth in this code, when the applicant provides inaccurate or false information to the town during the application phase, or when the applicant fails to obtain any other required town license. In the case that the applicant has submitted a marijuana business license

application and a land use application concurrently, the denial of the land use application automatically terminates the marijuana license application.

5.32.090 - Authority authorized to impose conditions on license.

The authority is authorized to impose terms and conditions on a license as may be necessary to protect the public health, safety and welfare, or to ensure compliance with the requirements of this code, the Colorado Medical Marijuana Code, ~~the Colorado Retail Marijuana Code~~, or other applicable law.

5.32.100 Decision on application.

The authority shall approve, deny or conditionally approve an application within ~~30~~ 60 days of the receipt of the completed application, unless a longer period of time is necessary to process the marijuana license application. The decision and the reasons for the decision, as well as any conditions of approval, shall be in writing.

5.32.120 - Contents of license.

- A. A license shall contain the following information:
 - 1. The name of the licensee;
 - 2. The date of the issuance of the license;
 - 3. The address at which the licensee is authorized to operate the medical marijuana and/or retail marijuana business establishment;

5.32.130 - License non-transferable—Exceptions.

- A. A medical marijuana and/or retail marijuana business establishment license is not transferable or assignable, including without limitation, not transferable or assignable to a different premise, or to a different owner or licensee (than those disclosed in the application approved by the town), except in accordance with this section. A medical marijuana and/or retail marijuana business establishment license is valid only for the owner specifically identified on the license, and the specific location for which the license is issued.
- B. A licensee may transfer or assign all ownership, rights and interests in a license subject to prior application to, and approval by, the town administrator and compliance with C.R.S. §§ 44-10-312 and 44-10-313~~12-43.3-309~~ and ~~12-43.4-308~~. The town administrator may refer the transfer application to the authority for a public hearing provided that the notice of the public hearing is posted on the licensed premises in conformance with C.R.S. § 44-10-303 ~~§ 12-43.3-302(2)~~ and ~~12-43.4-302(2)~~, and the applicant has been provided with at least ten days' advance notice of the hearing. The application for any transfer of a medical marijuana and/or retail marijuana business establishment license shall contain, at a minimum, all of the information required by section 5.32.070 of this code and any supplemental information requested

in writing by the authority. Any attempt to transfer or assign a license in violation of this section or this code voids the license.

5.32.140 - Duration of license—Renewals.

- B. A licensee shall renew a marijuana business establishment license issued pursuant to this code annually. Any renewal of the license shall be governed by the standards and procedures set forth in the Colorado ~~Medical Marijuana Code and/or the Colorado Retail Marijuana Code~~, subject to any additional restrictions on renewal as provided in this code or promulgated by the authority.
- C. The licensee shall apply for renewal of the medical marijuana and/or retail marijuana business establishment license at least 45 days prior to the expiration day of the license. The licensee shall apply for renewal on forms provided by the town. If the applicant fails to apply for renewal at least 45 days before the expiration of the license, but does apply at least 24 days prior to expiration of the license, the town may process the renewal application if the applicant submits the late filing fee established pursuant to this code at the time of submittal of the renewal application:

- 3. The renewal application shall include verification that the medical marijuana and/or retail marijuana business establishment has a valid state license issued by the state licensing authority, and that such license is in good standing;

5.32.150 - Duties of licensee—Records to be maintained.

- A. It is the duty and obligation of each licensee to do the following:

- 4. Comply with the Colorado ~~Medical Marijuana Code and/or the Colorado Retail Marijuana Code~~;

- 8. Post the license in a conspicuous location at the medical marijuana and/or retail marijuana business establishment.

- B. Each licensee shall keep a complete set of books of account, invoices, copies of orders and sales, correspondence, bank statements, and all other records necessary to show fully the business transactions of such licensee. The records of the licensee shall clearly track inventory purchased and sales and disposal thereof to clearly track revenue from sales of any marijuana, paraphernalia and marijuana accessories offered by the medical marijuana and/or retail marijuana business establishment. All such books and records shall be open at all times during business hours for the inspection and examination of the town or its duly authorized representatives, including any auditor selected by the town pursuant to this section. The town may require any licensee to furnish such information as the town deems necessary for the proper administration of this code. The

records shall clearly show the source, amount, price and dates of all marijuana received or purchased, and the amount, price and dates for all marijuana sold.

- C. The town may require an audit to be made of the books and records of a medical marijuana and/or retail marijuana business establishment on such occasions as it may consider necessary. Such audit may be made by an auditor selected by the town. The expense of any audit determined necessary by the town shall be paid by the medical marijuana and/or retail marijuana business establishment.

5.32.160 - Suspension or revocation of license.

- B. Hearing—Burden of proof.

- 4. Notice of the public hearing shall comply with any other applicable provisions of the Colorado ~~Medical Marijuana Code and/or the Colorado Retail Marijuana Code~~;

- D. In the event a medical marijuana and/or retail marijuana business establishment or licensee is charged with violation of any law, upon which a final judgment would be grounds for suspension or revocation of the license, the authority may suspend the license pending the resolution of the alleged violation;
- E. If the authority revokes or suspends a license, the medical marijuana and/or retail marijuana business establishment may not move or remove any marijuana from the premises except under the supervision of the Town of Silt Police Department;

5.32.180 - Medical marijuana and/or retail marijuana business establishment requirements and restrictions.

- A. No medical marijuana and/or retail marijuana business establishment approved pursuant to this code may operate at any time between the hours of 12:00 a.m. and 8:00 a.m. Further, no medical marijuana and/or retail marijuana store approved pursuant to this code may sell marijuana at any time between the hours of 10:00 p.m. to 10:00 a.m.
- B. All medical marijuana and/or retail marijuana business establishment licenses shall be issued for a specific fixed location, which shall be considered the licensed premises.
- C. All medical marijuana and/or retail marijuana business establishment shall post a sign identifying the business and that marijuana may be located on the premises that may be viewed from any public right-of-way adjacent to the subject property; applicant shall adhere to all sign code requirements in this code, ~~and consistent with the~~ and any restrictions imposed by state law.

- D. It shall be unlawful for any medical marijuana and/or retail marijuana business establishment to employ any person at a licensed premise who is younger than 21 years of age.
- E. The name and contact information for the owner or owners and any manager of a medical marijuana and/or retail marijuana business establishment shall be conspicuously posted in the facility, together with the name and contact information of any person designated by the owner to be contacted in the event of any emergency.
- F. The medical marijuana and/or retail marijuana business establishment license, the business license and the sales tax license shall be conspicuously posted in the facility.

- I. A medical marijuana and/or retail marijuana business establishment shall be ventilated so that the odor of marijuana cannot be detected by a person with a normal sense of smell at the exterior of the medical marijuana and/or retail marijuana business establishment or at any adjoining use or property.
- J. The licensed premises shall be monitored and secured 24 hours a day, including, at a minimum, the following security measures:

- 4. Installation of a monitored user alarm system compliant with the Colorado ~~Medical Marijuana Code and/or the Colorado Retail Marijuana code~~ and any other applicable state or local regulations;

- K. No compressed, flammable gas or solvent may be used by any medical marijuana business establishment and/or retail marijuana business establishment as a method to extract THC or other cannabinoids.

5.32.190 - Persons prohibited as licensees and managers.

- A. It shall be unlawful for any of the following persons to have an ownership or a financial interest in a medical marijuana and/or retail marijuana business establishment, and no license provided by this code shall be issued to, or held by, and no medical marijuana and/or retail marijuana business establishment shall be managed by:

- 5. Any person who, in the immediately preceding 12 months had a medical and/or retail marijuana ~~facility license or retail business~~ license revoked or suspended by the state, or by a local licensing authority in the state or any jurisdiction;

- 9. ~~Any person of bad moral character as defined by the Colorado Medical Marijuana Code and/or the Colorado Retail Marijuana Code.~~

5.32.200 - Signage and advertising.

A. All signage for a medical marijuana and/or retail marijuana business establishment shall comply with the requirements of this code, including, without limitation chapter 17.73, and state law.

~~B. Any person or his agent licensed pursuant to this code may not cause advertisements, signs, displays, or other promotional material depicting marijuana use or symbols to be shown or exhibited off the premises or in any manner which is visible to the public from roadways, pedestrian sidewalks or walkways, other public place, including advertising utilizing any of the following media: any billboard or other outdoor general advertising device as defined by this code; any sign mounted on a vehicle, any hand-held or other portable sign; or any handbill, leaflet or flier directly handed to any person in a public place, left upon a motor vehicle, or posted upon any public or private property without the consent of the property owner. The prohibition set forth in this subsection shall not apply to:~~

- ~~1. Any sign located on the same zone lot as the medical marijuana and/or retail marijuana establishment which exists solely for the purpose of identifying the location of the medical marijuana and/or retail marijuana establishment and which otherwise complies with the requirements of this code;~~
- ~~2. Any advertisement contained within a newspaper, magazine, or other periodical;~~
- ~~3. Advertising which is purely incidental to sponsorship of a charitable or community event by the medical marijuana and/or retail marijuana establishment.~~

~~C. No licensed medical marijuana and/or retail marijuana establishment shall use any advertising material that is misleading, deceptive, or false, or that, as evidenced either by the content of the advertising material or by the medium or the manner in which the advertising is disseminated is designed to appeal to minors.~~

~~D. Any person licensed as a medical marijuana and/or retail marijuana store shall include in any advertisement for marijuana the following language: "FOR ADULTS 21 AND OVER ONLY. Provided, however, this language shall not be required to be displayed upon any sign identifying a medical marijuana store.~~

5.32.210 - Fees for marijuana business establishment.

A. The board of trustees shall set, by resolution annually or more often as necessary, all licensing fees, operating fees (including, but not limited to, building inspection and re-inspection fees), renewal fees, late filing fees, and all other fees necessary for the administration, regulation, and implementation of this code pertaining to medical marijuana and/or retail marijuana business establishment.

B. In addition to the fees established by this section, an applicant shall pay the town's actual ~~incurred~~ fees that are incurred as a result of review, enforcement, unannounced compliance checks, and any required removal, disposal and/or clean-up of marijuana and marijuana accessories from any marijuana business.

5.32.230 - Alcohol.

The sale or consumption of an alcoholic beverage within a medical marijuana and/or retail marijuana business establishment is strictly prohibited.

5.32.240 - Penalties—Injunctive relief.

- B. In addition to all other remedies available to the town under this code and by law, the operation of a medical marijuana and/or retail marijuana business establishment without a valid license issued pursuant to this code may be enjoined by the town in an action brought in a court of competent jurisdiction.

5.32.250 - Inspections by town; no waiver of governmental immunity.

- A. In order to ensure that a medical marijuana and/or retail marijuana business establishment is in compliance with this chapter, Amendment 20 and/or Amendment 64, and the Colorado Marijuana Code and that there are no hazards or other issues present, an annual inspection of the licensed premises may occur as follows:
 - 1. Town administrator or his or her designee shall contact establishment owner, if possible, and schedule a time for the inspection;
 - 2. If town administrator, or his or her designee, is unable to contact the establishment owner, the town administrator, or his or her designee, has full authority to inspect the medical marijuana and/or retail marijuana business establishment at the time of his or her choosing, in order to determine compliance with this section.
- B. In adopting this chapter, the town is relying on and does not waive or intend to waive by any provision of this chapter the monetary limitations or any other rights, immunities and protections provided by the Colorado Governmental Immunity Act, C.R.S. § 24-10-101 et seq., or any other limitation, right, immunity or protection otherwise available to the town, its officers or its employees.
- C. The town has no specific or inherent liability to the owner of a medical marijuana and/or retail marijuana business establishment for performing any inspection of medical marijuana and/or retail marijuana business establishment.

5.32.260 - Indemnification of town.

By accepting a license issued pursuant to this code, a licensee, jointly and severally if more than one, agrees to indemnify and defend the town, its officers, elected officials, employees, attorneys, agents, insurers and self-insurance pool against all liability, claims and demands on account of injury, loss or damage, including, without limitation, claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage or any other loss of any kind whatsoever, which arise out of or are in any manner connected with the operation of the medical marijuana and/or retail marijuana business establishment that is the subject of the license. The licensee further agrees to investigate, handle, respond to and provide defense for

and defend against any such liability, claims or demands at its expense and to bear all other costs and expenses related thereto, including court costs and attorney fees. The town administrator may require a licensee to execute a written instrument confirming the provisions of this section.

5.32.270 - Other laws remain applicable.

The provisions of this code do not protect licensees, operators, managers, employees, customers and clients of a licensed medical marijuana and/or retail marijuana business establishment from prosecution pursuant to any laws that may prohibit the cultivation, sale, use or possession of controlled substances. In addition, as of the date of the adoption of this chapter, the cultivation, sale, possession, distribution, and use of marijuana remain violations of federal and state law (except for conduct covered by Amendment 20 and/or Amendment 64), and this chapter affords no protection against prosecution under such federal and state laws. Licensees, operators, managers, employees, customers and clients of a licensed medical marijuana and/or retail marijuana business establishment assume any and all risk and any and all liability arising or resulting from the operation of the medical marijuana and/or retail marijuana business establishment under any state or federal law. Further, to the greatest extent licensed by law, any actions taken under the provisions of this chapter by any public officers, elected or appointed officials, employees, attorneys and agents of the town shall not become a personal liability of such person or the town.

5.32.280 - Compliance with state law.

- A. To the extent the state has adopted or adopts in the future any additional or stricter laws or regulations governing the cultivation, production, testing, sale or distribution of marijuana, the additional or stricter regulations shall control the establishment or operation of any medical marijuana and/or retail marijuana business establishment in the town. Compliance with any applicable state law or regulations shall be deemed an additional requirement for issuance or denial of any license under this code, and noncompliance with any applicable state law or regulation shall be grounds for revocation or suspension of any license issued hereunder.
- B. Any medical marijuana and/or retail marijuana business establishment licensed pursuant to this code may be required to demonstrate, upon demand by the authority or by law enforcement officers that the source and quantity of any marijuana found upon the licensed premises is in full compliance with any applicable state laws or regulations.
- C. Except as otherwise provided herein, the authority shall be governed by the Colorado ~~Medical Marijuana Code and/or the Colorado Retail Marijuana Code~~ now in effect or subsequently amended. In the event of any conflict between the provisions of this code and those in the Colorado ~~Medical Marijuana Code and/or the Colorado Retail Marijuana Code~~, the more restrictive shall control.
- D. If the state prohibits the cultivation, production, possession or other distribution of marijuana through a medical marijuana and/or retail marijuana business establishment, or if a medical marijuana and/or retail marijuana business establishment is denied a medical marijuana and/or retail marijuana business establishment license through the

state licensing authority or has such license revoked pursuant to the Colorado ~~Medical Marijuana Code and/or the Colorado Retail Marijuana Code~~, or if a court of competent jurisdiction determines that the federal government's prohibition of the cultivation, production, possession or other distribution of marijuana through medical marijuana and/or retail marijuana businessesestablishment supersedes state law, any license issued pursuant to this code shall be deemed to be immediately revoked by operation of law, with no ground for appeal or other redress on behalf of the licensee.

- E. A license for a medical marijuana and/or retail marijuana businessesestablishment is a revocable privilege, and no applicant therefore or holder thereof shall be deemed to have acquired any property interest therein.

Section 2

All ordinances heretofore passed and adopted by the Board of Trustees of the Town of Silt, Colorado are hereby repealed to the extent that said ordinances, or parts thereof, are in conflict herewith.

Section 3

If any section, subsection, clause, phrase or provision of this Ordinance, or the application thereof to any person or circumstance, shall to any extent, be held by a court of competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections thereof to any person or circumstance, shall remain in full force and shall in no way be affected, impaired or invalidated.

Section 4

This ordinance becomes effective thirty (30) days past the publication of this ordinance, once approved.

INTRODUCED, READ AND APPROVED ON FIRST READING, a public hearing, this ____ day of _____, 2020, at 7:00 p.m. in the Municipal Building of the Town of Silt Colorado.

PASSED, APPROVED ON SECOND READING, following a continued public hearing, ADOPTED AND ORDERED PUBLISHED, this ____ day of _____, 2020.

TOWN OF SILT

Mayor Keith B. Richel

ATTEST:

Town Clerk Sheila M. McIntyre, CMC

**TOWN OF SILT
ORDINANCE NO. 12
SERIES OF 2020**

AN ORDINANCE OF THE TOWN OF SILT, COLORADO (“TOWN”) AMENDING AND RESTATING VARIOUS SECTIONS OF CHAPTERS 17.13 and 17.73 OF THE SILT MUNICIPAL CODE (“CODE”) RELATED TO THE LAND USE REGULATION OF MARIJUANA WITHIN THE TOWN OF SILT, GARFIELD COUNTY, STATE OF COLORADO

WHEREAS, pursuant to C.R.S. Section 31-15-103 and Section 1 of the Town’s Home Rule Charter, the Board of Trustees (“Board”) of the Town has the authority to make and publish ordinances necessary and proper to provide for the safety, preserve the health, promote the prosperity, improve the morals, order comfort and convenience of such municipality and the inhabitants thereof; and

WHEREAS, pursuant to the Colorado Constitution Art. XVIII, Section 16, (5)(f): “A locality may enact ordinances or regulations, not in conflict with this section or with regulations or legislation enacted pursuant to this section, governing the time, place, manner and number of marijuana business operations;” and

WHEREAS, the Board wishes to make amendments to various sections of Chapters 17.13 and 17.73 of the Silt Municipal Code related to the land use regulation of marijuana within the Town of Silt; and

WHEREAS, pursuant to Section 17.88.010 of the Silt Municipal Code, amendments to Title 17 of the Municipal Code must be submitted to the Planning and Zoning Commission for review and recommendations; and

WHEREAS, the Town gave proper and timely published and/or posted notice of the dates and times of the public hearings at which the Planning and Zoning Commission and the Board considered this ordinance; and

WHEREAS, on or about October 6, 2020, the Planning and Zoning Commission considered and recommended approval of this Ordinance 12, Series of 2020; and

WHEREAS, on or about October 12, 2020, the Board approved Ordinance 12, Series of 2020 upon first reading; and

WHEREAS, on or about October 26, 2020, the Board approved Ordinance 12, Series of 2020, upon second reading, after determining that the adoption of this ordinance is necessary and proper to provide for the safety, health, prosperity and order of the Town.

NOW, THEREFORE, THE BOARD OF TRUSTEES OF THE TOWN OF SILT, COLORADO, ORDAINS AS FOLLOWS:

Section 1

Section 17.13.020 Appendix A is hereby amended as follows, with double underlined text added and ~~strike through language deleted~~:

X = Permitted Use; SU = Special Use; PR = Prohibited Use

	AG	R-1	R-2	R-3	B-Ind	B-1	B-2	B-3	PU	DMD
<u>Industrial Hemp Cultivation (Minor - Residential)</u>	X	X	X	X	X	PR	PR	X	PR	SU
<u>Industrial Hemp Cultivation (Major - Commercial)</u>	<u>SU</u>	<u>PR</u>	<u>PR</u>	<u>PR</u>	<u>SU</u>	<u>PR</u>	<u>PR</u>	<u>SU</u>	<u>PR</u>	<u>PR</u>
Marijuana cultivation facility	SU	PR	PR	PR	X <u>SU</u>	SU	SU	SU	PR	PR
Marijuana products manufacturing facility	SU	PR	PR	PR	X <u>SU</u>	PR	PR	X <u>SU</u>	PR	PR
Marijuana testing facility	SU <u>X</u>	PR	PR	PR	X	SU	SU	X	PR	PR
Marijuana clubs, bars, or other facilities that include or consist of the consumption of marijuana in a public setting	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR
<u>Medical marijuana store or Retail marijuana store</u>	PR	PR	PR	PR	SU	SU	SU	SU	PR	PR

Section 2

The following sections of Chapter 17.73 are hereby amended as follows double underlined text added and ~~strike through language deleted~~:

17.73.010 Purpose

The purpose and object of this chapter is to establish reasonable and uniform regulations to allow for the sale of medical and retail marijuana, the cultivation of medical and retail marijuana, the manufacturing of marijuana products, and the testing of marijuana within certain zone districts and within certain parameters pursuant to this chapter and this code. Voters approved Amendment 20 to the Colorado Constitution on November 7, 2000, as well as Amendment 64 to the Colorado Constitution on November 6, 2012, both further codified at Article XVIII, sections 14 and 16 of the Colorado Constitution, and hereinafter known as

Amendment 20 and Amendment 64, respectively. It is the desire of the town to prevent an undue concentration of medical and retail marijuana stores, marijuana cultivation facilities, marijuana products manufacturing facilities and marijuana testing facilities, as defined herein, and to attempt to mitigate the consequential secondary effects created by the concentration of such establishments businesses within the Town of Silt, and to promote the health, safety, and general welfare of the citizens of the town. Lastly, the purpose of this chapter is to prohibit marijuana clubs, bars or other facilities that include or consist of the consumption of marijuana in a public setting within the town limits and prohibit the delivery of marijuana anywhere within the town limits.

17.73.020 Definitions.

"Amendment 20" shall have the same meaning as set forth in Section 5.32.030 of the code means a voter initiated amendment to the Colorado Constitution adopted November 7, 2000, as codified as section 14 of Article XVIII to the Colorado Constitution.

"Amendment 64" shall have the same meaning as set forth in Section 5.32.030 of the code.

"~~Caregiver, marijuana~~" means a natural person, other than the patient or the patient's physician, who is 18 years of age or older and has significant responsibility for managing the well-being of a medical marijuana patient who has a debilitating medical condition. A ~~primary~~ caregiver may have one or more of the following relationships:

- a. A parent of a child as described in section 14 of Article XVIII of the Colorado Constitution;
- b. An advising caregiver who advises a medical marijuana patient on which medical marijuana products to use and how to dose them and does not possess, provide, cultivate or transport marijuana on behalf of the patient;
- c. A transporting caregiver who purchases and transports marijuana to a patient who is homebound; or
- d. A cultivating caregiver who grows marijuana within an enclosed locked space, as defined by this code, for a patient who has a medical marijuana card issued by a licensed physician;

"Colorado ~~Medical~~ Marijuana Code" means Article 43.4 10 of Title ~~12~~ 44 of the C.R.S., inclusive of all rules and regulations promulgated thereunder, and as the same may be amended from time to time.

~~"Colorado Retail Marijuana Code" means Article 43.4 of Title 12 of the C.R.S., inclusive of rules and regulations promulgated thereunder, and as the same may be amended from time to time.~~

"Industrial hemp" means a plant of the genus cannabis and any such part of such plant, whether growing or not, with a delta-9 tetrahydrocannabinol concentration that does not exceed

three-tenths of one percent on a dry weight basis, that is cultivated and processed exclusively for the purpose of producing the fiber from mature stalks of the plant, ~~fiber produced from the stalks,~~ oil or cake made from the seeds of the plant, and any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin and flowering tops extracted therefrom), fiber, oil, or cake, or the sterilized seed, or any component of the seed, of the plant this ~~that~~ is incapable of germination. Such industrial hemp may be used to produce paper, textiles, food, oils, automotive parts, and personal care products.

"Marijuana club" shall have the same meaning as set forth in Section 5.32.030 of the code.

"Marijuana cultivation facility" shall have the same meaning as set forth in Section 5.32.030 of the code. ~~means an entity which grows, prepares and packages marijuana on a commercially zoned parcel, for shipment to medical marijuana stores, to marijuana clubs, to retail marijuana stores, to marijuana product manufacturing facilities and/or to other marijuana cultivation facilities in accordance with Amendment 20 and/or Amendment 64 of the Colorado Constitution, but not to consumers. Primary caregivers providing medical marijuana to medical marijuana patients clients per this code and individuals providing marijuana for their own personal marijuana use, if within state law and this code, are not deemed marijuana cultivation facilities.~~

~~"Marijuana, medical use" means the acquisition, possession, production, use or transportation of marijuana or paraphernalia by an individual of no less than 18 years of age related to the administration of such marijuana to address the symptoms or effects of a such individual's debilitating medical condition, which may be authorized only after a diagnosis of the such individual's debilitating medical condition by a physician or physicians, as provided in Amendment 20, the Colorado Medical Marijuana Code and this section.~~

~~"Marijuana, personal use" means marijuana cultivated by an individual in a permanent or semi-permanent residential structure or an accessory building on the same property as the residential structure and permanently attached to a foundation for processing and consumption by his personal use. Notwithstanding any other provision of law, the following marijuana personal use acts are not unlawful and shall not be an offense under Colorado law or the code, or be a basis for seizure or forfeiture of assets under Colorado law for person 21 years of age or older:~~

- ~~a. Possessing, using, displaying, purchasing, or transporting marijuana accessories or one ounce or less of marijuana;~~
- ~~b. Possessing, growing, processing, or transporting no more than six marijuana plants, with three or fewer being mature, flowering plants, and possession of the marijuana produced by the allowed number of plants on the premises where the plants were grown, provided that the growing takes place in an enclosed locked space per this code, is not conducted openly or publicly on the property, and is not made available for sale;~~
- ~~c. Transfer of one ounce or less of marijuana, without remuneration, to a person who is 21 years of age or older;~~

- d. ~~Consumption of marijuana provided that nothing in this section shall permit consumption that is conducted openly and publicly or in a manner that endangers or affects others; and~~
- e. ~~Assisting another person who is 21 years of age or older in any of the acts described in paragraphs (a) through (d) of this subsection.~~

~~"Marijuana product manufacturing facility" shall have the same meaning as set forth in Section 5.32.030 of the code. means an entity which purchases marijuana; manufactures, prepares and packages marijuana products and/or sells marijuana and marijuana products to other marijuana product manufacturing facilities and/or to medical marijuana and/or retail marijuana stores in accordance with Amendments 20 and 64, and titles 5 and 17 of this code.~~

~~"Marijuana testing facility" shall have the same meaning as set forth in Section 5.32.030 of the code. means an entity which analyzes and certifies the safety and potency of marijuana in accordance with Amendment 20 and/or Amendment 64, and titles 5 and 17 of this code.~~

~~"Medical marijuana establishment/business" shall have the same meaning as set forth in Section 5.32.030 of the code. means a medical marijuana center, an optional premises cultivation operation, and a medical marijuana infused products manufacturing operation as more fully defined in the Colorado Marijuana Code.~~

~~"Medical marijuana patient" means a person who has been diagnosed with a debilitating medical condition by a physician or physicians as provided in Amendment 20, the Colorado Marijuana Code and this section.~~

~~"Medical marijuana store" shall have the same meaning as set forth in Section 5.32.030 of the code.~~

~~"Medical use" as used in this Chapter means the acquisition, possession, production, use or transportation of marijuana or paraphernalia by an individual of no less than 18 years of age related to the administration of such marijuana to address the symptoms or effects of a medical marijuana patient's debilitating medical condition, which may be authorized only after a diagnosis of the debilitating medical condition by a physician or physicians, as provided in Amendment 20, the Colorado Marijuana Code and this section.~~

~~"Personal use" as used in this Chapter means the cultivation of marijuana by an individual who is 21 years or older in an enclosed locked space for the individual's own use. Notwithstanding any other provision of law, personal use of marijuana in the following circumstances is not unlawful and shall not be an offense under Colorado law or the code, or be a basis for seizure or forfeiture of assets under Colorado law for person 21 years of age or older:~~

- a. ~~Possessing, using, displaying, purchasing, or transporting marijuana accessories or one ounce or less of marijuana;~~
- b. ~~Possessing, growing, processing, or transporting no more than six marijuana plants, with three or fewer being mature, flowering plants, and possession of the marijuana produced by the allowed number of plants on the premises where the plants were grown, provided that the growing takes place in an enclosed locked space as defined in this code, is not conducted openly or publicly on the property, and is not made available for sale;~~

- c. Transfer of one ounce or less of marijuana, without remuneration, to a person who is 21 years of age or older;
- d. Consumption of marijuana provided that nothing in this section shall permit consumption that is conducted openly and publicly or in a manner that endangers or affects others; and
- e. Assisting another person who is 21 years of age or older in any of the acts described in paragraphs (a) through (d) of this subsection.

"Retail marijuana" shall have the same meaning as set forth in Section 5.32.030 of the code, Amendment 64, or as may be more fully defined in the Colorado Retail Marijuana Code.

"Retail marijuana establishment business" shall have the same meaning as set forth in Section 5.32.030 of the code means a marijuana club, a retail marijuana store, a retail marijuana cultivation facility, a retail marijuana product manufacturing facility, or a retail marijuana testing facility as set forth in section 16 of Article XVIII of the Colorado Constitution or as may be more fully defined in the Colorado Retail Marijuana Code.

"Retail marijuana store" shall have the same meaning as set forth in Section 5.32.030 of the code.

"State licensing authority" shall have the same meaning as set forth in Section 5.32.030 of the code means the authority created for the purpose of regulating and controlling the licensing of the cultivation, manufacture, distribution, and sale of marijuana in Colorado.

17.73.026 Industrial Hemp

A property owner may grow industrial hemp on a residential property within the Town of Silt, in accordance with this code (limit of two plants per residential lot), for his/her personal use without a special use permit. If allowed by zoning code, a property owner may grow industrial hemp on an agricultural/rural property or commercial property. Such a property owner desiring to grow industrial hemp on an agricultural/rural property or a commercial property shall submit to the town a special use permit application and a business license/home occupation license application in accordance with this code. and As a condition of special use permit and business license issuance, industrial hemp cultivators on agricultural/rural or commercial properties shall annually submit to the Town results from scientific testing for such industrial hemp that indicates that the hemp has less than .3 three-tenths of one percent of delta-9 tetrahydrocannabinol. Failure to submit such results annually may result in revocation of the special use permit and/or the business license.

17.73.030 Concentration, setbacks, and prohibitions.

A. No medical or retail marijuana store business and/or retail marijuana store may shall be located:

1. Wwithin 500 feet of another any other medical or retail marijuana store business or retail marijuana store business, with the exception of marijuana testing facilities. A medical marijuana business may be located on the same licensed premises as a

retail marijuana business of the same class and ownership as long as the licensed premises meets the distance requirement from other medical and retail marijuana businesses.

2. In any residential zone district, downtown mixed-use overlay district, planned unit development district, or any other zone district not specifically allowed by the code.

~~No medical marijuana establishment and/or retail marijuana establishment may be located within any residential zone district.~~

~~B. No medical marijuana establishment and/or retail marijuana establishment may be located within 500 feet of a private or public school, including but not limited to daycares and preschools not located within a commercial or business zone district.~~

3. Within 500 feet of a private or public school including but not limited to daycares and preschools not located within a commercial or business zone district.
4. Within 500 feet of a place of worship or religious assembly; any public park, playground, or recreation facility; or a drug or treatment facility.

~~D.B. No more than one medical or retail marijuana store may be located within the Downtown area (defined as that area between 1st Street and 16th Street, and between Front Street and Home Avenue).~~

~~C. No medical and/or retail marijuana store may be located have additional marijuana establishments located within the same building or on the same lot as a marijuana testing facility or a marijuana cultivation facility; however, notwithstanding the foregoing, all other medical and/or retail marijuana establishments may apply to operate more than one medical and/or retail marijuana establishment within the same building or on the same lot.~~

~~D. A medical marijuana or retail marijuana store shall not exceed 1,500 square feet in gross floor area.~~

~~E. The number of marijuana stores permitted in the town shall be limited as set forth in section 5.32.060 of the code.~~

~~F. The odor of marijuana must not be perceptible to a person with a normal sense of smell at the exterior of the building of a licensed medical or retail marijuana business. Sufficient measures and means of preventing smoke, odors, debris, dust, fluids and other substances from exiting a medical or retail marijuana business must be provided at all times.~~

~~G. All signage and advertising for a marijuana business shall comply with all applicable provisions of this code and state law.~~

~~H. All activities of medical and retail marijuana businesses, including, without limitation, cultivating, growing, processing, displaying, manufacturing, selling and storage, shall be~~

conducted out of public view. No marijuana or paraphernalia shall be displayed or kept in a business so as to be visible from outside the licensed premises.

17.73.040 Additional permit application submittal items and public notification requirements for medical marijuana businesses establishments and/or retail marijuana businesses establishments that require a special use permit and/or commercial site plan approval.

An applicant for a medical marijuana and/or retail marijuana business establishment shall submit to the town, in addition to other requirements contained in the code, a special use permit application and/or a commercial site plan application in a form acceptable to the town, and at a minimum shall include the following:

- A. Statement detailing the proposal;
- B. Statement detailing conformance with title 5 and title 17 of this code;
- C. Vicinity map at a scale no less than 1" = 200", indicating the subject property and all schools, medical and retail marijuana businesses establishments, ~~and retail marijuana establishments~~, public buildings, parks, playgrounds, recreation facilities, places of worship and religious assembly, drug or treatment facilities, and residential zones within one-fourth mile;
- D. Site plan at a scale no less than 1" = 200', indicating the location of proposed medical marijuana and/or retail marijuana business establishment, and all other items as required for commercial businesses as delineated in chapters 17.42 and 17.49;
- E. Complete list of all property owners and licensed businesses within 500 feet, hereinafter referred to "affected property owners"; applicant shall adhere to public notification requirements in chapter 16.16 of this code, with the following exceptions:
 - 1. Instead of notifying property owners within 200 feet, applicant shall notify property owners and businesses that have a valid business license within 500 feet of the subject property, in the manner prescribed in chapter 16.16 of this code; and
 - 2. Town may not send notices per section 16.16.010(E).
- F. A sign plan for the subject property, indicating all proposed signs that may be viewed from any public right-of-way adjacent to the subject property; applicant shall adhere to all sign code requirements of this code.
- G. An odor management plan detailing what methods will be used to prevent the emission of any odor of marijuana from the licensed premises.

G.H. Payment of Fees and Costs. The applicant for a medical marijuana and/or retail marijuana business establishment special use permit shall pay a nonrefundable application fee

upon filing the application, such fee to be set by the board annually or as often as necessary, by resolution. Additionally:

1. The applicant for a medical marijuana and/or retail marijuana business establishment special use permit shall reimburse the town for any and all costs, staff fees and consultant fees incurred by the town during and after a review process associated with the application;
2. Administrative costs include, but are not limited to: publication costs, recording fees, staff review fees and any other actual out-of-pocket costs incurred by the town with regard to the review of the application;
3. Consultant fees may include, but are not limited to, all actual out-of-pocket costs incurred by the town regarding review of the application by legal, planning, engineering, and other professional advice;
4. Additionally, to partially defray administrative handling and review costs incurred by the town with regard to review of the application, the applicant for a medical marijuana and/or retail marijuana business establishment shall pay an administrative fee in an amount equal to 15 percent of all consultant fees resulting from the review and processing of all applications required by chapter 17.73-; and
5. Finally, any applicant for a medical marijuana and/or retail marijuana business special use permit shall pay to the town any outstanding invoices for review of such application as a condition of and prior to the town's approval of such special use permit.

17.73.050 Approvals necessary for operation of a medical marijuana and/or retail marijuana business establishment.

A. No medical marijuana and/or retail marijuana business establishment may operate without the planning and zoning commission's approval of a commercial site plan, if applicable, the board's approval of a special use permit, if applicable, as well as the local licensing authority and the state's approval of all required marijuana licenses ~~a medical marijuana establishment license~~.

B. No medical marijuana and/or retail marijuana business establishment may operate without having fully satisfied all conditions of each of the approvals required by chapters 5.32, 17.42, 17.49, and 17.73.

17.73.070 Additional requirements for the cultivation of medical and/or retail marijuana.

A. The purpose of this section is to provide specific requirements for the cultivation of medical and/or retail marijuana, in order to make possible the review by the town staff, the commission, the board, and the public. The intent is to identify the potential major problems and the overall infrastructure feasibility of the request. Detailed engineering plans may be required.

B. Application Requirements: An applicant for a medical and/or retail marijuana cultivation facility shall submit a site plan and application with the following information:

1. An estimate of the proposed electrical requirements, and a plan to build and/or modify the existing facilities to accommodate the medical and/or retail marijuana facility;
2. An estimate of the proposed potable and/or non-potable water requirements, and a plan to build and/or modify the existing facilities to accommodate the medical and/or retail marijuana facility, as well as an analysis of water rights dedication and tap fee payments, if necessary, in conformance with chapters 13.02, 13.04, and 16.18;
3. An estimate of the number of proposed plants, and a plan to mitigate mold, fungi, and pests;
4. A description of the waste, chemical and bioproduct storage and disposal measures required to operate the facility;
5. An overview of the type of security system, with a specific estimate regarding the numbers of cameras and other monitoring equipment;
6. A Floor plan indicating cultivation areas, drying areas, and other processing areas, and including restroom facilities, kitchen facilities, and the like;
7. In addition to the preceding requirements, an applicant for the medical and/or retail cultivation of marijuana shall also submit to the town for its review and approval, a special use permit application, if required due to zoning, and/or a commercial site plan application;
8. The Applicant's statement that no marijuana plants may be perceptible from the exterior of the building.

17.73.080 Additional requirements for the manufacture of medical and/or retail marijuana products.

A. The purpose of this section is to provide specific requirements for the manufacture of medical and/or retail marijuana products, in order to make possible the review by the town staff, the commission, the board, and the public. The intent is to identify the potential major problems and the overall infrastructure feasibility of the request. Detailed engineering plans may be required.

B. Application Requirements. An applicant for the commercial manufacture of marijuana products shall submit to the town the following information and/or certifications with the application:

1. State/county certification for the handling of food and food products, as well as certification that commercial kitchen has been inspected and approved per health department regulations;
2. Types of marijuana products proposed;
3. Methods of preparation or cooking of marijuana products, including a list of any flammable or caustic chemicals that may be used in the preparation or cooking of marijuana;

4. Type(s) of storage of marijuana and other edible ingredients and preservatives;
- ~~5. Cooking methods proposed for marijuana products;~~
- ~~6.5.~~ An estimate of the proposed electrical requirements, and a plan to build and /or modify the existing facilities to accommodate the medical and/or retail marijuana products manufacture facility;
- ~~7.6.~~ An estimate of the proposed potable and non-potable water requirements and a plan to build and/or modify the existing facilities to accommodate the medical and/or retail marijuana facility, as well as an analysis of water rights dedication and tap fee payments, if necessary, in conformance with chapters 13.02, 13.04, and 16.18.
- ~~8.7.~~ A statement by applicant that no marijuana plants may be perceptible from the exterior of the building;
- ~~9.8.~~ In addition to the preceding requirements, an applicant for the manufacture of medical and/or retail marijuana products shall also submit to the town for its review and approval, a special use permit application, if required due to zoning, and/or a commercial site plan application.

17.73.100 ~~Marijuana clubs, bars or other facilities~~ strictly prohibited.

~~Marijuana clubs, bars or other facilities that include or consist of the consumption of marijuana in a public setting~~ are strictly prohibited within the town limits.

17.73.110 Marijuana delivery strictly prohibited.

Except as otherwise provided in this code, the delivery of retail marijuana to a retail marijuana consumer within the town is prohibited, regardless of whether the marijuana is being delivered from another location in town or from outside town limits. This prohibition applies regardless of whether the person delivering marijuana has a license from another jurisdiction to deliver marijuana.

Section 3

All ordinances heretofore passed and adopted by the Board of Trustees of the Town of Silt, Colorado are hereby repealed to the extent that said ordinances, or parts thereof, are in conflict herewith.

Section 4

If any section, subsection, clause, phrase or provision of this Ordinance, or the application thereof to any person or circumstance, shall to any extent, be held by a court of competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections thereof to any person or circumstance, shall remain in full force and shall in no way be affected, impaired or invalidated.

Section 5

This ordinance becomes effective thirty (30) days past the publication of this ordinance, once approved.

INTRODUCED, READ AND APPROVED ON FIRST READING, a public hearing, this 12th day of October, 2020, at 7:00 p.m. in the Municipal Building of the Town of Silt Colorado.

PASSED, APPROVED ON SECOND READING, following a continued public hearing, ADOPTED AND ORDERED PUBLISHED, this ___ day of _____, 2020.

TOWN OF SILT

Mayor Keith B. Richel

ATTEST:

Town Clerk Sheila M. McIntyre, CMC

2020 Special Events

- Oct 09 **Halloween Movie in the Park - Dusk (Veterans' Park)**
- Oct 31 **Family Fall Fest - Pumpkin Decorating & Scarecrow Stuffing 2-4 pm**
- Oct 31 **Live Music At Family Fall Fest & Trick or Treating**
- Oct 31 **Main Street Trick or Treat 4-6 p.m. (Main Street)**
- Nov 2-7 **Fall Clean-Up 9am-4 pm Daily (Town Shop)**
- Nov 7 **Outdoor Craft Fair 10am-4pm (Location TBD)**
- Dec **Polar Express Multiple Dates (Town Center)**

Please call the Town for more information on upcoming events at (970) 876-2353 ext 110

**UPcoming
EVENTS**

Silt Family Fall Fest



Saturday, October 31st
2pm - 4pm Veteran's Park & Book Walk



The Town is excited to co-sponsor the Family Fall Fest with the Silt Branch Library!!
Join us for a fun filled day of pumpkin carving/painting, scarecrow stuffing & LIVE MUSIC!

Please pre-register with the Library for the Pumpkin Carving at (970) 876-5500 and the
Town for Pumpkin Painting and Scarecrow Stuffing at (970) 876-2353 ext 110





2020



SILT FALL CLEAN-UP

Where: Silt Town Shop (612 N. 7th)

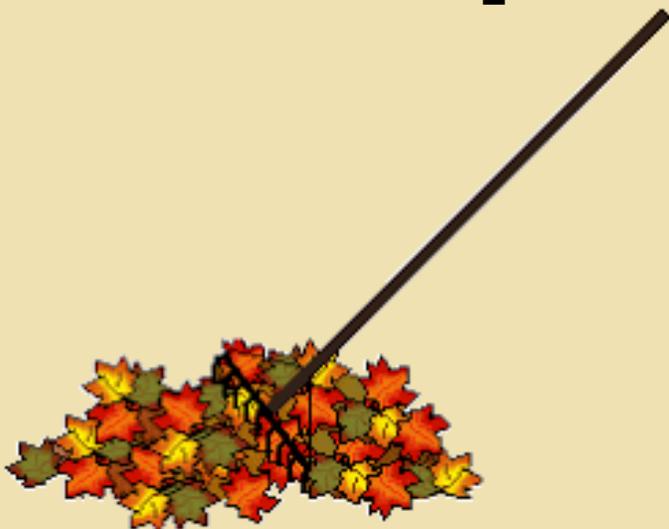
When: November 2nd - 7th

Time: 8 AM - 4:30 PM



Yard Waste Only

Limbs Up To 4" In Diameter



Please Remember To Keep 6 Foot Social Distancing!

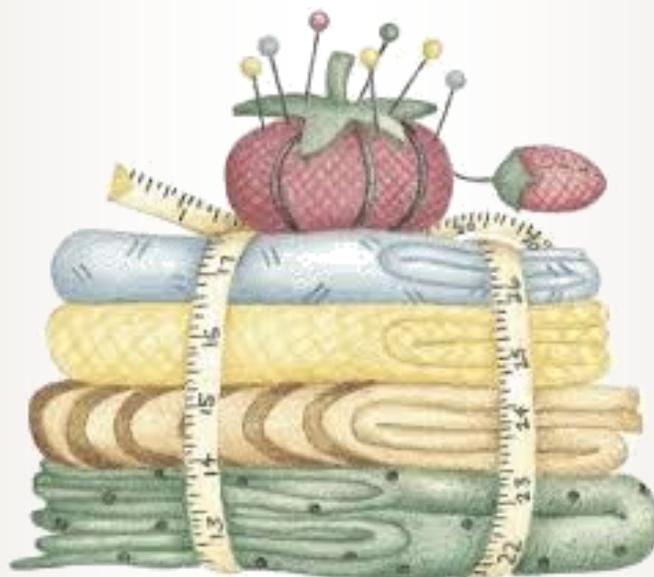
Silt Craft Fair



Saturday, November 7th

10:00 AM - 4:00 PM

At Stoney Ridge Pavilion



For More Information, Please Call 970-876-2353 Ext 110





MAIN STREET



TRICK OR TREAT



Saturday, October 31st

4 p.m. - 6 p.m.

Main Street In Silt



Trick or Treat Booths Will Be Set Up On Both Sides Of The Street, Plus Live Music & Lots Of Fun To Be Had By All!!!





CELEBRATE WITH SILT

Saturday, October 31st

Family Fall Fest 2pm - 4pm (Live Music 3-4)

Main Street Trick or Treat 4pm-6pm (Live Music 4:15-6)

At Veteran's Park

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Happy Fall Y'all

At Veteran's 3-4 and Main Street 4:15-6

Live Music By

A BAND CALLED

Alexis

At Main Street

MAIN STREET

TRICK OR TREAT

Saturday, October 31st
4 p.m. - 6 p.m.
Main Street In Silt

Trick or Treat Booths Will Be Set Up On Both Sides Of The
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Date: October 13, 2020
To: Mayor Richel & Board of Trustees
From: Jeff Layman, Town Administrator
Subject: Staff Report

Activities, initiatives and news:

- **Water/Wastewater Plants Operation Update**
 - Trey, Tony, Casey and Daryl have been working overtime to address difficulties at the plant, including the failure of the raw water (from the river) pumps this week and one of two well pumps. With help from Public Works and a variety of consultants, they were able to get the new raw water pump working as designed. Tony, our contract Operator in Responsible Charge, is continuing to evaluate the operation and is tweaking some of the systems. We have an experienced operator starting work at our plants the last week of October.
- **Events**
 - Nicole has developed several fun fall events. She will attend the meeting to present on them.
- **Town of Silt-Owned Real Estate for Sale**
 - Please see the monthly report regarding our town-owned real estate for sale.
- **River Center Contribution**
 - A note of thanks from Heather Paulson of the River Center is attached.

Jeff Layman

From: Joe Carpenter <alert@listtrac.com>
Sent: Thursday, October 1, 2020 10:50 AM
To: Jeff Layman
Cc: joe.carpenter@integratedmtn.com; joe.carpenter@integratedmtn.com
Subject: Your Listing - Monthly Report of Online Activity

Dear Jeff,

Here's a summary of the activity from the past month on your property within the MLS and on other top sites. Please contact me if you have any questions.

Sincerely,
Joe Carpenter



October 01, 2020

Your Property

monthly report of activity related to your property



1535 River Frontage

\$220,000

Located in a designated Opportunity Zone, this is an ideal location for a restaurant or C-store with I-70 exposure and easy freeway access....

[view details](#)

Online Activity



6 Views

A monthly total of how many times your property was viewed in the MLS and on ListTrac-monitored websites.

View Live Stats for Your Home

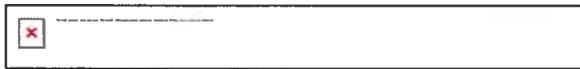
Click 'view more stats' to see the most up-to-date information about potential homebuyers viewing your home, new shares on social media, and more.

[view more stats](#)

Market Activity

Similar Homes for Sale

Homes in the surrounding area that are currently for sale



1007 Hwy 6 & 24

\$199,000

Located in a designated OPPORTUNITY ZONE offering potentially significant capital gains benefits. Outstanding visibility and exposure along Hwy 6 &...



TBD Front

\$175,000

Attention investors! 6 Corner DOWNTOWN City lots of FLAT commercial land with B-3 zoning. Multitude of uses allowed. Free grant money available through...

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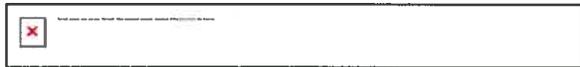
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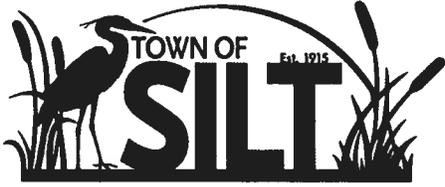
\$220,000

Located in a designated Opportunity Zone, this is an ideal location for a restaurant or C-store with I-70 exposure and easy freeway access....

Dear Silt Town Board &
Trustees + Staff,

Thank you for your support
of the River Center's life
assistance outreach program.
Your contribution of \$35,000.00
will go a long way in helping
Silt families still struggling
due to Covid. I look forward
to meeting you all in-person
soon to discuss exactly how
it has helped.

Sincerely
Mather Paulson RiverCenter



Public Works Department
Trey H Fonner
Public Works Director

Memo

To: Jeff Layman, Town Administrator
From: Trey Fonner, Public Works Director
Cc: File
Date: October 7, 2020
Subject: Public Works Department Report

The following department report is a snapshot of some of the tasks and projects the Public Works staff has undertaken over the past several weeks.

- ❖ Clean up curb and gutter along 1st street
- ❖ Repair irrigation pump house at Stoney Ridge Ballfield
- ❖ Senior Housing Maintenance
- ❖ Patch around manholes in Flying Eagle
- ❖ Patch Iron horse drive from water leak repair
- ❖ Water service repair at 1183 Ballard
- ❖ Water Main Repair in Tara Park
- ❖ Clean up down trees after wind storm
- ❖ Remove elms from around irrigation tank at Cemetery
- ❖ Clean up weeds in Eagle View park
- ❖ Maintenance on Town truck
- ❖ Remove tree by shop
- ❖ Take down tents at Miners Claim and Farmers market
- ❖ Replace street signs
- ❖ Change out banners along Main Street
- ❖ Start sidewalks along 7th Street
- ❖ Prepare and receive bids for 8th Street project
- ❖ Irrigation audits
- ❖ Clean up road base spill on interchange
- ❖ Weed eat along interchange
- ❖ Clean out manhole in Iron Horse that was causing a backup and overflowing
- ❖ Round about weekly meeting
- ❖ Meeting on special events and recreation
- ❖ First recovery task meeting
- ❖ Meeting on SRP with AVL

Water and Wastewater plants

- ❖ Clean up and organize office, lab and plants
- ❖ Clean and repair turbidity meters
- ❖ Clean and repair Chlorine meters
- ❖ Daily, weekly labs for both plants
- ❖ Collect and submit Lead and Copper testing (State requirement)
- ❖ Daily CIP's
- ❖ Fixed meters and MXU throughout Town
- ❖ Replace one raw water pump with assistants from Public works
- ❖ Replace seals in main distribution pump
- ❖ Inventory parts that have been found in the cleaning process
- ❖ Process Sludge, 2 loads a week on average
- ❖ Cleaning of basins on the Areomod wastewater plant
- ❖ Read meters
- ❖ Replace flammable gas detectors
- ❖ Meeting with Tony from Zancanella's on water plant and wastewater plant
- ❖ As we clean and start working the plants, we are finding numerus things that have been neglected or bypassed instead of fixed. Staff is working, within the budget, to try and remedy these problems.
- ❖ Production numbers:
- ❖ Raw water 18,576,000 gallons
- ❖ Production Water 9,201,861 gallons
- ❖ House Water 208,000 gallons
- ❖ Adjusted toral production 8,993,861 gallons



Date: October 6, 2020

To: Mayor, Trustees and Administrator Layman

From: Sheila McIntyre, Town Clerk/ Municipal Court Clerk

Re: Staff report for September 2020

Town Clerk duties:

- Misc duties re: P&Z – prep agenda, assist both planners, public notices
- Prepare proclamation re: library
- Coordinated going away luncheon
- Reviewed revised employee manual
- Attended HR subcommittee meeting
- Prepared and recorded Painted Pastures documents
- Recorded easement agreements
- Signed payroll and A/P checks
- Attended regular BOT work sessions and meetings by Zoom
- Coordinated and ordered food for work session
- Attended staff meetings
- Index filing and purging of old documents
- Attended meeting re: recreation
- Processed approved liquor licenses
- Prepared 2021 meetings calendar
- Met with Jeff and Janey re: newsletter
- Processed modification of premises for liquor license, prepared public hearing notice
- Met with Janey, Nicole and Amie re: business licenses
- Met with new P&Z commissioner
- Assisted liquor license licensee re: Report of Changes
- Research on Camario project for developer
- Review draft MJ ordinance and conference call with attorneys and Jeff
- Signed employee up with GETS
- Worked with County and Vision Security re: installation of ballot box and camera outside
- Went to ANB to wire money for parts
- Prepared and emailed various public notices to newspaper
- Prepared directives list
- Took deposits to bank, locksmith, Micro Plastics
- Prepared and sent out BOT packets, followed up on meetings and transcribed minutes
- Misc research for various staff members

A handwritten signature in blue ink, consisting of a large, stylized 'S' followed by a star-like shape.

- Continued to provide customer service out of the front office while still following executive orders to keep staff safe as well as the public. Have also stepped into the P&Z arena to assist where I can between staff, contract planners and citizens who have questions or applications before the Commission.

Municipal Court & Police Dept. duties:

- Input municipal tickets and parking tickets along with payments
- Ordered business cards for PD
- Correspondences with Prosecuting Attorney & Judge regarding cases and plea deals
- Released OJW's
- Processed plea deals
- Submitted Warrantless Arrest Affidavits to DA's office
- Prepare for and attend court
- Processed court files after court with Judges' orders
- Prepare subpoenas for trials
- Prepared VALE packet and sent out
- Attended PD meeting re: new procedures



TOWN OF SILT
STAFF REPORT

Date: September 30, 2020

To: Mayor and Board of Trustees

From: Amie Tucker, Treasurer

Tasks Completed in September

- Payroll
- Retirement contributions (FPPA & CRA)
- Payroll tax payments (State & Federal)
- Accounts Payable
- Petty Cash Reconciliation
- Reconcile Bank Statements
- Journal Entries
- Financial Statements
- Sales Tax
- Monthly Disbursements
- Cares Act Funding expenditure tracking
- Request funding/reimbursement from CVRF
- CGFOA webinars
- Senior Programs Meeting
- Quarterly Unemployment Report
- Quarterly 941 Report
- 2021 Budget preparation
- Zoom meeting hosting for staff , Board and P & Z meetings

A handwritten signature or set of initials, possibly 'AT', written in black ink. The signature is located in the bottom right corner of the page.