### TOWN OF SILT
### PLANNING AND ZONING COMMISSION AGENDA
### TUESDAY, FEBRUARY 1, 2022 6:30 P.M.
### MUNICIPAL COUNCIL CHAMBERS
### HYBRID MEETING

<table>
<thead>
<tr>
<th>ESTIMATED TIME</th>
<th>ELECTRONIC AGENDA ITEM</th>
<th>PUBLIC HEARING/ACTION</th>
<th>ELECTRONIC LOCATION AND PRESENTER</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Agenda</td>
<td></td>
<td>Tab A</td>
</tr>
<tr>
<td>6:30</td>
<td>Call to Order</td>
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<td>Chair Classen</td>
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<td>Roll Call</td>
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<td>Pledge of Allegiance</td>
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<tr>
<td>6:35</td>
<td>Public Comments - 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</td>
<td>Action Item</td>
<td>Tab B Chair Classen</td>
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<tr>
<td>6:40 5 min</td>
<td>Consent agenda –</td>
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<td>1. Minutes of the January 11, 2022 Planning &amp; Zoning Commission meeting</td>
<td>Action Item</td>
<td>Tab B Chair Classen</td>
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<td></td>
<td>Conflicts of Interest</td>
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<td>Agenda Changes</td>
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<tr>
<td>6:45 15 min</td>
<td>Public Hearing- Zoning of two-acre enclave located west of Camario Subdivision, north of Grand Avenue and East of Kim Drive</td>
<td>Action Item</td>
<td>Tab C Planner Chain</td>
</tr>
<tr>
<td>7:00 15 min</td>
<td>Request to have Planning Commission initiate a zone text amendment to the Silt Trade Center PUD to clarify storage requirements</td>
<td>Action Item</td>
<td>Tab D Planner Chain</td>
</tr>
<tr>
<td>7:15 20 minutes</td>
<td>Discussion on potential code changes related to public hearing requirements for certain land use processes and other potential code changes</td>
<td>Discussion Item</td>
<td>Tab E Planner Chain</td>
</tr>
<tr>
<td>7:35 10 minutes</td>
<td>Planning Update</td>
<td>Info Item</td>
<td>Planner Chain verbal</td>
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<tr>
<td>7:45 10 min</td>
<td>Commissioner Comments</td>
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<tr>
<td>7:55</td>
<td>Adjournment</td>
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The next regularly scheduled meeting of the Silt Planning & Zoning Commission is tentatively set for Tuesday, January 4, 2022, at 6:30 p.m. Items on the agenda are approximate and intended as a guide for the Planning and Zoning Commission. "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 Town of Silt at 876-2353. Please be aware that this agenda is given to the public and to the Commission in electronic form. If you require a hard-copy, please request one before or after the scheduled meeting. Normal Town copying charges may apply. Thank you.
The Silt Planning and Zoning Commission held their regularly scheduled meeting on Tuesday, January 11, 2022. Chair Classen called the meeting to order at 6:30 p.m.

Roll call

Present: Chair Chris Classen, Vice-chair Lindsey Williams, Commissioner Eddie Aragon, Commissioner Robert Doty, Commissioner Marcia Eastlund, Commissioner Kim Leitzinger
Absent: Commissioner Joelle Dorsey

Also present were Town Administrator Jeff Layman, Planner Mark Chain, Town Clerk Sheila McIntyre, Community Development Administrative Assistant Dusti Tornes.

Pledge of Allegiance

Public Comments – There were no public comments.

Consent Agenda


Commissioner Aragon made a motion to approve the consent agenda as presented. Commissioner Eastlund seconded the motion, and the motion carried unanimously.

Conflicts of Interest – There were no conflicts of interest.

Agenda Changes – There were no agenda changes.

Site Plan Review for Lot 3 – River Trace (AKA Village at Painted Pastures)- For Mini Storage

Planner Chain gave us an over view of River Trace for Lot 3. The lot is 3.022 acres in size. Raley Ranch Project is the applicant, Doug and Julie Pratte are the Land Planners and Sopris Engineers are the Engineers of the project. There is no project architect. This is a site plan review. There is approximately 12,700 square feet of storage and 33 spaces of storage outside. Planner Chain gave Doug Pratte the floor to talk more in details about River Trace. Doug Pratt explained that this project was originally conceived as a partner with the project next door but not associated only with that project, it will also give residents of Lot 2 the opportunity to store stuff/items as well as the general public. They have adapted the colors of brilliant blue and white.
to now light stone and desert tan. A similar theme of landscape that is in Painted Pastures will go in to give better fit with the surrounding area. There will be a second emergency access added as well as a second fire hydrant. They are coordinating the details with Town staff, Fire Marshal, and Planner Chain. Planner Chain then discussed the project in more details. The fire hydrant is on the inside of the fence, Orrin Moon is going over the final details. Planner Chain stated that there is no office on site, it will be located in the office in the multifamily area on Lot 2. The property line for Lot 2 encroaches a little bit onto the Lot 3 storage area but it shouldn’t be a big deal to square it off and re-plat the area. The same people own both lots. The engineer wants to see the landscape plan in according with the water plans and utilities map to make sure that everything is all good on both maps. There is enough space for snow storage at the facility for Planner Chain. Commissioner Eastlund asked how many fire hydrants are in the storage facility. Planner Chain and Doug Pratt agreed that there will be 2. Doug Pratt also stated that they added a second way out for safety as well. Chair Classen asked how many storage units there will be but Doug Pratt did not have a number on how many there would be. Commissioner Doty asked if there would be signs showing how people can get in to the facilities, Colby stated that there would be a center island there per CDOT’s requirements.

Staff recommends **APPROVAL** for the site plan for Lot 3 with the following conditions:

1. All representations of the applicant made in writing, application materials and verbally at the Planning Commission meeting or that are reflected in the meeting minutes are considered part of the application and are binding on the applicant.
2. The applicant shall work in good faith with the town engineer to resolve issues identified in the Boundaries Unlimited Inc. redlines to the satisfaction of the Town Engineer and Staff prior to the construction of any site improvements on the property.
3. All building exterior lighting in the project shall conform to the Town of Silt lighting standards.
4. The point of encroachment between Lots 2 and 3 will be resolved to the satisfaction of the Town staff and Attorney.
5. Any changes suggested by the Fire Marshall will be incorporated into the Plans for the project.
6. If required by the town engineer or attorney, the cross-easement document for access between the lots shall be amended/replatted.
7. If a Development agreement with security is required as part of this access phase of the development for Lot 3 per Municipal Code it shall be reviewed by the Town Attorney and approved by the Board of Trustees.
8. There is a private open space dedication requirement shown on Page 5 of the Minor Subdivision Plat. The site plans for Lot 3 will be checked for compliance with this open space dedication requirement and adjustments made as necessary.
9. Utility easements as part of the Lot 3 site plan reviews will be examined and adjusted if found necessary for compliance with original minor subdivision plat.

**Note:** Staff will review code and land use approval documents to see if above changes can be adjusted administratively or if a minor replatting will be required.
Commissioner Aragon made a motion to approve the River Trace as presented. Vice Chair William’s seconded the motion, and the motion carried unanimously.

Planning Update

Introducing Dusti Tornes Community Development Administrative Assistant

Planner Chain introduced Community Development Administrative Assistant Dusti Tornes will be taking over for Town Clerk McIntyre.

2 acre-Enclave- Under contract for Town purchase – Zoning at February P&Z Meeting

Planner Chain stated that the Town is buying the property for $140,000. at the end of the month. At the next meeting we will have the zoning for the property. We have the opportunity to expand the park. There will be a draft ordinance at the 1ST of February meeting.

Short term rental- Town action

Planner Chain talked about that right now the Town is not requiring any restrictions on short term rentals. They will require a Business License to have one to get the revenue on the sales tax and Lodging tax.

Heron’s Nest

Planner Chain said that they are working on their plan and they are applying to add some residential uses and annex into the Town and hook up to utilities. That might be late winter or early spring. They have all the applications they need.

Town Clerk McIntyre said that at the next Board Meeting there would be a work session between the Board and the P & Z Committee it will begin at 5:30.

Commissioner Comments

Chair Classen asked about the Corral Mobile Home Park. Planner Chain said that people/ prospective developers are looking at it. There have been two meetings about it in the last few weeks.

Chair Classen asked about the storage containers but we haven’t done anything yet on them yet that is still to come.

Chair Classen asked about Camario. Planner Chain said that people are looking at it but no one has a current contract to purchase it yet.

Chair Classen asked about The RBW property, Planner Chain said that there has been a gentle push to clean it up, it will be a slow process.
There was a short discussion on the definitions of manufactured housing related to mobile homes and modular structures. Commissioner Doty had some comments related the Town code, recreational vehicles and Heron’s Nest

Adjournment

Commissioner Eastlund made a motion to adjourn. Commissioner Doty seconded the motion, and adjourned the meeting 7:37 p.m.

Respectfully submitted, Approved by the Planning Commission

Dusti Tornes Chris Classen
Community Development Chair
Administrative Assistant

Respectfully submitted,

Approved by the Planning Commission

____________________________ ____________________________
Dusti Tornes Chris Classen
Community Development Chair
Administrative Assistant

PZ 1/11/2022
MEMORANDUM

TO: Chairman Chris Classen and Members of the Town of Silt Planning Commission

FROM: Mark Chain, Planner

DATE: January 27, 2022

RE: Initial Zoning of 2-Acre Enclave

As you know, the 2-acre property located just west of Camario, north of Grand Avenue and east of Kim Avenue was recently annexed to the Town. The Board adopted the second reading at their January 10 meeting. Zoning becomes effective on February 10, 2022.

The next step in the process is to have an initial zoning for the property consistent with the town's zone districts. Currently, the parcel still has the “R” Rural Zone Designation in the County where there is a minimum lot size of 2 acres. It also allows an extensive array of agricultural uses as well as additional uses that we can discuss at another time.

In this particular instance for an initial zoning, I undertook the following steps:

- Examined the Town’s Comprehensive Plan
- Reviewed the zoning of the adjacent parcels to determine what was compatible
- Reviewed the Town’s Code and available zone districts.

Towns Zoning Districts

Interestingly, the Town does not have an official “Open Space District”. When I reviewed the town zoning map it appeared that the town’s existing parks either have no zoning designation or their zone designation was “Public Utility Zone District”. So, one of our future tasks should be to have a specific open space district.

Overview of the zoning districts indicated that the Town’s Agricultural – Rural (AG) District is an option. Section 17.12.020 of the Municipal Code states that: the main purpose of the agricultural – rural district .."is to provide for all newly incorporated areas within the town of the size specified in this code and not
otherwise designated for some other use, to be included in the AG zone
district...”. Essentially, this is a holding district.

This makes sense for the southern portion of the property. As you may know, I
believe I showed you a Landscape Plan that was approved in the past which has
a park noted at the southwest corner of Camario Phase 2. That park is relatively
undersized and one of the main features is a drainage retention pond. Zoning
and area of this 2-acre parcel which could enlarge the park and make it more
functional for recreational aspect I believe is a good idea.

Zoning of Adjacent Parcels.

The 2- acre enclave is surrounded by parcels that have a Residential PUD
designation. So, my next step was to determine what that PUD designation
specifically allowed especially in terms of lot sizes. Below are my findings:

- West- Camario Ph 2. - Designated for mostly attached single-family units
  and along the north and some single-family detached lots. The majority of
  lots run from 1900 ft.² to 3400 ft.² in size.

- South – Lyons Subdivision. This is a traditional single-family detached
  neighborhood with lots running in the 60 508,000 ft.² range.

- West – Flying Eagle Estates. This is an older subdivision in the Town and
  the lots I examine range from 6900 ft.² to 7800 ft.² in size. So, traditional
  single-family detached dwelling.

Comprehensive Plan

The comprehensive plan showed this 2 acre parcel surrounded by the Future
land designation of “neighborhood Residential”. The 2 acre parcel itself was
designated as “agricultural – rural residential reserve”. I am including the
one-page description of this designation for your review. Basically this was
designed to be a buffer zone and to ensure compatibility from the more dense
town uses to the more rural projects and lots that exist or will be developed in
Garfield County.

Findings.

My recommendation is that this property be zoned at this time to facilitate
residential development except with for the southern portion which should be
reserved at this time for inclusion in the open space park for the Camario
Development. I believe Camario Phase 2 will be purchased in the near future and
developed. I would recommend that the northern two thirds of that area be
designated as R-2. This would allow a few smaller lots which could fit into
Camaro Phase 2 and would still allow single-family lots to develop if that was the
best course of action in the future. The southern portion should be zoned AG as noted earlier. I have included that attached Landscape Plan which shows the suggested boundary between the R-2 and the AG designations.

Note: I will have displays of the towns zoning and comprehensive plan that for display and go over these details for you at the Planning Commission meeting.
AN ORDINANCE OF THE TOWN OF SILT, COLORADO ("TOWN") PROVIDING INITIAL ZONING FOR A 2 ACRE SITE RECENTLY ANNEXED INTO THE TOWN OF SILT, AND LOCATED GENERALLY NORTH OF GRAND AVENUE AND EAST OF KIM DRIVE IN THE TOWN OF SILT GARFIELD COUNTY, STATE OF COLORADO

WHEREAS, the Board of Trustees of the Town of Silt took action to Annex A 2 acre enclave into the Town municipal boundaries pursuant to C.R.S. Section 31-15-103 and Section 1 of the Town’s Home Rule Charter;

WHEREAS, the Board of Trustees adopted ordinance No. 5- series of 2021 annexing the property on January 10, 2022;

WHEREAS, the 2 acre enclave is legally described in Exhibit – A (attached)

WHEREAS, according to section XXXXX of the Silt Municipal Code the Silt Planning and Zoning Commission makes recommendations on all initial zonings and rezonings and submits their recommendation to the Silt Board of Trustees; and

WHEREAS, Title 17 of the Silt Municipal Code sets forth the Town’s regulations relating to land use, development, and zoning; 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, after considering the location of the property and the Towns Comprehensive Plan the Board finds that the adoption of this ordinance is necessary and proper to provide for the safety, health and prosperity and order of the town.

Now, therefore, the Board of Trustees of the Town of Silt, Colorado, ordains as follows:

The northern section of the 2-acre enclave as an initial zoning of R-2. The legal description of that area is attached as exhibit B.
The southern section of the 2 acre enclave has an initial zoning of agricultural – rural. The legal description of that area is attached as exhibit C.

A draft zoning map is attached and these changes will be made on to the Zoning Map of the Town of Silt Colorado upon adoption of this ordinance.

INTRODUCED, READ AND APPROVED ON FIRST READING, a public hearing, this ___ day of __________, 2021, 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 _______________, 2021.

TOWN OF SILT

__________________________________
Mayor Keith B. Richel

ATTEST:

______________________________
Town Clerk Sheila M. McIntyre, CMC
EXHIBIT A

Legal Description:

A TRACT OF LAND SITUATED IN THE SW1/4SW1/4 OF SECTION 2, TOWNSHIP 6 SOUTH, RANGE 92 WEST OF THE SIXTH PRINCIPAL MERIDIAN, LYING NORTHERLY OF COUNTY ROAD AS CONSTRUCTED AND IN PLACE AND SOUTHERLY OF THE WARE & HINES DITCH AS CONSTRUCTED AND IN PLACE, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF SAID ROAD, WHENCE THE REESTABLISHED SECTION CORNER COMMON TO SECTIONS 2, 3, 10 AND 11 IN SAID TOWNSHIP AND RANGE BEARS: SOUTH 87° 56’45" WEST 96.33 FEET; THENCE NORTH 773.55 FEET; THENCE SOUTH 80° 08’13" EAST 116.16 FEET; THENCE SOUTH 751.69 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF SAID ROAD; THENCE SOUTH 89° 01’00" WEST 114.46 FEET ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID ROAD TO THE POINT OF BEGINNING: EXCEPT ANY PORTION OF THE ABOVE DESCRIBED PROPERTY, IF ANY, LYING WITHIN FLYING EAGLE SUBDIVISION.

COUNTY OF GARFIELD
STATE OF COLORADO
IMPROVEMENT LOCATION CERTIFICATE

PROPERTY DESCRIPTION

A TRACT OF LAND Situated in the SW1/4SE1/4 of Section 2, Township 6 South, Range 52 West of the Sixth Principal Meridian, lying northerly of County Road as constructed and in place and southerly of the ware & others ditch as constructed and in place, said tract being more particularly described as follows:

BEGINNING at a point on the northerly right of way line of said road, whence the re-established section corner common to Sections 2, 3, 10, and 11 in said township and range bears: South 87° 56' 42" west 96.33 feet; thence north 773.55 feet; thence south 80° 08' 13" east 116.16 feet; thence south 751.09 feet to a point on the northerly right of way line of said road. Thence south 89° 32' 06" west 114.46 feet along the northerly right of way line of said road to the point of beginning.

EXCEPT any portion of the above described property, if any, lying within flying eagle subdivision.

COUNTY OF GARFIELD

STATE OF COLORADO

IMPROVEMENT LOCATION CERTIFICATE

I HEREBY CERTIFY that this improvement location certificate was prepared for land title guarantee company, PAUL B. LUGNIMUL, and Josue Sandoval Ruiz, that it is not a land survey plat or an improvement survey plat, and that it is not to be relied upon for the establishment of fence, grading, or other future improvement lines. This certificate is valid only for use by land title guarantee company, PAUL B. LUGNIMUL, and Josue Sandoval Ruiz and describes the parcels appearance on November 03, 2021.

I FURTHER CERTIFY that the improvements on the above described parcels, on this date, November 03, 2021, except utility connections, are entirely within the described parcel, except as shown, that there are no encroachments on the described premises by improvements on any adjoining property except as indicated, and that there is no apparent evidence of any abandonment crossing or burdening any part of said parcel, except as noted.

Michael J. Landguth, Colorado Registration No. 36572
For and on behalf of Bookcliff Survey Services Inc.
<table>
<thead>
<tr>
<th>Land Use Designation</th>
<th>Description/Characteristics</th>
<th>Locational Criteria</th>
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<tbody>
<tr>
<td>Agricultural/Rural</td>
<td>Those properties within the Comprehensive Plan Land Use Designation of “Agricultural/Rural Residential Reserve” are properties that may develop on a small scale within the County, but should not be subdivided to smaller than 1 unit per ten (10) acres, unless required to cluster with density between four (4) and eight (8) units per acre with central water and wastewater systems, and maintain the majority of property as open space or agricultural production. These areas are critical for the Town because they serve as a buffer between urban and rural land uses, and should remain such a buffer until the Town has adequately developed and/or re-developed its infill lots. Those lots that the County has subdivided into two (2) acre lots are generally not acceptable for annexation and development within the Town due to the difficult physical nature of infrastructure construction on small lots as well as the costs associated with such infrastructure construction. Further, the Town should discourage two (2) acre lots, as this size does not present a positive situation for the Town’s Planning &amp; Zoning Commission and Board because these boards cannot easily review a project’s inclusion into the Town with respect to the Town’s Master Plans for water, wastewater, streets, trails, sidewalks, parks, open space and administration functions. Further, the properties in the Agricultural/Rural Residential Reserve areas typically have sensitive drainage and topographical features that limit the inclusion into the Town’s urban setting, since much of the land associated with a County subdivision must be preserved as jurisdictional wetlands, floodplain, slopes of greater than thirty (30) percent, irrigation ditches and the like. Occasionally, the interface between urban and rural land uses can present problems for both Town landowners and County landowners with regards to noise, traffic, agricultural activities, farm animals and dust, and for these reasons, the Town should be very careful in choosing parcels to annex, so as not to upset the balance between annexed and un-annexed land. Lastly, the Town should very carefully consider the mitigations regarding the inclusion of marijuana cultivation and marijuana products manufacturing, so as to preserve the rural character of these lands.</td>
<td>Located near the edge of the community, and sensitive areas such as river corridors, wildlife habitat and natural areas, typically in Growth Tiers 2 and 3. They are intended to serve as a transition between more intense urban land uses and natural features to be protected.</td>
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MEMORANDUM

TO: Chairman Chris Classen and Members of the Town of Silt Planning Commission

FROM: Mark Chain, Planner

DATE: January 27, 2022

RE: Request to have Planning Commission sponsor text change to Silt Trade Center PUD to clarify storage requirements

Section 17.88.010 B of the Silt Municipal Code allows the Planning Commission and the Board of Trustees to initiate amendments to the zoning text and regulations of the Silt Zoning Code. Staff believes we need to deal with the clarification of storage issues related to the Silt Trade Center. This is a PUD and has specific regulations for the development.

The Silt Trade Center has developed quite nicely. Developments go through a site plan review and I think it has been successful. However, there has been some inconsistencies in how storage has been treated in the past and different interpretations even between the various staff members. I want to bring this to you for a quick discussion and see what your take on the situation is. I want to make sure that if are things need to be clarified, that it is done quickly. The Trade Center does allow for contractors yards and industrial and semi-industrial uses in addition to a wide range of office and commercial related uses. There are not many sites for the trades in the Roaring Fork Valley anymore and businesses are being pushed further and further down the Colorado River Valley. I want to make sure we are proactive.

In the past, staff has required that all storage be placed behind a fence. This has even been the case for the most part if people have some type of Tough Shed or metal storage shed. I don’t mind if there is this Tough Shed or storage container not behind the fence as long as there is not a bunch of junk all around that storage area and elsewhere on the property. From a planning perspective I also don’t have any problems with having Conex containers that are not behind fences; once again as long as there is not debris outside the containers themselves. Staff in the past has required even Conex containers to be behind a fence.

As I have a slightly different interpretation of storage, I have even suggested to a property owner that a Conex container can be located not behind the fence. This has resulted in people pointing fingers at each other saying that they have different requirements for different people etc.
An easy solution is just to require everything behind a fence. But, even fencing can be expensive these days. If someone is keeping a neat place I don’t think there are problems with having some type of storage container or shed on site that is not behind a fence which meets town screening requirements.

I don’t want this to get too complicated; just trying to keep the peace and make sure we are prepared for more development in the Trade Center.

For your information, attached is the up-to-date zoning regulations for the Silt Trade Center.
TOWN OF SILT
ORDINANCE NO. 19
SERIES OF 2008

AN ORDINANCE TO AMEND AND RESTATE THE LYON SUBDIVISION PLANNED UNIT DEVELOPMENT GUIDELINES (HEREINAFTER “PUD GUIDELINES”), ALSO KNOWN AS THE SILT TRADE CENTER, IN ORDER TO BETTER CLARIFY ALL REVISIONS TO THE PUD GUIDELINES TO DATE, AND TO ALLOW FOR B-1 PUD LOTS 78A, 78B, 79, 125 THROUGH 128 INCLUSIVE, 130, 131, 141, 148, AND 152 THROUGH 158 INCLUSIVE, TO BECOME B-2 PUD IN USE, WHILE STILL REQUIRING THE B-1 PUD ARCHITECTURAL, SITE PLANNING AND LANDSCAPING CRITERIA FOR THESE MENTIONED LOTS.

WHEREAS, the Local Government Land Use Control Enabling Act of 1974, §§29-20-101, et seq., C.R.S.; Article 23 of Title 31, C.R.S.; and other applicable laws grant broad authority to the Town of Silt, Colorado (“Town”) to plan for and regulate the development and use of land on the basis of the impact thereof on the community and surrounding areas; and

WHEREAS, on or about May 1, 2008, Kelly and Michael Lyon Family LLC (hereinafter “Applicant”) submitted a rezoning application to the Town of Silt (hereinafter “Town”) requesting that certain lots within the Lyon Planned Unit Development (otherwise known as the Silt Trade Center) and specifically known as B-1 PUD Lots 78A, 78B, 79, 125 through 128 inclusive, 130, 131, 141, 148 and 152 through 158 inclusive (hereinafter “Subject Lots”) revert to B-2 PUD lots in use, while still maintaining the B-1 PUD architectural, site planning and landscaping features; and

WHEREAS, the Applicant received support for this application from the owners of 61 of the 82 lots within the Silt Trade Center, as evidenced in the Applicant's submittal; and

WHEREAS, this ordinance amends and replaces only the “Commercial Business Park” guidelines as stated on Sheet 1B of the Lyon Subdivision Planned Unit Development Final Subdivision Plat, and does not affect the residential portion of the planned unit development; and

WHEREAS, on or about July 1, 2008, the Planning & Zoning Commission (hereinafter “Commission”) considered the application and recommended to the Board of Trustees (hereinafter “Board”) approval of the rezoning request and PUD amendment within conditions as noted in this ordinance; and

WHEREAS, on or about July 28, 2008, the Board considered the rezoning and PUD amendment application at a duly noticed public hearing, pursuant to the Silt Municipal Code (“Code”) and pertinent Colorado Revised Statutes; and
WHEREAS, on or about August 11, 2008, the Board determined that the proposed rezoning for the Subject Lots is consistent and in conformity with the existing pattern of zoning within the Silt Trade Center and within the Town, with the Town's Comprehensive Plan, as amended, and that the proposed amendment and restatement of the PUD Guidelines will clarify for the Town, the Applicant and the property owners within the Silt Trade Center the uses and restrictions, and convey to the Town, the Applicant and the property owners within the Silt Trade Center the uses and restrictions of the PUD Guidelines; and

WHEREAS, the Board is granted broad authority by State Statutes and its home rule charter in order to provide for the health, safety and welfare of its citizens; and

WHEREAS, Section 16.12.580 of the Silt Municipal Code (hereinafter "Code") requires that the Board adopt an ordinance setting forth said Board's findings of fact and conclusions prior to approval of the subject rezoning and PUD amendment application.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF SILT, COLORADO, THAT:

Section 1

The PUD Guidelines ("Guidelines")

The Guidelines shall be amended and restated as follows:

The following designated lots are within the Silt Trade Center PUD, subject to these conditions: Lot 78A, 78B, 79 through 158;

The following designated lots are B-1 PUD lots: Lot 129, Lots 132 through 140, inclusive;

The following designated lots are B-2 PUD lots with B-1 PUD architectural, site planning and landscaping criteria, as prescribed by this ordinance: Lots 78A, 78B, 79, 125 through 128, inclusive, 130, 131, 141, 148, 152 through 158 inclusive;

A. Permitted Uses: To provide alternative development standards that will encourage a variety of development including the following and other similar uses as permitted by the Town of Silt:
<table>
<thead>
<tr>
<th>B-1 PUD Uses</th>
<th>B-2 PUD Uses</th>
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<tbody>
<tr>
<td>1) Convenience Store with or without drive-through</td>
<td>1) Self-Storage Unit(s)</td>
</tr>
<tr>
<td>2) Day Care Center</td>
<td>2) Fire Station</td>
</tr>
<tr>
<td>3) Bank with or without drive-through</td>
<td>3) Service Business</td>
</tr>
<tr>
<td>4) Laundromat</td>
<td>4) Auto Repair Shop</td>
</tr>
<tr>
<td>5) Office Building</td>
<td>5) Construction Business</td>
</tr>
<tr>
<td>6) Retail Business with or without drive-through</td>
<td>6) Light Manufacturing Business</td>
</tr>
<tr>
<td>7) Restaurant with or without drive-through</td>
<td>7) Wholesale Business</td>
</tr>
<tr>
<td>8) Food Store with or without drive-through</td>
<td>8) Lumber Yard</td>
</tr>
<tr>
<td>9) Church</td>
<td>9) Cabinet Shop with or without manufacturing</td>
</tr>
<tr>
<td>10) Library</td>
<td>10) Car Wash</td>
</tr>
<tr>
<td>11) Retail Gas Station</td>
<td></td>
</tr>
<tr>
<td>12) Hotel/Motel</td>
<td></td>
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<tr>
<td>13) Professional Business</td>
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<tr>
<td>14) Movie Theater</td>
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<tr>
<td>15) Bowling Alley</td>
<td></td>
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</tbody>
</table>

*Note: B-1 PUD uses can be placed upon any lot within the Silt Trade Center. As to Lots 78A, 78B, 79, 125 through 128, inclusive, 130, 131, 141, 148, 152 through 158 inclusive, the following uses are specifically excluded: there shall be no Retail Gas Stations, Self-Storage Units, Car Wash, or Auto Repair Shops.

B. Minimum lot area: 7,000 square feet;

C. Minimum lot frontage to a public and allowable access: 30 feet;

D. Minimum lot depth: 80 feet (Does not apply to Lots 78A, 78B, 155, 156, 157 and 158);

E. Minimum lot width: 50 feet (Does not apply to Lots 78A or 78B);

F. Maximum building height; primary structure: No building may be taller to the ridge than 35 feet above the original ground elevation or 100 year floodplain, whichever is greater. Lots within 100 year floodplain are designated on recorded plat. Construction in 100 year floodplain shall meet the current adopted building code, as adopted by Town of Silt. It is each individual lot owner's responsibility to determine the requirements of the Town of Silt.

G. Minimum setbacks:
1. **Front and street side yards:** 20 feet from all street rights-of-way or private access easements, except buildings on lots adjacent to State Highway 6 may be ten (10) feet from the State Highway 6 right-of-way.

2. **Side and rear yards:** Buildings may be built to lot lines on one side if the adjoining building is 10 feet or more from the adjoining lot line or if the adjoining lot is vacant. No two buildings shall be within ten feet of each other. If more than one lot is owned by the same party, it shall be considered as one lot for setback purposes. Union Pacific Railroad (UPRR): No building shall be constructed nearer than 30 feet from the right-of-way of the UPRR.

**H. Utility and drainage easements:** There are to be reserved easements encumbering each lot herein for the purpose of construction and maintenance of utility and drainage facilities as follows:

1. There shall be a ten (10) foot wide utility and drainage easement along all street rights-of-way, including State Highway 6;

2. There shall be a five (5) foot wide utility easement along the south (rear) lot lines of Lots 125-130 and a five (5) foot utility easement along the west lot line of Lot 130;

3. There shall be a ten (10) foot wide utility and drainage easement along the west boundaries of Lots 124 and 135 and a ten (10) foot wide utility and drainage easement along the east boundary of Lot 97;

4. There shall be a ten (10) foot wide utility easement along the west boundary of Lot 87, for a distance of 128.73 feet, more or less;

5. There shall be a thirty (30) foot wide utility and drainage easement from the edge of the Union Pacific Railroad right-of-way, to all those lots adjacent to and north of the Union Pacific Railroad; and

6. Other easements as shown on the Final Plat dated___________.

**I. Off-street parking:**

1. All off-street parking lots shall be paved and the minimum requirements of the Town of Silt as to the number of spaces required shall be met.

2. All parking in the Silt Trade Center shall be designed to accommodate entrance and exiting from the lot in a forward motion of the vehicle, unless an alternative site plan is approved by the Town. See Section 1.4 for Silver Spur requirements below.
3. Two driveways will be allowed per common ownership, but additional driveways may be allowed by the Town upon request by lot owner.

4. All parking areas in the front yard setback shall be separated from the right-of-way with a landscaped area which shall be a minimum width of 10 feet in the B-1 PUD areas and 6 feet in the B-2 areas, measured perpendicular to the right-of-way. Area of the right-of-way between the pavement and property line is to be landscaped. All front yards in the B-1 PUD and B-2 PUD, exclusive of parking and driveways, shall be landscaped. Lots upon Silver Spur may have parking areas within the twenty (20) foot wide setback area so long as the 10% lot landscaping is maintained on these lots. Vehicles may exit from these lots by backing onto Silver Spur.

5. Rock cover may be used in the landscaped area. Any rock cover area shall have as a minimum a weed barrier being five (5) mils or greater in thickness. Landscape plans shall be submitted to the Town along with building permit applications;

J. Construction materials.

1. All structures shall be constructed of new materials and shall be of brick, brick veneer, stone, manufactured stone, lumber, stucco, decorative concrete block, cedar siding or metal sheeting.

2. Exterior metal sheeting siding is not allowed within B-1 PUD District. Metal sheeting on roofs is allowed but no galvanized roofing material is allowed. All exposed metal sheeting is to be painted in earth tone colors only.

3. Unfinished and/or non-painted cinderblock or cement shall not be used for exposed walls.

4. All construction shall be in conformance with the latest adopted building Code as adopted by the Town of Silt.

5. All construction on lots 78A, 78B, 79, 125 through 128, inclusive, 130, 131, 141, 148, and 152 through 158 inclusive shall be built to the following standards.

   a. Building materials and design shall be selected by the applicant in order to achieve and maintain high architectural standards and to avoid boxy or monotonous industrial appearances. The following techniques will help achieve this effect:
1. Adding thoughtful architectural design elements into each building that may include:
   a. Varying and intersecting the rooflines;
   b. Adding dormers, porches, cantilevers, covered walkways, etc.;
   c. Adding architectural detailing to trim work, lighting, windows, doors, soffit and fascia;

2. Using a variety of complementary quality building materials and techniques to add interest and artistic appeal to the building that may include, but shall not be limited to: stucco, wood, brick, stone, untreated metal, architectural block and/or architectural concrete.

b. The building design shall contribute to the character of the zone district and to the community by the thoughtful use of materials, sizing, elements, features, color ranges, and of activity areas specific to the site, proposed uses and surrounding land uses.

c. Facade treatment shall be implemented in order for each building to be architecturally interesting. In order to avoid the effect of a single, long, or massive wall, the following additional standards shall apply:

1. Building bays wider than sixty feet shall be visually established by architectural features that can include but not be limited to: columns, ribs or pilasters.
2. No building wall that faces a street or connecting walkway shall have a blank, uninterrupted length of more than sixty feet without containing at least two of the following: change in plane, change in texture or masonry pattern, windows, trellis with vines, or an equivalent element that subdivides the wall.
3. All sides of the building shall include materials and design characteristics consistent with those on the front. Use of inferior or substandard quality materials for side or rear facades shall be prohibited. The sides and backs of buildings shall be as visually attractive as the front through the design of rooflines, architectural detailing, and landscaping features.
4. Base treatments shall be one of the following:
   a. Integrially textured materials such as stone or other masonry;
   b. Varies textured material combinations such as stone/wood, stone/stucco, wood/stucco, brick/wood or any such combination;
   c. Integrially colored and patterned materials such as
smooth rock, granite or tiles;
d. Variously colored and patterned materials such as
   mullions, panels or planters; and
e. Design patterns such as ledges, sills, headers,
   parapets or other wall variations.
5. Treatments on or near the top of the building must be
   recognizable from any street, parking lot or open space and consist
   of one of the following: cornice treatments, other than just colored
   "stripes" or "bands", with integrally textured materials such as stone
   or other masonry, or differently colored materials; sloping roof with
   overhangs and brackets; or stepped parapets.
6. Exterior building materials shall be high-quality material
   including, but not limited to: brick, sandstone or other native stone,
   wood siding, stucco or tinted/textured concrete masonry units.

K. Housing:

1. No structure of a temporary or permanent character, mobile home,
   trailer, basement, tent, shack, garage, barn or any other outbuildings of
   any description shall be used on any lot as a residence unless compliant
   with this section;

2. Lots 78A, 78B, 79, 125 through 128 inclusive, 130, 131, 141, 148,
   152 through 158 inclusive may have up to two housing units per lot when
   proposed as an accessory use to the main commercial use, without the
   need of a special use permit for a maximum of 36 units. All other lots
   may have two housing units per lot, with a special use permit. All housing
   units shall be subject to a parkland dedication in-lieu fee of $868.84 per
   unit at building permit. Such fee will escalate 6% annually as set forth in
   the Silt Municipal Code.

3. A housing unit is defined as having at least one bathroom, one
   kitchen and one or more bedrooms. This section does not apply to hotels
   and/or motels, which are permitted uses in both B-1 PUD and B-2 PUD
   districts. Parking space requirements are defined by the Silt Municipal
   Code as adopted at the time of site plan review.

L. Commercial sign code: All signs shall conform to Chapter 17.60 of the Silt
   Municipal Code, unless approved by the Planning & Zoning Commission
   through the sign exception process.

M. Animals:

1. No animals, livestock or poultry of any kind shall be raised, bred or
   kept on any lot for any purpose, except dogs and cats per Chapter 6.04 of
the code and small caged (or aquarium) animals normally kept as household pets

2. No animal may run at large.

3. The number of dogs and/or cats per housing unit shall be per Chapter 6.04 of the Silt Municipal Code.

N. **Solid Fuel Burning Systems and Oil Burning Systems:** No solid fuel burning systems or oil burning systems are to be permitted within the Silt Trade Center PUD.

O. **No unsightliness:** No unsightliness shall be permitted. Without limiting the generality of the foregoing:

1. Lots in the B-1 PUD District shall be allowed outside storage with a solid fence six (6) feet high with the same materials as the siding on the building on the B-1 PUD lot, so long as the outside storage is located behind the building or on the side the building and is not highly visible from State Highway 6.

2. Excluding those lots that are to be rezoned by this ordinance from B-1 PUD to B-2 PUD, all other B-2 PUD lots with outside storage must have a neat and well maintained 6 foot high minimum chain link screened fence with green mesh screening or as approved by the Town of Silt;

3. All broken windows must be replaced immediately;

4. No lot shall be used as a dumping ground for garbage or refuse. Dumpsters must be enclosed on three sides. Dumpsters cannot be located in front yard or side yard adjoining a street.

5. All lot owners shall maintain whatever landscaping installed, even if the building is vacated;

6. All landscaping shall be kept in a healthy and well-kept condition. Landscaping is a requirement of this ordinance and shall meet the minimum standards at all times after initial installation. Landscaping shall be checked for compliance prior to issuance of any permit including but not limited to new sign permits or business permits. It shall be the responsibility of the owner of the lot to assure compliance.

P. **No nuisances including annoying lights, sounds or colors.** All activities, lights, sounds and colors shall be in conformance with Chapter 17.49 of the Silt Municipal Code. No persistent noise in excess of fifty decibels dB
shall be detectable beyond the property line before 7:00 AM or after 10:00 PM.

Q. Utility lines: All utilities, including but not limited to: gas lines, power lines, cable TV, and telephone shall be placed underground. Under-grounding should not be limited to individual service lines to the homes and businesses, but apply to all lines.

R. Access to State Highway 6: No lot shall have direct access to State Highway 6 or across the railroad right-of-way.

S. Landscaping requirements.

1. A minimum of 10 percent of each lot within the Silt Trade Center will be landscaped. Areas to be landscaped include front and street side yards;

2. Lots along the railroad right-of-way are required to plant a 1 ½" diameter or greater tree for visual screening every 20 feet on center within the landscape buffer zone. Trees shall not interfere with the drainage easement along the southern property boundary of Lots 86 through 97. A minimum of four 1 ½" diameter or greater trees and eight 1 gallon shrubs per lot will be planted;

3. Lots 78B, 79, 136, 152, 153 and 154, when developed will be required to landscape the 10 foot setback area from State Highway 6 with one 1 ½" diameter or greater tree for every 2,000 square feet of the setback zone area. The setback area will meet the requirements as outlined under Item "H" for front yards. Lots 78B, 79, 136, 152, 153 and 154 will provide two 1 ½" diameter or greater trees and two one gallon shrubs for landscaping for every 1,200 square feet of floor space developed.

4. Landscaping shall be assured by a deposit provided to the Town at the time of issuance of a building permit. Said deposit shall be $250.00 for all lots within the B-1 PUD and B-2 PUD Districts and released upon installation of landscaping which meets or exceeds minimum standards as stated in this ordinance.

5. All materials binding the trunk or root ball must be removed prior to planting. Any tree or shrub not surviving after one year from planting will be replaced at owner’s expense. All plantings must be made within one growing season.

6. Trees suggested for this development are:
a. Austree (willow);
b. Flowering crabapple;
c. Hybrid cottonless cottonwood;
d. Fruit trees;
e. Ponderosa pine;
f. Lombardy poplar;
g. Maple;

7. Trees not permitted in this development:
   a. Cottonwood (female);
   b. Elm;

T. Site plan requirements. Each lot proposed as a commercial unit shall submit to the Town of Silt a detailed site plan showing at a minimum the following:

1. Structure location on the lot and setbacks from property lines;
2. Designated parking areas;
3. A landscaping plan showing the areas designated for landscaping, exterior fencing showing type of construction and height;
4. If construction occurs during a time when planting of vegetation is not practical, then certain assurances ($250.00 deposit) to the Town of Silt will be made to guarantee that the proposed landscaping improvements will be made;
5. Compliance with height, construction material(s) and setback restrictions;

U. The water service to Lot 137 shall be limited to commercial uses not requiring a fire protection system or other potential uses that require larger than a ¾ - inch service line.

V. That all new or revised easements, in particular the Drainage and Utility Easement that was amended by Ordinance 26, 1998, be indicated on the new plat and a note preventing placement of materials that may impede proper storm water runoff

**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 therewith.
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, clauses, phrases and provisions of this Ordinance, or the application thereof to any person or circumstance, shall remain in full force and shall in no way be affected, impaired or invalidated.

INTRODUCED, READ AND APPROVED ON FIRST READING, a public hearing, this 11th day of August 2008, at 7:00 p.m. in the Municipal Building of the Town of Silt Colorado.

PASSED, APPROVED ON SECOND READING, ADOPTED AND ORDERED PUBLISHED following a continued public hearing this 25th day of August, 2008.

ATTEST:

TOWN OF SILT

[Signature]

Town Clerk Sheila M. McIntyre

[Signature]

Mayor David C. Moore

[Seal]
MEMORANDUM

TO: Chairman Chris Classen and Members of the Town of Silt Planning Commission

FROM: Mark Chain, Planner

DATE: January 27, 2022

RE: Suggested Code Changes to Title 17 zoning

Here are a few other changes that may be simple to make but there are reasons for my suggested changes. I am suggesting the following:

1. Require a public hearing in front of Planning Commission for site Plan Review – 17.42.055

2. Require a public hearing in front of Planning Commission for Special Use Permit – 17.78.040 B

3. Include in Site Plan Review Process a time limit for construction to be initiated (AKA a lapse of approval condition).

Quick discussion on the above:

Public Hearing in front of Commission for Site Plan Review. The planning commission is a decision-making body for a site plan review; though it can be appealed to the Board of Trustees. Right now, site plan reviews are just reviewed at a regular planning commission meeting with no notice to surrounding property owners. Sometimes these are very simple; but sometimes they can be complex. Oftentimes, people don’t even know that something is being proposed. While it is a step and a cost for an applicant to send out these notices. I think oftentimes neighborhoods would like to know what is going on.

Public Hearing in front of Commission for Special Use Permit. Right now, the Board is the decision-making body for a Special Use Permit. There is a recommendation to the Board by the Planning Commission. But this is also at a regular meeting and not a public hearing. Once again, the surrounding property owners are not advised of any review by the planning commission for proposed development. If something is controversial and number of neighbors attend a Board Meeting and it is contentious; that hearing will have a totally different flavor and discussion of the pros and cons than would have occurred at the planning commission. And the Board won’t have the information from a more detailed discussion in front of the
Commission. Used properly, discussion at the Planning Commission can help inform the Board Discussion and a better decision be reached. It also allows the Board to many times be more efficient with land use discussion so they can focus more on strategic items—which to me as their primary role.

Time Limit for Site Plan Review approval/lapse of approval. I have found nothing in the town code which specifies the length of time for which a site plan review is effective. Usually, people want to come in and start quickly. But, if something happens and construction/activity is not taken for a significant period of time, conditions may have changed and what was proposed may no longer be appropriate for that neighborhood or area. Also, various codes – building and zoning – can evolve and once again a prior approval may no longer seem appropriate after a significant amount of time. I would recommend a six month or year time period for which any site plan review is effective. We can build in a couple of extensions so someone can have the ability to construct in, let's say a two year time.

These are 3 simple things which I think should be evaluated for modification in the town zoning code. Yes, a few hearings may be more contentious but it also makes the town's development process and what is happening in town more transparent to the general citizen.

I am attaching these relevant sections of the code in PDF format for your easy review.
17.42.055 Application process.

A. An applicant for commercial or multifamily site plan review shall provide such written information on the land use application form and on forms provided by the town, plus any other supplemental information needed to convey information to the commission, including the following:

1. A description of the proposed land use(s);
2. A statement of the planning objective(s);
3. A description of adjoining land use(s) and zoning;
4. Existing zoning of the subject property;
5. A statement regarding the proposal's conformance with the comprehensive plan and zoning; and
6. A site plan map(s) depicting all proposed land use, including utilities, landscaping, structures, parking, and other development of any kind.

B. Following the town's review of an applicant's commercial and/or multifamily site plan application, the town staff shall determine whether application for site plan review is complete, and if it is, he shall refer the application to the planning and zoning commission within 30 days of such determination of completeness.

C. The planning and zoning commission shall review application for code compliance at a regularly scheduled meeting and shall approve, approve with conditions or deny the application.

D. If the planning and zoning commission approves such application, applicant may submit to the town a building permit application.

E. If the planning and zoning commission approves such application with conditions, applicant may either submit to the town a revised site plan with a building permit application, or conversely, if applicant does not agree to such conditions, applicant may appeal such conditions to the board at a regularly scheduled meeting, as determined by the town administrator or his designee.

F. If the planning and zoning commission denies the application, applicant may appeal such decision to the board at a regularly scheduled meeting, as determined by the town administrator or his designee.

(Ord. No. 2-2013, § 1, 2-11-2013)
Chapter 17.78 - SPECIAL USE PERMITS

Sections:

17.78.010 - Special use.

Special uses are uses other than permitted uses. A special use is granted by a special use permit which is defined at Section 17.08.400. A special use may or may not be appropriate and may or may not be allowed by the board, in its discretion.

(Ord. 12, Series of 1984 § 8 (part))

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.

(Ord. 12, Series of 1984 § 8 (part))

17.78.030 - Review criteria.

Criteria for review of special use applications are:

A. Compliance of the application with this code;
B. Compatibility of the proposal with the character of the surrounding area;
C. Desirability and need for the proposed use;
D. Encouragement of the most appropriate use of land throughout the town;
E. Potential for adverse environmental influences that might result from the proposed use;
F. Compatibility of the proposed use with the comprehensive plan; and
G. 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.

(Ord. 12, Series of 1984 § 8 (part))

17.78.040 - Application—Public hearing—Enforceability.

A. An applicant desiring a special use permit shall submit a written application on forms supplied by the town and a fee. The board of trustees shall set the fee for special use permit per this chapter annually by resolution, or as often as necessary, in the board's sole discretion. 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 the 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 approve, approve with conditions or deny the application. On any approval of a 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.

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.

(Ord. 4-01 (part))

(Ord. No. 8-2012, § 8, 4-23-2012)