

**TOWN OF SILT
 PLANNING AND ZONING COMMISSION AGENDA
 Tuesday, December, 3 2024 6:30 P.M.
 MUNICIPAL COUNCIL CHAMBERS
 HYBRID MEETING**

ESTIMATED TIME	ELECTRONIC AGENDA ITEM	PUBLIC HEARING/ ACTION	ELECTRONIC LOCATION AND PRESENTOR
	Agenda		Tab A
6:30 5 min	Call to Order		Chair Williams
	Roll Call		
	Pledge of Allegiance		
6:35 5 min	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		
6:40 5 min	Consent agenda – 1. Minutes of the November 6, 2024 Planning & Zoning Commission meeting	Action Item	Tab B Chair Williams
	Conflicts of Interest		
	Agenda Changes		
20 min 6:45	Off-Street Parking Code Revisions		Director Centeno
10 min 7:05	Planners Report	Update	Director Centeno
5 min 7:15	Commissioner Comments		
7:20	Adjournment		

The next regularly scheduled meeting of the Silt Planning & Zoning Commission is tentatively set for Tuesday, January 7 2025, 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.

TOWN OF SILT
REGULAR PLANNING AND ZONING COMMISSION MEETING
November 6, 2024 – 6:30 P.M.
HYBRID MEETING

The Silt Planning and Zoning Commission held their regularly scheduled meeting on Wednesday, November 6, 2024. The meeting was called to order at 6:30PM.

Roll call	Present	Chair Lindsey Williams Vice Chair Michael Bertaux Commissioner Jennifer Stepisnik Commissioner Vanessa Westmoreland
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	Absent	Commissioner Eddie Aragon Alternate Dana Wood Alternate Justin Anderson
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Also present: Community Development Director, Nicole Centeno and Deputy Clerk/ Deputy Treasurer, Lori Malsbury

Pledge of Allegiance

Public Comment

There was no public comment

Consent Agenda

1. Minutes of the October 1, 2024 Planning & Zoning Commission meeting.

Commissioner Stepisnik made a motion to approve the meeting minutes on the consent agenda, seconded by Commissioner Westmoreland. The motion to approve the consent agenda carried unanimously.

Conflicts of Interest

There were no conflicts of interest.

Agenda Changes

There were no proposed changes to the agenda.

Natural Medicine Municipal Code Proposal

Deputy Clerk Malsbury introduced the 2022 Proposition 122 that voters approved, directing the establishment of a regulatory program for natural medicine, which decriminalized personal use.

In 2023, the State Legislature enacted Senate Bill 23-290, which codified C.R.S 44-50-101 through 904, to create the regulatory structure for the operation of Natural Medicine licensed facilities, related businesses that provide the same use, cultivation, manufacturing and testing of these substances.

She then explained that the Town is extremely limited on what can be regulated and that the State was going to handle all licensing and regulations through CDPHE and the Colorado Department of Revenue. The Town can only determine time, manner and place.

Deputy Clerk Malsbury stated that the Town was being proactive to change the schedule of uses and define Natural Medicine in the code, to be better prepared for if or when someone makes an application to run a Natural Medicine facility within the Town limits.

Given that the Town can only regulate time, manner and place, the ordinance addresses that a Natural Medicine facility can operate Monday through Saturday from 8:00am to 6:00pm. She also explained that the zoning would be a Special Use Permit, along with a variety of other definitions and distance requirements.

Chair Williams asked for clarification on how it works. Deputy Clerk Malsbury said that from her understanding, it's primarily used to treat depressions and anxiety. The administration has to be overseen by a facilitator and can be administered orally, or by injection. There is a requirement to stay at the facility to be monitored for a certain amount of time, determined by the state. The facilitators have to be certified and trained. The handlers are also certified and can be the only one to handle and more the product. Deputy Clerk Malsbury also clarified that the state will start taking applications on December 31st, so nobody is currently running a Natural Medicine Business yet.

Commissioner Stepisnik inquired about over the counter or retail. Deputy Clerk Malsbury explained that Natural Medicine is not legal to sell over the counter or for retail purposes. It can be grown for personal use and gifted, but no monetary exchange can take place.

Chair Williams thanked Deputy Clerk Malsbury for being proactive to get something in code so quickly.

Commissioner Stepisnik asked if the Town was going to receive any tax revenue from these businesses and Deputy Clerk Malsbury stated that the Town would not receive any tax revenue.

Commissioner Stepisnik made a motion to recommend approval of the proposed code and Ordinance NO. 11, Series 2024, for Natural Medicine, as written. The motion was seconded by Commissioner Westmoreland and passed unanimously.

Planners Report

Director Centeno thanked everyone for their help with the Main Street Trick or Treat.

She encouraged everyone to join in on the White Christmas Tree Lighting Ceremony coming up on Tuesday, December 26, 2024 from 4:30pm-8:30pm.

Commissioner Westmoreland asked for the Town to let everyone know about the fireworks, so they can get their animals inside. She stated that last year, her chickens were caught by surprise.

Commissioner Stepisnik inquired about whether there was an uptick in vendor's licenses for craft fairs and Director Centeno stated that the Town has not had anyone reach out about any craft fairs.

Director Centeno went over the pending applications that will be coming up in the next couple of months.

The Commissioners and Director Centeno discussed Code Enforcement and Building Inspector, as well as the 2025 Calendar.

Commissioner Comments

Chair Williams asked Vice- Chair Bertaux to run the December meeting, as she was going to be unavailable and he stated that he could cover that meeting.

Adjournment

Commissioner Stepisnik made a motion to adjourn the meeting; seconded by Chair Williams. The meeting adjourned at 7:01 PM.

Respectfully submitted,

Approved by the Planning Commission

Nicole Centeno
Community Development Director

Lindsey Williams
Chair

Chapter 17.52 OFF-STREET PARKING

Sections:

17.52.010 Intent—Continuing responsibility.

- A. It is the intent of these regulations that adequate, permanent surface parking spaces and adequate loading facilities shall be provided on private property in all zone districts (to include planned unit developments), in order to promote the public safety, to lessen congestion in the public streets, and to help make possible the full use of existing streets for traffic movement unhindered by parking, loading and unloading maneuvers conducted within the public streets.
- B. To achieve these purposes, it is further intended that upon submittal of any building permit to the town, or upon the transfer, conveyance, grant or sale of the property by a property owner or property owner's representative, the property's owner and any successors in interest shall have a continuing responsibility to provide an amount and type of off-street, permanent surface parking and loading facilities which meet the minimum requirements in this chapter, unless the subject property owner or other appropriate applicant obtains a variance of or exception to these requirements pursuant to this code.
- C. Any reference to "parking space" or "off-street parking" within this code will be interpreted to mean permanent surface parking space as required in the Silt Municipal Code, under Sections 17.08.085 and 17.08.300.

(Ord. 16-03 § 1 (part))

17.52.020 Required Parking requirements.

- A. Off-street parking space(s) shall be provided on every lot on which any of the following uses set out in Section 17.52.030 the schedule of parking requirements by use are proposed or established;
- B. The number of parking spaces provided shall be no less than the number specified in Section 17.52.030 the schedule of parking requirements, as stated in this chapter for various uses;
- C. Each parking space shall be provided with continuous width permanent surface (asphalt, ~~concrete~~ or other material as determined by the town administrator or his designee) of vehicular access to a street (primary) or alley (secondary);
- D. Each required parking space shall be designed to afford access to a public or privately maintained the street at all times (i.e., no "stacking" of spaces shall be allowed);
- E. All regulations pertaining to the Americans with Disability Act shall be complied with;
- F. All parking spaces (except those serving single-family units) shall be designed to allow for turning so that a vehicle exits the parking lot in a forward facing direction; and,
- G. Uses shall provide off-street parking as required by this section, except for areas within the downtown commercial parking district, defined as all those areas between 5th and 9th Street, and between Home Avenue and Front Street. These areas shall calculate off-street parking requirements according to Section 17.52.030 the schedule of parking requirements, but shall be allowed to count all on-street parking immediately adjacent to the subject parcel. The town shall make final determination for off-street parking requirements, upon application for building permit or commercial site plan review.

(Ord. 16-03 § 1 (part))

17.52.030 Schedule of parking requirements by use.

The below are the minimum parking requirements that will be rounded up when calculations are being determined.

OFF-STREET PARKING REQUIREMENTS

Uses	Required Parking
A. Residential	
Single-family detached dwellings	Two spaces per dwelling unit, not within an enclosed structure.
Duplex dwellings-	<u>Two spaces per dwelling unit, not within an enclosed structure</u>
<u>Accessory Dwelling Unit (ADU)</u>	<u>Two spaces per dwelling unit, not within an enclosed structure</u>
One bedroom- <u>Multi-family dwellings: Studio or One Bedroom-</u>	One <u>and one-half</u> spaces per one bedroom dwelling unit.
Two bedroom- <u>Multi-family dwellings: Two Bedroom-</u>	One and one-half <u>Two</u> spaces per two bedroom dwelling unit.
Three bedroom- <u>Multi-family dwellings: Three or More Bedroom-</u>	Two <u>and one-half</u> spaces per three bedroom dwelling unit.
Four or more bedroom- <u>Multi-family dwellings:</u>	Three spaces per four or more bedroom dwelling unit.
B. Commercial/Public	
Banks, savings and loans, credit unions.	One space for every <u>each</u> two hundred square feet of gross floor area.
Bowling alleys.	Three <u>Four</u> spaces for each alley.
Car sales, manufactured home sales, outdoor equipment, farm equipment and machinery sales, commercial nurseries or greenhouses, and similar uses.	One space for every four hundred square feet of gross floor area.
Churches, religious institutions, theaters, and assembly halls.	One space for every <u>each</u> four seats or, if there exist no fixed seating areas, one space for every <u>each</u> two <u>four</u> hundred square feet of gross floor space.
<u>Food Trucks</u>	<u>Determined at Site Plan Review</u>

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(Supp. No. 59)

Gasoline, service, and convenience stores.	One space for each car gasoline pump space or bay serving one car, plus one space for every <u>each two</u> four hundred <u>and fifty</u> square feet of gross retail floor space.
Hospitals.	One space for every <u>each</u> two beds, plus one space for each administrative office, plus one space for each examination room.
Libraries, community centers, and public buildings (not office building).	One space for every <u>each four</u> two hundred square feet of gross floor space.
Medical office building.	One space for each examining room or booth, plus one space for each administrative office.
Membership clubs and lodges .	One space for each four <u>every two</u> hundred square feet of gross floor space.
Mobile home parks, recreational vehicle parks, campgrounds.	Two spaces for each individual site.
Mortuaries and funeral homes.	One space for each <u>every</u> four seats in the assembly hall.
Motels, hotels, bed and breakfast facilities, and inns.	One space for each rental unit, plus one space for each two hundred square feet of gross conference room <u>and office</u> space.
Professional, municipal and business offices.	One space for every <u>each</u> four hundred square feet of gross floor space.
Rest homes, convalescent homes, and assisted living facilities.	One space for each <u>per</u> six patient beds, plus one space for each administrative office.
Restaurants and taverns.	One space for every <u>each</u> two hundred square feet of gross floor area, <u>plus one for every two hundred square feet of gross outdoor seating</u> .
Retail establishments and service outlets.	One space for every <u>each</u> two hundred square feet of gross floor area.
Schools (elementary, middle school or junior high).	One <u>and one half</u> spaces for each classroom and administrative office.
School (senior high, trade, industrial and vocational).	One space for each four pupils. <u>Five spaces for each classroom</u>
Veterinarian hospitals and clinics.	One space for each examining room, plus one space for each administrative office.

Wholesaling and industrial uses.

One space for ~~every~~ each six hundred square feet of gross square footage.

~~Shopping centers and~~ All other uses not listed.

Parking requirements will be determined at Site Plan Review, with a minimum of one space for each four hundred square feet of gross floor space. Subject to review by board of adjustment.

(Ord. 16-03 § 1 (part))

17.52.040 Location away from principal use.

If the required automobile parking spaces cannot reasonably be provided on the same lot on which the principal use is conducted, such spaces may be provided on other off-street property; provided, that such property lies within four hundred feet of the main entrance to such principal use. Such automobile parking space shall be associated with the principal use and shall not thereafter be reduced or encroached upon in any manner.

(Ord. 13, Series of 1980 § 8.01.03)

17.52.050 Extension into residential districts.

Required parking space may extend up to one hundred twenty feet into a residential zoning district; provided, that:

- A. The parking space adjoins a commercial district; and
- B. Has its only access to or fronts upon the same street and is adjacent to the property in the commercial district for which it provides the required parking space; and
- C. Is separated from abutting properties in the residential district by adequate screening such as a fence or a buffer strip of vegetation at least six feet in height.

(Ord. 13, Series of 1980 § 8.01.04)

17.52.060 Multifamily dwellings.

No more than six of the required number of parking spaces shall be allowed between a multifamily dwelling unit and a street or highway.

(Ord. 13, Series of 1980 § 8.01.05)

17.52.070 Parking Area Encroachment; —Reduction of sSpaces Request and Occupancy Changes-

~~No open area in an~~ Neither shall the existing off-street parking ~~area shall~~ be encroached upon by buildings, storage or any other use, nor shall the number of parking spaces be reduced, without the submittal of a written request and approval from the Director of Community Development. The request must be submitted with documentation, justifying ~~except after the submission of proof to the director of community development that, by the reason~~ for reduction in parking, such as decreased floor area, change to occupancy classification, seating capacity, number of employees or change in other factors controlling the regulation of the number of required off-

street parking spaces. The Director of Community Development will determine if the request meets the requirements of this chapter and will issue an approval or denial, based on ,the proposed reduction is reasonable and consistent with the intent of this title. An appeal can be made to the Planning and Zoning Commission.

(Ord. 13, Series of 1980 § 8.01.06)

17.52.080 Mixed uses.

In the case of mixed uses, including combined commercial uses and residential/commercial combined ~~the~~ uses, the total requirement for off-street parking shall be the sum of the requirements of the various uses, computed separately as specified in this chapter, subject to site plan review. -

(Ord. 13, Series of 1980 § 8.01.07)