

- I. CALL TO ORDER

- II. ROLL CALL

- III. REVIEW AGENDA

- IV. CONSENT OF OCTOBER 13, 2015 MINUTES

- V. OLD BUSINESS
 - a. Presentation - Final Due Process of CDC
 - b. Update - Flume Repair
 - c. Continue Discussion - Retail Marijuana Location Possibilities w/
Federal Restrictions, Zoning & Comprehensive Plan

- VI. ADJOURN

POSTED 11/5/15

OPEN TO THE PUBLIC

**PLANNING & ZONING COMMISSION
CITY OF CREEDE, COLORADO - A TOWN
October 13, 2015**

REGULAR MEETING

The Planning and Zoning Commission of the City of Creede - a Town, County of Mineral, State of Colorado, met in the Creede Town Hall at the hour of 5:30 p.m. There being present at the call of the roll the following persons:

COMMISSIONERS PRESENT: Ed Vita, Frank Freer, Kay Wyley, Lauri Jordan, Eric Grossman
COMMISSIONERS ABSENT: Rex Sheppard
Commissioner Jordan, presiding, declared a quorum present:
Those members of staff also present were as follows: Clyde Dooley, Town Manager
Randi Snead, Town Clerk/Treasurer

AGENDA

Commissioner Grossman moved and Commissioner Wyley seconded to approve the agenda as presented. The vote was unanimous. Commission Chair Jordan declared the motion carried.

CONSENT OF SEPTEMBER 8, 2015 MINUTES

Commissioner Wyley moved and Commissioner Freer seconded to approve the September 8, 2015 minutes as presented. The vote was unanimous. Commission Chair Jordan declared the motion carried.

PUBLIC HEARING & RELATED ACTIONS

DEVELOPMENT OF RIO GRANDE AVENUE BETWEEN THIRD AND FIFTH STREET

Commission Chair Jordan opened the public hearing. An inconsistency in the width of the property vacated back to the owner alongside the swale on the north properties versus the south properties of the project was discussed, and staff is to follow up on the reasoning behind the differences. Regardless of use, the Commission and the audience was still in agreement that the preliminary plat of roads on the presented plan would work best for the project. Commission Chair Jordan closed the public hearing. Commissioner Grossman moved and Commissioner Freer seconded to recommend that the Board of Trustees approve the preliminary concept maps as presented. The vote was unanimous. Commission Chair Jordan declared the motion carried.

RECOMMEND ORDINANCE 391 VACATING A PORTION OF CREEDE AVENUE IN NORTH CREEDE AND AUTHORIZING THE TRANSFER OF PROPERTY

Commission Chair Jordan opened the public hearing. No one voiced support or opposition, and no correspondence regarding the ordinance had been received. Commission Chair Jordan closed the public hearing. Commissioner Grossman moved and Commissioner Wyley seconded to recommend that the Board of Trustees approve Ordinance 391 Vacating a Portion of Creede Avenue in North Creede and Authorizing the Transfer of Property. The vote was unanimous. Commission Chair Jordan declared the motion carried.

RECOMMEND RESOLUTION 2015-06 RE-PLATTING OF TRACT 31R, 31R-2, & 31R-3 BLOCK 44, NORTH CREEDE

Commissioner Grossman moved and Commissioner Freer seconded to approve Resolution 2015-06 Replatting of Tract 31R, 31R-2, & 31R-3 Block 44, North Creede. The vote was unanimous. Commission Chair Jordan declared the motion carried.

NEW BUSINESS

VACATION OF ALLEY IN BLOCK 14 - DOOLEY

Commissioner Grossman moved and Commissioner Vita seconded to recommend that the Board of Trustees vacate the Alley in Block 14 while maintaining a utility easement through the property. The vote was unanimous. Commission Chair Jordan declared the motion carried.

ADJOURN

There being no further business to come before the Planning and Zoning Commission at this time, Commissioner Grossman moved and Commissioner Wyley seconded that the meeting be adjourned at 6:23 p.m. The vote was unanimous. Commission Chair Jordan declared the motion carried.

Respectfully submitted:

/Randi Snead/

Randi Snead, City Clerk/Treasurer

DRAFT

MEMO

City of Creede

DATE: November 11, 2015
TO: Planning and Zoning Committee Members
FROM: Randi Snead, Clerk/Treasurer
SUBJECT: Marijuana Distance Regulations

Greetings all:

To clarify a few things from our last marijuana discussion, I've updated our maps and gathered some information.

Please feel free to delve into the huge amount of information available from our Marijuana Research Packet in creedetownhall.com's Info Library which lists even more resources from other towns and CML. For our purposes, though, we are focused only on distance regulations, zoning, and master planning. Here's what the BOT officially tasked the PZC with:

- To Recommend Available and Unavailable Retail Marijuana Locations Based on Federal Limitations – *Ignore zoning, etc, for a moment, and list properties that are available outside the 1000 foot distance barriers of your choice.*
- To Recommend Appropriate Zones to Allow Retail Marijuana According to Comprehensive Plan & Future Vision – *Ignore 1000 foot distances and discuss which zones, if any, are appropriate for MJ activities – for retail sales, cultivation, testing facilities, or product manufacturing facilities.*
- To Combine Federal Limitation Locations and Zoning Locations and Submit to BOT for Consideration – *Are there properties available that fall outside the distance limitations and are zoned appropriately? Submit to BOT.*

I've attached updated maps, zoning regs* from the current Land Use Code and the proposed Creede Development Code, and some info on the federal distance regulations** discussed at the September discussion. Our master plan is also available online in the Info Library for reference.

**I've only included permitted uses from the respective codes. If you would like more zoning reg info, look in Article 4 in the Creede Land Use Code online under the Info Library Article 20 in the new development code under What's New -> View All -> New Development Code Under Consideration.*

***Distance regs are federal and were discussed at length during BOT consideration of this topic. Please see additional discussions throughout the Marijuana Research Packet online if you would like further clarification.*

Pub. L. 99-570, §1004(a), substituted “term of supervised release” for “special parole term”.

1984—Subsecs. (a), (b). Pub. L. 98-473, §503(b)(3), substituted “Except as provided in section 845a of this title, any” for “Any”.

Pub. L. 98-473, §224(b), which directed amendment of this section effective Nov. 1, 1987 (see section 235(a)(1) of Pub. L. 98-473 set out as an Effective Date note under section 3551 of Title 18, Crimes and Criminal Procedure) was repealed by Pub. L. 99-570, §1005(b)(1).

EFFECTIVE DATE OF 1986 AMENDMENT

Amendment by section 1004(a) of Pub. L. 99-570 effective on date of taking effect of section 3583 of Title 18, Crimes and Criminal Procedure (Nov. 1, 1987), see section 1004(b) of Pub. L. 99-570 set out as a note under section 841 of this title.

§ 860. Distribution or manufacturing in or near schools and colleges

(a) Penalty

Any person who violates section 841(a)(1) of this title or section 856 of this title by distributing, possessing with intent to distribute, or manufacturing a controlled substance in or on, or within one thousand feet of, the real property comprising a public or private elementary, vocational, or secondary school or a public or private college, junior college, or university, or a playground, or housing facility owned by a public housing authority, or within 100 feet of a public or private youth center, public swimming pool, or video arcade facility, is (except as provided in subsection (b) of this section) subject to (1) twice the maximum punishment authorized by section 841(b) of this title; and (2) at least twice any term of supervised release authorized by section 841(b) of this title for a first offense. A fine up to twice that authorized by section 841(b) of this title may be imposed in addition to any term of imprisonment authorized by this subsection. Except to the extent a greater minimum sentence is otherwise provided by section 841(b) of this title, a person shall be sentenced under this subsection to a term of imprisonment of not less than one year. The mandatory minimum sentencing provisions of this paragraph shall not apply to offenses involving 5 grams or less of marijuana.

(b) Second offenders

Any person who violates section 841(a)(1) of this title or section 856 of this title by distributing, possessing with intent to distribute, or manufacturing a controlled substance in or on, or within one thousand feet of, the real property comprising a public or private elementary, vocational, or secondary school or a public or private college, junior college, or university, or a playground, or housing facility owned by a public housing authority, or within 100 feet of a public or private youth center, public swimming pool, or video arcade facility, after a prior conviction under subsection (a) of this section has become final is punishable (1) by the greater of (A) a term of imprisonment of not less than three years and not more than life imprisonment or (B) three times the maximum punishment authorized by section 841(b) of this title for a first offense, and (2) at least three times any term of supervised release authorized by section 841(b) of this title for a first offense. A fine up to three

times that authorized by section 841(b) of this title may be imposed in addition to any term of imprisonment authorized by this subsection. Except to the extent a greater minimum sentence is otherwise provided by section 841(b) of this title, a person shall be sentenced under this subsection to a term of imprisonment of not less than three years. Penalties for third and subsequent convictions shall be governed by section 841(b)(1)(A) of this title.

(c) Employing children to distribute drugs near schools or playgrounds

Notwithstanding any other law, any person at least 21 years of age who knowingly and intentionally—

(1) employs, hires, uses, persuades, induces, entices, or coerces a person under 18 years of age to violate this section; or

(2) employs, hires, uses, persuades, induces, entices, or coerces a person under 18 years of age to assist in avoiding detection or apprehension for any offense under this section by any Federal, State, or local law enforcement official,

is punishable by a term of imprisonment, a fine, or both, up to triple those authorized by section 841 of this title.

(d) Suspension of sentence; probation; parole

In the case of any mandatory minimum sentence imposed under this section, imposition or execution of such sentence shall not be suspended and probation shall not be granted. An individual convicted under this section shall not be eligible for parole until the individual has served the mandatory minimum term of imprisonment as provided by this section.

(e) Definitions

For the purposes of this section—

(1) The term “playground” means any outdoor facility (including any parking lot appurtenant thereto) intended for recreation, open to the public, and with any portion thereof containing three or more separate apparatus intended for the recreation of children including, but not limited to, sliding boards, swings, and teeterboards.

(2) The term “youth center” means any recreational facility and/or gymnasium (including any parking lot appurtenant thereto), intended primarily for use by persons under 18 years of age, which regularly provides athletic, civic, or cultural activities.

(3) The term “video arcade facility” means any facility, legally accessible to persons under 18 years of age, intended primarily for the use of pinball and video machines for amusement containing a minimum of ten pinball and/or video machines.

(4) The term “swimming pool” includes any parking lot appurtenant thereto.

(Pub. L. 91-513, title II, §419, formerly §405A, as added Pub. L. 98-473, title II, §503(a), Oct. 12, 1984, 98 Stat. 2069; amended Pub. L. 99-570, title I, §§1004(a), 1104, 1105(c), 1841(b), 1866(b), (c), Oct. 27, 1986, 100 Stat. 3207-6, 3207-11, 3207-52, 3207-55; Pub. L. 99-646, §28, Nov. 10, 1986, 100 Stat. 3598; Pub. L. 100-690, title VI, §§6452(b)(1), 6457, 6458, Nov. 18, 1988, 102 Stat. 4371, 4373; renumbered

§ 419 and amended Pub. L. 101-647, title X, §§ 1002(b), 1003(b), title XII, § 1214, title XV, § 1502, title XXXV, § 3599L, Nov. 29, 1990, 104 Stat. 4827, 4829, 4833, 4836, 4932; Pub. L. 103-322, title XIV, § 140006, title XXXII, § 320107, title XXXIII, § 330009(a), Sept. 13, 1994, 108 Stat. 2032, 2111, 2143.)

CODIFICATION

Section was classified to section 845a of this title prior to renumbering by Pub. L. 101-647.

AMENDMENTS

1994—Subsec. (a). Pub. L. 103-322, § 320107, substituted “playground, or housing facility owned by a public housing authority, or within” for “playground, or within”.

Subsec. (b). Pub. L. 103-322, §§ 320107, 330009(a), substituted “playground, or housing facility owned by a public housing authority, or within” for “playground, or within” and inserted a period at end of penultimate sentence.

Subsecs. (c) to (e). Pub. L. 103-322, § 140006, added subsec. (c) and redesignated former subsecs. (c) and (d) as (d) and (e), respectively.

1990—Subsec. (a). Pub. L. 101-647, § 1502(1), inserted “or a playground,” after “university,” and struck out “playground,” after “within 100 feet of a”.

Pub. L. 101-647, § 1214(1)(C), substituted “a person shall be sentenced under this subsection to a term of imprisonment of not less than one year” for “a term of imprisonment under this subsection shall be not less than one year”.

Pub. L. 101-647, § 1214(1)(B), inserted “A fine up to twice that authorized by section 841(b) of this title may be imposed in addition to any term of imprisonment authorized by this subsection.”

Pub. L. 101-647, § 1214(1)(A), which directed the amendment of par. (1) by striking out “, or a fine, or both,” could not be executed because those words did not appear. See note below.

Pub. L. 101-647, § 1003(b)(1), which directed the substitution of “subject to (1) twice the maximum punishment authorized by section 841(b) of this title” for “punishable (1) by a term of imprisonment, or a fine, or both, up to twice that authorized by section 841(b) of this title”, was executed by making the substitution for “punishable (1) by a term of imprisonment, or fine, or both, up to twice that authorized by section 841(b) of this title” to reflect the probable intent of Congress.

Subsec. (b). Pub. L. 101-647, § 3599L, substituted “has become final” for “have become final”.

Pub. L. 101-647, § 1502(2), inserted “or a playground,” after “university,” and struck out “playground,” after “within 100 feet of a”.

Pub. L. 101-647, § 1214(2)(B), inserted after first sentence “A fine up to three times that authorized by section 841(b) of this title may be imposed in addition to any term of imprisonment authorized by this subsection. Except to the extent a greater minimum sentence is otherwise provided by section 841(b) of this title, a person shall be sentenced under this subsection to a term of imprisonment of not less than three years”.

Subsec. (b)(1)(B). Pub. L. 101-647, § 1214(2)(A), which directed the amendment of subpar. (B) by striking “, or a fine up to three times that” through “or both”, could not be executed because the language did not appear after execution of the intervening amendment by Pub. L. 101-647, § 1003(b)(2). See below.

Pub. L. 101-647, § 1003(b)(2), substituted “three times the maximum punishment authorized by section 841(b) of this title for a first offense” for “a term of imprisonment of up to three times that authorized by section 841(b) of this title for a first offense, or a fine up to three times that authorized by section 841(b) of this title for a first offense, or both”.

Subsec. (c). Pub. L. 101-647, § 1214(3), inserted “mandatory minimum” after “In the case of any”, struck out

“subsection (b) of” after “imposed under”, and substituted “An individual convicted under this section shall not be eligible for parole until the individual has served the mandatory minimum term of imprisonment as provided by this section” for “An individual convicted under subsection (b) of this section shall not be eligible for parole under chapter 311 of title 18 until the individual has served the minimum sentence required by such subsection”.

1988—Subsec. (a). Pub. L. 100-690, §§ 6457, 6458(a), inserted “, possessing with intent to distribute,” after “distributing” and “, or within 100 feet of a playground, public or private youth center, public swimming pool, or video arcade facility,” after “university”.

Subsec. (b). Pub. L. 100-690, §§ 6452(b)(1), 6457, 6458(a), inserted “, possessing with intent to distribute,” after “distributing”, and “, or within 100 feet of a playground, public or private youth center, public swimming pool, or video arcade facility,” after “university”, substituted “a prior conviction” for “a prior conviction or convictions”, and inserted at end “Penalties for third and subsequent convictions shall be governed by section 841(b)(1)(A) of this title.”

Subsec. (d). Pub. L. 100-690, § 6458(b), added subsec. (d).

1986—Subsec. (a). Pub. L. 99-570, §§ 1104(a), (b), 1105(c), 1841(b)(1), inserted “or section 856 of this title” and “or manufacturing”, substituted “a public or private elementary, vocational, or secondary school or a public or private college, junior college, or university” for “a public or private elementary or secondary school”, struck out “involving the same controlled substance and schedule” after “for a first offense”, and inserted “Except to the extent a greater minimum sentence is otherwise provided by section 841(b) of this title, a term of imprisonment under this subsection shall be not less than one year. The mandatory minimum sentencing provisions of this paragraph shall not apply to offenses involving 5 grams or less of marihuana.”

Pub. L. 99-570, § 1004(a), substituted “term of supervised release” for “special parole term”.

Subsec. (b). Pub. L. 99-646 which directed that “parole” be inserted after “(2) at least three times any special” could not be executed in view of prior amendment by Pub. L. 99-570, § 1104(c) below.

Pub. L. 99-570, § 1166(b), which directed that “term of supervised release” be substituted for “special term” could not be executed in view of prior amendment by Pub. L. 99-570, § 1104(c) below.

Pub. L. 99-570, §§ 1104(a), 1841(b)(2), inserted reference to section 856 of this title, inserted “or manufacturing” after “distributing” and substituted “a public or private elementary, vocational, or secondary school or a public or private college, junior college, or university” for “a public or private elementary or secondary school”.

Pub. L. 99-570, § 1104(c), amended cls. (1) and (2) generally. Prior to amendment, cls. (1) and (2) read as follows: “(1) by a term of imprisonment of not less than three years and not more than life imprisonment and (2) at least three times any special term authorized by section 841(b) of this title for a second or subsequent offense involving the same controlled substance and schedule.”

Subsec. (c). Pub. L. 99-570, § 1866(c), substituted reference to chapter 311 of title 18 for reference to section 4202 of that title.

EFFECTIVE DATE OF 1986 AMENDMENT

Amendment by section 1004(a) of Pub. L. 99-570 effective on date of taking effect of section 3583 of Title 18, Crimes and Criminal Procedure (Nov. 1, 1987), see section 1004(b) of Pub. L. 99-570 set out as a note under section 841 of this title.

§ 860a. Consecutive sentence for manufacturing or distributing, or possessing with intent to manufacture or distribute, methamphetamine on premises where children are present or reside

Whoever violates section 841(a)(1) of this title by manufacturing or distributing, or possessing with intent to manufacture or distribute, methamphetamine or its salts, isomers or salts of isomers on premises in which an individual who is under the age of 18 years is present or resides, shall, in addition to any other sentence imposed, be imprisoned for a period of any term of years but not more than 20 years, subject to a fine, or both.

(Pub. L. 91-513, title II, §419a, as added Pub. L. 109-177, title VII, §734(a), Mar. 9, 2006, 120 Stat. 270.)

§ 861. Employment or use of persons under 18 years of age in drug operations

(a) Unlawful acts

It shall be unlawful for any person at least eighteen years of age to knowingly and intentionally—

(1) employ, hire, use, persuade, induce, entice, or coerce, a person under eighteen years of age to violate any provision of this subchapter or subchapter II of this chapter;

(2) employ, hire, use, persuade, induce, entice, or coerce, a person under eighteen years of age to assist in avoiding detection or apprehension for any offense of this subchapter or subchapter II of this chapter by any Federal, State, or local law enforcement official; or

(3) receive a controlled substance from a person under 18 years of age, other than an immediate family member, in violation of this subchapter or subchapter II of this chapter.

(b) Penalty for first offense

Any person who violates subsection (a) of this section is subject to twice the maximum punishment otherwise authorized and at least twice any term of supervised release otherwise authorized for a first offense. Except to the extent a greater minimum sentence is otherwise provided, a term of imprisonment under this subsection shall not be less than one year.

(c) Penalty for subsequent offenses

Any person who violates subsection (a) of this section after a prior conviction under subsection (a) of this section has become final, is subject to three times the maximum punishment otherwise authorized and at least three times any term of supervised release otherwise authorized for a first offense. Except to the extent a greater minimum sentence is otherwise provided, a term of imprisonment under this subsection shall not be less than one year. Penalties for third and subsequent convictions shall be governed by section 841(b)(1)(A) of this title.

(d) Penalty for providing or distributing controlled substance to underage person

Any person who violates subsection (a)(1) or (2) of this section¹

(1) by knowingly providing or distributing a controlled substance or a controlled substance analogue to any person under eighteen years of age; or

(2) if the person employed, hired, or used is fourteen years of age or younger,

shall be subject to a term of imprisonment for not more than five years or a fine of not more than \$50,000, or both, in addition to any other punishment authorized by this section.

(e) Suspension of sentence; probation; parole

In any case of any sentence imposed under this section, imposition or execution of such sentence shall not be suspended and probation shall not be granted. An individual convicted under this section of an offense for which a mandatory minimum term of imprisonment is applicable shall not be eligible for parole under section 4202 of title 18² until the individual has served the mandatory term of imprisonment as enhanced by this section.

(f) Distribution of controlled substance to pregnant individual

Except as authorized by this subchapter, it shall be unlawful for any person to knowingly or intentionally provide or distribute any controlled substance to a pregnant individual in violation of any provision of this subchapter. Any person who violates this subsection shall be subject to the provisions of subsections (b), (c), and (e) of this section.

(Pub. L. 91-513, title II, §420, formerly §405B, as added Pub. L. 99-570, title I, §1102, Oct. 27, 1986, 100 Stat. 3207-10; amended Pub. L. 100-690, title VI, §§6452(b)(1), 6459, 6470(d), Nov. 18, 1988, 102 Stat. 4371, 4373, 4378; renumbered §420 and amended Pub. L. 101-647, title X, §§1002(c), 1003(c), title XXXV, §3599L, Nov. 29, 1990, 104 Stat. 4827, 4829, 4932.)

REFERENCES IN TEXT

Section 4202 of title 18, referred to in subsec. (e), which, as originally enacted in Title 18, Crimes and Criminal Procedure, related to eligibility of prisoners for parole, was repealed and a new section 4202 enacted as part of the repeal and enactment of a new chapter 311 (§4201 et seq.) of Title 18, by Pub. L. 94-233, §2, Mar. 15, 1976, 90 Stat. 219. For provisions relating to the eligibility of prisoners for parole, see section 4205 of Title 18. Pub. L. 98-473, title II, §§218(a)(5), 235(a)(1), (b)(1), Oct. 12, 1984, 98 Stat. 2027, 2031, 2032, as amended, provided that, effective on the first day of the first calendar month beginning 36 months after Oct. 12, 1984 (Nov. 1, 1987), chapter 311 of Title 18 is repealed, subject to remaining effective for five years after Nov. 1, 1987, in certain circumstances. See Effective Date note set out under section 3551 of Title 18.

CODIFICATION

Section was classified to section 845b of this title prior to renumbering by Pub. L. 101-647.

AMENDMENTS

1990—Subsec. (b). Pub. L. 101-647, §1003(c)(1), which directed the substitution of “is subject to twice the maximum punishment otherwise authorized” for “is punishable by a term of imprisonment up to twice that authorized, or up to twice the fine authorized, or both,” was executed by making the substitution for “is pun-

¹ So in original. Probably should be followed by a dash.

² See References in Text note below.

Creede Land Use Code Current Permitted Uses

Sec. 4-4 Matrix of Permitted and Conditional Uses by Zoning District

The following codes are used in the table below:

P – Permitted Principal Use

C – Permitted Conditional Use

* – Use Prohibited

PERMITTED USES	R-1	R-2	MH	B-1	B-2	C	I	H ¹	O
Residential Uses									
Accessory buildings and accessory uses	P	P	P	P	P	P	P		*
Accessory dwelling when associated with a permitted use ²	P	P	*	C	*	*	C		*
Group homes	P	P	*	P	P	P	C		*
Mobil home	*	*	P	*	*	*	*		*
Multiple-family dwellings	*	P	*	P	P	P	*		*
Senior housing	*	P	*	P	*	*	*		*
Single-family detached dwellings	P	P	P	C	C	C	*		*
Two-family dwellings	*	P	*	P	C	C	*		*
Institutional/Civic/Public Uses									
Cemeteries	*	*	*	*	*	*	*	*	C
Churches or place of worship and assembly	C	C	*	P	P	P	*		*
Community facilities	C	C	*	C	C	C	*		*
Golf courses	C	C	*	C	C	*	C		*
Golf driving range	C	C	*	C	C	*	C	C	*
Parks and open space	P	P	P	P	P	P	P	P	P
Public and private schools for elementary, intermediate and high school education	C	C	*	C	*	C	*		*
Public and private schools, including colleges, vocational training and technical training	*	*	*	P	C	C	*		*

¹ Any principal use or conditional use set forth in the underlying district is allowed provided that the hazard has been mitigated.

² Accessory dwellings shall be limited to eight hundred fifty (850) square feet in floor area, with no more than one (1) per lot in addition to the single-family dwelling.

Public facilities provided that business offices and repair and storage facilities are not included	C	C	P	P	P	P	P		C
Public facilities with business offices, but without repair and storage facilities	*	*	*	P	P	P	P		*
Public facilities with business offices and repair and storage facilities	*	*	*	C	P	C	P		*
PERMITTED USES	R-1	R-2	MH	B-1	B-2	C	I	H	O
Institutional/Civic/Public Uses (cont.)									
Transit facilities without repair or storage	*	*	*	*	P	P	*		*
Business/Commercial/Retail Uses									
Adult uses including product sales and entertainment	*	*	*	*	*	*	C		*
Artisan and photography studios and galleries	*	*	*	P	C	C	C		*
Auto, recreational vehicle, boat and truck sales	*	*	*	*	C	C	C		*
Auto, RV, boat and truck storage	*	*	*	*	C	C	P		*
Bars and taverns	*	*	*	C	C	P	C		*
Bed and breakfasts	*	C	*	P	P	P	*		*
Boarding and rooming houses	*	C	*	P	P	P	*		*
Car wash	*	*	*	C	P	P	P		*
Child care centers	C	C	*	P	P	P	C		*
Clubs and lodges	*	*	*	C	C	P	*		*
Convenience shopping and retail establishments	*	*	*	P	P	P	C		*
Entertainment facilities and theaters	*	*	*	C	C	P	C		*
Equipment, rental establishments without outdoor storage	*	*	*	*	P	P	P		*
Equipment, truck and trailer rental establishments with outdoor storage	*	*	*	*	C	C	C		*
Food catering	*	*	*	*	P	P	*		*
Funeral homes	*	*	*	*	P	P	*		*
Gasoline stations	*	*	*	C	P	P	P		*

Small animal boarding (kennels)	*	*	*	*	*	C	C		*
Small grocery stores	*	*	*	P	P	P	C		*
Supermarkets	*	*	*	*	P	P	*		*
Tourist facilities	*	*	*	P	P	P	*		*
Veterinary facilities, small animal clinics	*	*	*	*	P	P	*		*
Veterinary facilities, large animal clinics	*	*	*	*	*	*	P		*
Veterinary hospitals	*	*	*	*	C	C	C		*
Industrial Uses									
Dry cleaning plants	*	*	*	*	*	*	C		*
Enclosed mini-storage facilities	*	*	*	*	C	C	P		*
Manufacturing and preparation of food products	*	*	*	*	*	*	P		*
Manufacturing, assembly or packaging of products from previously prepared materials	*	*	*	*	*	*	P		*
Manufacturing of electric or electronic instruments and devices	*	*	*	*	*	*	P		*
PERMITTED USES	R-1	R-2	MH	B-1	B-2	C	I	H	O
Industrial Uses (cont.)									
Plumbing, electrical and carpenter shops	*	*	*	*	*	*	P		*
Recycling facilities	*	*	*	*	*	*	C		*
Research, experimental or testing laboratories	*	*	*	*	C	C	P		*
Resource extraction, processes and sales establishment	*	*	*	*	*	*	C	C	*
Sales and leasing of farm implements, heavy equipment sales, mobile/manufactured homes, and heavy excavation equipment	*	*	*	*	*	*	C		*
Warehouse, distribution and wholesale uses	*	*	*	*	*	C	P		*
Wireless telecommunications facilities	*	*	*	*	*	*	P		*
Workshops and custom small industry uses	*	*	*	C	P	P	P		*

New Creede Development Code Permitted Uses *Draft*

9-20-160 Table of Permitted Uses. Table 9-24-1

PERMITTED USES	R-1	R-2	MH	B-1	B-2	C	I	H	O
Residential Uses									
Accessory buildings and accessory uses	P	P	P	P	P	P	P		*
Accessory dwelling when associated with a permitted use	P	P	*	S	*	*	S		*
Group homes	P	P	*	P	P	P	S		*
Mobil home	*	*	P	*	*	*	*		*
Multiple-family dwellings	*	P	*	P	P	P	*		*
Senior housing	*	P	*	P	*	*	*		*
Single-family detached dwellings	P	P	P	S	S	S	*		*
Two-family dwellings	*	P	*	P	S	S	*		*
Institutional/Civic/Public Uses									
Cemeteries	*	*	*	*	*	*	*	*	S
Churches or place of worship and assembly	S	S	*	P	P	P	*		*
Community facilities	S	S	*	S	S	S	*		*
Golf courses	S	S	*	S	S	*	S		*
Golf driving range	S	S	*	S	S	*	S	S	*
Parks and open space	P	P	P	P	P	P	P	P	P
Public and private schools for elementary, intermediate and high school education	S	S	*	S	*	S	*		*
Public and private schools, including colleges, vocational training and technical training	*	*	*	P	S	S	*		*
Public facilities provided that business offices and repair and storage facilities are not included	S	S	P	P	P	P	P		S

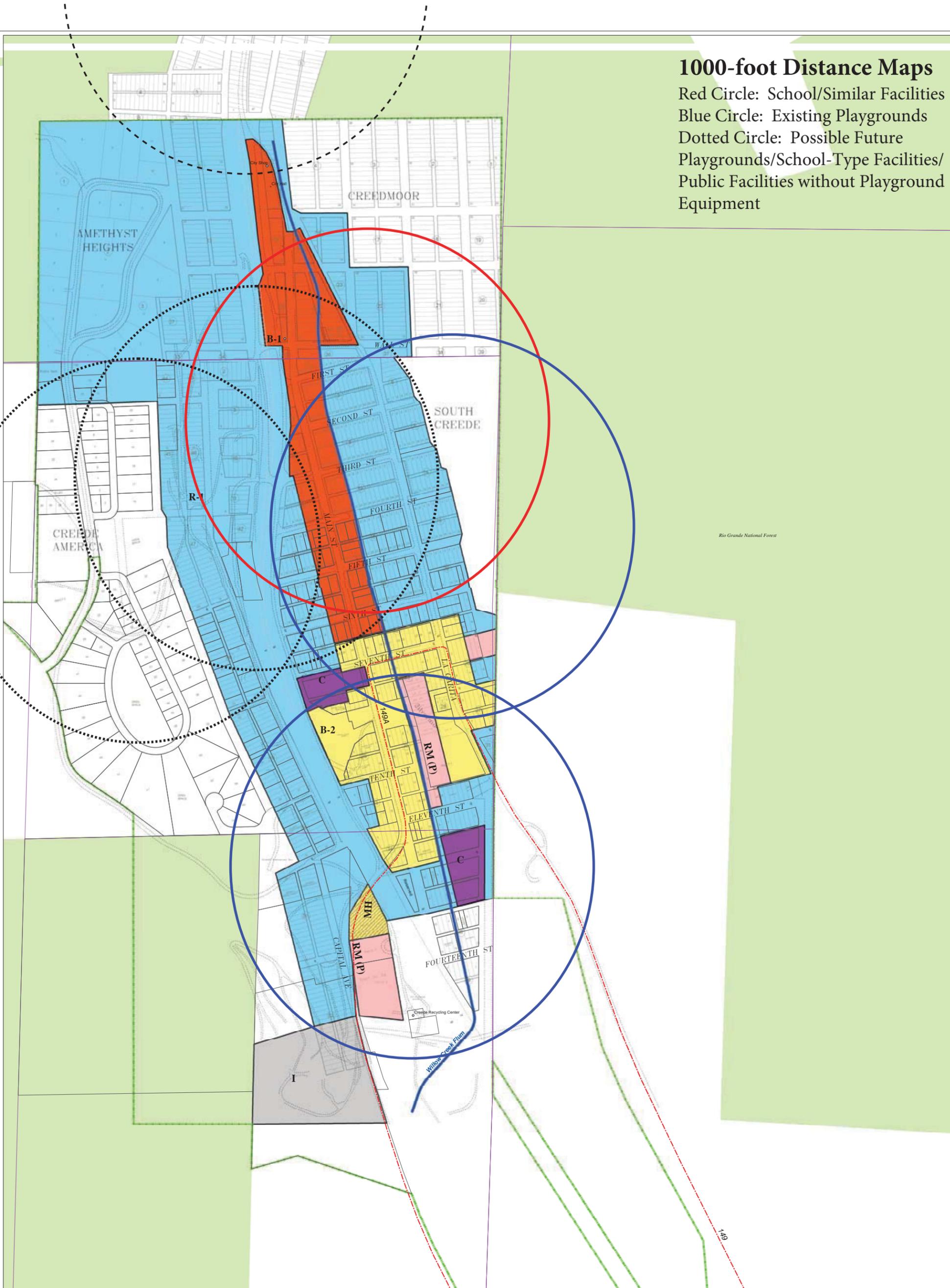
Public facilities with business offices, but without repair and storage facilities	*	*	*	P	P	P	P		*
Public facilities with business offices and repair and storage facilities	*	*	*	S	P	S	P		*
Transit facilities without repair or storage	*	*	*	*	P	P	*		*
Business/Commercial/Retail Uses									
Adult uses including product sales and entertainment	*	*	*	*	*	*	S		*
Artisan and photography studios and galleries	*	*	*	P	S	S	S		*
Auto, recreational vehicle, boat and truck sales	*	*	*	*	S	S	S		*
Auto, RV, boat and truck storage	*	*	*	*	S	S	P		*
Bars and taverns	*	*	*	S	S	P	S		*
Bed and breakfasts	*	S	*	P	P	P	*		*
Boarding and rooming houses	*	S	*	P	P	P	*		*
Car wash	*	*	*	S	P	P	P		*
Child care centers	S	S	*	P	P	P	S		*
Clubs and lodges	*	*	*	S	S	P	*		*
Convenience shopping and retail establishments	*	*	*	P	P	P	S		*
Entertainment facilities and theaters	*	*	*	S	S	P	S		*
Equipment, rental establishments without outdoor storage	*	*	*	*	P	P	P		*
Equipment, truck and trailer rental establishments with outdoor storage	*	*	*	*	S	S	S		*
Food catering	*	*	*	*	P	P	*		*
Funeral homes	*	*	*	*	P	P	*		*

Gasoline stations	*	*	*	S	P	P	P		*
Health and membership clubs	*	*	*	P	P	P	*		*
Home occupations - with restrictions	P	P	P	P	*	*	*		*
Hospitals	*	*	*	*	S	S	*		*
Large retail establishments	*	*	*	*	P	P	*		*
Limited indoor recreation facility	*	*	*	P	P	P	*		*
Limited outdoor recreation facility	S	S	*	S	S	S	S	S	S
Lodging establishments	*	*	*	P	P	P	S		*
Long term care facilities	*	S	*	S	P	P	*		*
Medical and dental offices and clinics	*	*	*	P	P	P	*		*
Mixed-use dwelling units	*	*	*	P	P	P	*		*
Motor vehicle service and repair (minor repairs)	*	*	*	S	P	P	P		*
Motor vehicle service and repair establishments (major repairs)	*	*	*	*	S	S	P		*
Night clubs	*	*	*	*	S	S	S		*
Open-air farmers' markets	*	*	*	P	P	P	S		*
Parking lots and parking garages (as a principal use)	*	*	*	S	S	S	P		*
Personal and business service shops	*	*	*	P	P	P	S		*
Plant nurseries & greenhouses	*	*	*	*	P	P	P		*
Print shops	*	*	*	*	P	P	*		*
Professional offices, financial services	*	*	*	P	P	P	*		*
RV parks	*	*	*	*	S	S	*		*
Restaurants/standard & fast food without drive-thru	*	*	*	P	P	P	*		*
Restaurants with drive-thru	*	*	*	*	P	P	S		*

sales, mobile/manufactured homes, and heavy excavation equipment									
Warehouse, distribution and wholesale uses	*	*	*	*	*	S	P		*
Wireless telecommunications facilities	*	*	*	*	*	*	P		*
Workshops and custom small industry uses	*	*	*	S	P	P	P		*

1000-foot Distance Maps

- Red Circle: School/Similar Facilities
- Blue Circle: Existing Playgrounds
- Dotted Circle: Possible Future Playgrounds/School-Type Facilities/Public Facilities without Playground Equipment



Rio Grande National Forest

1000-foot Distance Maps

Red Circle: School/Similar Facilities

Blue Circle: Existing Playgrounds

Dotted Circle: Possible Future Playgrounds/School-Type Facilities/Public Facilities without Playground Equipment



