

**ORDINANCE NO. 1999-7
TOWN OF RICO**

ADOPTING THE RICO LAND USE CODE

WHEREAS, the Town of Rico has certain statutory and police power authority to regulate the use and subdivision of land, establish zone districts, and restrict development activities in areas of state and local interest;

WHEREAS, the Town adopted the Rico Regional Master Plan in 1996;

WHEREAS, the Planning Commission conducted a public hearing on August 10th and took action to recommend adoption of this Rico Land Use Code;

WHEREAS, the Board of Trustees held a public hearing on the 31st day of August, 1999, after publishing notice in the Rico Sun Times, a paper of general circulation, on July 21, 28, August 4, 11, 18 and 25, and in the Dolores Star, the official paper of record, on July 22, 29, August 5, 12, 19, and 26, after posting notice at the Rico Town Hall and Rico Post Office on July 29th, 1999, and after mailing notice to all property owners in the Rico Fire Protection District tax assessment area which includes all property in the Town of Rico and certain properties adjacent or near to the Town of Rico on July 29th, 1999;

WHEREAS, C.R.S. §24-68-102.3(1)(a) requires each local government to specifically identify by ordinance the type of site specific development plan approvals that will cause property rights to vest by January 1, 2000; and,

WHEREAS, after considering all public comments the Board of Trustees finds that the adoption of the Rico Land Use Code will promote the goals, and policies of the Rico Regional Master Plan and will promote the health, safety and general welfare of the Rico community;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF RICO, COLORADO, the following:

SECTION 1. ORDINANCES AND RESOLUTIONS REPEALED

The following ordinances and resolutions are hereby repealed in their entirety:

- **Ordinance No. 274** – A ZONING ORDINANCE REGULATING THE USE OF LAND AND STRUCTURES; DIVIDING THE TOWN OF RICO INTO DISTRICTS FOR SUCH PURPOSES; ADOPTING MAPS OF SAID TOWN SHOWING BOUNDARIES AND THE CLASSIFICATION OF SUCH DISTRICTS; ESTABLISHING A BOARD OF ADJUSTMENTS AND PRESCRIBING PENALTIES FOR THE VIOLATION OF ITS PROVISIONS
- **Ordinance No. 275** – AN ORDINANCE CLASSIFYING STREETS WITHIN THE TOWN OF RICO, REGULATING THE DEVELOPMENT OF SAID STREETS, AND ADOPTING MAPS IDENTIFYING SAID STREETS AND THEIR CLASSIFICATIONS.
- **Ordinance No. 281** – AN ORDINANCE CONCERNING THE FLOOD DAMAGE PREVENTION
- **Ordinance No. 283** – AN ORDINANCE AMENDING ORDINANCE NO. 274 OF THE TOWN OF RICO, BEING “AN ORDINANCE REGULATING USE OF LAND AND STRUCTURE, DIVIDING THE TOWN OF RICO INTO DISTRICTS, AND FOR SUCH PURPOSES ADOPTING MAPS SHOWING BOUNDARIES IN THE CLASSIFICATIONS OF SUCH DISTRICTS ESTABLISHING A BOARD OF ADJUSTMENTS AND PRESCRIBING PENALTIES FOR THE VIOLATIONS OF ITS PROVISIONS”; AND REPEALING ANY PROVISIONS IN CONFLICT WITH SAID AMENDMENT.
- **Ordinance No. 285** – AN ORDINANCE AMENDING ORDINANCE NO. 274 OF THE TOWN OF RICO, BEING “AN ORDINANCE REGULATING USE OF LAND AND STRUCTURE, DIVIDING THE TOWN OF RICO INTO DISTRICTS, AND FOR SUCH PURPOSES ADOPTING MAPS SHOWING BOUNDARIES IN THE CLASSIFICATIONS OF SUCH DISTRICTS ESTABLISHING A BOARD OF ADJUSTMENTS AND PRESCRIBING PENALTIES FOR THE VIOLATIONS OF ITS PROVISIONS; AND REPEALING A PROVISION OF ORDINANCE NO. 283 AND REPEALING ANY PROVISIONS IN CONFLICT WITH SAID AMENDMENTS AND REPEALERS”.
- **Ordinance No. 294** – AN ORDINANCE TO PROVIDE FOR, CREATE, AND ESTABLISH THE TOWN OF RICO PLANNING COMMISSION FOR THE PURPOSES UNDER AND AS PROVIDED BY COLORADO STATUTES, ESTABLISHING THE MEMBERSHIP OF THE PLANNING COMMISSION, THEIR DUTIES AND POWERS AND REPEALING ORDINANCE NO. 230.

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- **Ordinance No. 300** – AN ORDINANCE ADOPTING THE RICO SUBDIVISION REGULATIONS AND ENACTING PENALTIES FOR ILLEGAL SUBDIVISION ACTIVITIES
- **Ordinance No. 319** – AN ORDINANCE AMENDING ORDINANCE NO. 294 TO REPEAL THE REQUIREMENT THAT THE MAYOR SIT ON THE RICO PLANNING COMMISSION.
- **Ordinance No. 325** – AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF RICO, COLORADO, ADOPTING ACCESS REQUIREMENTS FOR NEW DEVELOPMENT AND FOR CHANGE IN USE OR ADDITIONAL USES ON EXISTING LOTS; AND FURTHER ENACTING A ROAD MAINTENANCE IMPACT FEE ON NEW DEVELOPMENT THAT RESULTS IN THE CONSTRUCTION OF NEW ROADS OR THE EXTENSION OR WIDENING OF EXISTING ROADS.
- **Ordinance No. 326** – AN ORDINANCE DESIGNATING THE BOARD OF TRUSTEES TO ACT AS THE BOARD OF ADJUSTMENTS AND ENACTING PROCEDURES AND DUTIES.
- **Ordinance No. 334** – AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF RICO, COLORADO, REPEALING AND REPLACING ORDINANCE NO. 315, INCLUDING REPEAL OF THE TEMPORARY DEVELOPMENT RESTRICTION ON MINOR SUBDIVISIONS AND LOT SPLITS.
- **Ordinance No. 336** – AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF RICO, COLORADO AMENDING SECTION 2(A) OF ORDINANCE NO. 274 TO REQUIRE A BUILDING PERMIT FOR CERTAIN REMODELING AND RESTORATION ACTIVITIES AND SECTION 2(B) OF ORDINANCE NO. 274 REGARDING ADMINISTRATIVE AND LEGAL PROCEDURES IN THE EVENT OF A VIOLATION OF THE ORDINANCE; AND PROVIDING FURTHER DETAILS IN RELATION TO THE FOREGOING.
- **Resolution No. 109** STREET PLAN, 1987
- **Resolution No. 114** BOARD OF ZONING ADJUSTMENT
- **Resolution No. 138** APPOINTING THE MAYOR AS ENFORCEMENT OFFICER

SECTION 2. RICO LAND USE CODE ADOPTED

The Rico Land Use Code, which includes the text dated July, 1999, the Official Zone Map of the Town of Rico, the Street Plan for the Town of Rico, and a series of hazard and constraint maps entitled Avalanche Hazard, Geologic Hazard, Wildfire Hazard, Wildlife Hazard, Flood Hazard, Wetlands Hazard, and an informational non-regulatory Mining Hazard map, are all hereby adopted. Section 110., and any other provision of the Rico Land Use Code relating to the vesting of property rights, is hereby deemed to comply with the requirements of C.R.S. §24-68-103(1)(a) to adopt an ordinance which specifically identifies the types of site specific development plan approvals that will cause property rights to vest.

SECTION 3. PUBLICATION

Following adoption, the Town Clerk shall cause this Ordinance to be published in full in the Dolores Star in accordance with Ordinance No. 323 of the Town of Rico, Colorado.

INTRODUCED, READ, APPROVED AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF RICO on the 11th day of August, 1999.

READ AND APPROVED ON SECOND AND FINALLY READ AFTER CONDUCTING A PUBLIC HEARING BY THE BOARD OF TRUSTEES OF THE TOWN OF RICO on the 31st day of August, 1999.



By: **Joseph V. Croke, Mayor**



Attest: **Linda Yellowman, Town Clerk**

[Town Seal]



Approved as to Form: **Eric James Heil, Esq.**
Town Attorney