

Town of Rico Memorandum

Date: July 11st, 2019

TO: Town of Rico Board of Trustees
FROM: Kari Distefano
SUBJECT: Town Manager's Report

1. Work Session with the Rico Planning Commission

Included in this packet are the various permits and applications that are associated with development activities. I have also included a questionnaire that asks some questions about how we want to proceed in the future. We will be discussing these processes and other zoning issues with the members of the Rico Planning Commission in an effort to agree on draft revisions to the Rico Land Use Code that can be read for the first time at the August 21st meeting.

2. Special event permit and liquor license for the Rico Trails Alliance Fundraiser

The Rico Trails Alliance is planning a fundraiser on August 17th. They are applying for a liquor license. All of their paperwork is in order. The application needs Board approval.

3. Appointment of Ty Lapp as the Land Use Code Enforcing Official

Ty Lapp is currently employed as our building inspector. We would like to expand his duties to include the enforcement of the Rico Land Use Code. In order for him to do this, the Board needs to appoint him as the Land Use Code Enforcing Official. I would like your approval to enter into a contractual agreement with him. The funding would come from our law enforcement fund.

3. 2nd reading of an Ordinance granting an electric power utility franchise to San Miguel Power Association

You all saw this last month and there are no revisions. The San Miguel Power Association passed this franchise agreement at their last meeting. This is basically a renewal of our existing agreement with San Miguel Power Association. The agreement gives SMPA an exclusive right to supply the Town of Rico with power and grants SMPA the right to engage in any activities required to maintain the infrastructure necessary for their operations in the Town's streets and rights-of-ways. The Town retains the right to use, control and regulate their actions within the Town. The agreement assures that Town that rates will be fair and reasonable. The

agreement also includes street lighting service. There are provisions regarding the undergrounding of power lines and service to new areas. The agreement extends for 15 years unless terminated. There is a fee of 2% percent of SMPA revenues that will be paid to the Town. Our attorney has reviewed the agreement and made some minor revisions. I have included the agreement in this packet if you are interested in further details.

4. First reading of an Ordinance amending the 2011 Rico Land Use Code to include regulations regarding tiny homes

The Board of Trustees discussed tiny homes at the last meeting. We now have a draft ordinance, which is included in this packet. There have been several proposals by potential developers to construct tiny homes in the Town of Rico. Because tiny homes are treated differently by both the Colorado Department Health and Environment regarding the usage of water and the International Building Code regarding egress, lofts and stairways among other things it is important that we define tiny homes. That definition will ultimately end up in our revised land use code but because we may be asked to issue building permits for tiny homes prior to the adoption of the revised land use code, I believe that it is important to clearly define tiny homes sooner rather than later. The purpose of this ordinance is to define tiny homes and clearly establish requirements regarding their construction.

5. Resolution accepting the 2018 Audit.

I have included a copy of the 2018 audit in this packet and Lyman Hamblin, the auditor, will be available by phone to answer any questions. The deadline for the State of Colorado to accept this audit is July 31st. If we do not accept it at this meeting we will either have to file an extension application or have an additional meeting in July.

6. Appointment of Jenn Fox as a regular member and Laura Pick as an alternate member to the Rico Planning Commission

Mike Guskea resigned from the Rico Planning Commission. Our alternate, Jenn Fox has been filling his position since he has been gone. The Planning Commission is requesting that Jenn be appointed as a regular member and that Laura Pick be appointed as an alternate member. Jenn Fox works in the San Miguel County Assessor's office and is very knowledgeable about land use matters and Laura Pick's resume is included in this packet. Both are valuable assets to the Commission.

7. November Ballot Initiatives

I have also attached a copy of the three proposed ballot initiatives asking the voters for an increase in our mill levy for infrastructure, inclusion in the San Miguel Authority for Regional Transportation Service Area, and the option of opting out of SB 152, which would allow the Town of Rico to develop partnerships with providers of broadband. The Board needs to discuss and decide which, if any should be included on the November Ballot.

At this point, all ballot initiatives are in draft form. The official language and a resolution will be presented for approval at the August meeting in order to meet the September 6th deadline. I have made revisions discussed in our work session. I have also included in this packet a flyer that describes what Town Officials can and cannot do once a resolution regarding ballot language is passed.

8. Community Prospectus

As some of you probably know, Rico is in an opportunity zone. The Choose Colorado website define opportunity zones as the following:

Opportunity Zones were enacted as part of the 2017 tax reform package (Tax Cuts and Jobs Act) to address uneven economic recovery and persistent lack of growth that have left many communities across the country behind. In the broadest sense, the newly enacted federal Opportunity Zone (OZ) is a federal tax incentive for investors to invest in low-income urban and rural communities through the favorable treatment of reinvested capital gains and forgiveness of tax on new capital gains.

This economic and community development tax incentive program provides a new impetus for private investors to support distressed communities through private equity investments in businesses and real estate ventures. The incentive is deferral, reduction and potential elimination of certain federal capital gains taxes.

I believe that this zone represents an opportunity for Rico to encourage some modest economic development. The folks at Region 9 have suggested that we produce a community prospectus. I have produced a draft based on examples from Gunnison and the one that Region 9 wrote for Dolores County. What I would like some direction on is, whether or not we want to make this prospectus available to potential investors and if so, what revisions would you like to see. Unfortunately the file is too big to email or post on the website however, it will be available on google drive and a hard copy will be available to at the meeting or earlier if you stop by the Town Hall.

9. Speed bumps

I have had complaints about speeding and dust again. Do we want to buy some of those movable speed bumps? They cost about \$150. We could put them on the streets that cause the most problems. They would also help keep the dust a little more under control.

10. Update on the economic analysis

The business surveys for the economic analysis about the need for central sewer by Gabe Preston of RPI Consulting is complete. I have attached the report on the business survey. The next step will be to analyze the degree to which a central sewer system would be a positive contributing factor to the combination of finance, business support, policy, markets, human capital, infrastructure and cultural factors that encourage a vibrant, sustainable community.

I expect a draft report by the end of this month and we will host a community meeting on August 15th just prior to the Trustee's meeting that will consider the resolutions to put the central sewer system on the November Ballot. In addition to discussing the report, we will answer questions about specific costs to individual taxpayers. There is a lot of confusion revolving around the terms appraised value, actual value and assessed value.

Special Use Permits

Shall the Board of Trustees be required to approve these or should the Rico Planning Commission be given the authority to approve them?

Is there any other information that should be included in the information required for submittal?

Is there anything else that we should add to the standards for review?

Is the fee appropriate?

Variance Applications

Is there any other information that should be included in the information required for submittal?

Should the site plan for variances be as involved as I have shown on this application or should the standards be lower?

Should a licensed surveyor's signature be required on the site plan?

Is there anything else that we should add to the standards for review?

Is the fee appropriate?

Excavation Permits

Does this permit address issues that need to be addressed?

Driveway construction and utility installation are included in this permit. Should those activities be separate?

Should the Town Manager be authorized to issue these or should the Planning Commission / Board of Trustees be involved and if so, under what circumstances?

Should a licensed surveyor's signature be required on the site plan?

Should a licensed engineer's signature be required on the site plan? If so under what circumstances?

Is the fee appropriate?

Septic Permits

Is there anything that you can see that is not addressed in this permit application?

Is the fee appropriate?

Minor Subdivision Applications

Shall the Board of Trustees be required to approve these or should the Rico Planning Commission be given the authority to approve them?

Is there any other information that should be included in the information required for submittal?

Is there anything else that we should add to the standards for review?

Is the fee appropriate?

Areas of Environmental Concern Development Permits

The Rico Planning Commission and the Rico Board of Trustees should probably review these since in some instances, there may be indemnity agreements involved.

Is there any other information that should be included in the information required for submittal?

Is there anything else that we should add to the standards for review?

Is the fee appropriate?

Road and Right-of-Way Vacation Request

Should partial rights-of-way vacations be considered at all? The Town has approved partial vacations in the past.

Is there any reason that such a request would be considered? If there isn't, should this form even be included?

Do we want to be more specific about reasons to consider a right-of-way vacation request?

Do we want to revise the site plan requirements?

Is the fee appropriate?

Camping Permit

Should we even have these without an active building permit?

If so, what should be the standards for review?

Zone Districts and Setback Requirements

The commercial setback requirements do not make sense if we allow development on 25'x100' lots. We need to decide whether we want to require 50'x100' lots or change the setbacks.

Historic Commercial Zone District

Considering uses as exist now, do we want to change the shoulder areas that are just outside the Historic Commercial area to either just regular commercial or mixed use?

Building Permit

Building Permits are required for all construction within the Town of Rico except for the following:

- One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 200 square feet
 - Fences not over six feet high
 - Retaining walls not over four feet high measured from the bottom of the footing to the top of the wall unless they are supporting a surcharge or impounding Class I, II or IIIA liquids.
 - Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2 to 1.
 - Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade, and not over any basement or story below and are not part of an accessible route. (one and two family dwellings are restricted to the height limit)
 - Painting, papering, tiling, carpeting, cabinets, countertops and similar finish work.
 - Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches deep, do not exceed 5,000 gallons and are installed entirely above ground.
 - Swings and other playground equipment accessory to detached one- and two-family dwellings.
 - Window awnings supported by an exterior wall which do not project more than 54 inches from the exterior wall and do not require additional support of Group R-3 and U occupancies.
 - Decks, platforms, walkways, etc., that measure less than 30" from the standing surface to the adjacent grade within 36" of edge of standing surface.
 - Re-siding and re-roofing without alteration to the wall or roof structure.
 - Temporary motion picture, television and theater stage sets and scenery.
 - Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
 - Non fixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches in height.
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- **Emergency Repairs:** Where equipment replacements and repairs must be performed in an emergency situation, the permit application shall be submitted within the next working business day to the building official.
 - **Electrical Repairs & Maintenance:** A permit shall not be required for minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.
 - **Radio & television transmitting stations:** The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for a power supply and the installations of towers and antennas.
 - **Temporary testing systems:** A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.
 - **Gas:** Portable heating, cooking or clothes drying appliances or replacement of any minor part that does not alter approval of equipment or make such equipment unsafe or portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.
 - **Mechanical:** Portable ventilation appliances, portable cooling units, steam, hot or chilled water piping within any heating or cooling equipment regulated by this code, Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe, portable evaporative coolers, self-contained refrigeration systems containing 10 pounds (4.54 kg) or less of refrigerant or that are actuated by motors of 1 horsepower (746 W) or less, portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.
 - The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however, that if any concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
 - The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.
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All construction in the Town of Rico is subject to the following:

- **2006 International Building Code**
- **2006 International Residential Code**
- **2006 International Mechanical Code**
- **2006 International Fire Code**
- **2006 International Existing Building Code**
- **2006 International Energy Conservation Code**

Electrical, Plumbing and fuel gas are governed by the State of Colorado

For additional information please refer to **“Town of Rico Building Design Criteria”** available on the Town of Rico website at <http://www.ricocolorado.gov/building-information/>



Building Permit Application



Applicant Name _____ Date _____

Address _____ Phone Number _____

Email _____ Cell Phone Number _____

Street Address of Subject Property _____ Fax Number _____

Legal Description of Subject Property _____

Zone District of Subject Property _____

Owner Name (if different than applicant) _____ Phone Number _____

Address _____ Cell Phone Number _____

Email _____ Fax Number _____

Contractor Name _____ Phone Number _____

Address _____ Cell Phone Number _____

Email _____ Fax Number _____

Design Professional Name _____ Phone Number _____

Address _____ Cell Phone Number _____

Email _____ Fax Number _____

☐ Residential construction

☐ Commercial construction

Type of work – check all applicable items

☐ New Construction

☐ Change of
occupancy

☐ Movement of
structure

☐ Covered Deck

☐ Accessory/Garage

☐ After the fact
permit

☐ Alteration/
remodel

☐ Deck

☐ Other _____

Use

☐ Single Family ☐ Multi-family ☐ Commercial / residential ☐ Commercial

☐ Other _____

For change of occupancy:

Existing use _____ Proposed use _____

For additions:

Existing square feet _____ Additional square feet _____

Attachments Required for residential building permits: Plans shall contain no added "changes" in ink or pencil.

☐ **Site Plans** Two (2) Minimum size 12"x 18", 24" by 36" preferred and (1) electronic (pdf) site plans prepared by a Colorado registered land surveyor showing at a minimum the following:

North Arrow

Areas of environmental concern*

Scale not greater than 1" = 20' unless the entire site will not fit on a 24"x 36" sheet

Topography 5 foot interval maximum, 2 foot preferred

Vicinity Map

Proposed grading and drainage

Lot lines with dimensions

Location of existing buildings if applicable

Easements and setbacks with dimensions

Location of proposed building if applicable

Acreage of lot

Location of existing utilities, including septic if applicable

Adjacent streets with labels

Location of proposed utilities, including septic if applicable

*Some of this information about Areas of Environmental Concern is obtainable on the Town Manager's GIS system and will be made available to the applicant at the pre-application conference. **Flood planes must be determined by an Engineer licensed in the state of Colorado. Wetlands must be delineated by a certified technician and surveyed.** All of the following should include two (2) Minimum size 12"x 18", 24" by 36" preferred copies and (1) electronic (pdf).

☐ **Foundation Plans:** Show all foundations, slabs, piers and footings. Indicate size, location, thickness, material and reinforcing. Show all embedded anchoring such as anchor bolts, hold-downs and post bases. Provide concrete strength at 28 days, rebar grade and lap length, etc. Structural plans to be stamped by a State of Colorado registered and licensed Engineer or Architect.

☐ **Floor and Roof Framing Plans:** Show all structural members for floors and roofs including but not limited to blocking, headers, columns, joists, bearing walls, rafters, roof trusses and note their sizes, spacing, bearing points, method of attachment along with roof/wall/floor sheathing type and thicknesses. If manufactured trusses are to be used, calculation/truss drawing sheets must be submitted with plans. Provide grade/specs of all lumber products. Structural plans to be stamped by a State of Colorado registered and licensed Engineer or Architect.

☐ **Floor Plans:** Show floor plan for all levels including basements. Show/label all rooms, dimensioned with their use. Provide square footage for each level and total overall. Show all doors and windows. Provide door and window schedules or sizes with required egress windows and safety glass (where applicable) labeled along with U-factor per Town of Rico Design Criteria. If stairs are required show riser height/tread depth and handrail/guardrail heights. Show location of plumbing fixtures, kitchen appliances, fireplace/stove (wood or gas) and mechanical equipment. Show attic and crawl space access locations. Identify all fire rated assemblies.

☐ **Elevations:** Show all views. Show all vertical dimensions and building height as required by (RLUC 204.6).. Indicate all openings and identify all siding and roofing materials. Show roof pitch and roof overhangs.

☐ **Building Sections & Wall Sections:** Show as many sections to the structure as may be necessary to properly identify the structure, including one through stairs. Some structures require more than one section.

Show floor covering, wall construction, siding and type of gypsum wall board on ceilings and walls. Show interior walls, either bearing or nonbearing. Show framing, top and bottom plates, blocking, draft stopping, rim joist, ceiling joist, roof rafters or trusses. Show the wall, floor and roof insulation values per Town of Rico Design Criteria. Indicate the floor and roof sheathing/underlayment and roof pitch and overhangs. Show attached decks, posts, piers and anchoring methods. Show all cross sectional changes in elevation on section and all dimensions. Label all. Identify all fire rated assemblies.

☐ **Electrical / Mechanical Plans:** Provide locations of all light fixtures, switches, receptacles, panel location, smoke and carbon monoxide detectors. Exterior light fixtures to be shielded to comply with (RLUC 204.2). If achieving energy efficiency compliance through the Simulated Performance Alternative, submit documentation/performance-based compliance report per (IECC 404.4).

☐ **Manufactured product listing data for specialty materials & equipment:** Where materials or equipment of a specialty nature will be used, valid research reports from a recognized listing agency (ICC,UL,AGA, etc.) should be provided addressing their code equivalency. Alternative materials, designs or methods of construction not specifically prescribed by the applicable code may require pre- approval from the building official. (IRC R104.11)

Attachments Required for commercial building permits: Plans shall contain no added "changes" in ink or pencil.

☐ **Site Plans** Two (2) Minimum size 12"x 18", 24" by 36" preferred and (1) electronic (pdf) site plans prepared by a Colorado registered land surveyor showing at a minimum the following:

North Arrow	Areas of environmental concern*
Scale not greater than 1" = 20' unless the entire site will not fit on a 24"x 36" sheet	Topography 5 foot interval maximum, 2 foot preferred
Vicinity Map	Proposed grading and drainage
Lot lines with dimensions	Location of existing buildings if applicable
Easements and setbacks with dimensions	Location of proposed building if applicable
Acreage of lot	Location of existing utilities, including septic if applicable
Adjacent streets with labels	Location of proposed utilities, including septic if applicable

*Some of this information about Areas of Environmental Concern is obtainable on the Town Manager's GIS system and will be made available to the applicant at the pre-application conference. **Flood planes must be determined by an Engineer licensed in the state of Colorado. Wetlands must be delineated by a certified technician and surveyed.** All of the following should include two (2) Minimum size 12"x 18", 24" by 36" preferred copies and (1) electronic (pdf).

☐ **Building Code Analysis:** The Town of Rico requires a licenced architect provide a code analysis on all commercial and multifamily projects based on the adopted design codes including Use and Occupancy Classification, Types of Construction, General Building Limitations (actual area per floor/overall, allowable area per floor/overall, Fire-resistant Rated Construction, Fire Suppression Requirements, Means of Egress (occupant load per floor, exists per floor), Accessibility.

☐ **Foundation Plan:** Show all foundations, slabs, piers and footings. Indicate size, location, thickness, material and reinforcing. Show all embedded anchoring such as anchor bolts, hold-downs and post bases. Provide concrete strength at 28 days, rebar grade and lap length, etc. Specify on plans all required Special Inspections per (IBC Chapter 17). **Structural plans and calculations to be stamped by a State of Colorado registered and licensed Engineer or Architect..**

☐ **Floor and Framing Plans:** Show all structural members for floors and roofs including but not limited to blocking, headers, columns, joists, bearing walls, rafters, roof trusses and note their sizes, spacing, bearing points, method of attachment along with roof/wall/floor sheathing type and thicknesses. If manufactured trusses are to be used, calculation/truss drawing sheets must be submitted with plans. Provide grade/specs of all lumber products. Specify on plans all required Special Inspections per (IBC Chapter 17). **Structural plans and calculations to be stamped by a State of Colorado registered and licensed Engineer or Architect.**

☐ **Floor Plans:** Show floor plan for all levels including basements. Show/label all rooms, dimensioned with their use. Provide square footage for each level and total overall. Show all doors and windows. Provide door and window schedules or sizes with required egress windows and safety glass (where applicable) labeled. If stairs are required show riser height/tread depth and handrail/guardrail heights. Show location of plumbing fixtures, kitchen appliances, fireplace/stove (wood or gas) and mechanical equipment. Show attic and crawl space access locations. Identify all fire rated assemblies.

☐ **Elevations:** Show all views. Show all vertical dimensions and building height as required by (RLUC 204.6).. Indicate all openings and identify all siding and roofing materials. Show roof pitch and roof overhangs.

☐ **Building & Wall Sections:** Show as many sections to the structure as may be necessary to properly identify the structure, including one through stairs. Some structures require more than one section.

Show floor covering, wall construction, siding and type of gypsum wall board on ceilings and walls. Show interior walls, either bearing or nonbearing. Show framing, top and bottom plates, blocking, draft stopping, rim joist, ceiling joist, roof rafters or trusses. Show the wall, floor and roof insulation. Indicate the floor and roof sheathing/underlayment and roof pitch and overhangs. Show attached decks, posts, piers and anchoring methods. Show all cross sectional changes in elevation on section and all dimensions. Label all. Identify all fire rated assemblies.

☐ **Electrical Plans:** Provide locations of all light fixtures, switches, receptacles, panel locations, smoke and carbon monoxide detectors. Exterior light fixtures to be shielded to comply with (RLUC 204.2).

☐ **Mechanical Plans:** Show the entire mechanical system. Include all units, their sizes, mounting details, all duct work and duct sizes. Indicate all fire dampers where required. Provide equipment schedules. Submit energy conservation calculations per the International Energy Conservation Code. Provide size of equipment based on BTU's and horsepower. Provide structural calculations and details for all mechanical equipment over 100 lbs. operating weight.

☐ **Manufactures product listing data for specialty materials & equipment:**
Where materials or equipment of a specialty nature will be used, valid research reports from a recognized listing agency (ICC,UL,AGA, etc.) should be provided addressing their code equivalency. Alternative materials, designs or methods of construction not specifically prescribed by the applicable code may require pre- approval from the building official. (IBC 104.11)

For both residential and commercial applications:

- ☐ Letter of agency if applicant is other than the owner of the property
- ☐ An application fee in the amount calculated on the fee schedule.
- ☐ A copy of the deed for the property.

I swear that the information provided in this application is true and correct and that I am the owner of the property or otherwise authorized to act on behalf of the owner of the property.

Signature: _____ Date _____

Date Application Received _____ Application Reviewed by _____

Application Fee Received _____ Approval Subject to Conditions _____

Application Complete _____

Other comments:

Development Permit for Areas of Environmental Concern

Development Permits for Areas of Environmental Concern are required when any of the following conditions exist on the subject property:

- **Avalanche Hazard Areas**
- **Flood Plane Areas**
- **Steep Slopes**
- **Wetland Areas**
- **Wildfire Hazard Areas**
- **Wildlife Habitat Areas**

Maps of Areas of Environmental Concern are available on the Town Rico GIS system, on the ricocolorado.gov web site and at Town Hall in the Rico Land Use Code.

Development Permit for Areas of Environmental Concern Process Chart

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graph LR; A[Schedule a pre-application meeting with the Town Manager / Planner.] --> B[Fill out the application and provide the documents and payment as shown on the check list.]; B --> C[Review of application by Town Manager / Planner for application completeness.];
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Schedule a pre-application meeting with the Town Manager / Planner.

Fill out the application and provide the documents and payment as shown on the check list.

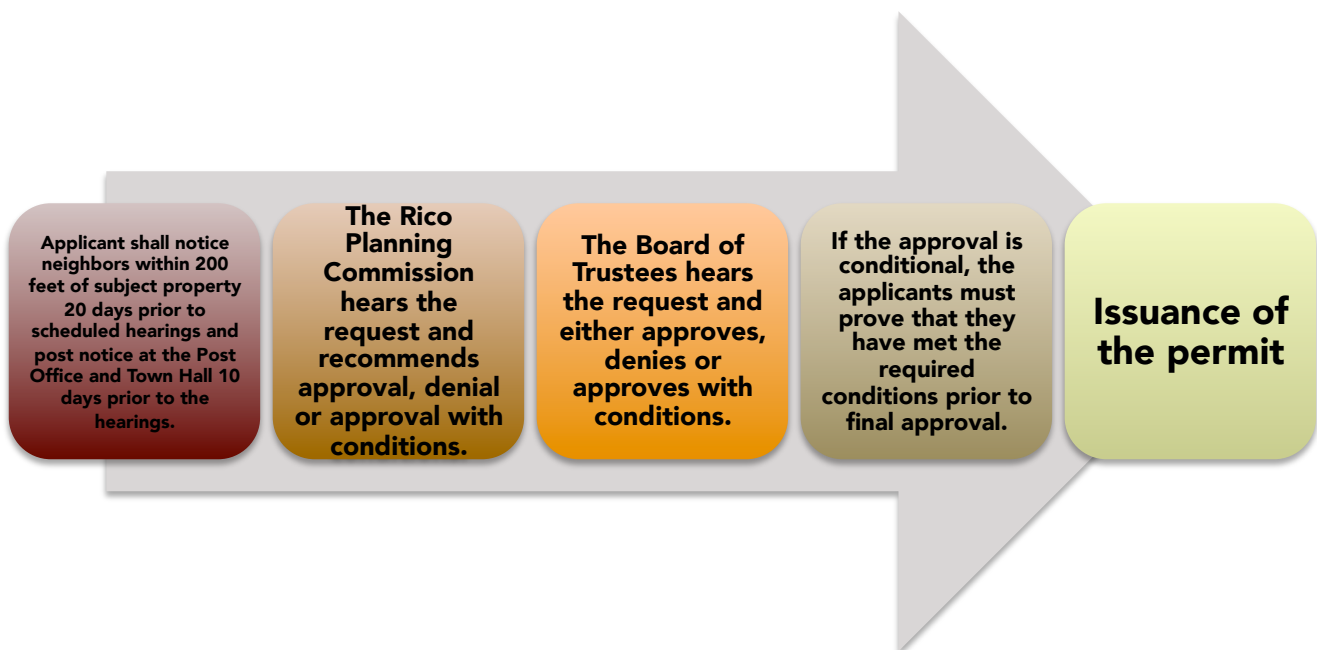
Review of application by Town Manager / Planner for application completeness.

Areas of Environmental Concern Development Permit Process Chart

The Rico Planning Commission is authorized to review these applications and make a recommendation to the Board of Trustees. Development activities shall avoid areas of environmental concern where ever possible unless the reviewing body finds the following:

- Allowing the development activity would result in a better overall design with respect to the purposes set forth in Article 104, Purpose of the Rico Land Use Code.
- The affected area can be fully mitigated and supported by recommendations contained in engineered mitigation proposals.

Requirements, restrictions and recommended mitigations for specific hazards are addressed in Article VIII of the Rico Land Use Code. Some approvals may require indemnity agreement with the Town.



Areas of Environmental Concern Development Permit Application



Applicant Name _____ Phone Number _____

Address _____ Cell Phone Number _____

Email _____ Fax Number _____

Street Address of Subject Property _____

Legal Description of Subject Property _____

Zone District of Subject Property _____

Contractor Name _____ Phone Number _____

Address _____ Cell Phone Number _____

Email _____ Fax Number _____

Attachments Required:

- ☐ Two (2) 24" by 36" Site Plans and (1) electronic (pdf) site plan showing the following:

North Arrow

Areas of environmental concern*

Scale not greater than 1" = 20' unless
the entire site will not fit on a 24"x 36"
sheet

*Topography 5 foot interval maximum,
2 foot preferred

Vicinity Map

Proposed grading and drainage

Lot lines with dimensions

Location of existing buildings if
applicable

Easements with dimensions

Location of proposed building if
applicable

Acreage of lot

Location of existing utilities if
applicable

Adjacent streets with labels

Location of proposed utilities if
applicable

-
- ☐ Letter of agency if applicant is other than the owner of the property
 - ☐ An application fee in the amount of \$400.00.
 - ☐ A copy of the deed for the property.

*Some of this information about Areas of Environmental Concern is obtainable on the Town Manager's GIS system and will be made available to the applicant at the pre-application conference. **Flood planes must be determined by an Engineer licensed in the state of Colorado. Wetlands must be delineated by a certified technician and surveyed.**

I swear that the information provided in this application is true and correct and that I am the owner of the property or otherwise authorized to act on behalf of the owner of the property.

Signature: _____ Date _____

Date Application Received _____ Application Reviewed by _____

Application Fee Received _____ Date of Hearing _____

Application Complete _____ Rico Planning Commission Action _____

Mailing Notice Complete _____ Approval Subject to Conditions _____

Other comments:

Excavation Permit

Excavation Permits are required for the following:

- **Utility installations and repairs not including septic systems***
- **Road and driveway construction and repair**
- **Excavation disturbing more than three (3) cubic yards of dirt that is not associated with an existing building permit, a landscaping activity or test holes for septic systems.**

* Septic systems are subject to a separate permit.

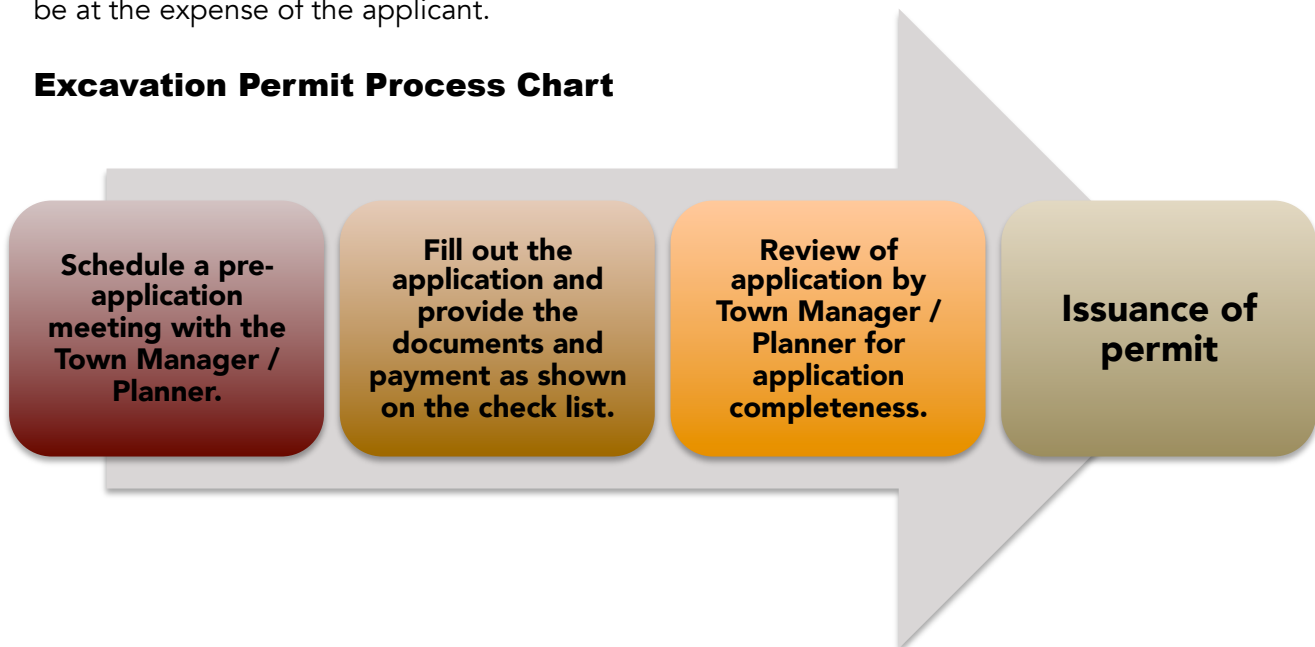
The applicant and contractor shall warrant all installations for one (1) year upon the issuance of a Certificate of Final Completion.

For projects that involve excavation of construction in Town of Rico rights-of-way, a \$5,000 cash excavation bond posted with the Town of Rico will be held for one full year upon final completion.

No excavation is allowed within the Town of Rico rights-of-ways between November 1st and April 1st.

The Town Manager may require a review by an appointed licensed engineer. Such review shall be at the expense of the applicant.

Excavation Permit Process Chart



Excavation Permit Application



Applicant Name _____ Phone Number _____

Address _____ Cell Phone Number _____

Email _____ Fax Number _____

Street Address of Subject Property _____

Legal Description of Subject Property _____

Zone District of Subject Property _____

Contractor Name _____ Phone Number _____

Address _____ Cell Phone Number _____

Email _____ Fax Number _____

Attachments Required:

- ☐ Two (2) 24" by 36" Site Plans and (1) electronic (pdf) site plan showing the following:

North Arrow

Areas of environmental concern*

Scale not greater than 1" = 20' unless
the entire site will not fit on a 24"x 36"
sheet

*Topography 5 foot interval maximum,
2 foot preferred

Vicinity Map

Proposed grading and drainage

Lot lines with dimensions

Location of existing buildings if
applicable

Easements with dimensions

Location of proposed building if
applicable

Acreage of lot

Location of existing utilities if
applicable

Adjacent streets with labels

Location of proposed utilities if
applicable

-
- ☐ Letter of agency if applicant is other than the owner of the property
 - ☐ An application fee in the amount of \$25.00.
 - ☐ Bond in the amount of \$5,000.
 - ☐ A copy of the deed for the property.

*Areas of environmental concern include wetlands, flood planes, avalanche areas, geological hazards and mining hazards. This information is available on the Town Manager's GIS system and will be made available to the applicant at the pre-application conference.

I swear that the information provided in this application is true and correct and that I am the owner of the property or otherwise authorized to act on behalf of the owner of the property.

Signature: _____ Date _____

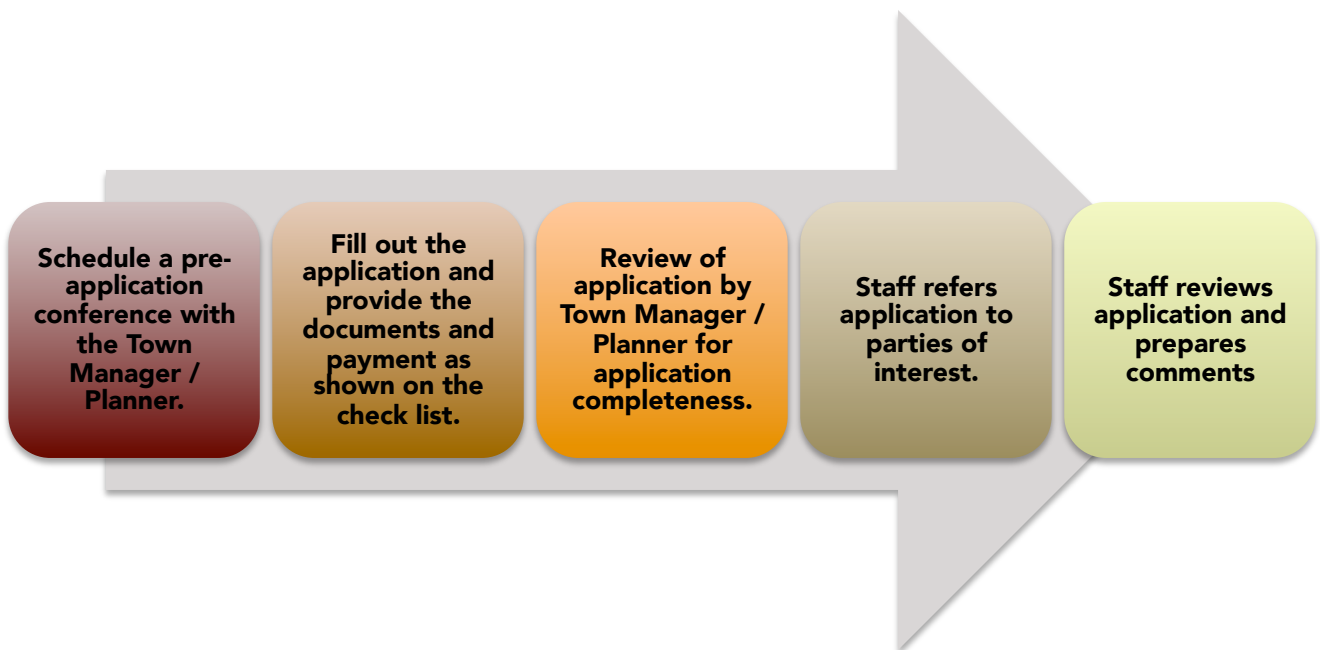
Date Application Received _____	Application Reviewed by _____
Application Fee Received _____	Date of Hearing _____
Application Complete _____	Rico Planning Commission Action _____
Mailing Notice Complete _____	Approval Subject to Conditions _____

Other comments:

Minor Subdivision & Re-subdivision (also known as replats) Application

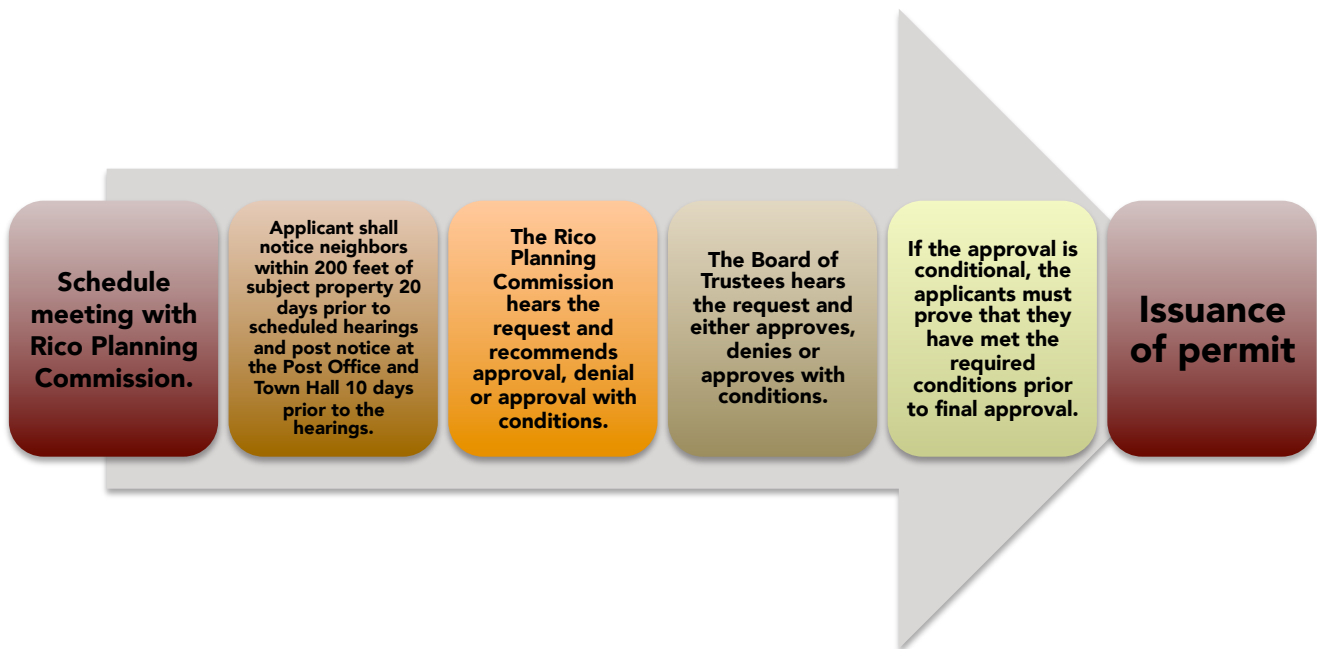
Minor Subdivision & Re-subdivision applications are required for subdivisions creating three or fewer lots provided that the lots in question do not require extensions of water lines or street improvements. Re-subdivisions include the adjustment of lot lines in circumstances which do not create new lots.

Minor Subdivision & Re-subdivision Procedure Process Chart



The Rico Planning Commission is authorized to review and make a recommendation to the Board of Trustees for minor subdivisions and re-subdivisions. Standards for review include the following:

- **Proper arrangement of access, lots and easements.**
- **Provision of municipal services and water supply**
- **Avoidance of unsuitable lands**
- **Promotion of goals and objectives in the Rico Regional Master Plan**
- **That the subdivision or re-subdivision plat include all requirements on the application check list.**
- **Any agreements, covenants, restrictions and other accompanying legal documents shall be approved, or approved with reasonable modifications by the town attorney.**



Minor Subdivision & Re-subdivision Application



Applicant Name _____ Phone Number _____

Address _____ Cell Phone Number _____

Email _____ Fax Number _____

Street Address of Subject Property _____

Legal Description of Subject Property _____

Zone District of Subject Property _____

Attachments Required:

☐ Two (2) 24" by 36" paper Plats (1) electronic (pdf) site plan showing the following signed and stamped by a surveyor licensed in the State of Colorado:

North Arrow and Scale

Notes

Legend

Mortgage consent if applicable

Vicinity Map

Dolores County Clerk's acceptance

Legal Description

Lot lines with dimensions

Surveyor's Certificate

Easements with dimensions

Title Insurance Company Certificate

Lot and street labels

County Treasurer's Certificate

Right-of-way dimensions

Dedication

Zone district labels

Approval by Rico Planning
Commission

Adjoining lots with labels

Approval by Town of Rico

-
- ☐ Statement from County Treasurer showing the status of current taxes due on affected property
 - ☐ Letter of agency if applicant is other than the owner of the property
 - ☐ An application fee in the amount of \$750.00
 - ☐ A Certificate of Mailing with names, addresses, and property owned of property owners within 200 feet of subject property.
 - ☐ A copy of the deed for the property.

I swear that the information provided in this application is true and correct and that I am the owner of the property or otherwise authorized to act on behalf of the owner of the property.

Signature: _____ Date _____

Date Application Received _____	Application Reviewed by _____
Application Fee Received _____	Date of Hearing _____
Application Complete _____	Rico Planning Commission Action _____
Mailing Notice Complete _____	Approval Subject to Conditions _____

Other comments:

A 24"x 36" mylar will be required for recording if the subdivision is approved.

Road & Right-of-way Vacation Request

Road and right-of-way vacation requests can be considered by the Rico Planning Commission and the Rico Board of Trustees and are subject to statutory requirements of C.R.S. sec. 43-2-301 *et. seq.* Requests will be considered if they meet the following standards:

- The topography of the public right-of-way does not allow the construction of a road that meets Rico Land Use Code Design Standards
- The right-of-way does not provide any public benefit
- If the request is approved, sufficient easements for utilities must be retained

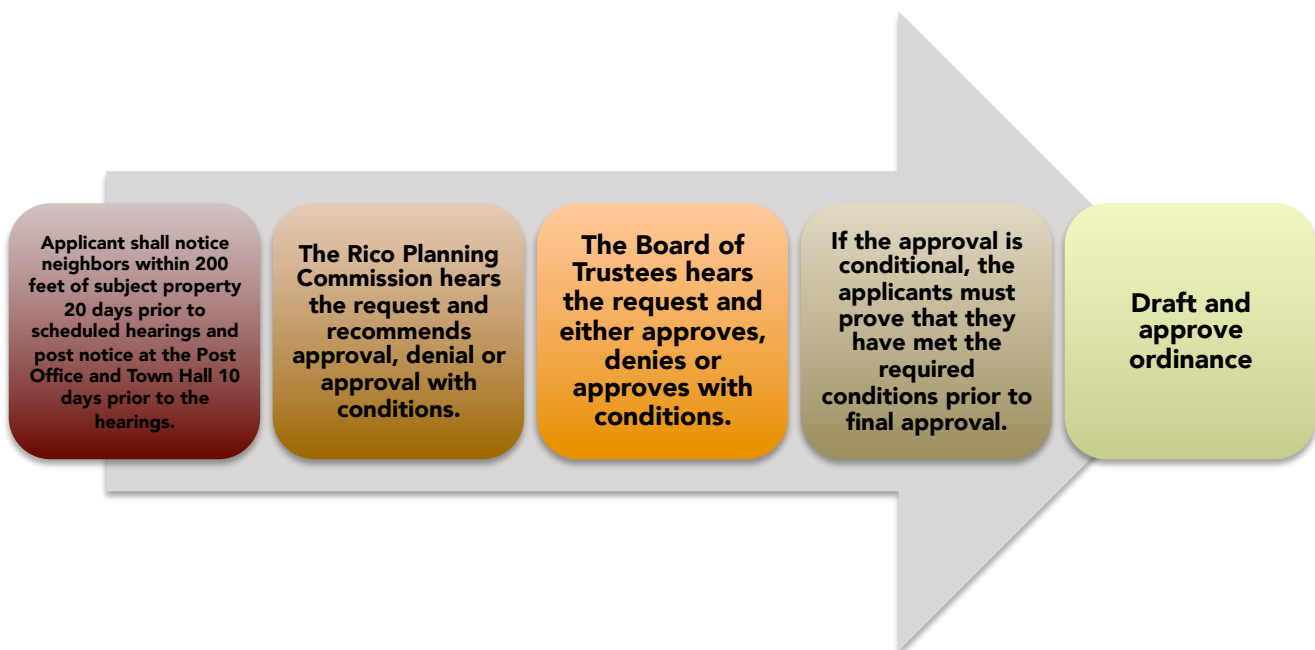
Right-of-Way Request Process Chart



Right-of-Way Request Process Chart

The Rico Planning Commission is authorized to review and make a recommendation to the Board of Trustees. Minimum requirements for the vacation of public rights-of-way are the following:

- The Trustees shall enact a public right-of-way vacation by ordinance.
- The ordinance shall specifically amend the Present Road Status Map and Designated Road Use Map.
- The vacated right-of-way shall be divided at the midpoint and title shall pass to the adjoining property owners.
- Vacated rights-of-way shall be subject to the provisions of this RLUC and shall be included in the same Zone District as the adjoining property, unless otherwise determined by the Trustees.
- the Town may not receive any monetary compensation in return for any vacated public right-of-way.



Variance Application



Applicant Name _____ Phone Number _____

Address _____ Cell Phone Number _____

Email _____ Fax Number _____

Description of right-of-way _____

Zone District of Subject Property _____

Attachments Required:

- ☐ Statement by the applicant describing how the vacation meets applicable standards set forth in the Rico Land Use Code
 - ☐ Letter of agency if applicant is representing another party
 - ☐ An application fee in the amount of \$150.00
 - ☐ A Certificate of Mailing with names, addresses, and property owned of property owners within 200 feet of subject property.
 - ☐ A copy of the deed for the adjoining property/properties.
 - ☐ Two (2) 24" by 36" Site Plans and (1) electronic (pdf) site plan showing the following:
-

North Arrow

Areas of environmental concern*

Scale not greater than 1" = 20' unless
the entire site will not fit on a 24"x 36"
sheet

Topography 5 foot interval maximum,
2 foot preferred

Vicinity Map

Proposed grading and drainage

Lot lines with dimensions

Location of existing buildings if
applicable

Easements with dimensions

Location of proposed building if
applicable

Acreage of lot

Location of existing utilities if
applicable

Adjacent streets with labels

Location of proposed utilities if
applicable

I swear that the information provided in this application is true and correct and that I am the owner of the property or otherwise authorized to act on behalf of the owner of the property.

Signature: _____ Date _____

Date Application Received _____

Application Reviewed by _____

Application Fee Received _____

Date of Hearing _____

Application Complete _____

Rico Planning Commission Action _____

Mailing Notice Complete _____

Approval Subject to Conditions _____

Other comments:

Septic Permit

Septic Permits are required for the installation of all Individual Sewage Disposal Systems (ISDS). Construction of ISDS within the Town of Rico are subject to the requirements of Town of Rico Ordinance 2017 – 01, which incorporates Colorado Department of Health and Environment Regulation 43. ISDS plans must be signed and stamped by an engineer licensed in the State of Colorado.

Septic Systems disposing of more than 2000 gallons per day of waste water are subject to review and regulation by the Colorado Department of Health and Environment.

No excavation is allowed within the Town of Rico rights-of-ways between November 1st and April 1st.

The Town Manager may require an additional review by an appointed licensed engineer. Such review shall be at the expense of the applicant.



Septic Permit Application



Applicant Name _____ Phone Number _____

Address _____ Cell Phone Number _____

Email _____ Fax Number _____

Street Address of Subject Property _____

Legal Description of Subject Property _____

Zone District of Subject Property _____

Contractor Name _____ Phone Number _____

Address _____ Cell Phone Number _____

Email _____ Fax Number _____

Type of Structure _____ Number of bedrooms _____

☐ New Tank

☐ Repair tank

☐ New Soil Treatment Area

☐ Repair Soil Treatment Area

Soil type _____ Water table depth _____

Bedrock depth _____ Treatment tank size _____

Soil absorption system size _____

Attachments Required:

☐ Two (2) 24" by 36" Septic system plans (1) electronic (pdf) site plan showing the following signed and stamped by an engineer licensed in the State of Colorado:

North Arrow	Areas of environmental concern* if applicable
Scale not greater than 1" = 20' unless the entire site will not fit on a 24"x 36" sheet	Topography 5 foot interval maximum, 2 foot preferred
Vicinity Map	Proposed grading and drainage
Lot lines with dimensions	Location of existing buildings if applicable
Easements with dimensions	Location of proposed building if applicable
Acreage of lot	Location of existing utilities if applicable
Adjacent streets with labels	Location of proposed utilities if applicable
Test pit soil profiles	Dimensions showing relevant distances from buildings, existing utilities, setbacks, easements and property boundaries
Details required for review including but not limited to distribution box details, bed details, chamber details tank details and pipe backfill details	Any necessary notes

- ☐ Letter of agency if applicant is other than the owner of the property
- ☐ An application fee in the amount of \$20.00 made to CDPHE.
- ☐ An application fee in the amount of \$3.00 made to the Town of Rico
- ☐ A copy of the deed for the property.

*Areas of environmental concern include wetlands, flood planes, avalanche areas, geological hazards and mining hazards. This information is accessible on the Town Manager's GIS system and will be made available to the applicant at the pre-application conference.

I swear that the information provided in this application is true and correct and that I am the owner of the property or otherwise authorized to act on behalf of the owner of the property.

Signature: _____ Date _____

Date Application Received _____ Application Reviewed by _____

Application Fee Received _____ Date of Hearing _____

Application Complete _____ Rico Planning Commission Action _____

Mailing Notice Complete _____ Approval Subject to Conditions _____

Other comments:

Special Use Permit Applications

Special Use Permit Applications are required for uses not permitted by right in zone districts but permitted by special permit upon review. Uses not listed shall not be permitted under any circumstances.

Special Use Permits are required in Commercial Zone Districts for the following:

- **Adult Businesses, including retail sales of adult material and nudity shows**
- **Day Care Facilities**
- **Fire Stations and Emergency Facilities**
- **Hospitals and Medical Centers**
- **Gasoline, fuel cell and other stations that sell fuel and/or energy**
- **Manufacturing businesses, not including art studios**
- **Religious Institutions**
- **Repair shops for automobiles**
- **Schools**
- **Trade Businesses, including electrical, heating, plumbing, welding, etc.**
- **Warehouses and distribution centers**
- **Wood working shops**
- **All other businesses not listed as a use by right in the Rico Land Use Code**

Special Use Permits are required in Residential Zone Districts for the following:

- **Short-term rental dwelling units / accommodations excluding hotels, condominium hotels, bed and breakfasts, motels, lodges, boarding houses and rooming houses**
 - **Day Care Facilities**
 - **Schools**
 - **Churches**
-

Special Use Permit Process Chart



The Rico Planning Commission is authorized to review and make a recommendation to the Board of Trustees. Standards for review include the following:

- Compatibility with the surrounding area.
 - The location, size, design and operating characteristics shall mitigate any adverse effects on the surrounding properties.
 - Proposed use shall not produce noise levels beyond those of traditional uses in the underlying zone district.
 - Proposed use shall not produce smoke, particulate matter, odorous matter beyond those of traditional uses in the underlying zone district.
 - Proposed use shall not involve explosives, flammables, toxic and noxious matter, vibrations, or the need for open storage or glare.
 - Proposed use shall not create undue traffic impacts on Town roads and affected area.
 - Proposed use shall provide adequate off-street parking.
-

Applicant shall notice neighbors within 200 feet of subject property 20 days prior to scheduled hearings and post notice at the Post Office and Town Hall 10 days prior to the hearings.

The Rico Planning Commission hears the request and recommends approval, denial or approval with conditions.

The Board of Trustees hears the request and either approves, denies or approves with conditions.

If the approval is conditional, the applicants must show that they have met the required conditions prior to final approval.

Issuance of permit

Special Use Permit



Applicant Name _____ Phone Number _____

Address _____ Cell Phone Number _____

Email _____ Fax Number _____

Street Address of Subject Property _____

Legal Description of Subject Property _____

Zone District of Subject Property _____

Attachments Required:

- ☐ Description of Special Use Request
- ☐ Narrative of Reasons that Special Use should be granted
- ☐ Statement from County Treasurer showing the status of current taxes due on affected property
- ☐ Letter of agency if applicant is other than the owner of the property
- ☐ An application fee in the amount of \$200.00
- ☐ A site plan that includes any information relevant to the request i.e.: adequate parking for short term rental permit applications.
- ☐ A Certificate of Mailing with names, addresses, and property owned of property owners within 200 feet of subject property.
- ☐ A copy of the deed for the property.

I swear that the information provided in this application is true and correct and that I am the owner of the property or otherwise authorized to act on behalf of the owner of the property.

Signature: _____ Date _____

Date Application Received _____

Application Reviewed by _____

Application Fee Received _____

Date of Hearing _____

Application Complete _____

Rico Planning Commission Action _____

Mailing Notice Complete _____

Approval Subject to Conditions _____

Other comments:

Variance Applications

Variance Applications are required for the following:

- Modifications of building height
- Encroachment of structures into setbacks
- Yard area
- Site coverage
- Required off-street parking
- Maximum floor area

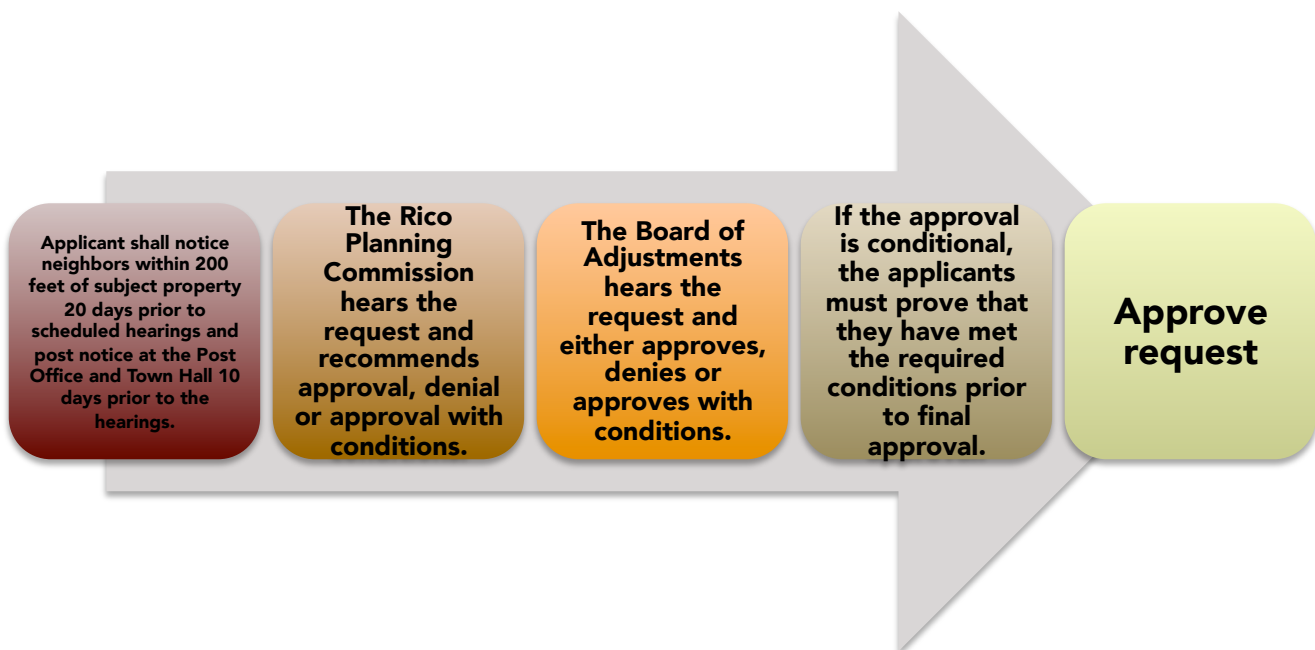
Variance Procedure Process Chart



Variance Procedure Process Chart

The Rico Planning Commission is authorized to review and make a recommendation to the Board of Trustees operating as the Board of Adjustments. Standards for review include the following:

- Special circumstances related to lot size, shape, area, topography, surrounding conditions, access and location that do not generally apply to properties in the same area and zone district.
- Variance should not negatively impact snow removal, streetscapes, separation of buildings for fire protection, off-street parking areas, solar access, view corridors. Attention shall be given to impacts on neighbors.
- Variances shall not constitute a material detriment to public welfare or injury to the use of property in the vicinity.
- A variance shall not be approved if it is sought to relieve a hardship created by the applicant.
- The proposed use must be a permitted use in the underlying zone district.



Variance Application



Applicant Name _____ Phone Number _____

Address _____ Cell Phone Number _____

Email _____ Fax Number _____

Street Address of Subject Property _____

Legal Description of Subject Property _____

Zone District of Subject Property _____

Attachments Required:

- ☐ Description of Variance Request – cite Rico Land Use sections for which the variance is sought.
 - ☐ Narrative of reasons that Variance should be granted
 - ☐ Statement from County Treasurer showing the status of current taxes due on affected property
 - ☐ Letter of agency if applicant is other than the owner of the property
 - ☐ An application fee in the amount of \$200.00
 - ☐ A Certificate of Mailing with names, addresses, and property owned of property owners within 200 feet of subject property.
 - ☐ A copy of the deed for the property.
 - ☐ Two (2) 24" by 36" Site Plans and (1) electronic (pdf) site plan showing the following:
-

North Arrow

Adjacent streets with labels

Scale not greater than 1" = 20' unless
the entire site will not fit on a 24"x 36"
sheet

Areas of environmental concern if
applicable

Vicinity Map

Location of existing buildings if
applicable

Lot lines with dimensions

Location of proposed building if
applicable

Easements with dimensions

Location of existing utilities if
applicable

Acreage of lot

I swear that the information provided in this application is true and correct and that I am the owner of the property or otherwise authorized to act on behalf of the owner of the property.

Signature: _____ Date _____

Date Application Received _____

Application Reviewed by _____

Application Fee Received _____

Date of Hearing _____

Application Complete _____

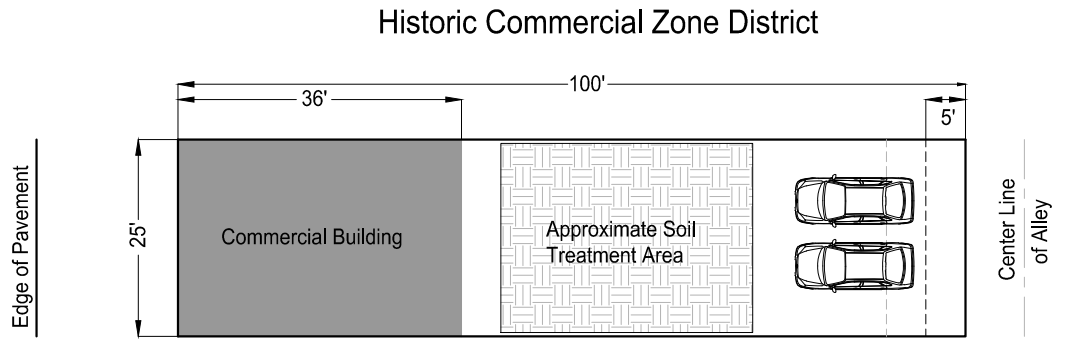
Rico Planning Commission Action _____

Mailing Notice Complete _____

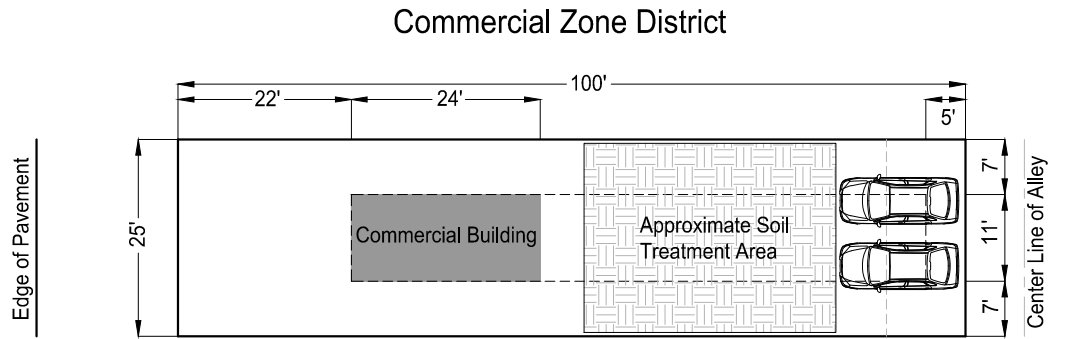
Approval Subject to Conditions _____

Other comments:

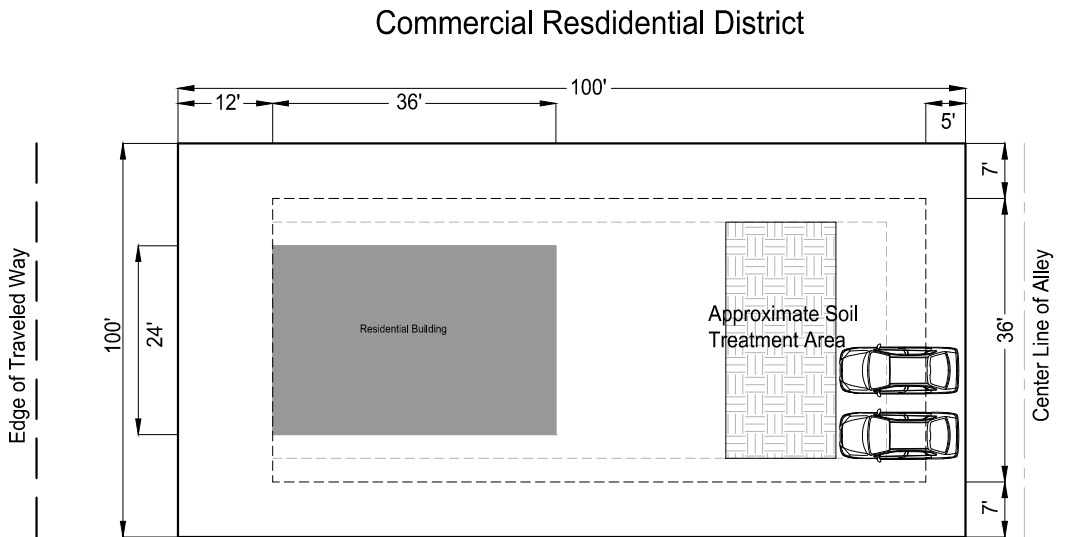
Centerline of highway 145



Centerline of highway 145



Centerline of Street



Typical Setback Diagrams

