



City of Florence

Florence Municipal Center
600 W.3rd Street, Florence, Colorado 81226.
(719) 784-4848 Fax (719) 784-0228
Email: wade@florencecolorado.org
www.florencecolorado.org

2020 Members:
Larry Baker, Chair
Gail Nelson, Vice Chair
John Miller
John Cobler
Jackie Chester

CITY OF FLORENCE
PLANNING COMMISSION MEETING
FLORENCE MUNICIPAL CENTER, CITY HALL CHAMBERS
THURSDAY, JULY 16, 2020, 5:30 PM

AGENDA

- I. Call to Order
- II. Roll Call
- III. Welcome and Introductions
- IV. Approval of the Minutes from the June 11, 2020 Meeting
- V. Approval of the Minutes from the June 30, 2020 Special Meeting
- VI. New Business
 - a. Planning Commissioner Vacancy
 - b. Watchman's Quarters in Commercial Zone Districts
- VII. Old Business
 - a. Accessory Dwelling Units (cont.)
- VIII. Next Meeting Date and Time: August 13, 2020 at 5:30 p.m.
- IX. Adjourn



City of Florence

Florence Municipal Center
600 West 3rd Street
Florence, Colorado 81226
(719) 784-4848 Fax (719) 784-0228
Email: cityofflorence@florencecolorado.org
www.florencecolorado.org
(719) 784-4848 Fax (719) 784-0228

FLORENCE PLANNING COMMISSION MEETING MINUTES

THURSDAY, JUNE 11, 2020

5:30 P.M.

(PENDING APPROVAL)

1. **Call to Order** – Chair Larry Baker called the regular meeting of the Florence Planning Commission to order at 5:31 p.m.

2. **Roll Call** –

Larry Baker	- Present
Gail Nelson	- Present
John Miller	- Absent
Jackie Chester	- Present
John Cobler	- Absent
Mike Patterson	- Present
Matt Krob	- Absent
Youth Advisor	- Vacant

Others present – Planning Director Wade Broadhead and Planning Administrative Assistant/Deputy City Clerk Janelle Dodd.

3. **Welcome and Introductions:** None
4. **Approval of Minutes from the April 16, 2020 Meeting** –

MOTION: Mrs. Nelson motioned to approve the minutes of the April 16, 2020 meeting. The motion was seconded by Mrs. Chester. Roll call vote: 3 ayes, 2 absent (Mr. Cobler, Mr. Miller).

5. **New Business** –

- a. **June Special Meeting Scheduling:** There will be a Special Planning Commission Meeting on Tuesday, June 30, 2020 at 5:30 p.m. to review a rezoning case.

6. **Old Business** –

- a. **Accessory Dwelling Units**

The Commission continued the previous discussion on Accessory Dwelling Units (ADUs). Mr. Baker reminded everyone that if ADUs were going to be allowed in Florence, the Planning Commission would have to give their approval, make a recommendation to City Council, and City Council would also have to approve. An ADU is a secondary housing unit that can be added to a parcel with an existing primary residence. An ADU cannot serve as the principal structure on a



City of Florence

Florence Municipal Center
600 West 3rd Street
Florence, Colorado 81226
(719) 784-4848 Fax (719) 784-0228
Email: cityofflorence@florencecolorado.org
www.florencecolorado.org
(719) 784-4848 Fax (719) 784-0228

parcel, but it can be inside a primary residence or located in a separated accessory building in the side or back yard. Mr. Broadhead explained some of the strategies implemented by Colorado Springs and that they tend to allow ADUs in the older part of town, where many accessory buildings already exist and where there is more alley access. City staff recommends that ADUs be owner-occupied, allowed as a special use rather than use-by-right, and that the Commission revisit zoning to see where would be the best place to allow them. Additional things to consider are construction standards, requiring architectural compatibility with the primary residence, how to handle pre-existing structures, minimum size requirements, and how to handle the transfer of ownership of a property with an ADU. Mrs. Nelson commented that allowing ADUs in the R-1 zone district, which is low density, single-family residential, would eliminate the R-1 zone. She expressed concern about lot sizes being too small in R-1 to accommodate ADUs and the additional parking spaces they would require, and she mentioned that many homeowners bought their properties in R-1 with the expectation that it would not be as crowded as other zones might be. Mr. Broadhead agreed that lot size should be a factor in this decision and stated that a large portion of the historic part of the town is zoned R-1 instead of R-2. Rather than attempting to rezone a large portion of town from R-1, the Commission could create an ADU overlay to allow ADUs in some neighborhoods zoned R-1. Mr. Baker asked if anyone from the public had comments. Citizen Morrie Aves of 127 ½ West Main St. stated that rental units fall under development property, and he wants them to be permitted as such to ensure compliance with the building code. He also wants them to be taxed as rental properties. Mrs. Nelson stated that rental properties should already be taxed if the owner is getting rental income, regardless of whether it is a traditional type of housing unit or an ADU. Mrs. Nelson asked if staff recommends allowing both detached and attached units. Mr. Broadhead said yes but that he would need to check with the Building Inspector to figure out which types of attached units would be allowed. Mr. Baker asked if a one-story structure, such as a garage, could be converted to into a two-story structure with an accessory dwelling unit on top of it. Mr. Broadhead said that would be ideal since there is already an existing structure. Mrs. Nelson asked about height restrictions. Mr. Broadhead stated that height restrictions for accessory structures vary depending on the zone but that most of the time, the height of the accessory structure cannot exceed the height of the primary structure. He added that this would be a good topic to address. One-story structures would also have to be structurally capable of supporting a



City of Florence

Florence Municipal Center
600 West 3rd Street
Florence, Colorado 81226
(719) 784-4848 Fax (719) 784-0228
Email: cityofflorence@florencecolorado.org
www.florencecolorado.org
(719) 784-4848 Fax (719) 784-0228

second story. Citizen Laurie Aves of 127 ½ West Main St. stated that many existing accessory structures are not compliant with building codes, and she is concerned that if the City allows existing structures to be exempt from the proposed requirements, they will remain noncompliant with building codes. City Manager Mike Patterson assured Mrs. Aves that the City would ensure that the existing structures are up to code before they will be considered legal non-conforming structures. Barna Kasa of 208 West Main commented that many houses are not currently up to code and asked why existing ADUs would have to comply with the code but existing houses would not. Mr. Patterson stated that enforcing building code compliance would have to be a separate action of the Commission. There was a discussion about the need for housing and that it is difficult to get contractors to build new homes in Florence when homes tend to sell for significantly higher prices in other places. The implementation of ADUs could help offset the demand for housing.

Mrs. Nelson asked about a conversation that took place during the January 16, 2020 meeting about the chapter on the Planning Commission in the Florence Municipal Code. The code currently requires the Planning Commission to have seven members. The City Manager and one representative from City Council shall be considered ex officio members, and the remaining members shall be residents of Florence appointed by the Mayor. City Attorney Matt Krob had previously mentioned that it is not good practice to have anyone from City Council present at a Planning Commission meeting, because all councilmembers are supposed to have the same information. Unfortunately, it this is a state statute and cannot be changed in our code unless it is changed at the state level. Mr. Patterson told the Commission that Mr. Krob brought this issue to the attention of Colorado Municipal League (CML), who agreed that councilmembers should not be present at Planning Commission meetings. CML is currently attempting to make these changes at the legislature and expects changes out of this session. Mr. Krob recommends appointing a City Council representative to the Planning Commission but that they should not attend the meetings. Mrs. Nelson asked if Mr. Baker created a list of the different types of businesses that are downtown, which he had brought up during the January 16 meeting. Mr. Baker stated that he has not completed it but that he would like to put it on the agenda for July. This is to ensure that the downtown use complies with zoning requirements.

Mrs. Chester asked about the shipping container sitting on a property on the east side of town, east of Big D's Superfoods. She said she has seen people there



City of Florence

Florence Municipal Center
600 West 3rd Street
Florence, Colorado 81226
(719) 784-4848 Fax (719) 784-0228
Email: cityofflorence@florencecolorado.org
www.florencecolorado.org
(719) 784-4848 Fax (719) 784-0228

from time to time and that it is prime real estate. Mr. Broadhead stated that he has encouraged the owners to either develop or sell the property, which would encourage development.

7. **Next Meeting Date and Time** – The special Planning Commission meeting will occur on Tuesday, June 30, 2020 at 5:30 p.m. The next regular meeting will occur on Thursday, July 16, 2020 at 5:30 p.m.
8. **Adjourn** - There being no further business, the meeting was adjourned at 6:44 p.m.



City of Florence

Florence Municipal Center
600 West 3rd Street
Florence, Colorado 81226
(719) 784-4848 Fax (719) 784-0228
Email: cityofflorence@florencecolorado.org
www.florencecolorado.org
(719) 784-4848 Fax (719) 784-0228

FLORENCE PLANNING COMMISSION MEETING MINUTES

SPECIAL MEETING

TUESDAY, JUNE 30, 2020

5:30 P.M.

(PENDING APPROVAL)

1. **Call to Order** – Vice Chair Gail Nelson called the regular meeting of the Florence Planning Commission to order at 5:40 p.m.

2. **Roll Call** –

Larry Baker	- Present (Arrived 5:50 p.m.)
Gail Nelson	- Present
John Miller	- Present
Jackie Chester	- Present
John Cobler	- Absent
Mike Patterson	- Present
Matt Krob	- Present
Youth Advisor	- Vacant

Others present – Planning Director Wade Broadhead and Planning Administrative Assistant/Deputy City Clerk Janelle Dodd.

3. **Welcome and Introductions:** None

4. **Public Hearing: 2020-RZ-01 High Gardens RV Park Rezoning, Applicant Tahmra Copeland, located at 101 Moore Drive, rezoning two (2) lots from (C) District – General Commercial to RVP District – Recreational Park District –**

The applicant, Tahmra Copeland, gave an overview of the proposed RV Park. Ms. Copeland explained that she intends to operate a resort-style park with spacious rental spaces and layered landscaping. This plan inspired the park's name, High Gardens RV Park. Ms. Copeland stated that the geographic location is ideal, because of the scenery and proximity to tourist attractions. The use of local consultants and contractors, the influx of occupants who will shop at our retail and grocery stores, and increased tourism will benefit the local economy. Ms. Copeland plans to live onsite to maintain the integrity and quality of the park. There will be access from Moore Drive approximately 200 feet from Highway 67, but there will not be access from Cedar Street, which Ms. Copeland stated is to prevent traffic problems for the neighbors. The applicant plans to



City of Florence

Florence Municipal Center
600 West 3rd Street
Florence, Colorado 81226
(719) 784-4848 Fax (719) 784-0228
Email: cityofflorence@florencecolorado.org
www.florencecolorado.org
(719) 784-4848 Fax (719) 784-0228

create an internal roundabout at the north end of the property, which would create a larger setback between Cedar Street and the nearest rental space than the minimum required setback. Mrs. Nelson asked where the open space will be located. Alex Ewers of 3 Rocks Engineering explained that the open space will mainly be located at the ends of each row of rental spaces but that there is an open space in the center of the park and throughout the property. City Manager Mike Patterson invited Fire Chief Calvin Sunderman to answer questions regarding the need for emergency access from Cedar Street. Mr. Sunderman explained that he has spoken with the applicant and city staff to ensure that the proposed RV park would meet fire safety codes. He stated that the Fire Department is okay with the proposed water system and the proposed access point off of Moore Drive. He added that the majority of emergency response calls they receive are medical, and the proposed roads inside the park will be adequate for large vehicles, so he does not believe that it is necessary to create an additional access point from Cedar Street. Mr. Sunderman stated that the requirement to have a fire hydrant every 300 feet is not a fire code requirement and that it is a zoning requirement that can be adjusted by the City. He expressed concerns that the drivers of the RVs might run into the additional fire hydrants, causing undetectable damage to the pipes, and the Fire Department would not know that a fire hydrant was inoperable when they need to use it. Mr. Patterson added that the Planning Commission should revisit the zoning requirements to decide if it is necessary to exceed the requirements of the Fire Department. City Attorney Matt Krob agreed that the City should adopt the same fire code as the Fire District.

Mr. Broadhead gave the staff report and stated that this property has been zoned as (C) - General Commercial but has not seen development. When the City updated the Master Plan in 2017, some of the areas along highways were designated Mixed-Use Transitional, which will allow the property to be rezoned to the RVP District – Recreational Park District. Mr. Broadhead also gave an overview of the concerns reported by neighbors, including traffic and potential health issues resulting from perlite, which has been seen on the property. Staff spoke with the management of the Persolite facility in Florence, and they do not require monitoring by CDPHE. The manager informed staff that they dump 1-2 tons of perlite twice per year on days when it is forecast to rain or snow to mitigate dust. Staff contacted the CDOT access manager who has requested to see a full set of plans for review. While the applicant will be taking access from Moore Drive, a city street, they will have to comply with any additional requirements by CDOT due to the traffic increase. In regards to setback requirements, the applicant meets the setback, and there is a platted city street between the northernmost RV rental space and the nearest residence on Cedar Street. According to



City of Florence

Florence Municipal Center
600 West 3rd Street
Florence, Colorado 81226
(719) 784-4848 Fax (719) 784-0228
Email: cityofflorence@florencecolorado.org
www.florencecolorado.org
(719) 784-4848 Fax (719) 784-0228

staff's calculations, there will be over 100 feet of space between the two, which Mr. Broadhead instructed the applicant to confirm and indicate on the site plan. Staff recommends approval with the following conditions:

1. Applicant will comply with the development and site requirements of the City of Florence Planning and Public Works Departments
2. Applicant will obtain a CDPHE State site disturbance permit before earth work starts
3. Applicant will comply with all subsequent requirements from CDOT after they review the plan.
4. Applicant will comply with requirements set forth by 17.36 – RVP District – Recreational Vehicle Park District

Mr. Baker opened the public hearing at approximately 6:04 p.m. Morrie Aves of 127 West Main Street asked if there is a requirement on the year and size of the RVs. The applicant stated that they cannot be more than 15 years old. Mr. Aves also expressed concerns with dust and the type of gravel the applicant plans to use on their interior roads. Dan Fox, who owns the property on Cedar Street across from the proposed RV park, spoke in favor of the project and stated that dust shouldn't be a major issue if the correct kind of gravel is used and it is compacted. Jenny Gatzke, a realtor from Canon City, also spoke in favor of the project and said it is a great opportunity for lodging options for Florence and that it will help the economy. Keith Smith of 212 East 3rd Street stated that he was going to ask how the owners would separate the park from the surrounding neighborhood, but that the applicant addressed this question. After no further participation from the public, the public hearing was closed at approximately 6:13 p.m.

The Commission asked if the applicant intended to sell the property, how many employees they would hire, and what size water tap they would have. Ms. Copeland stated that she intends to keep the property and live onsite above the office and work as the park manager. She said there will be approximately six other employees living onsite, who will clean and maintain the facilities and landscaping. The applicant spoke with city staff about the water consumption and water tap size. The initial plan was to install a 2" tap, but the Public Works Department may be able to figure out another solution. Ms. Copeland added that the State will not allow more than 14 RV rental spaces per acre, and this proposed park will have no more than 6 RV spaces per acre. Mrs. Nelson expressed concern with the use of the term "long-term occupancy" for an RV park, which is not allowed per the Florence Municipal Code. Ms. Copeland stated



City of Florence

Florence Municipal Center
600 West 3rd Street
Florence, Colorado 81226
(719) 784-4848 Fax (719) 784-0228
Email: cityofflorence@florencecolorado.org
www.florencecolorado.org
(719) 784-4848 Fax (719) 784-0228

that it would be seasonal. Mr. Krob explained that the limit for occupancy is 180 days and that this limit was implemented to address the issue of travelers establishing residency in multiple jurisdictions and voting multiple times. Mr. Krob recommended replacing the term “long-term” with “seasonal”. He instructed Ms. Copeland to tell the occupants that they can stay for no longer than a certain number of days. Mr. Patterson stated that the applicants would still need to follow the current code requirements and if there were a request to stay longer, it would have to be approved by City Council.

MOTION: Mrs. Nelson motioned to recommend approval to City Council for 2020-RZ-01 High Gardens RV Park Rezoning from Commercial to RV Park District with the caveat that the application be changed to allow seasonal occupancy, no longer than a term of 90 days, rather than long-term occupancy as well as staff conditions 1-4. The motion was seconded by Mr. Miller. Roll call vote: 4 ayes, 1 absent (Mr. Cobler).

5. **Next Meeting Date and Time** – The next regular meeting will occur on Thursday, July 16, 2020 at 5:30 p.m.
6. **Adjourn** - There being no further business, the meeting was adjourned at 6:29 p.m.