

# CRESTED BUTTE SOUTH PROPERTY OWNERS ASSOCIATION

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## Covenant Amendment Steering Committee (CASC)

### Meeting Minutes

Thursday – October 8, 2020 5 pm – 6:30 pm

In attendance: Sue Wallace – POA Compliance Coordinator/Secretary; Dom Eymere-Association Manager; Committee Members: Matt Barker, Joe Frank, David Neben, and Tim Williamson.

Meeting began at 5:05 pm and was conducted online using Uberconference.

A motion was made, and carried, to approve the September 3, 2020 meeting minutes

Next meeting will take place November 5, 2020. All meetings will be conducted using UberConference moving forward, unless otherwise noted.

We began the discussion focusing on the changes made at the September meeting to Section 4.1-Provisions Common to All Land Uses. The group reviewed this language, as well as language for 2 new sections - Temporary Structures and Temporary Uses - and accepted the revised language.

Next we reviewed Section 4.2 – Permitted Residential Land Uses:

*Section 4.2.1 Residential Lots.* Sue would like to make sure we discuss how mixed uses of Residential and Commercial in the Commercial Area should be addressed at the covenant level, if at all? Does having mixed uses require us to address them as a new and separate use?

*Section 4.2.2 Family Residence.* Revised language accepted.

*Section 4.2.3 Out buildings.* This section was struck because requiring outbuildings in the covenants doesn't work. Matt felt it is not appropriate for us to require -at the covenant level-outbuildings. The Residential Design Guidelines (RDG) **do** require either a garage or shed to be constructed at the same time as the primary residence. If I heard the group correctly, they don't want the covenants having this requirement, but are comfortable addressing it through the RDG.

*Section 4.2.4 Accessory Dwelling Unit.* Sue would like to confirm that a multi-family structure may have an attached or detached ADU? Is one ADU per residence permitted (so if 4 units in the MF, there may be 4 ADUs?), or is it one ADU per multi-family structure?

*Section 4.2.5 Home Occupation.* Regarding "within" the residence was struck as Matt pointed out that people can do what they want inside, but it is outside the residence that would create impacts. These impacts outside of the residence are addressed under Section 4.6-Prohibited Uses (4.6.12 – Nuisances).

*Section 4.2.6 Parking on Residential Lots.* Matt has suggested that we use the terms "Parking" to include licensed vehicles (anything with a license: personal vehicles and cars, motorcycles, OHV's, campers, pull-behind campers, trailers for hauling stuff, etc), and "Exterior Storage" to include anything else that is kept outside. Sections 4.1.4 and 4.1.5 address exterior storage and lot appearance. The issue of parking campers in CB South is of great interest, and as the

survey from March 2020 indicates, most people want campers allowed to be parked in personal driveways. So rather than inserting language that defines an allowable number of campers, vehicles, trailers, etc, we agreed on the above language for Section 4.2.6. It simply states that any licensed vehicle under 28 feet in length that can fit within the approved parking spaces for any given lot would be permitted to be parked there. From here, the Board can create policy around campers being parked, such as length of stay, can it be “lived in” by owners or guests, and do we require fees/permits.

*Section 4.2.7 Setbacks.* Tim commented that we might want to include language about “second-story “ intrusions into the setbacks. Matt felt that the language was clear enough but wanted to add “decks” to the list and remove “6 feet from the structure” and allow the RDG to address this specifically. Matt wanted to include that permanent structures are not allowed in setbacks, so it was added, while temporary structures or uses may be allowed subject to approval by Design Review Committee per Sections 4.1.9 and 4.1.10.

*Section 4.2.8 Signs on Residential Lots.* Sue needs to confirm that this statute allows for these uses.

*Section 4.2.9 Use of Family Residence as Rental Property.* While there are currently about 30 properties being used as STR’s, this use is likely to grow. Matt raised a great discussion point that many of the impacts associated with STR’s are due to properties being owned by remote owners of a second (or 3<sup>rd</sup>, or 4<sup>th</sup>) home, and not by owners renting their primary homes. So we added new language that aims to address this issue with “Only primary residences may be used as Short-term Rentals.” There are legal and precedent issues that should be discussed with the Board, and David said he would ask that this be placed on the next meeting agenda of the Board of Directors, scheduled for Nov 11, 2020. Sue will research other cities and towns for their STR programs and will share this with the Board at the Nov meeting.

Meeting adjourned at 6:50 pm.