



PLANNING AND ZONING COMMISSION MEETING AGENDA

September 3, 2024 at 6:30 PM

601 Central Ave

If you wish to attend virtually, please visit the town website under the government tab for the
zoom link: <https://townofdolores.colorado.gov>

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Identification of Actual or Perceived Conflicts of Interest
5. Public Participation (5 minutes per person)

This is an opportunity for citizens to address the commission at this time or during a public hearing. Each person will have 5 minutes. The planning commission encourages public comment by the following sources: live at the town hall, virtually via zoom (see the town website for the link), or by submitting your comments, via email, to the town clerk at tammy@townofdolores.com any time before the dated board meeting.

6. Approval of the Agenda
7. Public Hearings.
 - 7.1 Dolores Fire Protection District Subdivision application.

a. Public Hearing. See attached guidelines in packet,
the application,
the applicants letter requesting a subdivision,
the staff report the preliminary plat
and the public notices and proof of mailing to neighbors.

8. Discussion
 - a. Proposed language for Mixed use districts and accessory structures and accessory dwellings.
Planner Garvin to present.
9. Consent Agenda
 - a. Minutes of August 6, 2024 Regular meeting.

10. Staff Updates

- a. August 2024 Manager's Reports: Leigh Reeves
- b. Attorney's Report Jon Kelly
- c. August 2024 Building Official- Fire Marshal Report: David Doudy

11. Commissioner Updates

- a. no report this month.

12. Future Agenda Items

These items are being retained on the agenda until the Commissioners have the capacity to discuss, plan or revamp.

-Comprehensive Plan Sub plans, Weed Management , Watershed Management, Hazards Mitigation.

-Public outreach and education.

13. Adjournment



LAND USE APPLICATION

OVERVIEW

This form provides the basic information about a project proposal. This application form is only one of the items required for a complete project submittal. It is the responsibility of the applicant to ensure that all other required materials are submitted. It is also the responsibility of the applicant to clearly demonstrate through narrative, visual representations, and other materials that the proposed activity complies with the Town of Dolores' Land Use Code. Incomplete or substandard applications may cause delays. All applications shall include digital files as well as the hard copy unless otherwise determined by staff.

PROJECT TYPE (select one or more)

- | | |
|--|--|
| <input type="checkbox"/> Administrative Adjustment | <input checked="" type="checkbox"/> Major Subdivision Plat, Preliminary |
| <input type="checkbox"/> Administrative Determination | <input type="checkbox"/> Major Subdivision Plat, Final |
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Plat Amendment |
| <input type="checkbox"/> Appeal of Administrative Determination | <input type="checkbox"/> Planned Unit Development |
| <input type="checkbox"/> Areas and Activities of State Interest (1041) | <input type="checkbox"/> Sign Permit |
| <input type="checkbox"/> Comprehensive Plan Amendment | <input checked="" type="checkbox"/> Site Plan Review Wrong |
| <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Special Exception |
| <input type="checkbox"/> Grading and Erosion Control Permit | <input type="checkbox"/> Special Exception, Subdivision |
| <input type="checkbox"/> Historic Preservation | <input type="checkbox"/> Temporary Use Permit |
| <input type="checkbox"/> LUC Interpretation | <input type="checkbox"/> Variance |
| <input type="checkbox"/> LUC Text Amendment | <input type="checkbox"/> Variance, Subdivision |
| <input type="checkbox"/> Location and Extent Review | <input type="checkbox"/> Vested Property Right |
| <input type="checkbox"/> Minor Subdivision Plat | <input type="checkbox"/> Zoning Development Permit |
| <input type="checkbox"/> Major Subdivision Plat | <input type="checkbox"/> Zoning Map Amendment (Rezoning) or LUC Text Amendment |
| | <input type="checkbox"/> Other: |

PROJECT DESCRIPTION

PROJECT NAME:

Dolores Fire Dept Protection District Subdivision

PROJECT LOCATION:

PROJECT SUMMARY (Additional details must be included in other application materials)

Transfer of land from Town of Dolores to Dolores Fire Protection District.

LAND USE APPLICATION

SITE INFORMATION

PROPERTY ID Number: 535916200031 + 535916200031
CURRENT ZONING: P-2 PROPOSED ZONING: /
CURRENT USE: _____ PROPOSED USE: /

PROJECT CONTACT INFORMATION

APPLICANT: Dolores Fire Protection District AGENT: Tracy Montgomery
ADDRESS: Box 599 Dolores, Co 81323 ADDRESS: _____
PHONE: 970-882-4096 PHONE: 970-749-8295
E-MAIL: _____ E-MAIL: tracy@doloresfire.org
PROPERTY OWNER(S) (Authorization from all property owners is required if different from the applicant): _____

ACKNOWLEDGMENT AND AUTHORIZATION

The undersigned authorizes the Town of Dolores to proceed with processing this application under the requirements of the Town of Dolores Land Use Code (LUC). The undersigned acknowledges that the information provided herein is accurate to the fullest extent of their knowledge.

The accuracy of this information is the applicant's responsibility and improper notification of adjacent property owners, when applicable, can result in delayed processing of this application.

Applicant: Eric Brutenbach Date: 6/26/2024

DEPARTMENT USE ONLY

Application Received By: Leigh Reeves Date: 6/26/24 Project #: DFPD Submission
Fee Required: Waived Paid On: _____ Receipt #: _____
Application Accepted as Complete for Processing on: 7-29-31

July 11, 2024

To Whom it May Concern,

The Dolores Fire Protection District built its first station in the 1980's on Railroad Avenue. They signed a 99 year lease with the Town of Dolores for the use of the property. Last year, it went to a vote and was approved that the Town of Dolores should transfer deed of the property to the Dolores Fire Protection District. There is now a second station on the property and many memorial trees planted in the park that has been cared for by the department.

During this transfer we have had to go through the subdivision process to get to the final result, Dolores Fire Protection owning the land. We did not ask for a subdivision, it is just part of the process. The land will continue to be used just as it has for over 40 years. We will take care of our buildings, maintain our park and provide the care and services to our community that we have always been dedicated to.

DOLORES FIRE PROTECTION DISTRICT

Ann Swope

From: Prieto Arias, Juan <Juan.PrietoArias@atmosenergy.com>
Sent: Wednesday, August 7, 2024 5:54 PM
To: Nancy Dosedall; Ken Tarr; Tracy Montgomery; Leigh Reeves; Randy McGuire
Cc: Ann Swope; Thatcher, Troy; Kennedy, Charles; Taveira, Anthony
Subject: RE: Request for Comments - Dolores Fire District Subdivision

Nancy:

We have reviewed the plat and request our gas lines to be added to the plat.

Thank you,

Juan A Prieto Arias P.E. | Manager Engineering Services | Atmos Energy Corporation | Colorado-Kansas Division | 303-831-5694 Office | Juan.PrietoArias@atmosenergy.com | www.atmosenergy.com

From: Nancy Dosedall <ndosedall@sehinc.com>
Sent: Thursday, August 1, 2024 2:32 PM
To: Prieto Arias, Juan <Juan.PrietoArias@atmosenergy.com>; Ken Tarr <ken.tarr@eea.coop>; Tracy Montgomery <tracy@doloresfire.org>; Leigh Reeves <leigh@townofdolores.com>; randy@townofdolores.com
Cc: Ann Swope <ann@townofdolores.com>
Subject: [EXT] Request for Comments - Dolores Fire District Subdivision

CAUTION: Don't be quick to click. This e-mail originated from outside of Atmos Energy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Agencies,

The Town of Dolores is reviewing an application from the Dolores Fire Protection District for a subdivision of the 28.61 acre parcel located at 45 Railroad Ave. The request will divide the parcel into four lots and dedicate right of way for Central Ave. The property is currently owned by the Town of Dolores and includes the town sewage treatment ponds, the Fire Station, the town water dock and numerous other town and fire department related storage facilities. The intent of the subdivision is to allow the transfer of land from the Town to the Fire Department of the portion of the property that the Fire District currently occupies and maintains.

Please review the attached and let me know if you have any questions, comments or would like to request conditions or revisions to the plat. The request is scheduled for Planning Commission review on September 3, 2024 so please reply prior to August 23, 2024 to ensure that your comments are included in the planning commission staff report.

Nancy L. Dosedall AICP
Senior Planner
Short Elliott Hendrickson Inc. (SEH®)

970.459.1165 direct | 970.769.8331 mobile

MEMO

TO: Members of the Dolores Planning and Zoning Commission

FROM: Nancy Dossdall, Contract Town Planner

SUBJECT: Public Hearing on an Application for a preliminary plat for a 4 lot major subdivision with dedication of Right of Way for Central Ave.

APPLICANT: Dolores Fire Protection District

OWNER: Town of Dolores

ATTACHMENTS: Plat
Narrative

BACKGROUND

The Dolores Fire Protection District is proposing a four lot subdivision with dedication of right of way of property currently owned by the Town of Dolores. The purpose of the subdivision is to allow the Fire District to own the property that they currently occupy and maintain. The property is zoned Public (P-2).

The site includes the Dolores Sewage Treatment plant (proposed lot 2), the water dock (proposed lot 4), various Town storage areas (lot 1) and dedication of right of way for Central Ave which bisects the property from east/west. Private property zoned Large Lot Residential 1 & 2 and unincorporated property (vacant, residential and ag) are located to the north, west is the Cemetery and public land/ McPhee Reservoir.



DEVELOPMENT STANDARDS

Development Standard	P2 Zone Requirement	Proposed
Min. lot area (sq. ft.)	No minimum, must meet setbacks, height and lot coverage requirements	Lot 1 – 4.88 acres Lot 2 – 17.47 acres Lot 3 - 2.65 acres Lot 4 - .08 acres
Min. front yard (ft.)	25'	Lot 1 – 25' approx. Lot 2 – 35' approx. Lot 3 – 20' approx. – existing non conforming Lot – 4 n/a
Min. side yard (ft)	10'	Lot 1 – 400' + approx. Lot 2 – 145' + approx. Lot 3 – 10' proposed Lot 4 – n/a
Min. rear yard (ft)	10'	Lot 1 – 68' approx. Lot 2 – 400' + approx. Lot 3 – 15' approx. Lot 4 – n/a
Max. lot coverage	50%	All less than 50% (estimated)
Min. floor area	n/a	n/a
Max height (ft)	35'	No change

ISSUES

The planning commission shall, in its action on the preliminary plat, consider the following:

- a) The physical arrangement of the subdivision.
- b) The adequacy of street rights of way and alignment, the street standards of the Town of Dolores, the existing street pattern in the area and with all applicable provisions of the Comprehensive Plan.
- c) The adequacy of easements for proposed or future utility service.
- d) Provisions for surface drainage; and
- e) Whether lot sizes and area are adequate to comply with the minimum requirements for the applicable zone district and for the type of sanitary sewage disposal proposed.

The entire purpose of the proposed subdivision is to allow the Fire Protection District to purchase property that they currently own and maintain and to allow for their future expansion and improvement. The physical arrangement of the subdivision is designed to accommodate the existing uses and improvements on the property. During the review, it was noted that Central Ave through the property was an easement, and not dedicated as right of way. This proposed subdivision now dedicates right of way for Central Ave., solidifying future access although it also results in the requirement for the subdivision to be reviewed as a major subdivision with preliminary and final plat approvals required. With the proposed dedication, additional easements dedicated on the plat, and proposed conditions, the proposed subdivision meets all preliminary plat requirements above.

In addition to the specific criteria above, the proposed subdivision must meet all generally applicable review criteria in 13.4.E.3.

- a) Consistent with Prior Approvals: Where a preliminary plan or plat was submitted and approved, a subsequent application for the same development shall be consistent with the terms and conditions of such prior the preliminary plan or plat approval for the project including, without limitation, an approved phasing plan for development and installation of public improvements and amenities.
- b) Consistent with Comprehensive Plan: The proposal is consistent with the Dolores comprehensive plan and any applicable sub-area, neighborhood, sector, or district plan. The decision-making authority shall weigh competing plan goals, policies, and strategies and may approve an application that provides a public benefit even if the development is contrary to some of the goals, policies, or strategies in the comprehensive plan or other applicable

- plans.
- c) Compliance with Use and Development Standards: The proposal complies with all applicable use standards, site development standards, design standards, subdivision standards, public improvement standards, floodplain management standards, and all other applicable substantive standards stated in this LUC or other applicable Town code. Such compliance shall be applied at the level of detail required for the subject submittal, and those standards which are not otherwise modified, varied, or waived as allowed by this LUC.
 - d) Compliance with Other Applicable Regulations: As applicable, prior to final approval of the proposed development pursuant to this LUC, the proposed development complies with all other Town regulations and with all applicable regulations, standards, requirements, or plans of the federal or state governments and other relevant jurisdictions, including but not limited to wetlands, water quality, erosion control, and wastewater regulations.
 - e) Minimizes Adverse Environmental Impacts: The proposed development meets or exceeds all environmental protection standards in this LUC, is designed to minimize negative impacts, and does not cause significant adverse impacts on the natural environment, including but not limited to water, air, noise, storm water management, scenic resources, wildlife habitat, soils, native vegetation, and the natural functioning of the environment.
 - f) Minimizes Adverse Impacts on Surrounding Property: The proposed development meets or exceeds all neighborhood protection standards in this LUC and all other site development standards intended at least in part to protect the existing character of neighboring properties and uses and does not cause significant adverse impacts on surrounding properties.
 - g) Minimizes Adverse Fiscal or Economic Impacts: The proposed use will not result in significant adverse fiscal or economic impacts on community or the Town.
 - h) Compliance with Utility, Service, and Improvement Standards: As applicable, the proposed development complies with federal, state, county, and/or service or special district standards and design/construction specifications for roads, access, drainage, water, sewer, schools, and emergency/fire protection.
 - i) Provides Adequate Public Services and Facilities: There will be capacity to provide adequate public services and facilities to accommodate uses permitted under the proposed development at the time such needs or demands arise, while maintaining adequate levels of service to existing development. Public services and facilities include, but are not limited to, roads, domestic water, sewer, schools, public safety, fire protection, libraries, and vehicle/pedestrian connections and access within the site and to adjacent properties.
 - j) Rational Phasing Plan: As applicable, the proposed phasing plan for development of the project is rational in terms of available infrastructure capacity. In addition, each phase of the development shall contain all of the required streets, utilities, landscaping, open space, and other improvements that are necessary and desirable for the residents and users of that phase and shall not be dependent upon subsequent phases for those improvements.

The project as submitted appears to meet all development standards. Conditions below will ensure adequate access, drainage, and all other aspects to promote the public health, safety, order, convenience, prosperity and general welfare.

Public Land Dedication – Subdivisions are required to dedicate land for open space, school sites, and park and recreation areas as determined by the Board of Trustees. Given that all the land is currently owned by the Town of Dolores, this requirement is not applicable.

ALTERNATIVES

1. The Commission can recommend that the Town Board approve the preliminary plat
2. The Commission can recommend denial of the application for the preliminary plat and state their reasons;
3. The Commission can ask for more information and table the application; or
4. The Commission can recommend that Town Board approve the preliminary plat, and state any conditions they feel would be necessary to ensure compliance with the Land Use Code.

RECOMMENDATION

Staff recommends Alternative “4” above, approval of the preliminary plat through with the following findings and conditions.

If the Planning and Zoning Commission so chooses to follow the recommendation of Staff, the Commission can **make the motion to recommend that the Town Board approve the preliminary plat for the Dolores Fire Protection District Subdivision on property located in the N1/2 of Section 16, T37N R 15W, NMPM, as submitted by the Dolores Fire Protection District, following findings and conditions:**

Findings:

1. The physical arrangement of the subdivision is appropriate for the terrain, existing and proposed lands uses and zoning.
2. The street right of way and alignment is appropriate for the proposed subdivision with the proposed dedication.
3. With the conditions below, easements are adequate for the existing and any proposed future uses.
4. The proposed subdivision meets all requirements of the land use code and comprehensive plan.

Conditions:

1. All requirements of utility providers, Town departments, CDOT and affected districts must be satisfied, as outlined in adopted Town Codes and other regulatory documents.
2. Prior to recordation of the final plat, the plat shall be revised to dedicate easements for existing gas lines.
3. Prior to recordation of the final plat, the plat shall be revised to ensure the southern portion of the property line between lots 2 and 3 is adequate for Town sewer needs.

**TOWN OF DOLORES
PLANNING AND ZONING COMMISSION
BOARD OF TRUSTEES
PUBLIC HEARING NOTICE**

NOW, THEREFORE, BE IT KNOWN, that the Dolores Planning Commission and Board of Trustees shall hold a public hearing concerning the following:

A request by the Dolores Fire Protection District, with permission of the landowner, the town of Dolores, to subdivide a 28.61-acre parcel located at 45 Railroad Ave into 4 parcels and additional right of way for Central Ave. The property currently contains the Fire Station, the town sewage treatment plant, the town water dock and various storage buildings. The purpose of the subdivision is to allow the Fire District to own the property they currently occupy and maintain.

The public hearings are to be held before the Dolores Planning Commission on Tuesday, September 3, 2024 at 6:30pm, and before the Board of Trustees on Monday, September 9, 2024 at 5:30pm, or as soon as possible thereafter.

A copy of this application is available to view at the Town of Dolores Office at 601 Central Ave.

The public hearing shall be held in the Town Hall, 601 Central Avenue, Dolores, Colorado, or at such other time or place in the event this hearing is adjourned. Further information is available through the Town of Dolores at (970) 882-7720.

/ If you cannot attend the public hearing, all comments shall be in writing to
Town of Dolores, P.O. Box 630, Dolores, CO
or 601 Central Avenue, Dolores, CO 81323
or by email to Tammy@townofdolores.com

Done this 12th day of August 2024

Published in the Journal Wednesday August 14, 2024 and on townofdolores.colorado.gov
homepage. Mailed to 250-foot neighbors on August 14, 2024

/s/ Tammy Neely, Town Clerk

August 15, 2024

Dear Neighboring property owner:

The Dolores Planning Commission and Board of Trustees will hold a public hearing to consider the following application:

A request by the Dolores Fire Protection District, with permission of the landowner, the Town of Dolores, to subdivide a 28.61-acre parcel located at 45 Railroad Ave into 4 parcels and additional right of way for Central Ave. The property currently contains the Fire Station, the town sewage treatment plant, the town water dock and various storage buildings. The purpose of the subdivision is to allow the Fire District to own the property they currently occupy and maintain.

The public hearings are to be held before the Dolores Planning Commission on Tuesday, September 3, 2024 at 6:30pm, and before the Board of Trustees on Monday, September 9, 2024 at 6:30pm, or as soon as possible thereafter.

The public hearings shall be held in the Town Hall, 601 Central Avenue, Dolores, Colorado. Further information is available through the Town of Dolores at (970) 882-7720.

A copy of this application is available at 601 Central Ave Dolores, CO. 81323

If you cannot attend the public hearing, all comments shall be in writing to

Town of Dolores, P.O. Box 630, Dolores, CO

or 420 Central Avenue, Dolores, CO 81323

or by email to Tammy@townofdolores.com

Applicant:

Dolores Fire Protection District

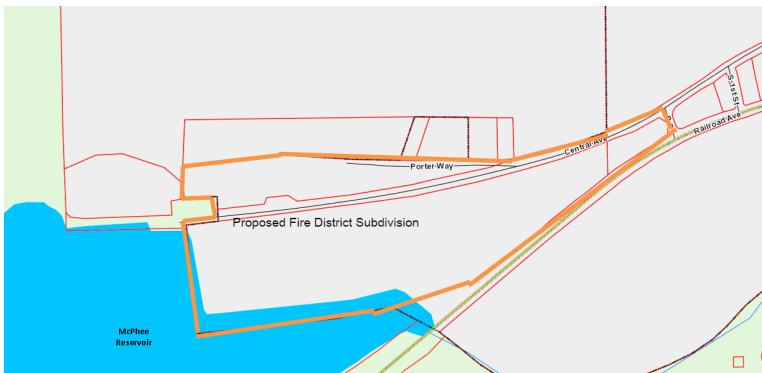
47 Railroad Ave P O Box 599

Dolores, CO 81323

(970) 882-4096

Location: 47 Railroad Ave.

Legal Description: A TRACT OF LAND LOCATED IN THE NORTH HALF (N/2) OF SECTION 16, TOWNSHIP 37 NORTH, RANGE 15 WEST, N.M.P.M.



USA-DOLORES PROJECT C/O
USFS - TRES RIOS OFFICE

29211 HWY 184

DOLORES, CO. 81323

PETTINGILL, WILLIAM ERLE L. &
FRANK

493 E. 100 N.

RICHFIELD, UT, 84701

ADAMS, ANNE D.

PO BOX 966

SILVERTON, CO, 81433

DOLORES CEMETERY ASSOC

PO BOX 67

DOLORES, CO, 81323

DUFUR, JESS DANIEL

P.O. BOX 885

CORTEZ, CO, 81321

WOLF, MOLLIE L.

P O BOX 355

DOLORES, CO, 81323

HAAS-VAUGHN, PAULINE &
VAUGHN, BRIAN

33817 EAGLET RD

MARANA, AZ. 85653

DUFUR, MARY C.

PO BOX 1

DOLORES, CO, 81323

Dolores Accessory Dwelling Unit and Accessory Use or Structure LUC Updates

1. Amend Table 4.3 as follows:

Table 4.3: Accessory Uses	LL	ae	R1	ae	MR	MH	CB	CH	L1	ae	P	R	R35	Add. Use Stand.
	R	w		w	F	P	1+			w		10		
	LL R1	LL R2	NR 1	NR 2	NR 3	M HP	D M U	CM U	IN D	P1	P2	R 10	R 35	
Key	/P/ Permitted, /PL/ Permitted with Use Limitations, /-/ Not Permitted /C/ Conditional Use Review													
Dwelling														
Accessory Dwelling Unit [1]	P	P	P	C	C	--	C	C	--	--	--	P	P	Sec. 4.6.A
Caretaker or guard residence, accessory Shelter [2]	--	--	--	--	--	--	=	--	P	--	P	--	--	
Short-Term Rental	PL	PL	PL	PL	PL	=	PL	PL	PL	=	=	PL	PL	Sec. 4.5.B
General														
Accessory Use or Structure	P	P	P	P	P	P	C	C	P	--	P	P	P	Sec. 4.6.B
Drive-Thru	--	--	--	--	--	--	--	P	--	--	--	--	--	Sec. 4.6.D

2. Amend Section 4.6.A as follows:

4.6. A. Accessory Dwelling Units

1. Applicability

Accessory dwelling units (ADUs) in applicable zones are permitted as follows:

(a) ~~In the LL1, LL2, and NR1 districts: on any parcel where One ADU per lot is permitted with a single-unit detached dwelling unit or duplex, is permitted or currently exists.~~ Where each duplex unit is on an individual lot, each lot may have an ADU.

(a)(b) In the NR2, NR3, DMU, and CMU districts: One ADU is permitted on lots with a single-unit detached dwelling only.

2. Ownership and Occupancy

- (a) The property owner shall live in either the primary or accessory dwelling unit.
- (b) The accessory dwelling unit shall not be sold separately or subdivided from the primary dwelling unit or lot unless both lots created by the subdivision conform to the minimum lot size for the zone district where located.

3. Dimensional Standards and Location

- (a) All new and existing ADUs must be located in a habitable structure that meets applicable Town building and life safety codes. ADUs shall not be located in:
 - (1) Non-habitable areas within buildings or accessory structures (e.g., shed, garage),
 - (2) Commercial (office/retail) or industrial (warehouse) spaces, or
 - (3) Outdoors in a temporary structure (e.g., tent, yurt, treehouse, or other similar structure) or in a recreational vehicle, mobile home, travel trailer, commercial or passenger vehicle or trailer, or any portable storage unit.
- (b) ADUs must have separate water and sewer taps.
- (c) ~~One accessory dwelling unit is permitted per residential lot.~~ The ADU shall be located on the same lot as the primary unit and the primary unit must be constructed prior to the accessory dwelling unit.
- (d) Accessory dwelling units may be internal or attached to the primary dwelling unit or separate, detached accessory dwelling unit that may or may not be attached to a detached garage.

3. Amend Section 13.11 as follows:

Section 13.11 Conditional Use Permits

A. Purpose

A conditional use is a use that may or may not be appropriate in a given zone district depending upon the circumstances and the conditions imposed upon the approval of the use. The conditional use permit process allows the Town to consider and establish appropriate conditions to reasonably mitigate adverse impacts of the use upon the proposed site and surrounding properties.

B. Applicability

1. Conditional use permits may be approved for the uses indicated as conditional uses in Tables 4.1 and 4.3 for the applicable zoning district. Any change or expansion of an approved conditional use shall require application for a new conditional use permit.
2. A conditional use permit may not be used to change the maximum density or intensity allowed in the underlying zone district. Accessory dwelling units are exempt from the density calculation for any lot.

C. Procedures

1. Common Procedures

The common procedures for conditional use permits are identified in Table 13.2 and are summarized here for applicant convenience.

2. Specific Procedures

- (a) The Zoning Administrator shall distribute the complete conditional use application to appropriate referral agencies, which may include the following:
 - (1) Electric power association
 - (2) Dolores School District
 - (3) Dolores Fire Protection District
 - (4) If the property on which the proposed conditional use is located is within a potential hazard area, Colorado Geological Survey comment may be requested.
 - (5) If the property on which the proposed conditional use is located is within a wildlife habitat area, Colorado Parks & Wildlife comment may be requested.
- (b) Notice Requirements
 - (1) Published notice of the P&Z public hearing shall be provided at least 10 days prior to the hearing. date.



- (2) Mailed notice of P&Z public hearing shall be provided at least 15 days before the hearing date.
- (3) Published notice of the Board of Trustees public hearing shall be provided at least 15 days before the hearing date.

D. Decision Criteria

When considering an application for conditional use permit, the Planning and Zoning Commission and Board of Trustees shall consider whether the application complies with following criteria:

- (a) The proposed use is consistent with the Dolores Comprehensive Plan;
- (b) The proposed use complies with all applicable provisions of the LUC;
- (c) The proposed use will not have a negative impact on the value of surrounding property or the general neighborhood;
- (d) The location and size of the use, the nature and intensity of the operation involved or conducted in connection with is, and the location of the site with respect to streets giving access to it are such that the conditional use will not dominate the immediate neighborhood so as to prevent the development and use of neighborhood property in accordance with the applicable zoning district regulations. In determining whether the use will dominate the immediate neighborhood, consideration shall be given to:
 - (1) The location, nature, and height of buildings, structures, walls, and fences on the site; and
 - (2) The nature and extent of the proposed landscaping and buffering on the site.
 - (3) Whether adequate utility, drainage, and other necessary facilities have or will be provided; and
 - (4) Whether adequate access roads or entrance and exit drives will be provided and shall be designed to prevent traffic hazards and minimize traffic congestion.

4. Amend Section 2.6, General Definitions to include the following, in alphabetical order:

“Tiny home” means a structure that meets the following, unless provided otherwise by C.R.S.:

- (I) Is permanently constructed on a vehicle chassis;
- (II) Is designed for long-term residency;
- (III) Includes electrical, mechanical, or plumbing services that are fabricated, formed, or assembled at a location other than the site of the completed home;
- (IV) Is not self-propelled; and
- (V) Has a square footage of not more than four hundred square feet.

A tiny home is not:

- (I) A manufactured home as defined in C.R.S. 24-32-3302(20),
- (II) A recreational park trailer,
- (III) A recreational vehicle,
- (IV) A semitrailer, or
- (V) An intermodal shipping container.

“Tiny house” means a modular factory built residential structure not built on a permanent chassis that is 400 square feet or less; designed for long-term occupancy; built to the International Residential Code; and attached to a permanent foundation.



PLANNING AND ZONING COMMISSION MEETING MINUTES

August 6, 2024 at 6:30 PM

601 Central Ave

If you wish to attend virtually, please visit the town website under the government tab for the
zoom link: <https://townofdolores.colorado.gov>

1. **Call to Order.** The meeting was called to order at 6:38 p.m.
2. **Pledge of Allegiance.** The group recited the pledge.
3. **Roll Call.** Present at the meeting were Chairperson Robinson, Commissioners Tucker, Kelly, and Nemanic, Ex Officios Peterson and Curry Planner Garvin and Staff members Manager Reeves and Assistant Clerk Swope. Commissioner Powell was absent.

4. **Identification of Actual or Perceived Conflicts of Interest.** None stated.

5. **Public Participation (5 minutes per person)**

This is an opportunity for citizens to address the commission at this time or during a public hearing. Each person will have 5 minutes. The planning commission encourages public comment by the following sources: live at the town hall, virtually via zoom (see the town website for the link), or by submitting your comments, via email, to the town clerk at tammy@townofdolores.com any time before the dated board meeting.

There were no members of the public present.

6. **Approval of the Agenda**

Commissioner Nemanic moved and Commissioner Tucker seconded to approve the agenda.

yes: all

no: none

7. **Consent Agenda**

a. Minutes of July 2, 2024 Regular meeting.

Commissioner Tucker moved and Commissioner Nemanic seconded to approve the consent agenda.

yes: all

no: none

8. Staff Updates

Planner Garvin presented the proposed language that would allow accessory dwelling units and accessory structures in the mixed-use zones through a conditional use permit. The group discussed adding the conditional option to the small lot and multifamily zone districts, NR2 and NR3, which currently prohibit accessory dwellings. They also discussed a tiny home option for accessory dwellings. The state of Colorado has been creating language regarding tiny homes and tiny houses. The town has other regulations which may be a factor in how tiny homes will work in Dolores. The group settled on adding language that would allow one accessory dwelling unit in the NR2 and NR3 zones where a single-family dwelling unit exists. Commissioner Tucker recommend the Commissioners set a time period for review if this language is amended to the Land Use Code. They chose a three-year period. Planner Garvin will create the newest version of the Land Use Code amendment to be reviewed at the next meeting.

- a. July 8 and 22, 2024 Manager's Report: Leigh Reeves. Manager Reeves relayed information to the commissioners that is in the reports in this meeting's packet.
- b. Attorney's Report Jon Kelly . No report for this month.
- c. July 8, 2024 Building Official- Fire Marshal Report: David Doudy. The report is in the packet and was not discussed.

9. Commissioner Updates

- a. July 2, 2024 Commissioner Report to the Board of Trustees. The report failed to get in the packet this month.

10. Public Hearings none scheduled.

11. Discussion

- a. Review of the Language to amend the Land Use Code regarding accessory dwellings and structures within the Mixed-Use Zones submitted by Elizabeth Garvin. This was discussed in the period of Staff reports.
- b. Continuation for developing a process to work with staff to edit the Special Exception Permit Application form to align completely, explicitly, and precisely with the current Comprehensive Plan and Land Use Code: Group discussion, facilitated by the Manager.
There was no effort made with this form at this meeting and it will be continued to the next meeting.

12. Future Agenda Items

These items are being retained on the agenda until the Commissioners have the capacity to discuss, plan or revamp.

-Comprehensive Plan Sub plans, Weed Management , Watershed Management, Hazards Mitigation.

-Public outreach and education.

13. Adjournment Chairperson Adjourned the meeting at 8:17 p.m.

Linda Robinson, Chairperson

Ann Swope, Assistant Clerk

Town Manager's Report

Date: August 6th, 2024

To: Board of Trustees

From: Leigh Reeves

- Old Townhall demo/New Townhall – We have had final sign off on the removal of the asbestos in the old townhall. CDPHE came down for one final inspection. The building should be down before the meeting next week.
- P&Z – We have notified all the neighbors for the new plat at the Fire Department. We have also notified the appropriate agencies about the proposed change. The Subdivision/Plat revision for the fire department will come up to P&Z on September 3rd. There will be a public hearing at that time. It will then come to the board on September 9th for approval by the board. Please remember this went to the voters in an election in 2023 and it was approved. We are working with Nancy Dossdall of SEH to get the work completed for the voter approved property plat for the Fire Protection District.
- Flanders Park bathroom – We have submitted our first re-imbusement from CDOT for the costs we have already paid.
- We continue to work on the GOCO grant for Joe Rowell Park. The plan is to have it completed by August 16th. Ken, Heather and I have been working on the budget along with the parks committee and Erin Neer for the narrative.

Once it is complete we will send it to Jana McKenzie with Logan Simpson, Tiffany Broderson, with Region9 and Mike Wight with GOCO.

- There have been multiple complaints about the Steakout lighting. There was a power outage a few weeks ago that fried their timer. They have ordered another one and are waiting for it to come in. They will then get it installed.
- We have ordered speed bump strips. They will arrive on August 12th. We will then work on an installation plan. We have also painted the streets around the schools, streets on Central Ave, and we need to finish the bridge. We are working on white stripping for the stop signs. The maintenance team worked with Jake Carloni to finish the installation of the adult exercise equipment.
- We will be turning off the sprinkler system in JRP for Escalante days which begins this Friday. The structure for electrical is progressing. We will not have lights for the softball tournament this weekend. Cruzan will be working to finish the structure and then Mathews will be completing the power system. The park will be fully lite at that time.
- We have several LUC issues, especially in the Crystal River subdivision. They are putting a number of sandstone rocks, from a quarry upriver, into the river to prevent “erosion”. This was one of the top issues identified at the board retreat. They did not get a permit from the Army Corps of Engineers or inform them of what they are planning. Jon sent a letter to inform them that they need to comply. We are working with them to ensure we are not doing any permanent damage or creating safety issues for boaters.

- Additionally, we have had several health and safety issues come up that we are addressing at the time through the building code. We have a facility on 18th street that has anti-freeze in their sprinkler system.
- We have several houses for sale that have unsafe conditions in their “ADU”. They do not have certificates of occupancy for their ADU/extra bedroom and have created spaces that are unsafe for occupancy. We have been contacted by legal representation from the owners at 207 N 21st St. They have listed a bedroom that has not been certified for occupancy. We had a building inspector at the time this was constructed, and he would not sign the certificate of occupancy.
- Weed letters are going out this week. Some properties have taken care of their issues before the letter went out. We have made some courtesy calls to some owners and owners that consistently have “blown off” ordinances will receive a fine via certified mail.
- Finally, we have one resolution for your consideration at Monday’s meeting. R616 a resolution to comply with a request from the Colorado Bureau of Investigation (CBI) for more consistent security measures in dealing with liquor licenses, marijuana licenses and background checks. We are missing some policies for the secure retention of records, mainly liquor and marijuana licenses. This resolution will resolve our lack of security regarding fingerprints, background checks, etc. This was discovered during an audit from the state.

Town Manager's Report

Date: August 21st, 2024

To: Board of Trustees

From: Leigh Reeves

- Old Townhall demo/New Townhall – The maintenance team is working to get new sprinkler lines installed. We will move the fence to just the building imprint and keep there until the grass is filling in.
- New Townhall – We are pouring new concrete with ADA compliant sidewalks around the building. We need to remove some of the asphalt. We will be laying curb and gutter along 6th St to the west of the building. We will be putting in new asphalt and repainting the parking lot. We will have a one-way entrance so we can accommodate large trucks, so we will be parking at an angle. Ken and I are working on a supplemental to our original grant from DOLA to cover half the expense. Part of this money will go to the contractor we worked with for project management to get the asbestos removed and the old townhall taken down.
- P&Z – We are working with Elizabeth Garvin to change the CMU/DMU to a conditional provision so that homeowners can put an ADU on their property in those zones. If we move forward it will come from the commission and require two public hearings. Additionally on the September 9th meeting we will have the Plat review for the Fire Protection District.

- Flanders Park bathroom – We received our first payment from CDOT of approximately \$88K, that will leave us \$77K for the next installment. We will be paying the rest out of reserves, which you voted on about 6 weeks ago.
- We met with Mike Wight of GOCO at the last parks meeting. He gave us solid feedback about our grant. The final application is being circulated for final comments. We will be asking for \$776K from GOCO and budgeting for our portion of the match. Mike suggested we put in the \$500K from the original playground build in 2020. This will bring the total commitment for JRP to \$1.7M over 6 years if we get the grant. It is due on September 12th.
- We have one more festival to discuss for the year. Harvest Fest is scheduled from 10am to 6pm on Saturday, September 28th. We could have it in either JRP or Flanders. It is generally smaller than Escalante days but we need to get input from everyone.
- The Maintenance team installed three 16' speed bump strips on 4th street. Please keep in mind we will be pulling these up at the first snowfall. Three people have come in person to townhall to complain about the speed bumps on 4th St. I am sure we will be discussing this further.
- We have hired a new maintenance team person, Jess Gray. He started on Monday, August 20th.
- We sent 35 weed letters on the 7th and 8th of August. 30% of people have complied and mowed their weeds.

- Nick Mustoe of the Forest Service has invited anyone on the Board to a public viewing and discussion of beetle kill areas in the San Juan Forest on September 3rd. Please let me know if you are interested.
- I am working on a committee put together by Nina Williams, Dolores Watersheds Collaborative Wildfire Ready Action Plan, (DWC WRAP) The stakeholders in the upper Dolores Watershed have long understood the essential connection between forest health and watershed vitality, recognizing that each depends on the other for resilience.
I am on the selection committee for our vendor partner to help with outreach and planning for the vitality and safety of the Upper Dolores Watershed. This is in alignment with one of our retreat goals.
- I met with Chris Majors to discuss the 2023 audit. We will discuss it at the workshop.
- I am working with Megan Talmedge from Pleasant View Farms to replace trees that have died that were tributes to citizens in the community. They donated money and we put in trees and a plaque for their donation. We are replacing trees that died next week to honor our commitment to the families that donated funds.
- Affordable housing grant with DOLA – We paid Rural homes for work before it was done in 2022. The amount they billed us was not what the actual work cost. We will need to get the incorrect money from Paul Majors. It is around \$4500.

Town board August 12, 2024

Building Official/Building Inspector report

Current projects:

1. #1110 – Sprinkler final
2. #1112 – Sprinkler final
3. #1148 – Roof sheathing inspection
4. #1148- Underlayment inspection
5. Insulation inspection
6. #1138 – Construction final

New permits: One permit - \$1,462.50

1. #1149 – ROW permit – Merrit Way
2. #1150 – DEMO permit – 420 Central
3. #1151 – Roofing permit - 106 N 9th Street
4. #1152 – Roofing Permit - 1127 Railroad
5. #1153 – Porch replacement – 102 S 4th Street
6. #1154 – Roofing permit – 908 Central Avenue

Consultations - Phone and in person

23 Phone and in-person

Construction Inspections

14 construction inspections of permits issued.

Future projects on the horizon:

No new projects currently

Business Inspections

One new business

Food trailer/truck inspections

None for this period

STR Inspections

Four annual inspections

Internet Technology

The new computer is in, but the AVL system is on backorder

SPECIAL PROJECTS

1. Flanders Park Bathroom
 - a. The exterior walls are constructed
 - b. The electrical connection and exterior panels are installed
2. Electrical issues in Joe Rowell Park
 - a. The panels are installed
 - b. The new enclosure is installed
3. 420 Central Remediation project – Crews should begin demolition by Wednesday the 6th

Compliance issues

We have two roofing companies that have started projects without the proper permits. Both have had warnings about the requirements of the Town of Dolores before. Both have been issued summons for their violations.