

**MINUTES**

**PLANNING AND ZONING COMMISSION CONTINUATION**

**DATE AUGUST 21, 2021, 9:00 a.m.**

**IN PERSON AT**

**420 CENTRAL AVE DOLORES CO. 81323**

**OR VIRTUALLY BY THE LINK BELOW:**

Join Zoom Meeting <https://zoom.us/j/95942107624>

Meeting ID: 959 4210 7624

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1. **CALL TO ORDER** Chairperson Robinson called the meeting to order at 9:15 a.m.
2. **PLEDGE OF ALLEGIANCE** The group recited the pledge of allegiance.
3. **ROLL CALL** Present at the meeting were: Chairperson Robinson, Commissioners; Tucker, Truelsen, Powell, and Heeney. Ex Officio Lewis and Watters attended. Staff present were Building Official Doudy, Attorney Kelly and Assistant Clerk Swope, Planner Garvin, and Manager Charles. Other Board members present were Sheila Wheeler, and Val Truelsen
4. **IDENTIFICATION OF ACTUAL OR PERCEIVED CONFLICTS OF INTEREST.** None were recognized.
5. **APPROVAL OF THE AGENDA** Commissioner Truelsen moved, and Commissioner Heeney seconded to approve the agenda.  
  
Yes: all  
  
No: none
6. **PUBLIC PARTICIPATION 5 minutes per person.** No members of the public were present.
7. **STAFF REPORTS** Manager Charles reflected on the evolution of the Land Use Code Update Project and introduced Planner Garvin who provided a slide show that would direct the Commission through the review of the Draft final Code.
8. **REVIEW OF THE FULL DRAFT LAND USE CODE**

**Meeting Goals:**

1. Finish detailed edits to Hazards section

2. High level review of full draft
3. Identification of outstanding edits to content or missing information (not proof reading)
4. Outline steps between this meeting and adoption
5. Enjoy an in-person meeting!

**Schedule of meeting:**

	Time	Topic
1	9:00-10:00	Hazards, continued
2	10:00-11:00	Articles 1-4
3	11:00-12:00	Articles 5-7
	12:00-12:30	Lunch
4	12:30-1:30	Articles 8-12
5	1:30-2:00	Articles 13 and 14
6	2:00-3:00	Next steps – edits, introduction to Board, introduction to public

In the Hazards final review, the purpose statement and applicability were perfected, and the evaluation process was revised. A grading and erosion control permit was added to the development application requirements. Still to be done includes developing a Hazards Evaluation Manual, confirm that state agencies will review applications submitted from Dolores, determine the allowed number of homes accessed by a steep driveway in the building codes, wildland fire urban interface standards, riparian considerations, and the relationship to the 1041 process mentioned in the state statutes for local and state interests. The Commission clarified the tiered evaluation steps and concluded that Garvin will develop a flow chart for that. Setback standards for riparian buffers would be set at 25 minimum feet from the bank of the river and add a definition for riparian zone. The riparian zone is determined by a surveyor by individual application for development, a zone would include drainages, riverbank vegetations, wetlands, and other areas that can be classified as riparian. The buffer zone would be set from the defined border of a riparian zone. Two riparian zones are identified in this article. Tucker makes a comment on wildlife standards, known endangered species habitats shall be preserved from proposed disturbances.

For the wildfire hazard (Section 9 in the full draft). The recent Wildfire risk study adopted by Montezuma County shows the main corporate limits of Dolores do not have any “high” or “highest” risk areas but the applicability statement in the article only addresses those two areas. Doudy proposes that a wildfire study be required for multiple dwelling development within the moderate risk areas of the corporate limits. Single family development addresses wildfire risk with landscaping plan review. Kelly segues to Section 5. 4. 4. which addresses ignition resistant building materials in the standards and asks if some materials can be prohibited. Doudy confirms that there are standards set for structures built within the wildland fire urban interface zone, maybe the town will adopt or direct a reference to the Wildfire Interface Code of standards. Trustee Wheeler brought up the value of trees along the canyon wall as buffers from rock fall and water mitigation and asked that they be considered in these adopted standards. Doudy says they are addressed in the NFPA 1144 on building in wildland urban interfaces. Garvin will reference this standard in the document for the Tier review. Single family development will be reviewed on an individual basis.

Garvin began her slide show which reviewed each section's Key Updates and To Be Completed Items.

The zone map will be created to show the conversion from old zone to new zone names but keep the same boundaries (except CB 1 and 2 become one zone). The new zones have smaller lot size minimums that benefit the community by bringing the current non-compliant lots into compliance where existing lot sizes are less than 6000 square feet. There may be an Historic overlay added to the zone map. There is a new zone in the mix called neighborhood mixed use which does not have an identified boundary but could be introduced with in the residential zones where a commercial presence may be favorable.

There was discussion on the new state statute that restricts municipalities from imposing zoning conditions on residential day cares with no more than 12 children.

Form based design standards were reviewed for downtown districts. The concern is for stair step effect from a builder being allowed to build 10 higher than the adjacent building. Our height standards will limit this from being a visual esthetics problem.

Other subjects that will be added to the use standards section are outdoor standards for Covid related protection measures, food trucks, and standards for Short Term Rental Business.

Definitions will be added to the land use code section for definitions relating to uses, hazards, wind, and solar applications.

Changes to the use chapter will include Short Term Rental business, wind and solar installations, accessory dwelling units.

Accessory dwelling units (ADU) are a use by right in property with minimum of 6000 square feet lot but could be reduced to any legal lot size in this code and can meet the total lot coverage of 50 %. The maximum floor area of an accessory dwelling can be no more than 80% of the size of the principal structure but no less than 750 square feet. The minimum could be less than 750 square feet but not less than 400 square feet and must meet the design standards of the principal dwelling.

The purpose of allowing more freedom for ADU's is to address the shortage of housing within the community. Some concern over increasing density and the impact on infrastructure came up but would be addressed through a development permit application. The developer would be responsible for any required expansion and the cost of such. The second concern was for adding water users to the system that is experiencing drought. The town currently has adequate water supply but has areas where the distribution system is undersized for the number of users on the line.

Subdivisions and site development chapters were reviewed but not discussed further in this meeting. The one new element is the hazard evaluation requirement.

In the landscaping section Planner Garvin asked about regulating turf grass. Other communities regulate the percentage of turf grass used in landscaping. Planner Garvin will add restriction for turf grass. Maybe some varieties of grass that is more xeric tolerant.

Parking section was briefly reviewed. In all parking will be reviewed by application for development and by change of use. Shared parking and off-site parking were reviewed. It was confirmed that parking is a chronic issue in Dolores because there is not enough parking available.

Outdoor lighting was reviewed, and nothing was amended.

Sign section was reviewed, and nothing was amended.

The procedures section was reviewed, and the staff will test each process for functionality.

The Violations, Enforcement and Penalties. Was reviewed Violations were identified by subject. Attorney will review this section as to form.

The Commission talked about the next meetings workloads to review each section in detail and finalize the language. Garvin will prepare 4 sections for review for each Planning and Zoning meeting. As for passing this code to the Board for review, it was accepted to give the board highlights from each section and provide explanations for where and why the code has been changed. Perhaps the Board can review the code during their work sessions. Planner Garvin will prepare a power point to present the sections to the Commission and the Board. If the Board wants to change any of the language then the planner and staff can work those changes into the body of the code. The timeline for the Board to review the draft sections and make suggestions is potential lengthy. One thing that can be done to see where the board is looking is to find out what they have heard from their constituents to be able to address the why's for the significant.

Methods considered for getting public involvement are:

- Scheduling open houses at the town hall or meet with the manager, staff, planner events.
- Holding key stakeholder sessions where specific groups are invited to the review.
- Keep a constant notice that the code is being reviewed at the Planning meetings.
- Post flyers around town inviting public comment.
- Have information at local events where possible, like Farmers Market, Harvest Festival etc. the risk is not talking to actual residents during these events.
- Put announcements on the local radio station.

Important to the information delivered to the community is the why of the standards, the benefits for the standards,

For handling the comments, we do receive we can acknowledge the comment and sort them by topic and let the sender know when the subject they have commented on will be reviewed in a public meeting again.

For the person making comments they will be asked to specify the section their comments are directed for. We can provide index cards with the subjects of interest, and someone can fill out a comment card at the town hall or at a designated place.

**9. ADMINISTRATIVE: NONE**

**10. ADJOURNMENT** Chairperson Robinson adjourned the meeting at 1:25 p.m.

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Linda Robinson, Chairperson

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Ann Swope, Assistant Clerk