

MINUTES
PLANNING AND ZONING COMMISSION
CONTINUATION MEETING
DATE FEBRUARY 16, 2021
6:30 p.m. BY THE VIRTUAL LINK BELOW

Planning and Zoning Commissioners Meeting

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1. **CALL TO ORDER** Chairperson Robinson called the meeting to order at 6:40 p.m.
2. **PLEDGE OF ALLEGIANCE** The pledge of allegiance was recited as Building Official Doudy held the image of the United States flag.
3. **ROLL CALL:** Present were Commissioners Robinson, Tucker, Heeney and Truelsen. Ex Officios Watters and Lewis. Staff members Manager Charles, Attorney Kelly Building Official Doudy and Assistant Clerk Swope. Absent; Planner Garvin
4. **IDENTIFICATION OF ACTUAL OR PERCEIVED CONFLICTS OF INTEREST.** none
5. **APPROVAL OF THE AGENDA** Commissioner Heeney moved and Commissioner Tucker seconded to approve the agenda. Later in section 9.1 the Commission agreed to add Commissioner Tucker's response to the questionnaire "What we have learned"
6. **PUBLIC PARTICIPATION 5 minutes per person.** none
7. **CONSENT AGENDA:** None
8. **STAFF REPORTS:** none
9. **ITEMS CONTINUED FROM PREVIOUS AGENDAS**

REVIEW OF DRAFT SECTIONS OF THE LAND USE CODE UPDATE PROJECT

- 20 min 9.1 Short-Term Rental Regulations. Finalizing the three undecided standards, number of permits total, number per street segment and separation and parking spaces, on and off street.

Attached: Straw poll results from February 2, 2021 meeting, Action Item for voting on the three standards. Concerning the number of permits the discussion focused on validating the number as opposed to a percentage. The commission chose 20 partly because of the feedback from the public comments received and several Board members during the joint meeting on January 25, 2021

Commissioners Commissioner Truelsen moved and Commissioner Tucker seconded to set the number of permits to 20 and evaluate after a 2 year period.

Yes: Truelsen, Tucker and Robinson

No: Heeney

Concerning the number allowed per street segment: Some thought was given to putting in restrictions on numbers per street segment to provide more opportunities throughout town but there are already some that are next door to each other and or across the street from another. The 20-permit limit established above will potentially cure the negative impacts of number per street segment.

Commissioner Tucker moved and Commissioner Truelsen seconded to allow 2 per street segment within the permitted zones. After discussion, the motion was withdrawn.

Commissioner Heeney moved and Commissioner Tucker seconded to have 20 permits total and no other restrictions. Commissioner Heeney then amended the motion to allow 20 total permits and no restrictions on the number of permits per street segment or separation distances from another permitted establishment.

Yes: Heeney, Truelsen, Tucker and Robinson

No: none

Concerning parking off street and on street. Commissioners recognize the impact of parking regulations on the existing properties in the older downtown residential neighborhoods. They recognize that some requirement for off-street parking is needed. They agree on requiring off-street parking in any new development. The two-year monitoring period will allow the Commission to evaluate the regulations and make changes as needed.

Commissioner Heeney moved and Commissioner Tucker seconded to restrict on street parking to the street frontage.

Yes: Heeney, Truelsen, Tucker and Robinson

No: none

“What we have learned” response from Mark Tucker -This item was added to the agenda with a consensus of the Commission. The Commissioners discussed Commissioner Tucker’s thoughts and agreed to several new practices for sending material to the Board of Trustees listed here:

- Send the BOT a clean copy of the sections to be presented and give the BOT a consensus of the Commissioners opinion of the sections as presented and request a similar consensus back from the BOT.
- The scope of the section that Planner Garvin made for the landscaping section should be made for each section going forward.
- The BOT will need to be educated ahead of presenting the section. For the public presentations a similar practice will be done.

- Commissioner Tucker would like the public comments to be culminated and used as issue statements to address the code development. He would like to see a response back to the people either to say their comment is part of the record or to explain how the commission addressed the comment. Regardless there should be some acknowledgement of the comments made. Trustee Watters wants the commission to stand by their work and understand why the code is the way it is.
- Trustee Lewis would like to see each section presented to the BOT separately with a concise definition of what is going to be voted on.

Upon finalization the following will occur:

February 22, 2021 the Town Board will review and decide on sending to first reading as an ordinance to amend the Land Use Code on March 22, 2021. If the Town board agrees, the document will be uploaded to the town website <https://townofdolores.colorado.gov/> for public review. The Planning and Zoning Commission will hold a public hearing on March 16, 2021 to review the document with the public. The Board may approve the ordinance on first reading and send it for Second and Final Reading / Public Hearing for adoption at the April 12, 2021 regular meeting.

Commissioner Truelsen moved and Commissioner Heeney seconded to send Short-term Rental Regulations as finalized to the Board of Trustees with recommendation from the Commission for adoption.

Yes: Heeney, Truelsen, Tucker and Robinson

No: none

9.2 Final review of Article 8 Landscaping, Screening and Trees. Attached: Dolores LUC update for Article 8 - to lead Article 8 Public review.

Commissioners discussed the latest revision of the Landscaping Article. They reviewed the educational piece that Planner Garvin has created to show what is new and what has stayed the same in the standards. Except for a few clarifying details on items in materials and height of screening the Commissioners felt the revision was ready to be sent to the Board with the addition of the species list of plant materials that are suited to the Dolores climate in the document.

Commissioner Tucker moved and Commissioner Heeney seconded to submit Article 8 Landscaping, Screening and Trees to the Board of Trustees for review of content and subsequently to the public for review.

Yes: Heeney, Truelsen, Tucker and Robinson

No: none

10. PENDING ITEMS FOR FUTURE AGENDAS:

10.1 Article 12 Outdoor lighting

10.2 Article 6 Site / Structure Standards

10.3 Article 4 Specific Use Standards

10.4 Article 11 Hazards Planning

11. **ADMINISTRATIVE:** Also discussed at this time was whether to hold meetings in person or some hybrid of in person meeting. Commissioners Truelsen, Tucker and Robinson opted for in person and Commissioner Heeney and Ex Officios Watters and Lewis do not. The next meeting is March 2, 2021.

12. **ADJOURNMENT** the Meeting was adjourned at 8:47 p.m.

Linda Robinson, Chairperson

Ann Swope, Assistant Clerk