

**PLANNING AND ZONING COMMISSION**

**MINUTES**

**DATE JULY 6, 2021, 6:30 p.m.**

**IN PERSON AT**

**420 CENTRAL AVE DOLORES CO. 81323**

**OR VIRTUALLY BY THE LINK BELOW:**

Join Zoom Meeting  
<https://zoom.us/j/92577038337>

Meeting ID: 925 7703 8337

One tap mobile

+12532158782,,92577038337# US (Tacoma)

+13462487799,,92577038337# US (Houston)

1. **CALL TO ORDER.** Chairperson Robinson called the meeting to order at 6:40 p.m.
2. **PLEDGE OF ALLEGIANCE:** The attendees stood and pledged allegiance to the flag while the zoom attendees recited the pledge
3. **ROLL CALL:** Present at the meeting were Commissioners Robinson, Heeney, Tucker and Powell. Ex Officios Trustee Watters and Trustee Lewis. Staff members Charles, Doudy, Kelly, Garvin, and Swope. Absent: Commissioner Truelsen. No community members attended.
4. **IDENTIFICATION OF ACTUAL OR PERCEIVED CONFLICTS OF INTEREST.** None were offered.
5. **APPROVAL OF THE AGENDA.** Commissioner Powell moved and Commissioner Tucker seconded to approve the agenda.  
  
Yes: all  
  
No: none
6. **PUBLIC PARTICIPATION 5 minutes per person.** None
7. **CONSENT AGENDA:**
  - 7.1 **Minutes of June 1, 2021 Meeting** Note: June 15 continuation meeting was not official as there was no quorum of voting members.
  - 7.2 **Continue this meeting to July 20, 2021 6:30 p.m. Same virtual link or in person.**

Commissioner Tucker moved and Commissioner Powell seconded to approve the consent agenda listed above.

Yes: all

No: none

**8. STAFF REPORTS: VERBAL** Manager Charles briefed the Commission on the upcoming public hearing July 20, 2021 for a conditional use permit and will be important to have all the Commissioners present in person or virtually for this hearing as Commissioner Heeney will be abstaining from the decision. Land Use Code Revision public informational preparation is underway. The application form for Short Term Rental business permit is being developed by David and will be ready soon. Chairperson Robinson asked what the plan for public review and involvement will be. Manager Charles says there will be outreach to local real-estate groups and list the links on the website to the articles that are ready for public review. There will be a general information on the most significant revisions and any new material that has been added to the code. David Douy envisions a product for the public participation that includes the articles as written available on the town's website and videos explaining each article that will be available on the town's YouTube channel currently accessible on the town's website.

**Commented [AS1]:** Removed in the approval process at the August 3, 2021 meeting.

## 9. ITEMS TO REVIEW

**9.1 Article 11 Hazards and Environmentally Sensitive Areas** This section had been reviewed at the June 15, 2021, meeting by the Commissioners and staff members present. *(There was no quorum at that meeting, so no notes were captured.)* Highlight of the discussion for geologic hazards were that all new development will pass through a Tier I review to determine if any hazards or environmentally sensitive conditions are present in the proposed site plan. Tier II and Tier III reviews would be necessary for proposed development that is situated in any hazard or sensitive areas. The Town code will identify the criteria for hazard and sensitive areas as well as following the statutes regarding Areas of Local and State Interest (1041 review). It was clarified that development can occur in these areas with the appropriate engineering and construction plans and if the development can be proven to have an economic benefit to the property owner. Commissioners asked Planner Garvin to add language in the applicability and exemptions paragraph clarifying that development in hazard or sensitive areas will be subject to 1041 review with the accompanying statute reference. Also discussed was the slope standard of 30% and whether it can be amended or is set by some other code requirement. Commissioner Tucker would like the Commission to identify areas in Town that should not be developed to protect the visual character of the Town and reduce the risk of property damage. Planner Garvin says the Specific Review process will be the tool for reviewing property that triggers the 1041 review. It will also determine if all the other regulations like building code, zoning, landscaping etc...are being met. Garvin advised the town to require the developer to pay for a study or review from Geologic Survey. There were other revisions to the document that were mentioned to Planner Garvin such as updating the title of Colorado Division of Wildlife to Colorado Parks and Wildlife, to determine how mineral rights relate to wildlife habitat protections, and if the Land Use code needs to address elk severe winter range if there is no such area in the jurisdiction. Otherwise, the document will be able to be sent to the website for public review.

**Commented [AS2]:** Misspelled.. relaced with "statute" in the motion to approve the minutes at the August 3 2021 meeting.

**9.2. Overview of Article 17 Specific Development Review Procedures.** Planner Garvin led the Commission through the Overview of Article 17. It will reorganize and prioritize the review procedures from the existing land use code.

**10 SECTIONS UP NEXT** – Planner Garvin will finalize Article 17 and prepare the Violations and Penalties section for the next review item. Then the full code will be prepared for Commission to review.

**11. ADMINISTRATIVE: NONE**

**12. CONTINUED TO July 20, 2021, at 8:13 p.m.**

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**Linda Robinson, Chairperson**

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**Ann Swope, Assistant Clerk**