

MINUTES

PLANNING AND ZONING COMMISSION

DATE NOVEMBER 16, 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/92252992315>

Meeting ID: 922 5299 2315

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1. **CALL TO ORDER** Chairperson Robinson called the meeting to order at 6:30 p.m.
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL** Present at the meeting were: Commissioners in person, Truelsen, Powell and Robinson, virtually, Commissioner Tucker and Ex Officio Watters. Staff present; Attorney Kelly, Building Official Douady, Assistant Clerk Swope attended in person and Planner Garvin and Manager Charles attended virtually. Commissioner Heeny and Ex Officio Lewis were absent.
4. **IDENTIFICATION OF ACTUAL OR PERCEIVED CONFLICTS OF INTEREST.** None stated.
5. **APPROVAL OF THE AGENDA.** Commissioner Truelsen moved and Commissioner Powell seconded to approve the agenda.
Yes: all
No: none
6. **PUBLIC PARTICIPATION 5 minutes per person.** No public attended the meeting in person or virtually.
7. **Public Hearing Ordinance No. 556 Repealing and Replacing sections IX and XIII of the Land Use Code pertaining to Development in Hazardous or Environmentally sensitive areas and Administration and Common and Specific Procedures** (restated to correctly identify the section of the Land Use Code being repealed with this language "Replacing Article V J. pertaining to Ridgeline hazards Standards, Article I.1 pertaining to vested property rights, Article VI Administration and Procedures and sections of Title 2.08 of the Dolores Municipal Code pertaining to the Planning Commission.")

The public hearing was opened at 6:34 p.m. Ordinance #556 Series 2021 repealing and reenacting Article V J. pertaining to Ridgeline Hazards Standards, Article I.1 pertaining to Vested Property Rights, Article VI Administration and Procedures and sections of Title 2.08 of the Dolores Municipal Code pertaining to the Planning Commission.

Attorney Kelly read through the sections of the ordinance that defines the repeal and reenactment of each Section of the Land Use Code and the Municipal code.

Planner Garvin briefed the Commission on the articles proposed to be reenacted within the existing Land Use Code. She identified the elements of the Hazards and Environmentally Sensitive areas, specifically the new sections of the article. Parts of the existing code standards were carried forward and blended with the new sections. New sections are: Tiered Evaluation and Review, Hillside Development Standards, Grading and Erosion Control Permit, Riparian Buffer Standards and Wildfire Hazard Study.

Planner Garvin then reviewed the reenactment of Article VI with the following new sections. General Procedures, Administrative Adjustments, Grading and Erosion Control Permit, Location and Extent Review, Conservation Subdivision, Site Plan Review and Solar and Wind Energy Facilities Permitting. All the existing sections of Article VI remain in the article and Short-Term Rental Business Regulations will be included in this Article in the final draft of the Full Updated Land Use Code.

The Commission made some observations and asked for the definitions in Hazards and Environmentally Sensitive Areas be added to definitions chapter of the full draft land Use Code,

To comply with the statutory requirements of Public Hearings. Chairperson Robinson called for public comments. No public participants were present, Chairperson Robinson then closed the public hearing.

7.1 ACTION ITEM

The Commissioners were present with the following options for moving the Ordinance forward to the Town board:

Chairperson Robinson called for a motion from the options listed below.

a. Recommend Ordinance Replacing Article V J. pertaining to Ridgeline hazards Standards, Article I.1 pertaining to vested property rights, Article VI Administration and Procedures and sections of Title 2.08 of the Dolores Municipal Code pertaining to the Planning Commission for approval by the Town Board as is,
or with conditions set hereto,

or

b. Return ordinance to staff for further development.

Commissioner Powell moved and Commissioner Truelsen seconded to recommend approval of Ordinance 556 subject to the conditions the staff revise and update the definitions.

Chairperson Robinson called for a roll call vote:

Yes: Commissioner Truelsen, Powell, Robinson and Tucker No: none

8. STAFF REPORTS. Presentation of the draft Land Use Code.

Planner Garvin used a PowerPoint presentation to present the Full Draft Land Use Code which is a condensed version of the entire code chapter by chapter. Garvin pointed out the new articles and the new criteria for various sections of the land use code. The power point does not include articles 5 and 6 (or 9 and 13) as they are being considered for adoption with Ordinance 556

- 9. Discuss interior setbacks for Manufactured Home Parks.** Building Official Doudy has review the setback requirements for Manufactured Home District and found the interior, rear and front setbacks in conflict with other residential districts. He recommended the setbacks for Manufactured Home District be set the same as Residential -1 district which is rear and interior setbacks at 6 feet, and street and front setbacks at 10 feet. This setback will be enforced from any covered exterior point on the structure. The Commission also reviewed lot sizes and lot coverage and wanted to see individual lot size and coverage standard be set for each Manufactured dwelling unit. Planner Garvin will make the changes to this zone district area bulk standards and have the Commission review the new language at the December 7, 2021, meeting. Attorney Kelly advised the staff to review the Dolores Municipal code title 15.20 relating to additional standards for manufactured homes.

9. 1. Begin development of Review material for Draft Land Use Code for the Board and the Public

The Commission plans to have reviewed and made comments for the draft full land use code by the end of November 2021.

The Commission will set a goal to hold a public hearing on the draft full land use code in January, the Board of trustees will hold the first reading on same on their second meeting of January and then hold second reading public hearing in February.

The Ordinance and the Land Use Code will have a provision for annual review and or update by the Commission and then by the Board for any required updates.

10. ITEMS FOR DECEMBER 7, 2021, MEETING:

Review changes to Manufactured Home Zone District.

Develop instructions for community feedback

Set up presentations for other boards and focus groups.

- 11. ADJOURN THE MEETING.** The meeting was adjourned at 8:30 p.m.

Linda Robinson, Chairperson

Ann Swope, Assistant Clerk

