

PLANNING AND ZONING COMMISSION

AGENDA

DATE APRIL 5, 2022 6:30 P.M.

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

One tap mobile

+16699006833,,92252992315# US (San Jose)

+12532158782,,92252992315# US (Tacoma)

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. IDENTIFICATION OF ACTUAL OR PERCEIVED CONFLICTS OF INTEREST.**
- 5. APPROVAL OF THE AGENDA**
- 6. PUBLIC PARTICIPATION 5 minutes per person.**
- 7. CONSENT AGENDA**
 - 7.1 Minutes of February 1, 2022 and February 15, 2022 meetings.**
- 8. Staff updates.**
 - Vacancy filling,
 - LUC clean up progress,
 - Celebration preparations.
- 9. Discussion and possible decision:**
 - 9.1 Future projects.**
 - 9.2 Amendments to the LUC what's needed, affordable housing etc.**
- 10. Adjournment**

PLANNING AND ZONING COMMISSION

MINUTES

DATE FEBRUARY 1, 2022 6:30 P.M.

MASK REQUIRED IN PERSON AT

420 CENTRAL AVE DOLORES CO. 81323

OR VIRTUALLY BY THE LINK BELOW:

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- 1. CALL TO ORDER.** Chairperson Robinson called the meeting to order at 6:37 p.m.
- 2. PLEDGE OF ALLEGIANCE.** Recited by the members present.
- 3. ROLL CALL.** Present at the meeting were, Chairperson Robinson, Commissioners Heeney, Powell, and Tucker. Absent were Commissioner Truelsen, Ex Officios Watters and Lewis. Staff present were, Building Official Doudy, Assistant Clerk Swope and virtually, Manager Charles.
- 4. IDENTIFICATION OF ACTUAL OR PERCEIVED CONFLICTS OF INTEREST.** None.
- 5. APPROVAL OF THE AGENDA.** Commissioner Tucker moved and Commissioner Powell seconded to approve the agenda.
Yes: all
No: none
- 6. PUBLIC PARTICIPATION 5 minutes per person.** No public were present at the meeting.
- 8. CONSENT AGENDA**
 - 8.1 Minutes of January 11, 2022**
 - 8.2 Continue this meeting to February 15, 2022 for a public hearing concerning a special exception permit.**

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

Yes: all

No: none

9. Staff updates. LUC discussion, the clean-up. Manager Charles asked Commissioner Powell to update the Commissioners about her successful submission of the first Historic Preservation Grant processed with a property owner of the Exon Building, a local historic structure identified as such during a historic structure assessment in the late 1990's. The grant money will be used to repair the exterior masonry, custom making elements for the coping, drainage grading, installation of a sump pump in the basement and other updates to the doors and awning. Commissioner Powell used the town's historic structure information records and the resolutions and other town records to establish the building as an historic structure. She then assembled the application using the criteria she received from the State Historical Office and from the owners of the Exon Building, the list of repairs and improvements needed for the building that the building would be eligible for grant funding. Manager Charles updated the Commissioners on the progress of the approval of the updated Land Use Code. The document was approved on first reading by the Board, but staff was notified that some "clean up would be recommended". The document was reviewed for that purpose and several items will be reviewed for "substantive" elements and if found not to be substantive, will be corrected.

10. Discussion and possible decision:

10.1 Preliminary Plat review- Gonzales and Smith boundary adjustment (replat).

The Commissioners reviewed the preliminary plat of the boundary adjustment application of Gonzales and Smith at 200 and 202 south 5th street. The plat shows the boundary adjustment the two parties have agreed on and the reasons for the land exchange. The Commissioners discussed the details of the application and found it complete.

Commissioner Tucker moved and Commissioner Powell seconded to recommend board approval with the reasons for approval and the conditions recommended by Staff and the date of this meeting.

The excerpt from staff is as follows:

"The reasons for approval,

1. this zoning request will address the setback non-compliance between the two propertied
2. this zoning request will decrease the pre-existing non-compliance on Ms. Smith's lot of a lot that is less than 6000 square feet by adding more square footage to that property.
3. this zoning request meets all the requirements of Article VI.J. 1 i. – ***"The purpose of the amendment is to relocate or vacate one (1) or more lot lines between one (1) or more adjacent lots where the owner or owners of all such lots join in the application for the plat amendment"***.

Conditions for approval:

1. A building permit shall be secured to reduce or remove the section of the porches on the south side of the building to meet the setback requirements.
2. Completion of the permit or the south porches shall be fulfilled within 180 days of the final approval of this plat
3. Any financial requirements must be fulfilled between the two parties.”

The Commissioners voted:

Yes: all

No: none

Attachment: Summary from staff. The subject plat is in paper format. The plat was displayed digitally for the zoom participants.

- 11. Continued to February 15, 2022.** The meeting was continued, the Commissioners left the meeting at 7.:30 p.m.

Linda Robinson, Chairperson

Ann Swope, Assistant Clerk

PLANNING AND ZONING COMMISSION

MINUTES

DATE FEBRUARY 15, 2022 6:30 P.M.

420 CENTRAL AVE DOLORES CO. 81323

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1. **CALL TO ORDER.** Chairperson Robinson called the meeting to order at 6:35 p.m.
2. **PLEDGE OF ALLEGIANCE.** Recited by the members present.
3. **ROLL CALL.** Present at the meeting were, Chairperson Robinson, Commissioners Powell, Truelsen and Tucker. Ex Officio Watters and Attorney Kelly attended virtually. Staff present were, Building Official Doudy, Assistant Clerk Swope and Manager Charles. Absent were Commissioner Heeney and Ex Officio Lewis.
4. **IDENTIFICATION OF ACTUAL OR PERCEIVED CONFLICTS OF INTEREST.** None.
5. **APPROVAL OF THE AGENDA.** Commissioner Truelsen moved and Commissioner Tucker seconded to approve the agenda.
Yes: all
No: none
6. **PUBLIC PARTICIPATION 5 minutes per person.** No public were present at the meeting.
7. **STAFF REPORTS/ UPDATES.** The Commissioners were happy with the Board's approval of the updated land use code. A consensus was found for reconnecting with Elizabeth Garvin in April to celebrate with her. Commissioner seats that are up for renewal or replacement are Commissioners Tucker, Heeney and Truelsen. Ex Officio Watters may be interested in filling a vacant position after her term as Trustee is complete.
8. **Discussion and possible decision:**
 - 8.1 **Public Hearing for Special Exception permit for 203.5 N 7th Street.**

Attachment: application packet, site plan, public notice, 200-foot neighbor notice, staff action item and public comments received.

The public hearing was opened at 6:40 p.m.

Building official Doudy presented the application to the Commissioners and summarized the proposed addition with an overlaid image on an arial photo of the property and the reasons for requiring a Special Exception permit. He also summarized the reasons the Commission could approve the permit which were cited from LUC article VI R. 4. **“Required findings:**

a. This special exception will ensure the same general level of land use compatible with the otherwise applicable standards.

b. Granting the special exception will not materially or adversely affect adjacent land uses.

1. The special exception will not interfere with any setback issues with other buildings.

c. The special exception will not adversely affect property values in any material way.

d. The special exception will generally be consistent with the purposes for this code that are listed in Article I. E. – Purpose.” All nine points are met with this special exception.

Attorney Kelly says he sees no problems with approving the permit as it meets the requirements of the existing “soon to be replaced” Land Use Code.

Property owner Chad Wheelus spoke about his project and about the layout of his residence as it relates to the street number. His house faces Hillside but is numbered for the street to the west of his property. He said he has talked with the neighbor to the immediate west and has consensus from them for the project.

Commissioner Tucker asked if this would be a catalyst for marking the town property boundaries and looking for any other encroachments.

Commissioner Truelsen moved and Commissioner Tucker seconded to approve the special exception.

Yes: Truelsen, Powell, Tucker and Robinson

No: none

The town will have the permit recorded to the property records at the Montezuma County Clerk and Records office.

The public hearing was closed at 6:54 p.m.

9. ITEMS FOR MARCH 1ST MEETING. There will be no Meeting for March 1, 2022, as there is no business to discuss.

Elizabeth Garvin has completed her contract with the town, the town will look to hire her for future amendments to the LUC going forward. Commissioner Tucker would like the town to organize a thank you card for her. Manager Charles says Ms. Garvin will be in our area in April working for Mancos and we may be able to set up a meeting with her while she is here.

Lots of discussion filtered around about what to start working on. Shirley Powell spoke about the historic structure inventory and what has been accomplished in the 1999 grant and what remains to be done. The State Historical fund expected the town to become a “Certified Local Government” but

it did not. She plans on inventorying the documentation we have now both on paper and digitally. Once she gets that done then she will reach out to the state for guidance. The grant for the Exon building was able to be done because the survey and the structural assessment was done on the building to identify the elements of preservation and met the criteria for funding. The Rio Grande Southern structure is eligible for funding because it is on the National Historic Register. One of the facts she has learned is that the existing Historic Preservation Board does not meet the criteria set by the State Historic Administration. If the town pursued establishing a Historic district it will need to be linked to the State system and requires permission of the property owners within the proposed district. The area around Flanders Park may not have enough remaining historic structures to qualify for preservation funding with an economic impetus. Shirley briefly talked about “adaptive use of Historic structures”. For example, the houses without foundations because they were relocated into Dolores from elsewhere or were moved from one lot to another.

Shirley will contact Mike Owens at State Historic Fund for guidance on the best way to move forward on historic preservation. She will not contact anyone who does planning.

Working on the Comprehensive Plan is going to be another expensive project with a public process and requiring a consultant for the project.

Commissioner Robinson asked if they could work on a vision statement. Shirley says the grant reviews give extra points if the key words “Diversity, equity and inclusion” are built into the statement.

Building Official Doudy says the developer of the town home project will be submitting plans for 4 more two-unit town homes on the remaining area.

The town will be putting out a public input survey asking for feed back on the town as it affects the residents. Different questions will be asked to identify what is important to the residents and what direction the town is headed.

Commissioner Tucker followed up on the Fire Hazard meeting held Wednesday February 9, 2022. In 2020 DWRF mailed out postcards informing the residents of Dolores what the fire hazard rating is for their property. Manager Charles will be re-mailing these out with the water bills to inform residents and tell them about reducing fire hazards and available services and possible reimbursement for mitigation to their property (up to 45%). The Dolores fire department is involved in the effort to educate and prepare property owners for reducing fire hazards on their property.

The Commissioners would like the town to provide paper copies of the new Land Use Code when the edits are complete.

11. Adjournment at 7:30 p.m.

Linda Robinson, Chairperson

Ann Swope, Assistant Clerk