



Planning And Zoning Commission Meeting Agenda

November 5, 2024 at 6:30 PM

601 Central Ave

If you wish to attend virtually, please visit the town website under the government tab for the zoom link: <https://townofdolores.colorado.gov>

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Identification of Actual or Perceived Conflicts of Interest
5. Public Participation (5 minutes per person)

This is an opportunity for citizens to address the commission at this time or during a public hearing. Each person will have 5 minutes. The planning commission encourages public comment by the following sources: live at the town hall, virtually via zoom (see the town website for the link), or by submitting your comments, via email, to the town clerk at tammy@townofdolores.com any time before the dated board meeting.

6. Approval of the Agenda
7. Consent Agenda
 - a. Minutes of October 1, 2024 Regular meeting.
8. Staff Updates
 - a. October 14 and 28, 2024 Manager's Report: Leigh Reeves
 - b. Attorney's Report Jon Kelly
 - c. October 14, 2024 Building Official- Fire Marshal Report: David Doudy
9. Commissioner Updates
 - a. October 1, 2024 Commissioner Report to the Board of Trustees

10. Public Hearings.

10.1 Staff presentation of proposed amendment to the Land Use Code- Ordinance 528 and 528A pertaining to amending the permitted use table and the procedures for conditional use permits regarding accessory dwelling units and accessory structures. Staff recommendation to send Ord

582 and 582A to the Board of Trustees for adoption.

10.2 Public participation. Community members can comment or ask questions to the Commission.

10.3 Commissioners may ask questions to the applicant.

10.4 Close the public hearing.

10.5 Declaration of findings of fact.

10.6 Motion to recommend approval, approval with conditions, denial or continuance for more information.

10.7 Discussion of Commission. Only staff may be questioned at this stage.

10.8 Roll call Vote.

11. Discussion/Decision

a. Discuss the Comprehensive Plan to identify the content that can be prepared in-house.

12. Future Agenda Items

These items are being retained on the agenda until the Commissioners and Staff have the capacity to discuss, plan or revamp.

-Comprehensive Plan Sub plans, Weed Management , Watershed Management, Hazards Mitigation.

-Public outreach and education.

-Continuation for developing a process to work with staff to edit the Special Exception Permit Application form to align completely, explicitly, and precisely with the current Comprehensive Plan and Land Use Code: Group discussion, facilitated by the Manager. This is carried over from July and August.

- Examine the 30% front occupancy in the Corridor and Downtown Mixed used zones.

13. Adjournment

(Placeholder1)



Planning And Zoning Commission Meeting Minutes

October 1, 2024 at 6:30 PM

601 Central Ave

If you wish to attend virtually, please visit the town website under the government tab for the zoom link: <https://townofdolores.colorado.gov>

1. **Call to Order.** The meeting was called to order at 6:33 p.m.
2. **Pledge of Allegiance.** The pledge was recited.
3. **Roll Call.** Present at the meeting were Chairperson Robinson, Commissioners Powell, Tucker, Kelly, and Nemanic, Ex Officio Curry, Manager Reeves and Assistant Clerk Swope.
4. **Identification of Actual or Perceived Conflicts of Interest.** None stated.
5. **Public Participation (5 minutes per person).** No other community members attended.

This is an opportunity for citizens to address the commission at this time or during a public hearing. Each person will have 5 minutes. The planning commission encourages public comment by the following sources: live at the town hall, virtually via zoom (see the town website for the link), or by submitting your comments, via email, to the town clerk at tammy@townofdolores.com any time before the dated board meeting.

6. **Approval of the Agenda.**

Commissioner Nemanic moved and Commissioner Kelly seconded to approve the agenda with the amendment to remove item 11 a. from the agenda.

Yes: all

No: none

7. **Consent Agenda**

- a. Minutes of September 3, 2024 Regular meeting.

Commissioner Powell moved and Commissioner Tucker seconded to approve the Consent agenda consisting of the September 3, 2024 minutes providing for the correction of the typo in item 6. "chane corrected to change"

8. **Staff Updates**

- a. September 9 and 23, 2024 Manager's Report: Leigh Reeves Manager Reeves presented the monthly reports to board of Trustees and brought the commissioners up to date on the current activities of the town government. The reports were submitted to the packet. of interest to the Commissioners was the budget item for funding the Comprehensive Plan update. Manager Reeves is interested in preparing the material for the update in house and using the funds for hiring a consultant to perform the public input process and the final document.

Additionally, a grant application and resources from Department of Local Affairs will be part of the project development.

- b. Attorney's Report Jon Kelly. Attorney Kelly was not present and did not submit a written report.
- c. September 9, 2024 Building Official- Fire Marshal Report: David Doudy.
The commission reviewed the Building Official-Fire Marshal Report submitted for the packet.

9. Commissioner Updates

- a. September 3, 2024 Commissioner Report to the Board of Trustees.
Commissioner Powell told the group about the History Colorado visit. Chairperson Robinson, Commissioner Kelly and Commissioner Nemanic had attended the visit . They were very interested in the homeowner tax credits that are available for various upgrades to historic homes including infrastructure. Commissioner Powell explained why the town does not have the capacity to help register historic homes or qualify them. The reason is the lack of a qualified historic preservation agent, partner with a 501 C3 status, and the town not being a Certified Local Government. The lack of those requirements keeps the town from engaging in grant opportunities.

10. Public Hearings none scheduled.

11. Discussion/Decision

- ~~a. —Decide if the proposed accessory dwelling unit / structure conditional permit standards and processes amendment language is to be presented to the Board of Trustees for adoption.~~
- b. Discuss the Comprehensive Plan to identify the content that can be prepared in-house.
Manager Reeves opened the discussion by proposing the Commissioners identify new topics for the update to the Comprehensive Plan. The commissioners expressed an interest in developing a Comprehensive Plan that reflects the values of the community members. Commissioner Powell and Tucker are committed to having the public input process to determine the community values and vision for Dolores. Commissioner Tucker says that a Land Use Code without a Comprehensive Plan is the same as creating laws without a constitution. They also like the idea of having references to other locally adopted plans such as Weed Management Plan, Hazard Mitigation Plan, Disaster Plan, Watershed Plan, and Historic Preservation Plan.

12. Future Agenda Items

These items are being retained on the agenda until the Commissioners and Staff have the capacity to discuss, plan or revamp.

-Comprehensive Plan Sub plans, Weed Management , Watershed Management, Hazards Mitigation.

-Public outreach and education.

-Continuation for developing a process to work with staff to edit the Special Exception Permit Application form to align completely, explicitly, and precisely with the current Comprehensive Plan and Land Use Code: Group discussion, facilitated by the Manager. This is carried over from July and August. note:The Commissioners talked about this item briefly during the meeting. They are determined to find a way to align the Special Exception Permit process with the directions from the Land Use Code and the vision and goals of the Comprehensive Plan. Chairperson Robinson wants to make sure the application process is designed to help the applicant demonstrate how the proposed permit meets the requirements of the Land Use Code and is compatible with the Comprehensive

Plan.

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13. Adjournment

Chairperson Robinson adjourned the meeting at 8:05 p.m.

Linda Robinson, Chairperson

Ann Swope, Assistant Clerk



Town Manager's Report

Date: October 9th, 2024

To: Board of Trustees

From: Leigh Reeves

- New Townhall – The concrete at Townhall was poured on Monday. We cannot put asphalt down until next spring due to the weather and nature of asphalt. We will be patching the parking lot and painting the bollards in the next few weeks. I have not heard yet, if our supplemental grant was accepted.
- P&Z – We had a great discussion about the next steps of the comprehensive plan. At the next meeting we will be conducting a public hearing regarding adding an ADU exception process for property in DMU/CMU.
- We will be discussing the Town's donation process at our next meeting. In the past we have allocated funding for non-profit groups that support the town citizens, i.e. 4 corners recycling, Dolores public library, etc. We need to decide if we are going to support this program this year and with how much funding. We did not have the program last year.
- We will also be discussing our budget priorities for funding capital projects next year. It will be our wish list of funding initiatives and priorities like the match for the GOCO grant, assuming we get it. I am still hoping to hear later in the week if we were successful. We will have a budget public hearing on November, 11th 2024.



- I will be providing a list of our expenditures for the last month. This has been a practice that will continue just as it has for the last several years.
- I have been working with the Mayor Holkestad, to ensure the town's financial operations continue smoothly. I have several meetings with grant funders to streamline the process for filing receipts, receiving funds, and closing our completed projects.
- The town posted the job requirements for a treasurer in the newspaper and on our website starting in September. We received two candidates, one of which had no accounting experience and a resume from Kelley Unrein, who has a Master's degree in Accounting and a great enthusiasm for accounting in general. She has transitioned from a career as an ICU nurse at SW Memorial hospital. Kelley has lives in the area, and her son attends Dolores Middle school.
- Kelley Unrein is fully qualified for this role. She has interviewed with Mayor Holkestad, the town team, me, Drew Sanders, Cortez City Manager, Kelly Koskie, Cortez, Finance Director, Heather Alvarez, Mancos Town Manager and Jamie Higgins, Treasurer of Mancos. Drew's exact comments were, "you found a gem, I would hire her in a second." I had her interview with people that do or have done the job before because they have more experience with the requirements.
- Before you this evening are two resolutions R623 series 2024 appointing Kelley Unrein as the new town treasurer and R624 series 2024 adding her as a



signor to our back account. We will continue to have two signatures on each check that we write.

- We are also hiring a new maintenance team member, Justin Shaffer, who will start on October 28th. He worked for us previously as a summer intern. He has a CDL as well as, experience with snow plowing and using large equipment.
- We sent the current employee handbook for your information. Jon, Tammy and I will be updating it to fit current laws in an ordinance developed for early next year.
- We will be working with CDOT to move the eastern speed limit sign past our town limits. This was never done when the town limits moved from 18th Street to 21st Street.
- I attended a webinar put on by CCCMA regarding the new property tax laws and how they will affect us. Additionally, I am working with Heather Alvarez on the proper timeline of mill levy submissions in accordance with our 2025 budget.

Town Manager's Report

Date: October 23rd, 2024

To: Board of Trustees

From: Leigh Reeves

- Kelley and I, more Kelley than I, are going through our grant information:
 - FEMA – The grant for sirens is closed and we are waiting for the electrical to be completed on the generator so we can close that. Our winter water supply is from our well. We cannot install the generator until we stop pulling water from the river.
 - We had a call with Paul Major of Rural Homes and Nicola from DOLA to complete the paperwork to close the Attainable Housing grant from 2022. I anticipate this to be completed this year.
 - CDOT Mainstreet Grant for the Flanders park restroom will also be closed this year. We are on target to have the bathroom completed by November 30th.
 - CDPHE – Brownfield grant is also set to close this year.
 - Fishing is Fun – we have identified a new vendor and will meet with him on Friday to get this grant rolling again as part of the bigger GOCO grant.
- New Townhall – As you know the supplemental grant was approved by DOLA so we can finish the parking lot next year. Kelley is working on this today so we can be reimbursed for charges we have incurred to date.
- We have been chosen to go to the last stage of the GOCO JRP grant. They

need a high-definition picture of the park and a more accurate rendering for the items that are included in the request. See rendering attached. This final meeting is on November 7th. **This is a very good sign but not the time to broadcast our progress please.** We should get the final decision before Thanksgiving. The grant amount would be \$776K with a \$221K match. Some of these funds have been raised by the Lost Canyon Bike club.

- Phase II water project - We received a grant(\$200K) from DOLA – Energy Impact funds to design Phase II. We will also have to contribute \$200K. Please remember we will be rolling that \$200K into our final loan. We will be starting a marketing campaign about the \$10 per month increase in the water bill. We will be sending a one-page front and back sheet with next month’s water bill to explain the reasons. Here are some talking points if you are asked questions:
 - #1 reason – we are replacing pipes that are 70 years old.
 - We will have a more consistent water supply – less repair time by being proactive.
 - Increased efficiency with no more water leaks
 - Improved Fire flow
 - We received a grant from Senator Benett and we will apply for grants from CDPHE(Colorado department of Public Health and environment) and from DOLA(Department of Local Affairs)

We will also start an FB campaign to our 859 followers, where we send out messages that compare what you can get for \$10, i.e. a fast food dinner. A burrito and small coffee. I am starting this so citizens will not be surprised by our \$10 a month increase. Their first bill will arrive about February 5th.

- The mayor pointed out some drainage issues at 11th and the highway. This was designed as a french drain and cannot always handled rapid downpours or

many days in a row of lots of rain.

- You will notice the new camera, an owl, hanging from the ceiling in front of the dais. This is the last step in upgrading our functionality for board meetings. Hopefully it will be fully functional at our Monday meeting.
- The Sheriff and I will be meeting to come to an agreement for a contract with the Town for more consistent law protection services next year. I believe the contract would be around \$275K but we need to work out the details.
- P&Z – We had a great discussion about the next steps of the comprehensive plan. At the next meeting we will be conducting a public hearing regarding adding an ADU exception process for property in DMU/CMU.
- We are receiving funding requests from entities located in town. I will have a more exact list to share on Monday at our meeting.
- So far, we have received applications from the organizations listed below. Who wants to be on the committee to decide who we fund and for how much?
 - 4 Corners Recycle
 - Dolores Public Library
 - Montezuma Leadership Network
 - Galloping Goose took an application
 - Rotary Club
- We will have our first budget public hearing on November 12th 2024.
- We are also hiring a new maintenance team member, Justin Shaffer, who will start on Monday. He worked for us previously as a summer intern. He has his

CDL license, as well as experience with snow plowing and using large equipment.

- We will be discussing snow removal at the workshop. I drove around with Randy this morning and documented the current plan. It is similar to the one from 2011 that we have been working with.
- We need to discuss building codes and land use codes. They each have a place in our management of the town. Building codes are the very base of our policies around health and safety which includes fire, water quality and basic needs. If you remember I brought to your attention earlier in the summer the situation where we found people living in a shed with a space heater and a bed. It is a huge fire hazard for one and not really a place for people to live.

Town board October 14, 2024

Building Official/Building Inspector report

Current projects:

1. #1158 – Water line inspection
2. #1140 – Inspect mechanical
3. #1147 – Framing inspection
4. #1153 – Footing inspection
5. #1110 – Inspect for retaining wall

New permits: Two permits - \$439.00

1. #1158 – Bath remodel
2. #1158 - Stucco

Consultations - Phone and in person

25 Phone and in-person

Construction Inspections

9 construction inspections of permits issued.

Future projects on the horizon:

There is interest in the car wash. The current owner requested that the town change the occupancy from an S-2 Car wash to an S-2 private storage building. The current owner has now placed the building up for sale.

Business Inspections

Three

Food trailer/truck inspections

STR Inspections

One Annual

Internet Technology

We are waiting on the last components of the AV/IT upgrade to the board room

SPECIAL PROJECTS

1. Flanders Park Bathroom
 - a. The framing is completed
 - b. They are working on the front deck area with the heavy timber
2. Electrical issues in Joe Rowell Park
 - a. Matthews Electric was notified that the components needed to finish the main panel are not going to be delivered until next March.
 - b. They have hooked up temporary power to address the delivery issues.
3. 420 Central Remediation project – The grass is coming along nicely.
4. 601 Central – New Town Hall – The concrete work for the sidewalks is completed. Cruzan Construction is going to install the voter box and backfill along the sidewalk. The curb and gutter will be installed next spring.

STR's

I conducted one STR inspection for the first person on the waiting list. We now are at 15 STR's in town.

Compliance issues

The grease traps are being installed at two of the locations in town. I will continue to inspect for compliance on grease traps.

Report to the Board of Trustees on the
 Planning & Zoning Commission meeting held
 October 1, 2024

Discussions of potential interest to the Board and items for upcoming P&Z meeting agendas:

Agenda Item/Description		Discussion
9.	Commissioner updates	<p>Commissioner Powell reported on the site visits made by History Colorado staff members Sara Kappel and Laurel Schlegel). The group discussed owners of historic properties become eligible for History Colorado’s grants and tax credits.</p> <p>At this point Dolores has:</p> <ul style="list-style-type: none"> • developed a historic register and ordinance • worked with a qualified historic-preservation professional to inventory 50 historic properties, and • applied for and received several grants from the State Historical Fund. <p>However, the Town has not been designated a “Certified Local Government,” nor does it have the capacity to develop grant proposal on behalf of property owners, or to administer awarded grants or tax credit applications.</p> <p>The group expressed interest in continuing to research relationships with other organizations interested in preserving their communities’ historic properties.</p>
11.	Discussion	<p>a. Decide if the proposed “accessory dwelling unit structure conditional permit standards and processes” amendment language is to be presented to the Board of Trustees for adoption: <u>This discussion was tabled until the November 5 meeting of P&Z because the language for the ordinance was not ready for review and discussion.</u></p> <p>b. Discuss the comprehensive plan to identify the content that can be prepared in-house: The commissioners began this discussion, led by Manager Reeves. Topics covered included Comprehensive Plan Sub plans, Weed Management, Watershed Management, Hazards Mitigation, and public outreach and education. <u>The discussion will continue at the November 5 P&Z meeting.</u></p>
12.	Future agenda items:	<p>These items are being retained on the agenda until the Commissioners and Staff have the capacity to discuss, plan or revamp.</p> <ul style="list-style-type: none"> • Development of a process to work with staff to edit the Special Exception Permit Application form to align completely, explicitly, and precisely with the current Comprehensive Plan and Land Use Code: Group discussion, facilitated by the Manager. This item is carried over from July.

	Parking Lot	<ol style="list-style-type: none">1. Updates to the Town’s Comprehensive Plan, including funding for a new Comprehensive plan and other steps to move forward. Attention focused on ensuring “representative” community involvement2. Updates to subplans linked to the Town’s Comprehensive Plan, including: funding, weed management, watershed management, hazards mitigation, etc.3. Discussion of possible revisions to LUC language for mixed-use districts and accessory dwellings.4. Public outreach and education5. Parking in town
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TOWN OF DOLORES, COLORADO
ORDINANCE NO. 582 SERIES 2024

**AN ORDINANCE TO AMEND THE DOLORES LAND USE CODE TO AMEND
PROVISIONS RELATED TO ACCESSORY DWELLING UNITS**

WHEREAS, pursuant to C.R.S. § 31-23-301, the Town of Dolores (“Town”) possesses the authority to zone, rezone, change, supplement, and revise the zoning classifications or designation of property and to regulate land uses within the Town.

WHEREAS, the Town is authorized by C.R.S. § 31-23-301 to regulate zoning and land use within the Town’s boundaries, and the Town has in fact adopted a comprehensive zoning scheme.

WHEREAS, the Dolores Town Board identifies provisions of the Land Use Code pertaining to accessory dwelling units that make it difficult for certain landowners to make reasonable use of their properties and unnecessarily inhibit the Town’s ability to address its affordable housing crisis; and

WHEREAS, the Planning Commission has held numerous meetings to study issues around accessory dwelling issues; and,

WHEREAS, after public notice and final public hearing on November 5, 2024 as required by the Dolores Land Use Code and applicable law and regulations, the Town of Dolores Planning and Zoning Commission has recommended approval of proposed amendments set forth in Exhibit A, attached hereto and incorporated herein by reference.

WHEREAS after public notice and public hearing, the Town of Dolores Board of Trustees finds that the proposed amendments to the remaining provisions of the Town of Dolores Land Use Code promote the health, safety and welfare and are in the best interests of the citizens of the Town of Dolores and should be adopted.

WHEREAS, the Board of Trustees wishes to exercise its express statutory authority to amend the Town of Dolores Land Use Code as set forth herein in order to address concerns that the current code unnecessarily imposes restrictions on accessory dwelling units and inhibits the goal of promoting affordable housing.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF DOLORES:

SECTION 1. The Town of Dolores Land Use Code as adopted by Ordinance 556-2021 on December 13, 2021 and Ordinance 557-2022 on February 14, 2022 is hereby amended as provided on Exhibit A, attached hereto and incorporated herein by reference.

SECTION 2. The Dolores Land Use Code shall otherwise remain in full force and effect except as expressly amended herein.

SECTION 3. If any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 4. This Ordinance shall take effect December 26, 2024 or thirty (30) days after final publication whichever is later.

PUBLIC HEARING. This ordinance shall be considered for second or final reading on the 25th day of November, 2024, in the Town Board Chambers in Town Hall, Dolores, Colorado, at which time and place all persons may appear and be heard concerning the same.

Passed adopted and approved on the first reading on November 12th 2024.

DOLORES BOARD OF TRUSTEES:

By: _____

Attest:

By: _____

Passed adopted and approved on the second and final reading this 25th day of November, 2024.

DOLORES BOARD OF TRUSTEES:

By: _____

Attest:

By: _____

Dolores Accessory Dwelling Unit and Accessory Use or Structure LUC Updates

1. Table 4.3 is amended as follows:

Table 4.3: Accessory Uses	LL R	ae w	R1	ae w	MR F	MH P	CB 1+ CB 2	CH	L1	ae w	P	R 10	R35	Add. Use Stand.
	LL R1	LL R2	NR 1	NR 2	NR 3	M HP	D M U	CM U	IN D	P1	P2	R 10	R 35	
Key	/P/ Permitted, /PL/ Permitted with Use Limitations, /-/ Not Permitted /C/ Conditional Use Review													
Dwelling														
Accessory Dwelling Unit [1]	P	P	P	C	C	--	C	C	--	--	--	P	P	Sec. 4.6.A
Caretaker or guard residence, accessory Shelter [2]	--	--	--	--	--	--	--	--	P	--	P	--	--	
Short-Term Rental	P	P	P	P	P	P	P	P	P	--	P	--	--	
General														
Accessory Use or Structure	PL	PL	PL	PL	PL	--	PL	PL	PL	--	--	PL	PL	Sec. 4.5.B
Drive-Thru	P	P	P	P	P	P	C	C	P	--	P	P	P	Sec. 4.6.B
	--	--	--	--	--	--	--	P	--	--	--	--	--	Sec. 4.6.D

2. Section 4.6.A is amended as follows:

4.6. A. Accessory Dwelling Units

1. **Applicability**

Accessory dwelling units (ADUs) in applicable zones are permitted as follows:

- (a) In the LL1, LL2, and NR1 districts: One ADU per lot is permitted with a single-unit detached dwelling or duplex. Where each duplex unit is on an individual lot, each lot may have an ADU.
- (b) In the NR2, NR3, DMU, and CMU districts: One ADU is permitted on lots with a single-unit detached dwelling only.

2. **Ownership and Occupancy**

- (a) The property owner shall live in either the primary or accessory dwelling unit.
- (b) The accessory dwelling unit shall not be sold separately or subdivided from the primary dwelling unit or lot unless both lots created by the subdivision conform to the minimum lot size for the zone district where located.

3. **Dimensional Standards and Location**

- (a) All new and existing ADUs must be located in a habitable structure that meets applicable Town building and life safety codes. ADUs shall not be located in:
 - (1) Non-habitable areas within buildings or accessory structures (e.g., shed, garage),
 - (2) Commercial (office/retail) or industrial (warehouse) spaces, or
 - (3) Outdoors in a temporary structure (e.g., tent, yurt, treehouse, or other similar structure) or in a recreational vehicle, mobile home, travel trailer, commercial or passenger vehicle or trailer, or any portable storage unit.
- (b) ADUs must have separate water and sewer taps.
- (c) The ADU shall be located on the same lot as the primary unit and the primary unit must be constructed prior to the accessory dwelling unit.
- (d) Accessory dwelling units may be internal or attached to the primary dwelling unit or separate, detached accessory dwelling unit that may or may not be attached to a detached garage.

3. Section 13.11 is amended as follows:

Section 13.11 Conditional Use Permits

A. Purpose

A conditional use is a use that may or may not be appropriate in a given zone district depending upon the circumstances and the conditions imposed upon the approval of the use. The conditional use permit process allows the Town to consider and establish appropriate conditions to reasonably mitigate adverse impacts of the use upon the proposed site and surrounding properties.

B. Applicability

1. Conditional use permits may be approved for the uses indicated as conditional uses in Tables 4.1 and 4.3 for the applicable zoning district. Any change or expansion of an approved conditional use shall require application for a new conditional use permit.
2. A conditional use permit may not be used to change the maximum density or intensity allowed in the underlying zone district. Accessory dwelling units are exempt from the density calculation for any lot.

C. Procedures

1. Common Procedures

The common procedures for conditional use permits are identified in Table 13.2 and are summarized here for applicant convenience.

2. Specific Procedures

(a) The Zoning Administrator shall distribute the complete conditional use application to appropriate referral agencies, which may include the following:

- (1) Electric power association
- (2) Dolores School District
- (3) Dolores Fire Protection District
- (4) If the property on which the proposed conditional use is located is within a potential hazard area, Colorado Geological Survey comment may be requested.
- (5) If the property on which the proposed conditional use is located is within a wildlife habitat area, Colorado Parks & Wildlife comment may be requested.

(b) Notice Requirements

- (1) Published notice of the P&Z public hearing shall be provided at least 10 days prior to the hearing date.
- (2) Mailed notice of P&Z public hearing shall be provided at least 15 days before the hearing date.
- (3) Published notice of the Board of Trustees public hearing shall be provided at least 15 days before the hearing date.



D. Decision Criteria

When considering an application for conditional use permit, the Planning and Zoning Commission and Board of Trustees shall consider whether the application complies with following criteria:

- (a) The proposed use is consistent with the Dolores Comprehensive Plan;
- (b) The proposed use complies with all applicable provisions of the LUC;
- (c) The proposed use will not have a negative impact on the value of surrounding property or the general neighborhood;
- (d) The location and size of the use, the nature and intensity of the operation involved or conducted in connection with is, and the location of the site with respect to streets giving access to it are such that the conditional use will not dominate the immediate

neighborhood so as to prevent the development and use of neighborhood property in accordance with the applicable zoning district regulations. In determining whether the use will dominate the immediate neighborhood, consideration shall be given to:

- (1) The location, nature, and height of buildings, structures, walls, and fences on the site; and
- (2) The nature and extent of the proposed landscaping and buffering on the site.
- (3) Whether adequate utility, drainage, and other necessary facilities have or will be provided; and
- (4) Whether adequate access roads or entrance and exit drives will be provided and shall be designed to prevent traffic hazards and minimize traffic congestion.

4. Section 2.6, General Definitions is amended to include the following, in alphabetical order:

“Tiny home” means a structure that meets the following, unless provided otherwise by C.R.S.:

- (I) Is permanently constructed on a vehicle chassis;
- (II) Is designed for long-term residency;
- (III) Includes electrical, mechanical, or plumbing services that are fabricated, formed, or assembled at a location other than the site of the completed home;
- (IV) Is not self-propelled; and
- (V) Has a square footage of not more than four hundred square feet.

A tiny home is not:

- (I) A manufactured home as defined in C.R.S. 24-32-3302(20),
- (II) A recreational park trailer,
- (III) A recreational vehicle,
- (IV) A semitrailer, or
- (V) An intermodal shipping container.

“Tiny house” means a modular factory built residential structure not built on a permanent chassis that is 400 square feet or less; designed for long-term occupancy; built to the International Residential Code; and attached to a permanent foundation.