

**AGENDA**

**TOWN OF DOLORES COLORADO**

**JOINT MEETING**

**TOWN OF DOLORES BOARD OF TRUSTEES AND PLANNING & ZONING COMMISSION**

**AUGUST 4<sup>TH</sup>, 2020 6:30 P.M.**

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## **AGENDA**

**1. CALL TO ORDER**

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL**

**4. IDENTIFICATION OF ACTUAL OR PERCEIVED CONFLICTS OF INTEREST.**

**5. Approval of Agenda**

**5.1 Approval of Minutes for July 7, 2020 Minutes**

**6. TOWN BOARD AND PLANNING & ZONING COLLABORATION:**

**6.1 Marijuana Code and Licensing-Parking, screening, lighting, site layout, design standards and zoning**

**7. Town Attorney: Jon Kelly**

**8. PLANNING AND ZONING CONTINUED/REGULAR MEETING**

**8.1 Dolores LUC Update Completion Schedule Options-Elizabeth Garvin**

**8.2 Discussion regarding roll out of the public review of the LUC drafts of the districts/uses/definitions/STR-Elizabeth Garvin**

**ADJOURNMENT**

MINUTES  
Planning and Zoning  
Regular Meeting  
July 7, 2020 6:30 p.m.  
420 Central Ave Dolores CO. 81323

Meet in Person following the CDC guidelines: bring and wear a face covering; use 6 foot distancing. Use hand sanitizer.

OR

Please join my meeting from your computer, tablet or smartphone.

<https://meet.google.com/ytg-wrin-yqj?authuser=0&hs=122>

Join by phone:

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CALL TO ORDER

The meeting was called to order by Chairperson Robinson at 6:38 p.m.

PLEDGE OF ALLEGIANCE: Led by Chairperson Robinson

ROLL CALL

Present in person: Chairman Robinson, Commissioners Tucker, Truelsen, Garlick

Ex Officio's, Watters and Lewis

Staff: Interim Manager Charles, Building Official David Doudy and Assistant Clerk Ann Swope

Absent: Commissioner Heeney

APPROVAL OF THE AGENDA

Commissioner Truelsen moved and Commissioner Garlick Seconded to approve the agenda.

APPROVAL OF CONSENT AGENDA

1. CONSENT AGENDA

- A. Minutes of Planning and Zoning Meeting June 2, 2020

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

2. REVIEW

- A. Notes from Planning Commission Discussion June 23, 2020

- B. Permitted Use table review

Interim Manager Charles pointed out the changes to the use table to the commissioners and ex Officios who missed the June 23 meeting as follows:

Combine DMU 1 and DMU 2 to just DMU.

Added HMU Residential Structure for 1 and 2 unit as Conditional from “not allowed” for allowing the existing structures the option of rebuilding if the structures are destroyed.

Elizabeth answered questions about Manufactured Home district.

1. Why are single family home allowed? It is allowed but rarely ever seen. The commissions talked about the differences of stick built and manufactured structures. The main difference is the transportability of the Manufactured home.

2. Why does the MH district permitted uses include community residential facilities such as assisted living, nursing homes, schools? Answer; it may have carried over from the previous table. Manufactured homes and civic and religious institutions would remain permitted and remove permissions for the residential facilities and schools, and hospitals. Schools would be allowed to use manufactured structures as a temporary use but not in the MH zone. Day care and day care homes are permitted.

3. Why is vehicle maintenance allowed in MH? Only in there because it was carried forward from the existing use table it does not have to be permitted.

4. Lift stations pump stations and sub stations are permitted in every zone as a municipal necessity. As is wireless, and non-commercial greenhouses in all zones. Non-commercial greenhouses may be moved to accessory use. Livestock and chickens will be amended to chickens only in accessory use. Not allowing any livestock or horses in any zone. Garlick asks about Right to Farm communities. This is a community action to protect existing properties that are practicing farming. This may only affect Dolores if an Agriculture zone is introduced. Elizabeth will ask a town planner from a municipality that has Right to Farm about it.

5. What does Light Artisan craft use mean? This is where you cross the line from home occupation town approval i.e.: jewelry, welding or pottery on a small scale. Chairperson Robinson would like to widen the zones where Light Artisan use is permitted conditionally. Commissioner Watters asks about Neighborhood Mixed Use and what it is where it might be as it fits with Light Artisan Craft Use. Where it would likely be added to the zone map is along Railroad on the east side of Dolores. Is it needed at all?

Other items concerning the use table:

Commercial greenhouse will be added to the permitted use table and permitted in LI district and conditional in HMU district.

The Marijuana permitted use section will be built back in when the regulations have been developed. DMU and HMU zones are for Retail, medical marijuana sales and Cultivation with some minimum standards (to be developed with the regulation). Manufacturing, testing and cultivation will be permitted in Light Industrial zone.

This was as far as the Permitted Use Table was taken. All the Planning Commissioners were invited to offer comments to either Ken or Elizabeth about the Use table up to the end of July.

### 3. Discussion:

#### A. Planning for Hazard Areas – Existing standards with comments and inquiry from Elizabeth Garvin.

Ken Charles made the observation that the town has extensive regulations for Flood plain. The Commission reviewed the new section on Hazards that Elizabeth has prepared for approval.

**Section A.** Adopting 1041 Standards for areas of State and Local Interest being considered for development. Hazard areas in this section are: Ridgeline, Wildfire, Wildlife Mitigation, Geologic Hazard Area, Riparian Buffer, and Floodplain. Determine if these adopted standards and regulations are

important to the well-being and values of the community. The consensus showed that the focus of standards will be on Geologic Hazards, Wildfire and Riparian buffer. The goal of this code may be to design the standards so that the outcome of these regulations will reflect the values of the community without making the process and regulations so burdensome to the applicant that no development takes place.

**Section B. Site Specific Hazard and Environment Assessment (SHEA)**

Commissioner Tucker asked for a flow Chart for the applicant to follow. Consensus was for the applicant to pay for the assessment and the town hires the qualified professional. Or a deposit is made at time of application. The town will be able to require this by using established maps that identify areas of State and Local interest. (The Town has adopted the Colorado Geological Survey geologic hazards map with the Comprehensive Plan of 1997. The Town has adopted a Flood Damage Prevention Ordinance that addresses the areas within the floodplain. ) The expenses of these requirements will be paid by the applicant. The Town can require the applicant to hire a designated professional or the town can have the applicants assessment reviewed by a professional of their choice.

**Section C.** There was little discussion on this section except for the component where the Town has a three mile area of influence for development beyond town limits.

**Section D. Wildfire Mitigation Requirements.** The discussion on this section was broad and touched on several subjects including: NFP1141 regulations which set standards for site landscaping in Wild Land Urban Interface and may be good to have in place for future development; the relation of this code to the building code, the fire code, the county hazard mitigation plan, the trigger point where a SHEA will be required on existing properties where there are applications for improvement or change of use and how the community will respond to enforcement or perceived enforcement. This section is meant to control future development in a hazard area. This section will apply to new development and to improvement of existing property say 50% or more of the value of the original property to be a compatible measurement to the Building Code. There is some discussion about landscaping standards that may or not cause push back from the community.

**Section E. Geologic Hazard Areas.** The current standard in the LUC is to prohibit development in areas of greater than 30% slopes. Some communities have chosen a limit at 20%. The consensus with the Commission was to adopt standards for development at 20% or greater slopes, to follow the standard in the Fire Code for access of Fire Equipment. Commissioner Tucker asked Elizabeth to add the definition for slope in the definitions section. The map represented in the Comprehensive Plan is a map that was completed by the Colorado Geological survey in 1975 it designates 4 different geologic hazards for the Town of Dolores: Rockfall-rockslide area, Rockfall runout area, Landslide area and Unstable slope. Each of these hazards is located within the corporate boundaries along the canyon walls.

Attachment DOLA "Planning for Hazard Areas"  
<https://www.planningforhazards.com/home>

4. **ADJOURNMENT:** As the commission adjourned they requested a workshop be set for July 21, 2020 at 6:30 p.m. The subjects will be Measurements and Definitions, Parking and Compliance table. The meeting will be held both in-person and virtually.

**Dolores LUC Update Completion Schedule Options**

**Option 1: Complete and Adopt LUC by end of 2020**

Article	Title	P&Z Review	Public Review	Board Review	Review Groups
1	General Provisions	October	November	December	Group 1
2	Measurements and Definitions	Partial (uphill)	November	December	Districts/Uses/Definitions
3	Zone Districts	Done	August	September	Group 2
4	Use-Specific Standards	Done	August	September	Proportionate Compliance
5	Proportionate Compliance	August	September	October	Site and Structure Standards
6	Site and Structure Standards	August	September	October	Landscaping, Screening, and Trees
7	Subdivision Standards	September	October	November	Parking, Loading, and Access
8	Landscaping, Screening, and Trees	August	September	October	Connectivity and Mobility
9	Parking, Loading, and Access	August	September	October	Outdoor Lighting
10	Connectivity and Mobility	August	September	October	Group 3
11	Hazardous and Environmentally Sensitive Areas	September	October	November	Subdivision Standards
12	Outdoor Lighting	August	September	October	Hazards
13	Operational Performance Standards	September	October	November	Performance Standards
14	Signs	September	October	November	Signs
15	Nonconformities	October	November	December	Group 4
16	Common Development Review Procedures	October	November	December	General Provisions
17	Specific Development Review Procedures	October	November	December	Procedures/Violations
18	Violations, Enforcement, and Penalties	October	November	December	Nonconformities
	Full Code Review and Adoption			December 2020	Full Code

**Option 2: Two-Part Adoption**

Article	Title	Part 1: Dec 2020	Part 2: April 2021	Full Draft Review
1	General Provisions	X		Part 1
2	Measurements and Definitions	X		P&Z: October
3	Zone Districts	X		Public: November
4	Use-Specific Standards	X		Board: December
5	Proportionate Compliance	X		
6	Site and Structure Standards	X		Part 2
7	Subdivision Standards		X	P&Z: February
8	Landscaping, Screening, and Trees	X		Public: March
9	Parking, Loading, and Access	X		Board: April
10	Connectivity and Mobility	X		
11	Hazardous and Environmentally Sensitive Areas	X		
12	Outdoor Lighting	X		
13	Operational Performance Standards	X		
14	Signs	X		
15	Nonconformities		X	
16	Common Development Review Procedures		X	
17	Specific Development Review Procedures		X	
18	Violations, Enforcement, and Penalties		X	

**Option 3: Marijuana Business Focused Standards**

- 2020: Draft site layout, parking, screening, lighting, and design standards for marijuana uses
- 2021: Complete LUC update and incorporate marijuana business standards into generally-applicable regulations