

# TOWN OF DOLORES

## PLANNING AND ZONING MINUTES

### VIRTUAL Meeting and Public Hearing

#### Dolores Planning and Zoning VIRTUAL Meeting and Public Hearing Tuesday, May 5, 2020 6:30 PM - 8:30 PM (MDT)

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**CALL TO ORDER** Chairperson Robinson called the meeting to order at 6:30 p.m.

#### PLEDGE OF ALLEGIANCE

#### ROLL CALL

Commissioners present: Linda Robinson, Dan Heeney, Mark Tucker, Deanna Truelsen

Ex officio present: Melissa Watters, Andy Lewis (arrived at 7:00 p.m.)

Staff present: Elizabeth Garvin, Ken Charles, David Doudy, Jon Kelly and Ann Swope

Chamber of Commerce Director: Susan Lisak

No public was present.

#### APPROVAL OF THE AGENDA

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

Yes: All

No: none

## APPROVAL OF CONSENT AGENDA

### 1. Consent Agenda

A. Minutes of Planning and Zoning Meeting April 7, 2020

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

### 2. **DISCUSSION AND PUBLIC HEARING:** Cordoba Condominium 101 N 16<sup>th</sup> Units A-E Minor subdivision application.

**A. Staff Report Cordoba Application for Preliminary Plat approval Minor Subdivision-** This Minor subdivision application is to create legal individual properties for each of the units to be separately owned.

The preliminary plat has been submitted to the Planning and Zoning Administrator and has been set for review and public hearing in front of the Planning and Zoning Commission as required in Dolores Land Use Code Article VI Section E. 7. For Preliminary Plat

As required in Article VI E. 7. b. notification of the public and the property owners within 200 feet was completed as of April 17, 2020. All notifications were posted on the property by the Town no later than 15 days before this meeting.

All agencies were notified as required. No agencies returned comments by the required deadline.

The items for consideration by Commission according to Article VI E. 7. c Preliminary Plat are as follows:

***Items for consideration by Commission.*** The Planning Commission shall, in its action on the preliminary plat, consider the physical arrangement of the subdivision, and determine the adequacy of street rights-of-way and alignment, the street standards of the Town of Dolores, the existing street pattern in the area and with all applicable provisions of the Comprehensive Plan. The Planning Commission shall also ascertain that adequate easements for proposed or future utility service and surface drainage are provided, and that the lot size and area are adequate to comply with the minimum requirements for the underlying zone district and for the type of sanitary sewage disposal proposed.

Note: Special Exception and Variance Permits were approved on April 7, 2020 by the Commission, meeting the requirements of this section.

### 2.1 **PUBLIC HEARING CORDOBA APPLICATION FOR MINOR SUBDIVISION APPLICATION 101 N 16<sup>TH</sup> UNITS A-E**

**Chairperson Robinson opened the public hearing at 6:39 p.m.**

David Douly presented the application to the commission and explained the purpose of the minor subdivision. The property was originally built for the purpose of individual properties. The property was not divided into individual parcels originally. This Minor Subdivision Plat creates the individual parcels and the common areas that will be controlled by the Covenants of the Home Owners Association. Previous to this Minor Subdivision Application the owner applied for and was approved for a Special Exception Permit for noncompliance to setback regulations and a Variance permit for non-compliance with lot size and width as a result of creating individual parcels.

Upon hearing no comments during the public hearing Chairperson Robinson closed the public hearing at 6:41 p.m.

## 2.2 DISCUSSION AND POSSIBLE DECISION:

A. Approval, Approval with Conditions or no approval of a Minor subdivision.

**Commissioner Tucker** moved and **Commissioner Heeney** seconded to approve the Minor Subdivision Plat as presented and send the recommendation for approval to the Board of Trustees. Clarification on the property lines relating to the foot print of the individual units and common areas to be regulated by the Home Owners Association covenants.

Chairperson Robinson called for a roll call vote:

Commissioner Heeney: Yes

Commissioner Truelsen: Yes

Commissioner Tucker: Yes

Commissioner Robinson: Yes

B. Next steps:

1. ***Notation of action.*** The action of the Planning Commission shall be noted on two (2) copies of the preliminary plat, referenced and attached to any conditions determined. One (1) copy shall be returned to the sub-divider and the other retained by the Planning Commission. A notation of the action taken and requisite reasons therefore shall be entered in the records of the Planning Commission.
2. ***Submittal to Board of Trustees.*** The Zoning Administrator shall, at the next regularly scheduled Board of Trustees meeting following conditional approval or disapproval by the Planning and Zoning Commission, submit the preliminary plat with the conditions established by the Planning and Zoning Commission to the Town Board for their consideration.

## 3 Review and Discuss:

A. Short Term Rentals:

The Commission reviewed the updated Short Term Rental section and discussed some of the language concerning primary use and owner occupied. The matter was resolved, no changes were made. A correction to the table of contents page numbering will be made. The number of STR permits was accepted at 30 and the number of units per dwelling table was removed. Elizabeth Garvin complimented the Commission on their contributions and their investment of time to complete the section. The Commission would like to let the public see all the drafts of the Land Use Code sections before sending them to the Board of Trustees for consideration. There will either be a link established on the town's website to allow the public to read the proposed sections and will prompt the public to email comments to the town staff or the link will direct the public to the existing website that is hosting the Dolores LUC Update. The Commission would like to see the drafts in a down load-able format. Susan Lisak of the Dolores Chamber will implement a Facebook message to direct the public to the town's website when all is set up for the public to participate.

B. Permitted use table;

The Commission reviewed many sections of the permitted use table and will continue the review at the next meetings. The table lists Residential uses first and the following items were discussed:

Apartment s, group homes, manufactured homes and modular homes and assembly uses, RV parks and Boarding houses.

In Retail uses the following was discussed; Large format, indoor retail

- C. Zoning Districts: a couple of items were brought up; the future of the property the school may be leaving if a new site out of town is found and approved and the future zoning for marijuana businesses .

A mutual agreement was made to set a workshop meeting for Tuesday May 19, 2020 at 6:30 p.m. The meeting will be a virtual meeting.

Adjournment: Chairperson Robinson adjourned the meeting at 8:45 p.m.

**Approved:**

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Linda Robinson, Chairperson

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Ann Swope, Assistant Clerk