



**Planning And Zoning Commission
Agenda**

**February 4, 2025 6:30 p.m.
601 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. Public Participation 5 minutes per person.
6. Approval of the Agenda
7. Consent Agenda
 - 7.1 Minutes of the January 7, 2025 meeting.
8. Staff Reports
 - 8.1. **Manager Reeves** – verbal update on recent administrative activities, Attachment December Reports to the Board of Trustees. Notice of the pending Commissioner vacancy in April.
 - 8.2. **Attorney Kelly**
 - 8.3. **Building Official Doudy** – attachment December report to the Board of Trustees
9. Commissioner Updates.
 - 9.1 Chairperson Robinson report to the Board of Trustees January 7 2025, attached.
10. Discussion:
 - 10.1. Discuss next steps for preparing for the update to the Comprehensive Plan.
 - 10.2. Review of items to be prepared for the February 4, 2025 meeting.

- Recommendations on comprehensive plan consultants. How can we pay for the services?
- Planning and Zoning Commission will work on identifying desired outcomes for the comprehensive plan at Feb meeting.
- Compiled and organized documentation/previous work product from the 2019 Plan Review.
- Commissioner Tucker Public to obtain involvement process template

10.3 Tiny Homes and Tiny Houses. Determine language for providing a pathway to introduce uses for Tiny Homes or Tiny Houses into the Land Use Code per direction of Board of Trustees. Listed below are the definitions that were adopted with the latest Land Use Code Amendment Ordinance 582 S 2024.

“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.

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.

11. Future Agenda Items: These items are being retained on the agenda.

-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. 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-use zones.

12. Adjournment



**Planning And Zoning Commission
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1. **Call To Order:** Chairperson Robinson called the meeting to order at 6:30 p.m.
2. **Pledge Of Allegiance.** The pledge was recited by the group.
3. **Roll Call.** Present at the meeting were Commissioners Tucker, Kelly, Nemanic and Chairperson Robinson, Ex Officio Peterson and Curry, Manager Reeves and Assistant Clerk Swope. Absent was Commissioner Powell and Attorney Kelly
4. **Identification Of Actual or Perceived Conflicts of Interest.** None stated.
5. **Public Participation 5 minutes per person.** Megan Mustoe of 501 Central attended the meeting and has submitted a letter of interest in serving on the Commission.
6. **Approval of the Agenda.**
Commissioner Tucker moved and Commissioner Nemanic seconded to approve the agenda.
Yes. All
No. none
7. **Consent Agenda**
7.1 Minutes of the October 1, 2024 Meeting and November 5, 2024 Meeting
Before the meeting, Commissioner Tucker proofread the minutes in the packet and helped Assistant Clerk Swope make corrections to the minutes in spelling, Capitalization and grammar. Commissioner Nemanic moved and Commissioner Kelly seconded to approve the corrected minutes of October 1, 2024 and November 5, 2024.
Yes. All
No. none
8. **Commission terms reviewed.**
Chairperson Robinson, Term expires 4/8/2027,
Commissioner Powell, Secretary, term expires 4/8/2027,
Vice Chairperson Tucker, Term expires 4/14/2025. This seat will be a three-year seat starting April

2025

Commissioner Nemanic, Term expires 4/14/2025. This seat will become a three-year term starting April 2025.

Commissioner Kelly, term expires 4/14/2025. This seat will become a three-year term starting April 2025.

a. Adopted Commission terms, years of terms, recently adopted with Ordinance 572 Series 2024

“ 2.08.010 - Created—membership—filling of vacancies.

A. There is created a Planning and Zoning Commission for the town, consisting of five members, who shall be residents of the town and shall be appointed by the Board of Trustees.

B. Commissioners shall be appointed to serve three-year terms expiring at the first regular meeting of the Board of Trustees in April; except that initially two commissioners shall be appointed to serve two-year terms. All commissioners shall thereafter serve staggered three-year terms.

C. When a vacancy occurs, the Board of Trustees shall appoint a new commissioner to fill the vacancy for the remainder of the term of the vacant seat.

D. In addition, the Mayor shall appoint two ex officio members of the Planning and Zoning Commission from among the Board of Trustees. Ex officio members are non-voting members of the Planning and Zoning Commission and are not counted for the purposes of determining a quorum. “

8.1 Appointment of Offices: Motion and second needed.

a. Chairperson. Commissioner Nemanic nominated Commissioner Robinson for Chairperson.

Yes. All

No. none

b. Vice Chairperson. Commissioner Tucker nominated Commissioner Nemanic for Vice Chairperson

Yes. All

No. none

c. Secretary. Commissioner Kelly nominated Commissioner Powell for Secretary.

Yes. All

No. none

9. Staff Reports

9.1. Manager Reeves – verbal update on recent administrative activities, Attachment December Report to the Board of Trustees.

Concerning town parks, The bathroom in Flanders is up and operational. The EV Charging station is on hold until a concrete pad is installed. This may be a coordinated project with CDOT as the “Bustang” service is going to be constructing a bus pull-off area by the new bathroom.

Commissioner Tucker suggested the town provides interpretive signage at the bathroom to document historical uses and structures that have been in the park over its existence.

Commissioner Nemanic asked if the town has any plans for the concrete area at the baseball fields. Manager Reeves is pursuing funding to upgrade that area with bathrooms and services for food trucks.

Manager Reeves reported that the quarterly Board-to-Board meeting with city, county and tribal leaders will take place at the Dolores Community Center on January 23, 2025 5:30 to 6:30

followed with a light dinner. The Commissioners are invited to attend.

Trustee Curry reported his attendance of an economic Development meeting in December. He learned about Cortez Retail Enhancement Association. This organization pursues economic development opportunities and recruits new businesses. The Economic Development group reviewed the Cortez Land Use Code at that meeting.

9.2. Attorney Kelly. No report this month.

9.3. Building Official Doudy – Reference attached December report to the Board of Trustees. The Commissioners suggested that the Building Official’s report be more detailed regarding inspections. They also would like to see any legislative and code updates that relate to the Building Officials duties. Commissioners are interested in learning about Insurance Services Office, (ISO) a private company that provides data, underwriting, and risk management services to insurance companies. The town has improved its ISO rating by 5 points since 2019. The town has updated the building codes, improved record keeping practices and initiated an education segment for Planning Commissions and Board members. As a result, the community may see more stable homeowners’ insurance rates. The Planning Commission recognizes that zoning regulations and building codes must be compatible. Both regulations help make the community a safe and attractive place to live and work.

10. Commissioner Updates.

10.1 Chairperson Robinson report to the Board of Trustees November 1 2024, attached.

The report was not attached to this packet. It was included in the Regular Board Packet for December 9th 2024.

11. Discussion:

11.1. Review of the Commissions’ 2019 Comprehensive Plan Review. This document will guide the Commissioners and staff to update the existing Comprehensive Plan. The group will consider the contents of the Land Use Code that should be but are not in the Comprehensive Plan and/or need to be amended to align with the Comprehensive Plan.

11.2. Review of DOLA 10 steps for creating a Comprehensive Plan.

The group reviewed the guide and discovered that the guide was produced in 2002. They looked at the steps to see how the Dolores Comprehensive plan related and determined that the guide does not fit as an update project but a brand-new plan.

11.3 Discuss the next steps for preparing for the update to the Comprehensive Plan. Attached is the Planning matrix created in 2022.

Manager Reeves will contact companies the Town has worked with in the past to get recommendations about qualified Consultants. Manager Reeves will also explore funding options for hiring a professional consultant. Note that the Town administrated a grant funded Land Use Code update through the Department of Local Affairs out of the customary order of first updating the Comprehensive Plan. The consequence of this activity is that DOLA will not approve grant funds for an “after the fact” update to our Comprehensive Plan. If the Town can find no alternative funding sources, the Town will have to pay out of pocket for services of the

consultants and the completion of a new Comprehensive Plan update or consider implementing the project in-house.

The Planning Commission will work on identifying desired outcomes for the Comprehensive Plan update at the next meeting. They have set a goal for completing the update by April of 2026.

Chairperson Robinson will compile and organize existing documentation related to the Comprehensive Plan Review.

Commissioner Tucker will connect with a resource for a template for a public involvement process. Demographic tables and other out-of-date information may be updated 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, Noxious 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. Chairperson Robinson adjourned the meeting at 8:35 p.m.

Linda Robinson, Chairperson

Ann Swope, Assistant Clerk



Town Manager's Report

Date: December 5th, 2024

To: Board of Trustees

From: Leigh Reeves

- Caselle – Before you Monday is R633 to enter into a contract with Caselle. Although this may seem expensive, the cost is divided into years not all at one time. We have the opportunity to move to a new accounting system that is used by most government entities. It will allow for true fund accounting and more accurate information. Additionally, it will allow us to complete reporting in a timelier fashion. There is a multi-year implementation plan.
- The Flanders Park restroom is officially open. We should discuss an official ribbon cutting if you like or it can just be open. The timers are working from 7am to 7pm.
- We will have our 2nd and final reading and 2nd public hearing on December 9th, 2024, for the 2025 budget. We will also have to vote on an amendment and the mill levy that goes to the county commissioners. This will be our last meeting of the year. We will be over by the amounts we discussed earlier in the year and some additional because of cleaning up of grants. These are unforeseen items that were agreed to or could no longer wait to be completed. Additionally, there were items agreed to by the previous town manager that had overruns.



- BARR engineering was in town to look at the river for the Fishing is Fun grant. This company will complete the 404-permit required by the ACOE. This will allow us to complete the Fishing is Fun grant next fall if all goes well. They also went to the quarry to interview the rocks for the Dolores River.
- Before you Monday will be Resolution R632 – Series 2024 Awarding a contract to SGM for the engineering of the Phase II water project. This contract is \$402K. We have a grant for half from DOLA. We will be folding our half into the final grant for construction as previously discussed. This project is driving a \$10 per month increase in all members' water bill.
- We had a water main break last Saturday on 6th St that affected 6th and 7th St. Randy's team fixed the pipe and restored water after the locate was completed.
- Friday, Dec 6th is the final approval of the GOCO grant for \$776K, which will fund the skate park, bike park, an ADA trail from the playground to the west end. We will also receive funding for FIF, 2 shade structures, 8 benches, 3 picnic tables and 36 trees with irrigation.
- I am working with the Parks committee to create a fundraising plan in conjunction with the Lost Canyon Bike Club to raise more funding to complete the all-wheel portion of the plan.

Town board December 9, 2024

Building Official report

Current projects:

1. #1159 – Stucco basecoat inspection
2. #1140 – Drywall inspection
3. #1115 – Final
4. #1165 – Sewer line inspection
5. #1153 – Underlayment
6. #1153 - Final

New permits: Three permits - \$550.00

1. #1165 – Sewer line replacement
2. #1166 – Demo
3. #1167 Re-roofing permit

Consultations - Phone and in person

21 Phone and in-person

Construction Inspections

14 construction inspections of permits issued.

Future projects on the horizon:

New R-3 Single Family residential proposed on Hillside

Business Inspections

0

Food trailer/truck inspections

0

STR Inspections

Two – Annual Inspections

Internet Technology

Board room AV/IT has been installed, working out the bugs

SPECIAL PROJECTS

1. Flanders Park Bathroom
 - a. Project issued a final by Cortez Building Official, Sean Canada
2. Roof replacement at Water plant
 - a. Emergency award to Cruzan Construction to repair trusses and replace roofing

STR's

Gave out an application for STR permit #15.

Compliance issues

Still working on grease trap compliance

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 wish 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.

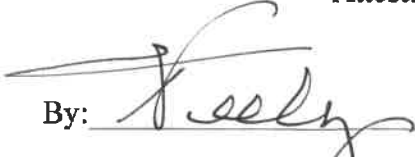
PUBLIC HEARING. This ordinance shall be considered for second or final reading on the 25th day of November, 2024, in the Town Board Chambers in Town Hall, Dolores, Colorado, at which time and place all persons may appear and be heard concerning the same.

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

DOLORES BOARD OF TRUSTEES:


By: 
Mayor Chris Holkestad



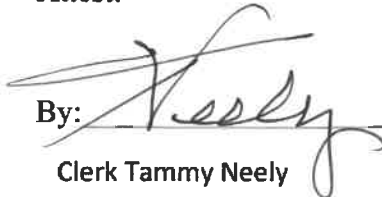
By: 
Clerk Tammy Neely

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

DOLORES BOARD OF TRUSTEES:

By: 
Mayor Chris Holkestad



Attest:
By: 
Clerk Tammy Neely

Dolores Accessory Dwelling Unit and Accessory Use or Structure LUC Updates

1. Table 4.3 is amended as follows:

**Table 4.3:
Accessory Uses**

Key	LL	ne	R+	ne	MR	MH	GB	CH	LI	ne	P	R	R35	Add. Use Stand.
	R	w		w	F	P	1+			w		40		
	GB						2							
	LL	LL	NR	NR	NR	M	D	CM	IN			R	R	
	R1	R2	1	2	3	HP	M	U	U	D	P1	P2	10	35
	/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	PL	PL	PL	PL	PL	--	PL	PL	PL	--	--	PL	PL	Sec. 4.5.B
General														
Accessory Use or Structure	P	P	P	P	P	P	C	C	P	--	P	P	P	Sec. 4.6.B
Drive-Thru	--	--	--	--	--	--	--	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.