



**TOWN OF DILLON
PLANNING AND ZONING COMMISSION**

**REGULAR MEETING
WEDNESDAY, APRIL 5, 2023
5:30 p.m.**

**VIRTUAL MEETING VIA MICROSOFT TEAMS
CONFERENCE ID: 242 673 855 253**

CALL TO ORDER

The regular meeting of the Planning and Zoning Commission of the Town of Dillon, Colorado, was held on Wednesday, April 5, 2023, by electronic participation through the Microsoft Teams application. Chair Alison Johnston called the meeting to order at 5:34 p.m. Commissioners present were Michael Parsons, Suzanne Pugsley, Tom Karpowich, and Mark Cribbet. Staff members present were Ned West, AICP, Sr. Town Planner; Nick Cotton-Baez, Town Attorney; and Libba Muzi, Recording Secretary.

APPROVAL OF THE MINUTES OF March 1, 2023, REGULAR MEETING

Commissioner Cribbet moved to approve the minutes from the March 1, 2023, regular meeting. Commissioner Pugsley seconded the motion, which passed unanimously.

OPENING PUBLIC COMMENT

Paul Glick, resident of the Cour De Lac condominiums, was present to make a public statement regarding the “planned urban redevelopment”. He expressed that he does not believe it to be a “no-brainer,” his biggest concern being the environmental impact. He expressed many concerns regarding the automatic parking structure, focusing mainly on the aspect of electric vehicles, potential breakage of the structure, and the time it will take to use this structure. He spoke on the ongoing issue of workforce housing and how this project will contribute to the workforce housing shortage while doing nothing to help it. He touched on the issue of our roads being able to support increased population density and the element of increased light pollution. He closed with a statement of strong opposition.

DISCUSSION: Commercial, Workforce Housing, and Shared Parking Considerations

SUMMARY:

Town staff is reviewing parking requirements related to commercial businesses, workforce housing, and whether shared parking Code provisions should be considered. This is the first study session related to this item, though extensive work was done to determine the parking requirements for multi-family and lodging parking with Code amendments adopted in October of 2022.

During the multi-family parking study, workforce housing was discussed. It was ultimately the Planning Commission's determination that allowing a deviation from the required parking for workforce housing does not make sense in Summit County. Public transit is not robust enough, and people need their vehicles not only for work, but also for play. This is being brought back to the Planning Commission again because some efforts on the state level may compel us to reconsider whether workforce housing should be allowed to petition for decreased parking requirements. As such, the subject is brought back.

With the desire to increase activity and redevelopment in the Core Area zone district, the subject of commercial parking is brought forth. When a particular unit in a multi-tenant building in the Core Area zone district changes use, there is the ability to pay for a number of deficient parking spaces (up to a maximum of twenty (20) deficient parking spaces), in accordance with DMC § 16-6-50. As the Town provides much of the Core Area parking, this fee can help to offset the Town expenses in maintaining and building motor vehicle parking as increased use and demand warrant.

The "Entertainment Parking" found in DMC § 16-6-40 lists "Auditorium, theater" has a required parking of 1 space per 4 seats. The "Bowling alleys" use requires 4 spaces per lane + 1 space per employee. Staff would like to review these parking requirements to see if a Code amendment might be considered. With a potential indoor auditorium / concert hall in the Core Area, staff want to be sure 1 parking space per 4 seats is appropriate. This does appear to be a standard across many municipal codes, but many add provisions for floor areas within such facilities used for other gatherings or meeting spaces. They also often consider staff parking needs and apply an additive amount of parking required.

The required parking for bowling alleys is relatively standard in all municipal codes reviewed, though some municipalities require less. It seems this standard requirement of 4 spaces per lane points to league play and the subsequent parking demands related to that level of intensive bowling activity. With the apparent waning interest in the sport, perhaps the required parking might be reconsidered. We do not anticipate a new bowling alley and that is not the impetus for this review; it is in applying the required parking in the building which currently houses the bowling alley and the desire for changes in use in the building that the subject comes forward. As the Town evaluates changes in use and requires the payment of parking fees, we want to be sure that the required parking and assignment to various uses is handled thoughtfully and appropriately.

One type of use not identified in the "Entertainment" parking section is a music venue. The lack of identification of the use in the parking regulations may need to be considered for a music venue for standing room only or one with both tables & chairs and standing space. Also, to be considered would be a similar dinner theater type use. As there does exist a space with potential for such a use, Town staff asks the Planning Commission to begin to study the subject.

Many communities consider shared parking to reduce the amount of required parking, especially in their central business districts. This too could apply to bowling alleys, auditoriums, and music venues or other entertainment uses, wherein the business and retail parking of the day has potential to be shared with other uses in the evenings. Communities tend to apply a certain percentage of parking that might be considered through this shared parking model, and that percentage can be reduced from that which is required. Town staff would like to explore if such an approach might work for the Core Area zone district.

COMMISSIONER QUESTIONS:

The Commission inquired about the difference in reallocation and the shared parking concept. Ned explained that the shared parking concept would simply allow a parking space to be allocated for two different uses, it will not create new parking spaces or eliminate currently allocated ones. Alison inquired about the garage in the bowling alley building and Ned explained that it is a residential parking garage. Suzanne expressed concern about the changes in parking allocations, not only eliminating parking for specific businesses, but doing nothing to stop outside cars from using those spaces for unassigned reasons. She also said that the bowling alley does host some league / tournament play and that she believes it is pretty busy on many evenings. Ned agreed that reallocation does not create new parking, but the intention is to ensure fair representation of current businesses, not to create more overall parking. He also thanked Suzanne for providing information about the ongoing league play at the bowling alley. Tom stated that with the desire for increased activity in the Town, the reality is that more parking will be needed, and the Town should plan for it. Alison asked if there is no change in the current allocation, will that impact on the likelihood of new businesses coming in because of not being able to meet parking requirements. Ned does believe that it could impact new businesses coming in. Suzanne suggested that the Town should consider more bike racks and require them along with the other vehicle parking required for development. Ned said that the Town plans to install more bike racks at the amphitheater and out at the Dillon Nature Preserve. He also said that many communities have a bike parking requirement as a percentage of required vehicle parking and said he would collect more data on that and bring it back at a future meeting. Both Michael and Mark indicated that they are okay with considering reducing the parking required per lane at a bowling alley.

Discussion: Continuing study of the Comprehensive Plan update

SUMMARY:

The Comprehensive Plan is a long-range, evolving document that guides the Town in achieving the vision and goals of the community by establishing a framework for developing regulatory tools and advising decision making for the future of the Town of Dillon. Under the stewardship of the Planning and Zoning Commission (“Planning Commission”), this dynamic document strives to promote the community’s values, goals, and vision for the Town. The Comprehensive Plan is not a regulatory document but provides the background for advised decision making for

establishing policies, for the delivery of services, for providing orderly growth and development criteria, embodies both current and long-range needs, and provides for a balance between the natural and built environment.

As a guiding document, the Comprehensive Plan is not binding on the Town. However, the Zoning Code is intended to carry out the purposes of the Comprehensive Plan.

Town staff has worked with the Planning Commission to study the Comprehensive Plan to determine if there are portions of the Plan that might warrant focus for potential amendments.

Some proposed goals and policies for recreation and tourism and incorporating more about water and water conservation into the Comp Plan were reviewed. The Commission

Commissioner Questions:

Alison advocated for including community involvement in the plans, such as the best ways for community members to directly contribute to the Town. Tom and Suzanne shared their ideas of more heavily advocating and increasing awareness for participation in weed pulling days, clean up days, and water conservation. Tom suggested he could link his HOA to weed pulling and cleanup days and that they already do these group things in their development. In general, it was discussed that there needs to be more ways of providing education to community members to better understand the plan and how it impacts the Town. Tom then discussed the two different options for smart controllers (Rainbird and Rachio) on irrigation systems, neither of which had been used on a large-scale system such as the Town's to his knowledge. It was discussed that new projects or new systems should incorporate smart controllers and water conserving irrigation design. Voluntary water conservation programs were discussed and Ned mentioned that mandatory restrictions are in the Code if triggered by extreme low flows. For instance, during previous extreme drought, such mandatory restrictions have been implemented when the source water flows dropped to as low as 2 c.f.s. in Straight Creek, the source water for both the Town and Dillon Valley.

Discussion: SB23-213 – Land Use Governed by the State – Removed from Local Decision Making

SUMMARY:

A state senate bill has been proposed out of the governor's office that would adjust local zoning policies with the thought of providing affordable housing in Colorado. It was created based on the concept that local municipal zoning has created an affordable housing crisis. The governor's office is suggesting that there is an issue with single-family zoning, and it can be changed to allow multifamily residences such as duplexes in these areas. This bill allows up to six-plexes as a use by right in single-family zones, which means there is no public process for the land use.

Town Council has opposed the passage of this bill and Town staff will closely track the bill's progress.

Commissioner Questions:

Ned West immediately addressed the increased density concern, as well as the concern of the ability to supply water to the Town that could increase exponentially in density as a result of this bill. He acknowledged that community members are aware of the workforce housing issue, but the solution is not best coming out of Denver. Dillon and the communities of Summit County have been working on this for years and are focused on addressing this issue on many fronts.

Nick Cotton-Baez, Town Attorney, spoke on the fact that nowhere in this bill is there a guarantee for affordable housing, it would just increase available housing. He mentioned the present parking concerns that the Town has and how this bill would only emphasize those concerns. He emphasized the home-rule authority that the Town of Dillon holds and how this bill challenges those areas of authority over the municipality.

Suzanne Pugsley asked for clarification regarding being able for owners of single-family homes to transform their land into a duplex without having to conform to different setbacks that they would for a single-family home. Nick Cotton-Baez affirmed this understanding and explained that the Town would be limited in any restrictions placed on that land.

Nick also acknowledged the large amount of money spent by the Town in conjunction with Summit County on an affordable housing plan. He explained how this bill may now be imposed on the Town's water supply and that the plan could be impacted by the proposed bill.

The Commission went through many different scenarios regarding what the implementation of this bill would look like if used to its full extent by a landowner.

PROJECT UPDATES:

A. Ongoing Projects

- a. Panera Bread: Open. The graffiti on the concrete barrier in the drive thru has been addressed and is to be removed.
- b. Urgent Care: Fully Operational. They are in communication with CDOT regarding their signage
- c. Curtesy dock stairs are delivered and ready to be installed
- d. Lodgepole: Construction will begin in the Spring, hiatus in the Summer, and be completed in the Fall
- e. New fire hydrant installation at the Marina to support the fuel dock will begin later this month
- f. Uptown 240: Filed chapter 11 bankruptcy

- g. Town Park is to resume phase one this Spring.
- B. Walkability: Council would like to move forward with the “Deck” concept in the Village Place alleyway
- C. Triveni Square: No substantial update, they are still considering a new hotel with conference center space. The developer presented information on the proposed parking structure at the previous Town Council meeting. Discussed the ability to incorporate EV vehicles and their belief they can address melting snow from wheel wells. The Town remains concerned about traction sand clogging their drainage system with the rack, rail, and gutter design. Discussed the time concern of the timing of the cars being released from the parking structure where it could take 2-½ hours to fully empty the structure after an event and then people might not park there. Workforce housing at the Skyline Cinema area is still in the conversation. The Town has suggested that a bus depot in that area be incorporated into any sort of development there. This would improve the Dillon Ridge Marketplace Summit Stage transit loop.
- D. Trails Master Plan RFP- Released a week prior, the Town is seeking a consultant to assist in the evaluation and development of our trails system.

PUBLIC COMMENT:

Nick Dunham, business owner at 119 E. LaBonte Street, inquired about the development of the core area when the Town itself does not own those lands. Ned answered by explaining that the projects that have been discussed were proposed by an outsider developer, they were not Town driven nor are they adopted master plans. For many years redevelopment of the Town Center has been discussed, beginning shortly after the Town moved to the New Town of Dillon location with the filling of the reservoir.

Barb Richard, resident of 152 Tenderfoot Street, asked how far along they are at acquiring the Ptarmigan Inn and Skyline Theater. Ned answered by letting her know the Town does not have in timeline information on property acquisition. She also asked if Pug Ryan’s parking lot is included in the 4.3 acres of acquisition. Ned did not have that answer. She finally expressed concern over them “master plan” as a master plan is typically something the community has a large part in developing and that this is privately driven.

OTHER BUSINESS: No other business discussed.

ADJOURNMENT: There being no further business, Alison Johnston adjourned the meeting at 8:10 p.m.

Respectfully submitted,

Libba Muzi

Libba Muzi

Secretary to the Commission