

**TOWN OF DILLON
PLANNING AND ZONING COMMISSION**

**REGULAR MEETING
WEDNESDAY, August 2, 2023
5:30 p.m.**

**Council Chambers
275 Lake Dillon Drive**

CALL TO ORDER

The regular meeting of the Planning and Zoning Commission of the Town of Dillon, Colorado, was held on Wednesday, August 2, 2023, in person at the Dillon Town Hall. Chairperson, Alison Johnston, called the meeting to order at 5:34 p.m. Commissioners present were Suzanne Pugsley, Michael Parsons, Tom Karpowich, and Mark Cribbet. Staff members present were Ned West, AICP, Sr. Town Planner; and Libba Muzi, Recording Secretary.

APPROVAL OF THE MINUTES OF June 7, 2023, REGULAR MEETING

Commissioner Cribbet moved to approve the minutes from the June 7, 2023, regular meeting. Commissioner Parsons seconded the motion, which passed unanimously.

PUBLIC COMMENTS

No public comment.

EDAC UPDATE:

Michael Parsons gave an update of the previous EDAC meeting. Again, the group discussed Uptown 240 at great length. He noted that the sale of the property was set for 9/12, but it could go to foreclosure. Michael also noted that the committee has a new chair, Jackie Christensen, and a new vice chair, Oliver Luck.

DISCUSSION: Rooftop Mechanical Unit Screening & Application Submittal

SUMMARY:

The Dillon Municipal Code currently lacks clear regulations and design guidelines for roof top mechanical units short of screening requirements. Staff believes there needs to be a Code amendment to create additional regulations, guidelines, and application submittal requirements.

Currently the Code states:

Sec. 16-1-200. - Definitions. "Fully screened means screening through the use of fencing, building elements or landscaping that provides an opaque screen to a minimum of six (6) feet in height adequate to block the view of a particular use or structure from adjacent properties and public rights-of-way."

“Sec. 16-8-70. - Service areas. Service areas, outdoor storage, garbage cans and trash storage areas shall be screened from adjacent properties, streets and other public areas by fences, planting or other suitable means as approved by the Town.

(Ord. 19-96 §8.03)”

The Code provides for submittal requirements for Level II, III, & IV Development Applications which include new residential structures and additions, new commercial structures, new hotels, and Planned Unit Development (“PUD”) projects in DMC § 16-2-30, see Exhibit ‘A’. The Code does not detail roof and RTU submittal requirements. The adopted Town of Dillon Design Guideline (March 2017) speak to roof forms to embody the Town’s unique aesthetic, “Mountain Lakestyle,” architectural principals:

- Use of simple and dynamic roof forms with exposed structure and support systems
- Use of vertical openings and deep overhanging roofs and awnings

COMMISSIONER QUESTIONS:

The Commission looked at a couple of examples of current rooftop units across town. These included the Urgent Care on W. Anemone Trail and the Colorado Mountain College buildings. A Also discussed was the screening that was installed on the Dillon Medical Center.

Alison Johnston inquired about the potential of rooftop units violated building height requirements. Ned West cleared that up by stating that there is an extra eight feet given for mechanical structures, non-inhabitable spaces, and chimneys.

Michael Parsons asked if the terminology “screen” is well-defined enough to govern these requirements. Commissioner Cribbet added to that question by suggesting that the term “mechanical structures” may need to be better defined to clarify the end goal of the discussion.

Ned clarified that the town is essentially just trying to avoid unsightly structures on these buildings. He also questioned whether paint or camouflage qualifies as screening for such rooftop mechanical units. The Commission agreed that it does not, so Ned questioned what does qualify as screening that isn’t an unsightly structure in itself.

Suzanne Pugsley suggested potentially restricting the size of the structures themselves.

Alison Johnston inquired about safety and snow collection inside screened in structures.

The Commission wrapped up this portion of the conversation by agreeing that it is best to put recommending language in the code for now, instead of restricting language.

DISCUSSION: Parklets

The Dillon Municipal Code (“DMC”) currently does not have specific criteria related to Parklets. They are currently handled through temporary development permits. Parklets are public seating platforms that

convert curbside parking spaces into vibrant community spaces (National Association of City Transportation Officials <https://nacto.org/publication/urban-street-designguide/interim-design-strategies/parklets/>).

Town staff is interested in discussing Parklets with the Planning Commission as a potential feature to improve vibrancy and to increase potential public space.

COMMISSIONER QUESTIONS:

Ned began the conversation with the example of Scrappy's Pizza using parklets in the summer to create outdoor seating. Dillon has permitted this through a temporary use permit. He suggested this as a possibility for other businesses but noted that it may be more applicable to private properties.

Tom Karpowich suggested that there should be guidelines for those private properties that may want to utilize this option.

Alison addressed the difficulty of this with the already limited parking available in town.

DISCUSSION: WASTE AND RECYCLING ENCLOSURES

SUMMARY:

The Dillon Municipal Code currently lacks clear regulations and design guidelines for waste and recycling enclosures. Staff believes there needs to be a Code amendment to create such regulations and guidelines.

Currently the Code states:

“Sec. 16-8-70. - Service areas.

Service areas, outdoor storage, garbage cans and trash storage areas shall be screened from adjacent properties, streets and other public areas by fences, planting or other suitable means as approved by the Town.

(Ord. 19-96 §8.03)”

Suggested Code Criteria:

-It is unlawful to construct a trash and recycling enclosure without a Development Permit and building permit

-Anticipate a Level I (120 SF or less) or Level II (greater than 120 SF) review process

-Does the Planning Commission desire review authority, thus a Level III process? The Commission unanimously responded to this question that they do not feel they need to review such accessory structures except as currently specified in the code (Accessory structure greater than 200 square feet in a non-residential zoned area).

-Enclosures shall have a roof designed to support the snow and wind loads. The roof shall be designed such that it is not damaged during the servicing of the containers within the enclosure.

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- Enclosures for large capacity steel receptacles, "Dumpsters", shall be designed with bollards along the interior backside to prevent enclosure damage during servicing.
- Service openings shall be designed to provide not less than eighteen inches (18") of clearance on either side of the proposed container. The opening corners shall be designed with protection (bollards, steel angle iron, etc.) to prevent damage during servicing.
- Swing gates shall have a minimum eight (8) inch clearance above the ground -A minimum thirty-six-inch (36") access doorway for pedestrians shall be incorporated into the design.
- Provide at least one (1) trash and one (1) recycling container
- Provide a space equal to fifty percent (50%) of the trash container for a recycling container. Enclosures associated with restaurants shall also provide adequate space for a grease container.
- The design, color, and materials of the enclosure shall be architecturally compatible with the primary structure on the site.
- The enclosure shall be sited such that it is not a dominant feature on the frontage of the property.
- Enclosures shall be ventilated but said ventilation does not need to be mechanical unless required by applicable building codes.
- Enclosures shall be landscaped sufficiently enough to screen the structure from adjoining properties or roadways.
- All trash enclosures shall be structurally sound, maintained in good condition, kept clear of snow and ice, and kept clean at all times. No trash enclosure shall constitute a hazard to safety, health, or public welfare. The Town shall have the authority to cause the cleaning, repair, maintenance, or removal and replacement of all trash enclosures which are determined to be in disrepair or pose a hazard to safety, health, or public welfare.
 - Owners of trash enclosures shall have fifteen (15) days to comply with a notice to repair.
 - If said owner does not repair the enclosure to the satisfaction of the Town within said time period, the condition shall be deemed a nuisance and may be abated in accordance with the nuisance abatement provisions in this Code.

COMMISSIONER QUESTIONS:

The Commission discussed whether the town could treat residential and commercial property differently. Ned confirmed that it can.

The idea of strict language generally made the Commissioners feel as if it would deter owners from making extreme changes or improvements to their properties.

They also acknowledged how there would be a loss of parking to accommodate new recycling enclosures.

Alison acknowledged that some businesses also have garbage enclosures that do not include recycling and that the Code would need to consider those situations.

The Commission suggested potentially partnering up with DURA to create an incentive program to encourage trash enclosures or improvements to those which need it.

They also discussed how very expensive trash enclosures, being more of a structure than a fence, would be and expressed concern about it. Ned clarified that the regulations, if enacted, would apply to new developments and enforcement measures would apply standards of similar screening and not place the full burden of the potential requirements on existing enclosures.

With no consensus for draft language, Ned said he would bring it back to the Commission at a future meeting for further discussion.

DISCUSSION: TOWN CENTER AND PARKS & WATERFRONT SIGN ZONES

SUMMARY:

The Town is working on proposed Code amendments related to the creation of two new sign zones:

- Town Center Sign Zone
- Parks & Waterfront Sign Zone

COMMISSIONER QUESTIONS:

The Commission focused largely on property management signs during this section of the meeting due to the current language is outdated.

The Commission discussed many different options, including free-standing signs for clarity, but landed on having at least more than one sign designating the property management company per building.

Lastly, they briefly discussed the type of sign material that is allowed in the Town Center.

DISCUSSION: COMMERCIAL PARKING

During the previous discussion on the subject the Planning Commission was mixed on how to apply parking schedules to such uses as music venues and bowling alleys.

Based on a review of numerous municipal codes, Town staff believes the current requirement of four (4) parking space per alley, plus an additional space per employee aligns well as an industry standard.

Town staff has consulted with design professionals experienced with music venues and based upon their recommendations of providing one (1) parking space for every two and a half (2-1/2) people, staff seeks Planning Commission direction for a potential Code Amendment.

Town staff also seek input on bicycle parking requirements and if there is a desired ratio of bicycle parking spaces to those required for vehicles.

COMMISSIONER QUESTIONS:

The Commission covered the current requirement of one parking space per two and a half people for entertainment venues and were in general agreement with that parking requirement.

The conversation then moved on to bicycle parking and the lack of language in the current code. The Commission suggested clarifying specifically where bicycle parking would be needed due to it not being a year-round necessity.

DISCUSSION: CONTINUING STUDY OF THE COMPREHENSIVE PLAN

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.

Various subjects were discussed, and a review of previous suggested language for the water and utilities portion and the recreation and tourism portions was performed.

PROJECT UPDATES:

- Lodgepole paving has been completed. The bathroom will be installed in September with everything online (power and water) hopefully by October. It will be a year-round bathroom facility.
- The Marina is working on finishing the fuel service dock improvements in the wharf area.
- ADA seating at the amphitheater is currently being discussed.
- The Wayfinding project with CU Denver UTAP students continues.
- Design efforts for the Town center Walkability are ongoing.

OTHER BUSINESS:

No other business was discussed.

ADJOURNMENT

There being no further business, Alison Johnston adjourned the meeting at 7:48 p.m.

Respectfully submitted,

Libba Muzi

Libba Muzi
Secretary to the Commission