

RESOLUTION PZ 07-18
Series of 2018

A RESOLUTION BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON RECOMMENDING AMENDING CHAPTER 16, “ZONING,” ARTICLE III, “ZONING DISTRICTS,” SECTION 16-3-170, “MIXED USE (MU) ZONE,” OF THE DILLON MUNICIPAL CODE REGARDING MULTI-FAMILY RESIDENTIAL USES IN THE MIXED USE (MU) ZONE DISTRICT

WHEREAS, the Planning and Zoning Commission of the Town of Dillon, desires to amend Chapter 16, “Zoning,” Article III, “Zoning Districts,” Section 16-3-170 “Mixed Use (MU) Zone,” Subsection (5) “Multi-family supplemental standards within the MU Zoning” to authorize any amount of multi-family residential use pursuant to the PUD process, criteria, and requirements; and

WHEREAS, following the required notice, a public hearing was held on April 4th, 2018, before the Planning and Zoning Commission of the Town of Dillon on amending Chapter 16, “Zoning,” Article III, “Zoning Districts,” Section 16-3-170 “Mixed Use (MU) Zone,” Subsection (5) “Multi-family supplemental standards within the MU Zoning” to authorize any amount of multi-family residential use pursuant to the PUD process, criteria, and requirements; and

WHEREAS, following the public hearing the Planning and Zoning Commission of the Town of Dillon has determined that it is in the best interest of the Town to make a recommendation to the Town Council of the Town of Dillon to amend Chapter 16, “Zoning,” Article III, “Zoning Districts,” Section 16-3-170 “Mixed Use (MU) Zone,” Subsection (5) “Multi-family supplemental standards within the MU Zoning” to authorize any amount of multi-family residential use pursuant to the PUD process, criteria, and requirements, as set forth herein below.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO, AS FOLLOWS:

Section 1. That the Planning and Zoning Commission of the Town of Dillon hereby makes a recommendation to the Town Council of the Town of Dillon to amend Chapter 16, “Zoning,” Section 16-3-170(5) of the Dillon Municipal Code to read as follows (words to be added underlined; words to be deleted ~~stricken~~):

Sec. 16-3-170. Mixed Use (MU) Zone.

- (5) *Multi-family supplemental standards within the MU Zoning:*
- a. Single-family uses: not allowed in any situation.
 - b. Duplex uses: not allowed in any situation.

c. Multi-family residential standards:

1. Residential uses in the Mixed Use zone shall be reviewed through the Level IV Development Permit process as set forth in this Code.

2. Except as provided in subsection 3, below, Multi multi-family residential uses are only allowed as a permitted use if developed in conjunction with a retail store, entertainment use, medical or dental clinic, restaurant or office use, or similar use. The multi-family residential use shall not exceed eighty percent (80%) of the total gross square footage of a building, or a combination of buildings on any one (1) lot at any one (1) time, except as provided in subsection 3, below.

3. A project developed through the PUD process with up to one-hundred percent (100%) multi-family residential use may be considered approved, provided that the PUD development standards plan furthers the objectives of the Town, is supported by the PUD is in general conformity with the adopted Comprehensive Plan, and is designed to complement the surrounding areas, blend into the architectural character of the community, and meet the criteria set forth in Article V of this Chapter and the multi-family residential standards of this Section.

4. Parking for the multifamily residential uses shall be distinct from any other parking on-site, shall be in a separate area (separate from the retail/office/etc. parking) whenever possible and shall be signed for the exclusive use of the residents.

5. The multi-family residential uses are provided with private yards or common outdoor open space. This standard may be met by providing an area either on-grade, or through the use of decks and/or balconies.

6. The commercial component of a project should occupy a primary commercial street frontage.

7. The project provides pedestrian and vehicle connectivity between the residential and commercial uses of the project and surrounding areas.

8. The relationships of scale and connectivity with the community and the surrounding developments are appropriately addressed in the design of the project.

9. Residential use projects in the Mixed Use Zone shall provide units for year-round workforce housing incorporated into the project, and the applicant for the residential use shall execute such agreements with the Town as required by the Town to preserve the workforce housing component of the project in perpetuity, including, but not limited to, a Restrictive Covenant and Agreement for Workforce Housing.

RECOMMENDED FOR ADOPTION THIS 4th DAY OF APRIL, 2018 BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO.

**PLANNING AND ZONING COMMISSION,
TOWN OF DILLON**

By: _____
Amy Gaddis, Chairperson

ATTEST:

By: _____
Corrie Woloshan, Secretary to the Commission

**TOWN COUNCIL ACTION ITEM
STAFF SUMMARY
APRIL 4, 2018 PLANNING AND ZONING COMMISSION MEETING**

DATE: MARCH 29, 2018

AGENDA ITEM NUMBER: 5

ACTION TO BE CONSIDERED:
Consideration of Resolution No. PZ 07-18, Series of 2018;

A RESOLUTION BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON RECOMMENDING AMENDING CHAPTER 16, "ZONING," ARTICLE III, "ZONING DISTRICTS," SECTION 16-3-170, "MIXED USE (MU) ZONE," OF THE DILLON MUNICIPAL CODE REGARDING MULTI-FAMILY RESIDENTIAL USES IN THE MIXED USE (MU) ZONE DISTRICT.

PUBLIC HEARING

PUBLIC HEARING AND ADOPTION PROCESS:

A Public Hearing is required for Chapter 16 "Zoning" code amendments. The Town provided public notice of the public hearing by postings and running legal ads on March 23rd and 30th.

The Planning and Zoning Commission makes a recommendation to Town Council to adopt zoning Code amendments, and the Council adopts such amendments by Ordinance following a Town Council Public Hearing.

SUMMARY:

The purpose of this Code amendment is to provide increased flexibility when considering applications for multi-family projects in mixed-use buildings in the Mixed Use (MU) zoning district. The Code amendment adds the words "up to" to the Code language that speaks to the percentage of multi-family residential use in the Mixed Use (MU) zone. The amendment allows for up to 100% multi-family residential through the PUD review process. The current Code reads that a project may be 100% multi-family residential use through the PUD. This change allows for a range between that percentage allowed as a use by right, eighty percent (80%), and that potentially available through the PUD process, one-hundred percent (100%). This change will allow a mixed-use project to propose an eighty-eight percent (88%) multifamily residential project, for instance, which still keeps some commercial aspect to the project.

BUDGET IMPACT:

None

MOTION FOR APPROVAL:

I move the approval of Resolution 05-18, Series of 2018

ACTION REQUESTED:

MOTION, SECOND, ROLL-CALL VOTE

Resolutions require affirmative votes from majority of members present

DEPARTMENT HEAD RESPONSIBLE:

Scott O'Brien, Public Works Director