

**TOWN OF DILLON
PLANNING AND ZONING COMMISSION**

**WEDNESDAY, February 6, 2019
5:30 p.m.
Dillon Town Hall**

CALL TO ORDER

The meeting of the Planning and Zoning Commission of the Town of Dillon, Colorado, was held on Wednesday, February 6, 2019 at Dillon Town Hall. Chair Teresa England called the meeting to order at 5:35 p.m. Commissioners present were: Teresa England, Joshua Ryks, and Alison Johnston. Commissioners Derek Woodman and Steve Milroy were absent. Staff members present were Dan Burroughs, Town Engineer / Community Development Coordinator; Nicolas Cotton-Baez, Town Attorney; Scott O'Brien, Public Works Director; and JoAnne Tyson, Human Resources Manager/Recording Secretary.

APPROVAL OF THE MINUTES OF JANUARY 9, 2019 SPECIAL MEETING

Commissioner Johnston moved to approve the minutes from the January 9, 2019 special meeting. Commissioner Ryks seconded the motion, which passed unanimously.

PUBLIC COMMENTS

There were no public comments.

CONSIDERATION OF RESOLUTION PZ 03-19, SERIES OF 2019

A RESOLUTION RECOMMENDING AMENDING CHAPTER 16 OF THE DILLON MUNICIPAL CODE REGARDING THE AMENDMENT OF DEVELOPMENT PERMITS.

PUBLIC HEARING:

A Public Hearing is required for this resolution. The Planning and Zoning Commission shall open a Public Hearing on the resolution and hear testimony from Town staff, and any public testimony submitted during the Public Hearing.

Chair Teresa England opened the public hearing at 5:37 p.m.

Dan Burroughs, Town Engineer, presented the staff summary.

SUMMARY:

Mr. Burroughs stated that the proposed resolution presents changes to Chapter 16 "Zoning", Article II "Development Permit Process," Section 16-2-10 "General Provisions" of the Dillon Municipal Code, adding language to allow staff to amend staff level development permits (Level I and Level II Developments) and setting forth procedures for amending Level III and Level IV development permits. He further stated that in the course of development pursuant to an approved development permit, a developer may have reasons to propose major or minor adjustments to an approved development permit to respond to changes in circumstances or planning. There are currently no express provisions in the Dillon Municipal Code that set forth a process for consideration and approval of proposed amendments to previously approved development permits, the absence of which provisions impedes efficient development and causes confusion. If approved by

Council, the proposed amendment would allow for greater efficiency and flexibility in the development process.

PUBLIC NOTICE:

Pursuant to the Town Code and Development Regulations, proper notification of the public hearings was published. The required public notice was provided in a legal notice in the newspaper and public postings at Dillon Town Hall and the Post Office. Said public notification was done in accordance with the requirements set forth in the Dillon Municipal Code.

PLANNING COMMISSION ACTION (PROCEDURE):

The Commission, after review of the proposed resolution, shall either recommend approval of the resolution, with or without modifications, continue the public hearing to a future meeting or recommend denial.

PUBLIC COMMENTS:

There were no public comments.

Commissioners requested additional language in sections (2) and (3) of the resolution; specifically taking “and minor” out of section (2) and adding “...development permit and minor changes, as defined in subsection (d)(1) to an approved Level III development permit ...” and “...correction or adjustment to an approved Level III or IV development permit, or a minor change to a Level III development permit,...” in section (3).

Chair Teresa England closed the public hearing at 5:49 p.m.

Commissioner England moved to approve Resolution NO. PZ 03-19 Series of 2019. Commissioner Ryks seconded the motion, which passed unanimously.

SolSmart DISCUSSION

Mr. Burroughs reported that the Town of Dillon joined the SolSmart program to gain free technical assistance in reviewing the Dillon Municipal Code, implementing action strategies, and streamlining the application process for solar energy system installations. While the program is funded by the U.S. Department of Energy Solar Energy Technologies Office, the Town is working with High Country Conservation Center (HC3) for the program. The towns of Breckenridge, Dillon, Frisco, Silverthorne, and Summit County (application in process) are all working with SolSmart. SolSmart’s website recognizes cities, counties, and small towns for making it faster, easier, and more affordable to go solar. Their national team of experts provides no-cost technical assistance to help local governments become "open for solar business."

The Town of Dillon is participating in the county wide collaborative effort in developing the community’s Climate Action Plan (Plan). The Plan sets forth aggressive goals and strategies to reduce the overall greenhouse gas emissions in Summit County. The Plan is in the final draft stage and will be presented to the Dillon Town Council during the work session on March 5, 2019 by High Country Conservation Center. The Plan sets emission reduction goals of 50% by 2030 and 80% by 2050.

Several sectors are identified for focus in the Plan: renewable energy, building energy, transportation, waste reduction, and forests. Feedback from community members attending the November 14, 2018 Climate Action Collaborative Open House focused much on renewable energy and solar photovoltaic energy.

To ensure that the Dillon Municipal Code (Code) does not impede strategies to achieve the goals set forth in the collaborative Climate Action Plan, the Town has been reviewing its Code, policies, and goals. Working with the SolSmart program is aiding in this effort.

As currently ordained in the Code, a roof mounted solar energy system is reviewed as a Level I Development which is a staff level approval process. A ground mounted system is a Level III Development process, which requires Planning and Zoning Commission review and approval in a public hearing. Town staff currently reviews solar energy system applications as an accessory use; however, that is not clearly set forth in the Code. The Code is relatively silent on solar other than the review processes, and a few references such as appropriately situating buildings for solar access in new subdivisions and references to protecting solar access relating to new subdivisions and planned unit developments. Definitions are lacking, and best practices have not been adopted for solar energy systems.

Since solar energy is not more specifically addressed in the Code, it does not give potential interested parties confidence in the review and approval process. This is considered a barrier to solar energy system installations.

Experts at the National Renewable Energy Laboratory (NREL) in Golden, in collaboration with the SolSmart program, have reviewed the Dillon Municipal Code and have recommended strategies to improve the Code and streamline the process which include definitions and general regulations. Town staff have also received training in implementing solar photovoltaic energy system goals and strategies in Comprehensive Plans. The Town will continue to work with the SolSmart program to develop Code language consistent with best practices and to enable solar energy systems to be an allowed accessory use.

Commissioners asked several questions regarding the effects of Homeowner Associations and the impacts on their neighbors, the oversimplification of Level 1 development, and public hearing process. The Commissioners directed staff to discuss this issue with Dillon Town Council and/or to further discuss the hearing process criteria.

DILLON MUNICIPAL CODE CHAPTER 16 AND 17 REVIEW DISCUSSION:

Mr. Burroughs reported that RG and Associates was hired to review Chapter 16 and 17 of the Dillon Municipal Code. With the Town of Dillon's renewed development pressures, it is necessary to analyze the existing Land Development Code and Subdivision Regulations. The objective of this assessment was to identify strengths, challenges, and opportunities within the current regulations and recommend strategies and action step. RG and Associates suggests removing excess and unnecessary content throughout Chapters 16 and 17, correct grammatical changes and cross-referencing, and add references to applicable Colorado Revised Statutes sections related to Vested Property Rights, Adequate Water Supply, and Wildland Fire Planning, update definitions, evaluate Zoning District requirements, and clarify the Planned Unit Development (PUD) process. Mr. Burroughs requests the Commissioners to review the Development Regulations Assessment Report and bring any recommended changes to the April 3, 2019 Planning & Zoning Meeting. The Commissioners suggested discussing the proposed changes at a joint work session with Town Council.

PROJECT UPDATES:

- Christy Sports: This project is in its final stages and is anticipated to open in 3 – 4 weeks.
- Sail Lofts: The second phase of this project is anticipated to start this summer.
- Vail Health: Approved at the Town Council level.
- Homewood Suites: This project was considered at the February 5, 2019 Town Council meeting and was continued to the February 19, 2019 meeting.

- Upcoming projects: There may be three applications to consider at the March 6, 2019 Planning and Zoning meeting. The applicant is currently reviewing staff comments.
- PUD Sign Plan: We may be reviewing a PUD Sign Plan at the March 6, 2019 Planning and Zoning meeting.

OTHER BUSINESS:

- Public Works Director Scott O'Brien asked the Commissioners if they would like/use a tablet to review packet materials.
- An RFP being developed for a Town Center Parking Study will evaluate:
 - What we currently have for parking.
 - What do we need for parking.
 - What is the cost for additional parking/parking structure.
 - Do we need a pay parking strategy or parking district.Once the RFP is awarded, the consultant will look into these items and report to Town Council.
- An RFP for a Walkability Study of the Town Core currently being developed will look at community multi-modal transportation and pedestrian connectivity. An alternate proposal will consider connectivity to other areas of town, including Dillon Ridge.

ADJOURNMENT

There being no further business, Teresa England adjourned the meeting at 7:00 p.m.

Respectfully submitted,

Jo-Anne Tyson

Jo-Anne Tyson
Secretary to the Commission