

**PLANNING AND ZONING COMMISSION ACTION ITEM
STAFF SUMMARY
JULY 1, 2020 PLANNING AND ZONING COMMISSION MEETING**

DATE: June 26, 2020

AGENDA ITEM NUMBER: 4

ACTION TO BE CONSIDERED:

Consideration of Resolution No. PZ 08-20, Series of 2020. (PUBLIC HEARING)

**A RESOLUTION RECOMMENDING APPROVAL OF A LEVEL IV
DEVELOPMENT APPLICATION FOR A PUD LANDSCAPE PLAN FOR
THE MULTI-FAMILY PROJECT AT 14 ENSIGN DRIVE.**

TOPIC:

The Town has received a Level IV Development Permit Application for a PUD Landscape Plan for the multi-family development at 14 Ensign Drive, more specifically described as Lot 1, Block 5, Corinthian Hill Subdivision. The applicant is Chills LLC. The Application is submitted to provide for site specific landscaping requirements, which deviate from the general landscape requirements found in the Dillon Municipal Code, through the Planned Unit Development review process. The submittal of the Application is in response to a condition of approval of the multi-family development on the site.

BACKGROUND / TIME FRAME:

- June 5th, 2019: Planning and Zoning Commission Public Hearing and Approval of a Level III Development Application for a four (4) unit, two (2) building multi-family development at 14 Ensign Drive.
- June 14th, 2019: Town Council notification of the Planning Commission Approval. The Town Council chose not to call up the application for their own review and the Planning Commission decision thus stands.

PUBLIC NOTICE:

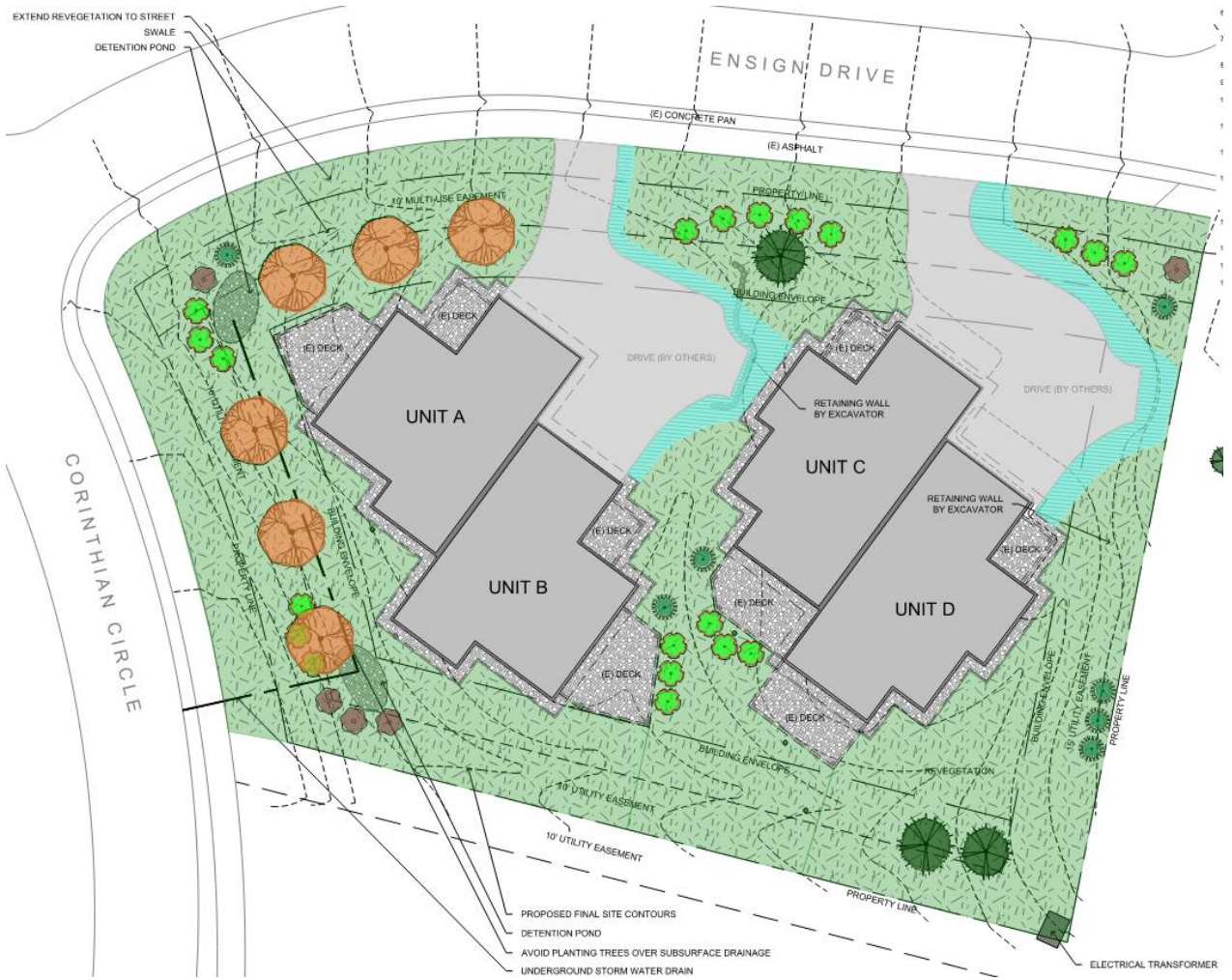
Level IV Applications require public hearings before both the Planning and Zoning Commission and the Town Council. The Town posted signs of the Public Hearing on site on Thursday, June 18th, 2020. A newspaper ad ran in the Summit Daily (Journal) on Friday, June 19th, 2020 and a mailing noticing the public hearing time and date was sent out on Friday, June 19th, 2020 to property owners within 300' of the Application. Notices were also placed in the Town of Dillon public posting locations. These dates and notification distribution are all within the required 7-day minimum and 14-day maximum notice period required by the Dillon Municipal Code (the "Code").



14 Ensign Project Vicinity



14 Ensign is currently vegetated with low lying, native Rabbitbrush; similar to sage. There are no existing trees on the site.






14 Ensign PUD Landscape Plan

PLANT SCHEDULE

<u>DECIDUOUS TREES</u>	<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>SIZE</u>	<u>CONTAINER</u>	<u>QTY</u>
	Malus x 'Spring Snow'	Spring Snow Crab Apple	2" Cal.	B&B	6
<u>EVERGREEN TREES</u>	<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>SIZE</u>	<u>CONTAINER</u>	<u>QTY</u>
	Pinus longaeva	Bristlecone Pine	6' Ht.	Collected	1
	Pinus longaeva	Bristlecone Pine	8' Ht.	Collected	2
<u>SHRUBS</u>	<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>SIZE</u>	<u>CONTAINER</u>	<u>QTY</u>
	Prunus virginiana	Chokecherry	5 gal		5
	Ribes alpinum	Alpine Curreant	5 gal		20
	Salix purpurea 'Nana'	Dwarf Arctic Willow	5 gal		7

REFERENCE NOTES SCHEDULE

<u>SYMBOL</u>	<u>DESCRIPTION</u>	<u>QTY</u>
	Snow Stacking	877 sf
<u>SYMBOL</u>	<u>DESCRIPTION</u>	<u>QTY</u>
	Short Grass Seed & 3" of Topsoil	12,574 sf
<u>SYMBOL</u>	<u>ROCK DESCRIPTION</u>	<u>QTY</u>
	4"-6" Cobble Rock	2,240 sf

CODE ANALYSIS & THE APPLICATION:

Zoning District: The Application is located in the Residential Medium (RM) Zone. Developments in the RM zone are to follow the landscape requirements set forth in Article VII “Landscaping” of Chapter 16 “Zoning” of the Dillon Municipal Code except as provided for in Article V “Planned Unit Development.” Recommended plant species are found in Chapter 7 of the Code. See Appendix ‘A’ of this staff summary for the specific Code requirements.

Summary Landscaping Requirements:

- Street Trees: One (1) tree for every fifteen linear feet (15 LF) of street frontage including front and side yards adjacent to streets.
- Tree Height: Minimum six foot (6’) with twenty-five percent (25%) of the proposed trees to be eight foot (8’) tall.
- Tree Caliper: Minimum one and a half inches (1-1/2”) measure two inches (2”) above the ground.
- Tree Types: Minimum thirty percent (30%) evergreens with twenty-five percent (25%) of the evergreens required to be at least eight feet (8’) tall.

No trees shall be planted within ten (10) lateral feet of any underground water line, sewer line, transmission line or other underground public utility. In addition to the required trees, the site shall be landscaped with grasses, ground cover, and shrubs suitable to the site and in fitting with the adjacent residential properties.

All required yards and the entire open space of all multi-family dwelling sites, exclusive of walks, drives, parking areas and buildings, shall be landscaped and permanently maintained. Landscaping shall primarily consist of ground cover, trees, shrubs and other living plants with sufficient irrigation to properly maintain all vegetation. Revegetation of the site is required. All surface areas designated on the approved site plan that will not be a hard surface shall be planted with adequate ground cover as approved by the Town and shall be top-dressed with a minimum of two (2) inches of topsoil prior to planting. In addition, irrigation systems shall be provided in those instances where required to guarantee the proper growth of the landscaping being provided.

Plants Provided with Application:

	<u>Linear Feet</u>	
Street Frontage	303'-4" +/-	
	<u>Required</u>	<u>Provided</u>
Street Trees at 1 per 15 LF	20	7
Street Shrubs	-	21
Additional Trees	-	2
Additional Shrubs	-	11
TOTAL:	20	41
Required Evergreens	7	3
Required 8' Evergreens	2	2

The application deviates from the general Code requirements by providing fewer evergreens and street trees. This is in response to the Corinthian Hill Property Owner's Association who asked the Applicant to provide a landscape plan that does not impact neighboring views of the lake and mountains by having too many tall growing evergreen trees. The Applicant has proposed Bristlecone Pine trees that are slow growing and do not have an excessive mature height. The other tree species provided is Spring Snow Crabapple which also do not grow very tall. The maximum mature height of a Bristlecone Pine is about 25 feet, and a Spring Snow Crabapple maximum mature height is about 20 feet. In contrast Colorado Spruce and Blue Spruce trees can grow up to 75-115 feet tall. Where the plan may lack in the total number of street trees, it more than makes up for that with the numerous additional shrubs of varying species: Chokecherry, Alpine Current, and Dwarf Artic Willow.

Snow Storage: The Code requires snow storage areas of not less than 25% of the hardscape snow removal area. The site has approximately 2,930 square feet of hardscape requiring snow removal. The PUD Landscape Plan shows a total of 877 square feet of snow storage provided, which is 30% of the hardscape area.

Off-Street Parking: Parking is provided in the garages of the units, as well as surface parking in front of the garages. There are two separate driveway cuts proposed, one for each of the two buildings. The Code requires off-street parking areas to be screened with landscaping. Landscaping is provided in the vicinity of the driveways to screen vehicles.

REVIEW AND FINDINGS BY PLANNING AND ZONING COMMISSION:

Section 16-5-130 of the Dillon Municipal Code provides the following review criteria for a PUD application:

Commission action. The Planning and Zoning Commission, after review of the PUD landscape plan and program under the Level IV development review process shall either recommend approval of the application, with or without modifications and conditions or recommend denial. A recommendation for approval of a PUD shall be based on the following findings:

a. The proposed development and PUD landscape plan are in substantial conformance with the Comprehensive Plan. *The Comprehensive plan recognizes that trees grow slower at Dillon's altitude versus lower elevations in the state. As such, the Comprehensive plan stresses that plantings should be of high quality, suitable for the mountain environment and weather conditions of the Town and should be supported with irrigation to ensure that they thrive for years following planting. The Comprehensive plan also states that the Town should provide a planting species list of suitable vegetation for the Town and stresses that species diversity is imperative to forest health. Many of the proposed plants are found in the list of species provided for in Section 7-5-140 of the Code, see Appendix 'A'. The site is to be irrigated so the trees will be supported by seasonal watering. The PUD Landscape Plan was developed by an experienced, local landscape design and installation company familiar with viable species for the area.*

b. The PUD as set forth in the PUD Landscape Plan will not have an adverse impact on the surrounding area. The PUD is compatible with the scale, intensity, and type of land uses located on adjacent property. *The PUD Landscape Plan will not have any adverse impacts on the surrounding area and is compatible with the land use on the neighboring residential properties. It was developed*

in response to the desires of the neighborhood and was approved by the Corinthian Hill Property Owners Association board of directors.

c. The proposed benefits offset the proposed exceptions to the underlying zoning district and the subdivision regulations, and such exceptions are in the best interest of the public health, safety and welfare. *The PUD Landscape Plan will provide screening of the development and is designed to lessen the obstruction of views from neighboring properties.*

d. Streets are adequate to support the anticipated traffic and the development will not overload the streets outside the planned area. *Does not pertain to this application.*

e. The proposed utility and drainage facilities are adequate for the population densities and type of development proposed and will not create a drainage or pollution problem. The timing of installation of utility and drainage facilities will be closely coordinated with development construction and will not create a hardship on residents either within or outside the planned area. *The Application provides for onsite stormwater detention and water quality. The site is to be entirely re-vegetated and maintained with irrigation.*

f. The density in the proposed development will not result in the inability on the part of the Town or utility providers to provide public utilities or services to the project. The applicant must furnish to the Town such additional water rights, storage right and treatment capacity in the Joint Sewer Authority wastewater treatment plant as found necessary by the Town to serve the development following build out. The Town shall determine the quantity and quality of water rights required. *Does not pertain to this application.*

BUDGET IMPACT: None

MOTION FOR APPROVAL:

I move we approve Resolution 08-20, Series of 2020 with conditions as presented.

ACTION REQUESTED: Motion, Second, Roll Call Vote.

Resolutions require the affirmative vote of a majority of the members present.

DEPARTMENT HEAD RESPONSIBLE: Scott O'Brien, Public Works Director

Appendix 'A' Dillon Municipal Code Excerpts

ARTICLE V - Planned Unit Development

Sec. 16-5-120. - PUD development standards.

(k) Landscaping. The PUD shall provide for landscaping that is appropriate for the uses in the approved PUD development plan and compatible with area landscaping and streetscape plans.

ARTICLE VII - Landscaping and Vegetation

Sec. 16-7-10. - Intent.

This Article is intended to provide for the health, safety and welfare of the citizens of the Town by preserving existing vegetation and providing that future development provide landscaping that meets the following objectives and criteria:

- (1) All efforts will be made to preserve existing trees.
- (2) Proposed landscaping improvements will be of high quality and guaranteed by the developer.
- (3) Proposed landscaping improvements will be of such species as necessary to live in the Town's mountain environment.
- (4) Landscaping to be installed shall be of a sufficient quantity and size to:
 - a. Screen all buildings from adjoining properties.
 - b. Screen parking areas from roads and neighboring properties with dense landscaping.
 - c. Provide a buffer between commercial properties and the road through substantial landscaping. Such buffers shall allow visibility by the general public, but also provide vegetation that will screen portions of the building and parking area.
 - d. Provide a landscaped area between residential properties and the street, including trees and other landscape materials.
 - e. Screen developments on slopes of over fifteen percent (15%). Developers shall be required to place additional trees in sufficient number to screen such properties from major thoroughfares, such as Highway 6 and Chief Colorow Street.

(Ord. 19-96 §7.01)

Sec. 16-7-20. - General landscape requirements.

All yards and parking areas shall be landscaped in accordance with the following requirements:

- (1) Provisions for landscaping, screening and maintenance are a continuing obligation of the property owner, and where approved trees, shrubs or other landscaping materials die

or are removed, it shall be the responsibility of the applicant to replace them with materials of a comparable nature and size to those originally approved.

- (2) Site plans indicating landscaping improvements shall be included with the plans submitted to the Planning and Zoning Commission for approval. Issuance of a building permit includes these required improvements which shall be completed or guaranteed prior to issuance of a certificate of occupancy.
- (3) Existing trees, plant material and special site features shall be preserved within a project site to the fullest extent possible.
- (4) All required yards and the entire open space of all multi-family dwelling sites, exclusive of walks, drives, parking areas and buildings, shall be landscaped and permanently maintained. Landscaping shall primarily consist of ground cover, trees, shrubs and other living plants with sufficient irrigation to properly maintain all vegetation. Decorative design elements such as fountains, pools, benches, sculptures, planters, fences and similar elements may be placed within the area but shall not be the dominant feature of any yard.

(Ord. 19-96 §7.02)

Sec. 16-7-30. - Specific requirements.

- (a) All open storage areas shall be screened from public rights-of-way or adjacent property by use of landscaping, berms or a combination of landscaping and other structural elements to a height of six (6) feet. Parking or storage uses accessory to a primary single-family use and located on an adjoining lot shall be fully screened with the use of decorative fencing that is architecturally compatible to the primary residence (using wood, stone or similar natural materials).
- (b) Any site contiguous to or facing any residential zone or residential use shall screen its parking areas, loading docks or similar uses through the use of landscaping elements to a height of four (4) feet.
- (c) All surface areas designated on the approved site plan that will not be a hard surface shall be planted with adequate ground cover as approved by the Town and shall be top-dressed with a minimum of two (2) inches of top soil prior to planting. In addition, irrigation systems shall be provided in those instances where required to guarantee the proper growth of the landscaping being provided.
- (d) Not less than seven percent (7%) of the interior of all parking lots and drive-in establishments shall be placed in landscaping.
- (e) Trees shall be provided in the following manner:
 - (1) Street trees shall be provided for all projects where front yards are required, at a rate of one (1) tree for every fifteen (15) linear feet, or fraction thereof, of street frontage, including street side yards.
 - (2) In addition to the street trees required above, trees shall be provided for all projects other than single-family, at a rate of one (1) tree per five (5) parking spaces or fraction thereof. These trees shall be placed within or immediately adjacent to the parking lot.

- (3) Within all other yards, trees shall be provided in a number adequate to buffer the project from adjacent uses.
 - (4) All required trees shall be a minimum of six (6) feet in height, with the exception that twenty-five percent (25%) of the required trees for any project shall be a minimum of eight (8) feet in height.
 - (5) All required trees shall have a minimum caliper, measured two (2) inches above ground level, of one and one-half (1½) inches.
 - (6) A minimum of thirty percent (30%) of all required trees shall be evergreens, and at least twenty-five percent (25%) of the evergreens shall be a minimum of eight (8) feet in height.
- (f) Public rights-of-way adjacent to the site shall also be landscaped if in the opinion of the Commission such landscaping is necessary to complete the project. Specifically, the applicant is responsible for improving the area between the street roadway and the applicant's property line.

(Ord. 19-96 §7.02; Ord. 05-04 §7)

Sec. 7-5-140. - Recommended trees and shrubs.

The following Tables 7.1 and 7.2 contain lists of recommended trees and shrubs for the Town, as well as their watering needs, mature heights and the elevations at which they grow. This list does not contain all the trees and shrubs which will grow in the County, but rather the trees and shrubs which are native to this area. It is recommended that private property owners contact their local nursery to obtain information on planting location, correct planting techniques, watering needs and spacing. Generally, trees should not be planted closer than thirty (30) feet for large trees, twenty (20) feet for medium trees and ten (10) feet for small trees.

Table 7.1 - Recommended Trees

<i>Tree</i>	<i>Elevation (ft)</i>	<i>Height (ft)</i>	<i>Water Requirements</i>
Alpine Fir	Up to 10,000	60 to 100	Moderate
Balsam Poplar	Up to 10,000	50 to 100	Low to moderate
Bristlecone Pine	7,000 - 11,000	8 to 20	Low to moderate
Colorado Blue Spruce	6,000 - 11,000	65 to 115	Moderate
Colorado Spruce	Up to 9,500	60	Moderate
Douglas Fir	6,000 - 11,000	75	Moderate to moist
Engelmann Spruce	Up to 10,500	60	Moderate to moist
Lodgepole Pine	Up to 10,000	50 to 100	Low to moderate
Ponderosa Pine	Up to 10,500	80	Low to moderate
Quaking Aspen	Up to 10,000	40 to 50	Moderate to moist
Thin-leaf Alder	Up to 10,000	10	Moist to wet

Table 7.2 - Recommended Shrubs

<i>Shrub</i>	<i>Water Requirements</i>
Common Juniper	Low to moderate
Kinnikinick	Low to moderate
Big Sage	Low
Bog Birch	Moist to wet
Western River Birch	Moderate to moist
Rabbitbrush	Low
False Rock Spirea	Moderate to moist
Cliff Jamesia	Well-drained
Twinberry Honeysuckle	Moderate to moist
Creeping Mahonia	Moderate
Mountain Lover	Low to moderate
Mountain Ninebark	Moderate
Potentilla	Moderate
Native Chokeberry	Moderate
Antelope Bitterbrush	Low
Squaw Currant	Low to moderate
Whitestem Gooseberry	Moderate
Wood's Rose	Low to moderate
Thimbleberry	Moderate
Native Red Raspberry	Moderate
Coyote Willow	Moist to wet
Willow	Moist to wet
Climax Willow	Moderate to moist
Red Berried Elder	Moderate to moist
Russet Buffaloberry	Low to moderate
Mountain Snowberry	Moderate