

**TOWN OF DILLON  
PLANNING AND ZONING COMMISSION**

**REGULAR MEETING  
WEDNESDAY, JANUARY 6, 2021  
5:30 p.m.  
VIRTUAL MEETING VIA MICROSOFT TEAMS  
CONFERENCE ID: 845 744 976#**

**CALL TO ORDER**

The regular meeting of the Planning and Zoning Commission of the Town of Dillon, Colorado, was held on Wednesday, January 6, 2021 by electronic participation through the Microsoft Teams application. Chair Alison Johnston, called the meeting to order at 5:32 p.m. Commissioners present were Bill Engelman, Michael Parsons, Tom Karpowich. Staff members present were Ned West, Town Planner; Nicolas Cotton-Baez, Town Attorney, Scott O'Brien; Public Works Director, and Michelle Haynes, Recording Secretary.

**APPROVAL OF THE MINUTES OF AUGUST 5, 2020 REGULAR MEETING**

Commissioner Engelman moved to approve the minutes from the August 5, 2020 regular meeting. Commissioner Johnston seconded the motion. Being the only two (2) current members present at the August 5<sup>th</sup> meeting, the minutes were deemed unanimously approved, as confirmed by the Town Attorney who was consulted on the matter.

**CONSIDERATION OF RESOLUTION PZ 01-21, SERIES OF 2021 (Public Hearing)**

A resolution recommending an amendment to the table set forth in Article VI of chapter 16 of the Dillon municipal code to permit marijuana hospitality and sales establishments within the commercial and mixed use zone districts and to establish parking space requirements therefor.

**PUBLIC HEARING**

A Public Hearing is required for this application. The Planning and Zoning Commission shall open a Public Hearing on the application and hear testimony from Town staff, the applicant, and any public testimony submitted during the Public Hearing. Public notice was provided in accordance with the Code.

Chair Alison Johnston opened the hearing at 5:36p.m.

Town Planner, Ned West presented the staff summary and reviewed zone districts and requirements to the Commissioners.

**SUMMARY:**

This amendment permits marijuana hospitality and sales establishments within the C and MU zone districts, and establishes parking space requirements for such establishments. It also provides the required parking for a retail marijuana store so that the Code is clear in the intended parking requirements for these businesses. Because patrons of a marijuana hospitality and sales establishment will dwell in the location for a similar amount of time as a patron at a restaurant or bar, the marijuana hospitality and sales establishment is required to provide an equivalent amount of parking of one space for every 120 square feet of the licensed premises area. The retail marijuana store has the same required parking as a typical retail establishment, being 1 space for every 400 square feet.

Along with the Resolution recommending approval of the Code amendments, the draft Ordinance to adopt the amendments is attached for review. Although no substantive changes are anticipated for the attached draft Ordinance, it is possible that the Town Council may request changes to the Ordinance upon their review.

**PUBLIC COMMENTS:**

Three written public comments were given to each commissioner for their review and can be found in Attachment “A”.

There were no members of the public present to address the Commission with additional testimony.

**COMMISSIONER QUESTIONS:**

Commissioner Engelman asked Staff if there was a difference between a retail store vs. a sales establishment. Ned informed there is no difference between the two. Engelman asked about the logistics of consumption and law enforcement. Nicolas Cotton-Baez, Town Attorney, ensured Bill that Town Council will discuss this issue.

Commissioner Karpowich and Parsons asked questions regarding capacity and parking. Ned West informed them that each existing business will have to provide additional parking to accommodate an application for a Hospitality license. Indoor capacity fall under the fire code and will be determined by the local fire authority. Also, current public health restrictions will dictate occupancy.

Commissioner Johnston questioned the word Hospitality and if it included sleeping arrangements. Nicolas Cotton-Baez, assured her this is not the case.

**PUBLIC HEARING CLOSED:**

Chair Alison Johnston closed the public hearing at 6:02 p.m.

**RECORD OF PLANNING COMMISSION ACTION:**

Commissioner Bill Engelman moved to approve Resolution No. PZ 01-21 Series of 2021. Commissioner Michael Parsons seconded the motion, which passed unanimously.

**PUBLIC COMMENTS:**

There was no public present at Public Comments Sign In, no public comments were made on items not on the agenda.

**PROJECT UPDATES:**

- Vail Health: The building is going up quickly and is expected to be completed mid-summer 2021.
- Homewood Suites: Shooting to open in July.
- Urgent Care: On hold - Spring.
- Uptown 240: On hold – Spring.
- Sail lofts II: Finished.
- Panera Bread: Moving right along.
- Ice Castles: Still under deliberation with Town Council.

**OTHER BUSINESS:**

No other business was discussed.

**ADJOURNMENT**

There being no further business, Alison Johnston adjourned the meeting at 6:18 p.m.

Respectfully submitted,

*Michelle Haynes*

Michelle Haynes  
Secretary to the Commission

**Resolution PZ 01-21, Series of 2021**

Attachment 'A'  
Written Public comment  
Article VI of chapter 16  
Dillon municipal code

**From:** Lisa Peraino

**Sent:** Wednesday, January 6, 2021 1:42:15 PM

**Subject:** comments for consideration of Consideration of Resolution No. PZ 01-21, Series of 2021

Dear Dillon Town Manager, and Clerk

I am seeking clarification that Resolution No. PZ 01-21, Series of 2021: to allow marijuana hospitality establishments in commercial and mixed use zones within the Town of Dillon excludes the Core Area as annotated on the posted Dillon zoning map? As a property owner in the Town of Dillon, I do not believe it is appropriate for such establishments to operate in close proximity to residential and child care facilities and do not support allowing such facilities within the core area of town. I understand the town's desire to expand services within the town and the potential tax revenue it may produce. However, I believe the town of Dillon also has a duty to support the desires of its community and residents. If the core area is considered to be within the mixed use or commercial zones and has the potential for hosting a marijuana hospitality establishment, I register my opposition.

The Town of Dillon has a small physical footprint and it is critical that we are strategic in where we allow businesses to operate and where we can support community living and fostering neighborhood relationships. Please demonstrate to the citizens of Dillon you can support its residents while promoting business growth as well.

Thank you for your consideration,

Lisa Peraino

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**From:** Roland Gaasch

**Sent:** Tuesday, January 5, 2021 4:21 PM

**Subject:** Reference: P & Z Meeting 01/06/2021

Members of the committee and Town Board,

We would like to express our dissent with this new concept "Marijuana Lounge" being placed in the

heart of Dillon. We know the town board is desperate to bring business and sales tax monies into and from the town center. We have agreed with that goal for the last 32 years of our residency in Dillon. However placing a prototype concept of unknown consequences (since marijuana is consumed to “get high”) in the town center of Dillon, surrounded by family residences, is imprudent and unwise. There surely must be a more appropriate area, away from so many family homes, to place a startup such as this. The citizens and residents who call Dillon home deserve better!!

Sincerely, Roland and Diane Gaasch

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**From:** Beth Burright

**Sent:** Monday, January 4, 2021 8:53 AM

**Subject:** Deny Resolution to Permit Marijuana Hospitality and Sales Establishments

My husband and I have owned Lake Cliffe 201F for 26 years. We are extremely dismayed with and totally opposed to the resolution to permit marijuana hospitality and sales establishments. We do not want a congregation of potheads in our community. My husband is from Colorado Springs, so we have many friends and relatives that relate to us the damage done to communities by such establishments. Please deny this resolution.

The city of Dillon has made some really poor decisions over the years. This was once a nice little mountain town. You are trying to turn it into a metropolitan area. The hotel at the corner of Highway 6 and Lake Dillon Drive is a complete atrocity. Did anyone consider the impact other than additional sales tax revenue? It is ugly, takes away from views, will bring in more people traffic and car traffic than the city can handle. The amphitheater will be overrun. Restaurants will be overrun. And those are just a few of the problems. What possessed you to allow that is beyond me, especially in that location. If you add dope to the menu of Dillon offerings it will totally change this once nice mountain town into an overcrowded, pothead haven. My guess is that you are interested only in tax revenue.

If you want to improve the town then take the blighted area that exists in City Center. Add shops where people will want to go in and shop. Encourage venues such as candy stores, a doughnut shop, vacation-wear, etc. Put in a splash pool/fountain for kids in the summer. That will attract people that are desirable in our little town, not the potheads and their trash.

Again, we are requesting a denial of the marijuana resolution.

Beth and Phil Burright  
201 F Lake Cliffe  
816-510-0642