

**TOWN OF DILLON  
PLANNING AND ZONING COMMISSION**

**REGULAR MEETING  
WEDNESDAY, APRIL 6, 2022  
5:30 p.m.  
DILLON TOWN HALL**

**CALL TO ORDER**

The regular meeting of the Planning and Zoning Commission of the Town of Dillon, Colorado, was held on Wednesday, April 6, 2022, at Dillon Town Hall. Chair Alison Johnston, called the meeting to order at 5:33 p.m. Commissioner's present were Michael Parsons and Bill Engelman. Staff members present were Ned West, Sr. Town Planner; Nicolas Cotton-Baez, Town Attorney; and Michelle Haynes, Recording Secretary.

**APPROVAL OF THE MINUTES OF MARCH 2, 2022, REGULAR MEETING**

Commissioner Engelman moved to approve the minutes from the March 2, 2022, regular meeting. Commissioner Parsons seconded the motion, which passed unanimously.

**PUBLIC COMMENTS**

There were no public comments.

**CONSIDERATION OF RESOLUTION PZ 01-22, SERIES OF 2022 (PUBLIC HEARING)  
A RESOLUTION RECOMMENDING AMENDMENTS TO THE ACCESSORY  
DWELLING UNIT PROVISIONS OF THE DILLON MUNICIPAL CODE.**

**PUBLIC HEARING:**

A Public Hearing is required for a resolution recommending adoption of a Code amendment. The Planning and Zoning Commission shall open a Public Hearing and hear testimony from Town staff and any public testimony provided during the Public Hearing.

Chair Alison Johnston opened the public hearing at 5:35 p.m.

Ned West, Town Planner, presented the staff summary.

**SUMMARY:**

The Town Council is considering the establishment of an incentives program ("Incentives Program"), to encourage occupancy of Accessory Dwelling Units ("ADUs") by members of the local workforce. If adopted by the Town Council, the Incentives Program would authorize the Town's payment or reimbursement of water and sewer connection fees paid or due in connection with the establishment of a lawful ADU, upon the property owner's execution and recording of a deed restriction requiring the ADU to be rented to and occupied by members of the local workforce in perpetuity ("Deed Restriction").

There has been prepared a draft ordinance to amend the regulations for ADUs contained in Article IV of Chapter 16 of the Dillon Municipal Code (the "Code"), attached to the resolution as Exhibit A, in order to accommodate the Incentives Program, including the creation of an exception to the six (6) month minimum length of ADU lease requirement. The draft ordinance would also amend the ADU provisions of Article IV of Chapter 16 to clarify that two (2) kitchens are not permitted in any dwelling unit not containing a lawful ADU.

Discussion Item:

The Commission was asked to consider if amending the Code further as it relates to detached ADU's not above garages should be consider. The most recent ADU Code amendment allows for a "cottage" style ADU with the following provisions:

- “(6) If the accessory dwelling unit is proposed for construction in an accessory structure other than a freestanding or attached garage, satisfactory proof that the accessory structure will be:
  - a. Affixed to a permanent foundation;
  - b. No greater than six hundred (600) square feet in size; and
  - c. Set back at least thirty (30) feet from all lot lines.”

(Sec. 16-4-40. - Application requirements for accessory dwelling units.

[https://library.municode.com/co/dillon/codes/municipal\\_code?nodeId=DIMUCO\\_CH16ZO\\_ARTIVSUZOPR\\_DIVIMI\\_S16-4-40APREACDWUN](https://library.municode.com/co/dillon/codes/municipal_code?nodeId=DIMUCO_CH16ZO_ARTIVSUZOPR_DIVIMI_S16-4-40APREACDWUN) )

Staff has received some feedback on the 600 square foot limitation with the feeling the size limitation restricts such cottages too small causing them to be impractical to construct.

**COMMISSIONER QUESTIONS:**

The commission had a detailed conversation about the kitchen and tap fees for ADUs as stated in the resolution. The commission reviewed size of the units and why they should consider only one kitchen per unit unless they have a registered accessory dwelling unit. Ned West, Town Planner; explained the process of making an accessory dwelling unit, fire regulations, and the definition of a Kitchen. Tap fees for these units will be paid from the Workforce Housing Fund and are available for any existing ADUs. Ned West and Nick Cotton- Baez briefly touched on the CR-51 project and where it would fall in conjunction with this resolution. The Commission was concerned the housing funds (5A) might be depleted through the ADU incentives program. The fund balance and financing capability with the housing funds to continue to support the CR-51 project was discussed. The Commission discussed the square foot limitation for the cottage style ADU's. They unanimously agreed to increase the cottage ADU's to be permitted up to 900 square feet.

**PUBLIC COMMENTS:**

No public comments.

**PUBLIC HEARING CLOSED:**

Chair Alison Johnston closed the public hearing at 5:52 pm.

**RECORD OF PLANNING COMMISSION ACTION:**

Commissioner Bill Engelman moved to approve Resolution No. PZ 01-22 Series of 2022. Commissioner Michael Parsons seconded the motion, which passed unanimously.

**CONSIDERATION OF RESOLUTION PZ 03-22, SERIES OF 2022**

**A RESOLUTION APPROVING A MASTER SIGN PLAN AMENDMENT FOR THE MULTI-TENANT BUILDING LOCATED AT 765 W. ANEMONE TRAIL.**

A Public Hearing is not required for this application, but master sign plan amendments need to be reviewed and approved by the Planning Commission in a public meeting.

Chair Alison Johnston introduced the application at 5:54 p.m.

Ned West, Town Planner, presented the staff summary.

**PROJECT LOCATION:**

Multi-tenant building located at 765 W. Anemone Trail.

**SUMMARY:**

The Town has received a Class I Sign Permit Application for a Master Sign Plan Amendment (“Amendment”) for the multi-tenant building located at 765 W. Anemone Trail. The Amendment adds some signs and moves the location of some signs. An Amendment to an approved Master Sign Plan application requires review and approval by the Planning and Zoning Commission at a regular meeting. The Amended Master Sign Plan for the building is attached to the Resolution.

**Applicant: Dillon Factory Stores, LLC – Brown and Associates**

**Existing Master Sign Plan:** The existing Master Sign Plan for the building was approved by the Planning and Zoning Commission on May 6, 2020.

Permitted Tenant Signs exist for two tenants. Any future changes to the tenant signs will require the application for a new sign permit. There are currently no building identification signs mounted on the building, but one is authorized as a component of the master sign plan, if desired. The freestanding Business Area Directory (B.A.D.) sign is included in the plan.

**Master Sign Plan Amendment Consideration:**

The configuration of the tenant spaces in the building has changed and the sign plan amendment addresses that and the addition of decks to the building. Unit A is permitted a total of forty (40) square feet because it will now encompass a floor area greater than 2,500 SF.

The common elements of the amended sign plan are the shape, sign display locations, and the sign face material. Sign color, fonts, and letter size are not specified, and are evaluated on a tenant basis, with consideration given toward corporate branding and other specific wishes of the tenants. The property owner must approve tenant signs prior to the Town issuing the sign permits.

**COMMISSIONER QUESTIONS:**

The Commissioners had no questions and are all in favor of this amendment.

**RECORD OF PLANNING COMMISSION ACTION:**

Commissioner Bill Engelman moved to approve Resolution No. PZ 03-22 Series of 2022. Commissioner Michael Parsons seconded the motion, which passed unanimously.

**DISCUSSION: MULTI-FAMILY RESIDENTIAL PARKING REQUIREMENTS**

**SUMMARY:**

Ned West gave the Commission an explanation and review of the multi-family residential parking requirements.

The Planning Commission reviewed a resolution recommending the Town Council approve a Code amendment related to the multi-family and hotel parking regulations during their November 3, 2021, regular meeting. The Planning Commission voted to deny the resolution. A singular public comment relating to potential impacts the proposed regulations would have on development projects in the Core Area (CA) zone district influenced the Commission decision. The Commission desired the Town Council weigh-in on the

subject. The Town Council then discussed the subject during the Work Session on March 1<sup>st</sup>, 2022, and they deflected the subject back to the Planning Commission for further study.

The Town of Dillon currently faces significant parking issues associated with multi-family residential developments, especially those surrounding the Core Area. Some multi-family residential developments, such as many of the condominium buildings along La Bonte Street, are so deficient in parking that residents are forced to park in the Town owned Core Area rotating parking lots. These lots rotate every day, so vehicles cannot remain parked more than one night. This parking issue is exacerbated by the high percentage of these units being utilized for short-term rentals. Compliance with parking requirements in the Core Area, especially with overflow parking by short-term rental guests, is increasingly becoming an enforcement issue.

The Town engaged Walker Consultants to perform a Parking Study (“Study”) to evaluate strategies for improving the Town’s parking situation, to advise on potential remedies and potential funding sources, and to suggest potential Code amendments that may be warranted to address the issue. The study is attached hereto as ‘Exhibit A’. Although the Study, in part, was to evaluate future Town parking facilities, such as parking structures, the Town Council has determined such projects are currently cost prohibitive with projected costs of as much as \$42,000 (2019 cost estimate) per parking space. Such parking structures are thus currently viewed as a long-range goal.

The Dillon Municipal Code currently provides the following required parking schedule for multi-family residential parking as shown in *Table 1*.

<b>Multi-family Residential and Hotels</b>	<b>Required Spaces</b>
Efficiency, studio, 1-bedroom	1.5 spaces/unit
2-bedroom or greater	2 spaces/unit
Lodging, hotel, motel, bed & breakfast	1 space/bedroom

***Table 1. Current Multi-family and Transient Residential Parking Requirements***

The Walker Consultants Parking study compared Dillon with six (6) peer cities to evaluate how the Town’s multi-family parking compares. The Study found that, in many cases, Dillon’s parking requirements are less than some peer city requirements. The cities evaluated in the comparison were: Aspen, Basalt, Carbondale, Crested Butte, Estes Park and Vail. The results for the multi-family parking requirement indicate that the Town does not follow some municipalities who require more than two (2) parking spaces for three and four-bedroom dwellings.

Although the current rotating parking lots in the Town’s Core Area zone provide overflow parking for those existing developments in near proximity which are parking deficient, it is not sustainable. This configuration is a financial burden to the Town due to maintenance and management costs, remedies to which the Town Council is currently exploring based on the Study recommendations. Based on the belief that the Town cannot continually subsidize developments with deficient parking, proposed multi-family parking requirements for *new* developments were developed through work session discussions with the Town Council and the Planning & Zoning Commission.

The proposed parking scheduled was developed in part based on the Study findings suggesting the Town consider requiring 1 space per unit for studios, 1.5 spaces per unit for 1-bedroom units, 2 spaces per unit for 2-bedroom units, and 2.5 spaces per unit for three or more-bedroom units based on the Urban Land Institute (ULI) recommendations. In consideration of the Study recommendations as well as reviewing the parking issues the Town experiences in conjunction with discussions with the Planning Commission and the Town Council, staff developed parking requirements of one (1) parking space per bedroom along with additional

required overflow / guest parking, in an effort to address the over-crowding related to the short-term rentals and other residential use habit changes. This common-sense approach aligns with some peer communities and initially received support from the Town Council and the Planning Commission.

The Town Council was previously in favor of the one parking space per bedroom concept, with the exception that there remained the desire to retain the one and a half (1-1/2) parking spaces for efficiency, studio, and one-bedroom units as is currently in the Code. It was agreed that the additional overflow parking requirement of an additional ten percent (10%) of the total parking should be required.

Given the Planning Commission’s reluctance to recommend the parking schedule presented in *Table 2*, Town staff would like to continue the discussion with the Commission to develop a required parking schedule for new multi-family developments. The Commission is reminded that the parking required for projects reviewed and approved through the Planned Unit Development (PUD) process may deviate from the Code requirements.

Multi-family Residential and Hotels	Required Spaces
Efficiency, studio, 1-bedroom*	1.5 space/unit
2-bedroom*	2 spaces/unit
3-bedroom*	3 spaces/unit
4-bedroom*	4 spaces/unit
Lodging, hotel, motel, bed & breakfast*	1 space/bedroom
*Provision for Guest Parking	+10% of Total

**Table 2. Previously Proposed Multi-Family Parking Requirements**

Ned West suggested that since the Commission was not previously in favor of the parking schedule detailed in Table 2, that perhaps they would like to more closely consider the Urban Land Institute parking table presented in the Walker report.

Unit Type	Number of Required Spaces		
<b>Existing Dillon Code Requirements</b>			
Efficiency, Studio, 1-Bedroom	1.5	Spaces per	1 DU
2-Bedroom or Greater	2	Spaces per	1 DU
<b>ULI Recommended Base Ratios</b>			
Efficiency or Studio	1	Spaces per	1 DU
1-Bedroom	1.5	Spaces per	1 DU
2-Bedroom	2	Spaces per	1 DU
3-Bedroom or Greater	2.5	Spaces per	1 DU

**COMMISSIONER QUESTIONS:**

The Commission discussed multi-family residential parking requirements at length. They asked questions regarding guest parking, the Walker Consultants parking study, Sail Lofts, Town Council’s view on the topic, current negative effects, and accessible spaces.

Ned West explained to the Commission that Walker Consultants’ parking study was conducted utilizing Short Term Rental data, site observations, consultation of peer community regulations, and their professional experience. Commissioner Engelman did not feel it was a sufficient study.

Some of the Commission was in favor of the Guest parking calculator and the proposed required residential parking table provided by the Urban Land Institute but still felt guest parking should be required as well. Others were not in favor of the additional guest parking at a broadly applied 10% and would like Ned to work on a sliding scale and bring it back for review. Sr. Town Planner, Ned West explained that guest parking can also be used for snow storage and services vehicles which is a current issue at most the condominiums. The proposed parking schedule will include accessible spaces which fall under ADA requirements.

The group also asked what the Town Council thought of the requirements. Ned West explained that the Council felt a one-bedroom unit should still be required 1.5 parking spaces, but wanted the Commission to work on the other considerations. Also, the Council would like to see fees enforced for Short Term Rentals without proper parking. The Council would also like to see a rise in ticketing fees for improper parking.

These requirements will apply to all future developments. Nick Cotton-Beaz spoke to the Commission about the recommended conditions and what the fees will go towards and the positive outcome we would see if implemented. Alison stated the idea of changing the Code and setting a precedence for all future development, might work best. Alison also asked about the Sail Lofts parking situation and if they were having any issues. Ned reassured her that they have not had any issues with parking to date. But with more units being sold and/or turned into Short Term Rentals this could become an issue in the future.

Lastly, Commissioner Michael Parsons asked staff what the current negative effects are, with the current parking situation. Ned explained that there has been excess parking on streets which is not legal overnight. This leads to our police force to ticket and tow taking them away from more serious duties. The excess parking in the Town parking lots causes the Town to have to preform maintenance, repairs, and upkeep more then usual at significant cost to the Town.

Ultimately, the Commission decided that they wanted all Commissioners present to determine the parking recommendations.

## **DISCUSSION: COMPREHENSIVE PLAN UPDATE – CONTINUING DISCUSSIONS**

### **SUMMARY:**

Ned West gave the Commission an explanation and review of the Dillon Comprehensive Plan.

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, 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.

Please note that the Comprehensive Plan is a guidance document, meaning it's not binding on the Town. However, the Zoning Code is intended to carry out the purposes of the Comprehensive Plan. Please note that the Zone District Map contained therein is in need of updates.

Each zone district detailed in the Dillon Municipal Code has Zone District Purpose Statements which are also intended to carry out the purposes of the Comprehensive Plan. The Planning Commission may recommend amendments to the Purpose Statements, as well, particularly if Commissioners find that they do not align with the Comprehensive Plan. Town staff has worked with a planning consultant in reviewing the zoning code and the development of potential amendments to update the Dillon Municipal Code. Draft purpose statements are provided.

As part of this discussion item, the Town staff is particularly interested in whether the Commissioners agree with the permitted and conditional uses proposed for each zone district, and whether the Commissioners believe the permitted and conditional uses align with the Comprehensive Plan and the Zone District Purpose Statements.

Town staff would like the Planning Commission to study the Comprehensive Plan and determine if there are portions of the Plan that might warrant focus for potential amendments. The Commission is also asked to consider how they would like to engage the community in developing potential amendments of the Plan. Particular areas of changes to the Plan include incorporating water and water conservation into the plan, including landscaping strategies for improved water efficiency, as well as expanding the references to tourism and recreation.

#### **COMMISSIONER QUESTIONS:**

After conversation, the Commission agreed that they would like to add Recreation to Comprehensive Plan. Ned reviewed Article VII, Landscaping and Vegetation, with the group and will bring it back for discussion in the future.

#### **CONFIRM VIRTUAL PLANNING & ZONING MEETING ON MAY 4, 2022.**

All following commissioners confirmed they will attend the May 4, 2022, virtual TEAMS meeting; Alison Johnston, Bill Engelman, and Michael Parsons

#### **PROJECT UPDATES:**

- Homewood Suites: Project complete, Restaurant is open!
- Panera Bread: Starting Tenant Finish in May
- Town Park: Underway.
- Urgent Care: Possible July opening.
- Uptown 240: on hold.
- Snarfs: Deck on hold.

#### **OTHER BUSINESS:**

No other Business Discussed.

#### **ADJOURNMENT**

There being no further business, Alison Johnston adjourned the meeting at 7:08 p.m.

Respectfully submitted,

*Michelle Haynes*

Michelle Haynes  
Secretary to the Commission