

**PLANNING AND ZONING COMMISSION ACTION ITEM
STAFF SUMMARY
OCTOBER 5, 2022 PLANNING AND ZONING COMMISSION REGULAR MEETING**

DATE: September 30, 2022

AGENDA ITEM NUMBER: 5

ACTION TO BE CONSIDERED:

Consideration of Resolution No. PZ 10-22, Series of 2022. (PUBLIC HEARING)

**A RESOLUTION RECOMMENDING APPROVAL OF AN ORDINANCE
AMENDING CHAPTER 17 OF THE DILLON MUNICIPAL CODE
REGARDING MAINTENANCE AND IMPROVEMENT OF EXISTING
FACILITIES IN WETLAND BUFFER AREAS**

BACKGROUND / TIME FRAME:

- 1996 Ordinance 19-96, Series of 1996 Town of Dillon Land Development Code Adoption
- 1997 Summit County Conservation Inventory
- Ord 09-21 Minor Amendments to the Wetland Regulations providing the Wetland Map and Requirements for Wetland Dilatation Reports

SUMMARY:

In reviewing the Town’s adopted Wetland Buffer Area permitted uses and activities, found in the Wetland Regulations (Chapter 17, Appendix 17-C, certain aspects of the regulations have been identified. For example, existing site development within some wetland buffer areas approved through the U.S. Army Corps of Engineers and infrastructure installation predating the adoption of the Wetland Regulations are seemingly not addressed in the current regulations. The maintenance and improvement of these sites, without a footprint expansion into the wetland buffer area are reasonable, and prudent such that they do not fall into disrepair. Specifically, there are properties on Little Beaver Trail that received approval for fill placement and development by the Army Corps prior to the adoption of the Town’s Wetland Regulations. Also, the Town possesses recreation pathways, parking lots, and infrastructure in close proximity to potentially wetland areas and needs the ability to maintain and improve this existing infrastructure.

This proposed Code amendment provides for additional language to allow for such maintenance and improvements “provided that such uses are not enlarged and that such maintenance, or repair, surfacing, and resurfacing is done in such a way that avoids or minimizes adverse impacts on wetlands.”

BUDGET IMPACT:

None

STAFF RECOMMENDATION:

Town staff recommends approval of Resolution PZ 10-22, Series of 2022 with conditions as presented in the resolution.

MOTION FOR APPROVAL:

I move we approve Resolution PZ No. 10-22, Series of 2022, A RESOLUTION RECOMMENDING APPROVAL OF AN ORDINANCE AMENDING CHAPTER 17 OF THE DILLON MUNICIPAL CODE REGARDING MAINTENANCE AND IMPROVEMENT OF EXISTING FACILITIES IN WETLAND BUFFER AREAS

ACTION REQUESTED:

Motion, Second, Roll Call Vote.

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

DEPARTMENT HEAD RESPONSIBLE:

Ned West, AICP, Sr. Town Planner