

**TOWN OF DILLON
PLANNING AND ZONING COMMISSION**

**REGULAR MEETING
WEDNESDAY, OCTOBER 5, 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, October 5, 2022, at Dillon Town Hall. Chair Alison Johnston, called the meeting to order at 5:35 p.m. Commissioners present were Bill Engelman and Michael Parsons. Staff members present were Ned West, AICP, Sr. Town Planner; Nicolas Cotton-Baez, Town Attorney; and Michelle Haynes, Recording Secretary.

APPROVAL OF THE MINUTES OF SEPTEMBER 12, 2022, REGULAR MEETING

Commissioner Engelman moved to approve the minutes from the September 12, 2022, special meeting. Commissioner Parsons seconded the motion, which passed unanimously.

PUBLIC COMMENTS

There were no public comments.

ECONOMIC DEVELOPMENT ADVISORY COMMITTEE (EDAC) UPDATE

Michael Parsons attended last week's EDAC meeting and gave the commission an update. The focus of the meeting was around the Dillon Urban Renewal Authority (DURA). The group reviewed how it works and where it can be applied throughout Dillon. It is geared more towards commercial property improvements. It can be applied towards residential improvements but is not as rewarding. They also discussed the Dillon Façade Program and how it can be used.

The group took part in a survey questioning what the top five most important improvements are in their opinions. The number one answer was parking, number two, removal of government building from the Town Core, and number three, arts.

CONSIDERATION OF RESOLUTION 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

SUMMARY:

Ned West, AICP, Sr. Town Planner, presented the staff 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 developments 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.”

Nicolas Cotton-Baez, Town Attorney gave a follow-up explanation of the federal regulations that must be met.

COMMISSIONER QUESTIONS:

Commissioner Tom Karpowich was not present for the meeting but submitted the following statement: “My interpretation of reading 5.5 A. Is that if an existing structure needs to be replaced (versus repaired) the replacement cannot be on the same footprint as it could be considered new construction. Thus, it will need to follow the WBA rules and ultimately, the footprint will need to be decreased. I am not sure if I am interpreting this correctly or if that is the intent. If the intent is to allow reconstruction on the same footprint, then an additional item could state “Any replacement structures cannot increase the size of an existing building footprint.”

Michael Parsons asked what the standard set back is (nationwide) and Ned informed him that there is not one. Is it location dependent but comparable. No other commissioners had questions or concerns.

PUBLIC COMMENTS:

No public comments.

RECORD OF PLANNING COMMISSION ACTION:

Commissioner Michael Parsons moved to approve Resolution No. PZ 10-22 Series of 2022 with an amendment reflecting support of Commissioner Karpowich’s comments to allow the reconstruction of buildings within the same footprint. Commissioner Bill Engelman seconded the motion, which passed unanimously.

DISCUSSION: SIGN REGULATIONS

SUMMARY:

Nicolas Cotton-Baez, Town Attorney reviewed the Dillon Municipal Code Sign Regulations with the Commission. Went into detail explaining the difference between the Core Area sign zone and the Park sign zone. He also explains content-based sign code regulations and what signs are permissible. The Code can state time and place requirements but cannot regulate content unless it is unprotected. Vulgarity cannot be addressed in the sign regulations. Ned would like to have the Marijuana Dispensary Sign content in the Code reviewed and updated.

After Nick’s review it is likely that the Sign Code can be significantly compressed. The Commission went on to discuss the need to categorize signage by size, time frame before and after, and events. Staff would like to see Temporary Banners treated all the same, with time restrictions to avoid worn out signage, but eliminating the need for permits, same as the case for political signs and reality signs. These types of signs are the same if you do not compare content. Digital Signage will need to reference brightness regulations and will need CDOT Approval, but likely needs to be allowed to the business community since the Town has them.

It was concluded that time limitation enforcement is a better direction to head than a permitting process for temporary signs. Staff recommends a permitting process for temporary signage in the Town Right of way only. This process will alleviate the staff burden of approvals and enforcement. In the future weeks the Town is receiving assistance from CU Denver for a Wayfinding proposal. The intent is to present suggested edits to the Sign Regulations to the Commission at the next meeting for review.

DISCUSSION: COMPREHENSIVE PLAN

SUMMARY:

Ned West reviewed the status of the Comprehensive Plan with the Commission. He would like to adopt the plan in the first quarter of 2023. To do this there needs to be more visioning from the Committees and Council and a more significant input from the Planning and Zoning Commission members. Creating Comp. Plan language for policies and goals around the subjects of utilities & water conservation, tourism & recreation, housing, and other Plan focus items are needed.

After much review it has come to Staffs attention that the Comprehensive Plan needs to incorporate mental health but unsure how to accomplish this. Staff would like to see more thoughtful designs to create a more soothing environment. Leading back to walkability and micro transit. The Town is currently working with other municipalities, large businesses, and partnerships to potentially bring micro transit to the High Country.

COMMISSIONER QUESTIONS:

The Commission will return to the discussion at a later time with more input.

PROJECT UPDATES:

- Marina: Dock and fuel system installed.
- Panera Bread: Started Tenant Finish, potential December opening.
- Urgent Care: Underway, potential December opening.
- Uptown 240: Intending to protect asset before winter comes.
- Town Park: finishing up what they can before winter, will start back up in the spring.
- Denver Water wildfire mitigation is underway around the Public Works Facility.

OTHER BUSINESS:

Commissioner Engelman will be resigning come December 31, 2022.

ADJOURNMENT

There being no further business, Alison Johnston adjourned the meeting at 7:12 p.m.

Respectfully submitted,

Michelle Haynes

Michelle Haynes
Secretary to the Commission