

# RECORD OF PROCEEDINGS

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## TOWN OF DILLON PLANNING AND ZONING COMMISSION

### REGULAR MEETING WEDNESDAY, May 7, 2014 5:30 p.m. Town Hall

#### **CALL TO ORDER**

The regular meeting of the Planning and Zoning Commission of the Town of Dillon, Colorado, was held on Wednesday, May 7, 2014, at Dillon Town Hall. Commissioner Bryant called the meeting to order at 5:32 pm. Commissioners present were: Nathan Nosari, Jerry Peterson and Jeff Shibley. Chairman Bailey was absent. Staff members present were Ned West, Town Planner/Construction Inspector, Dan Burroughs, Town Engineer, Scott O'Brien, Public Works Director, Carri McDonnell, Interim Town Manager, Finance Director and Debbie Wilkerson, Secretary to the Commission and members of the public. There was no meeting in April.

#### **APPROVAL OF THE MINUTES OF MARCH 5, 2014**

Commissioner Peterson moved to approve the meeting minutes from March 5, 2014. Commissioner Nosari seconded the motion, which then passed unanimously upon roll call vote.

#### **Public Comments**

No Public Comments

**Zoning Motion is Required:** Town staff requests a determination by the Planning and Zoning Commission to provide for at least one zone district where a business for Self-Storage Facilities would be permitted to operate.

Commissioner's comments:

- Could it be a conditional use?
- Want to create below ground for self- storage.
- We are trying to have a viable downtown, this isn't what we are looking for in the downtown area. They wouldn't be generating sales tax.
- When the property was bought they knew what the zoning was and they continue to come back wanting changes to the code for their next idea project.
- Self-storage is usually in a light industrial area, we don't have a light industrial area.

Commissioner Nosari made a motions for self-storage businesses to be allowed in commercial zone area after reviewing the zone district this is the most appropriate place. Commissioner Shebly seconded the motion, with it passing upon roll call vote with Commissioner Peterson abstaining.

**Discussion Item: Retail Marijuana regulations,** Town staff has been working with the Dillon Town Council during numerous work sessions over several months to develop concepts and strategies for implementing retail marijuana regulations for the Town of Dillon. In November of 2012, the State of Colorado voters approved Amendment 64 that permitted the retail sales of marijuana and products containing derivatives from the plant. Summit County voted favorability for the Amendment with over two thirds support, as did the precinct in which the Town of Dillon is located. During a widely advertised public forum where approximately 60 individuals of the public contributed to discussing the topic in February of 2014, town staff was again reminded that some 2/3 of the population appear to support the retail sales of marijuana. On April 1, 2014, Dillon voters approved Ballot Issue A that provides for the

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attachment of a 5% excise tax on top of the retail sales taxes collected on the sales of retail marijuana. This vote passed by over 77%.

Although the regulations are not yet completed, and have yet to receive a thorough review by the Town's legal counsel, staff does feel that we are approaching an understanding of what the Town Council would like to see for the regulations. Through a public process involving both the Planning and Zoning Commission and Town Council, the regulations may ultimately be adopted to allow for retail sales of marijuana starting as soon as January 1, 2015 (the soonest date the Town could assess the 5% excise tax). Only retail marijuana stores will be permitted; no other types of establishments. This information is presented to the Planning and Zoning Commission at this time to solicit input that may contribute to structuring the code language, and to provide an update on the Town Council's direction.

Comments from commissioners:

- Is there a number of how many retail shops will be allowed in Dillon or will we let the market decide how many shops are needed? Response: At the direction of Council, No.
- During the licensing process the neighboring business will have a chance to state their opinion.
- The shop will have to have their own ventilation systems.
- If a shop is allowed in an area and then a preschool wants to open up in the adjoining area the preschool would not be allowed in the same area as the marijuana is already established.
- Preschools and schools should both be listed as to what distance they should be from a marijuana shop.

**Other Business:** June 4 meeting we will have a discussion of what the core area vision is. What is an Alpine Lake Village? Come up with description, everyone have 3 things that define lake village to them, you could bring photos or articles with ideas. We will also again discuss retail marijuana with hopes that the commission will have more time to review the subject.

**Adjournment** There being no further business, the meeting adjourned at 6:49p.m.

Respectfully submitted,

*Debbie Wilkerson*

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Debbie Wilkerson,  
Secretary to the Commission