

**TOWN OF DILLON  
PLANNING AND ZONING COMMISSION**

**REGULAR MEETING  
WEDNESDAY, February 1, 2017  
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, February 1, 2017, at Dillon Town Hall. Chairman Nathan Nosari called the meeting to order at 5:32 p.m. Commissioners present were: Amy Gaddis, Jerry Peterson, Charlotte Jacobsen and Teresa England. Staff members present were Dan Burroughs, Town Engineer; Ned West, Engineering Inspector/Town Planner; Tom Breslin, Town Manager; and Corrie Woloshan, Recording Secretary.

**APPROVAL OF THE MINUTES OF DECEMBER 7, 2016 REGULAR MEETING**

Commissioner Teresa England moved to approve the minutes from the December 7, 2016 regular meeting with attachment of staff summary to meeting minutes. Commissioner Jerry Peterson seconded the motion, which passed unanimously.

**PUBLIC COMMENTS**

There were no public comments.

**CONSIDERATION OF RESOLUTION NO. PZ 01-17, SERIES OF 2017; A RESOLUTION BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO, RECOMMENDING THE ADOPTION OF A COMPREHENSIVE PLAN FOR THE TOWN OF DILLON.**

**SUMMARY:** 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-term needs, and provides for a balance between the natural and built environment.

Updates to the Town of Dillon Comprehensive Plan are typically performed every three years, thus ensuring the document's relevancy in an ever changing world. The previous update was adopted in 2015. The 2017 updates reflect the community's desire to increase the number and mix of residential uses in the Town with a focused effort on providing high quality housing for year round residents and the workforce of the community. The updates include a revision to the land use map to correct errors on the previous map thus more accurately depicting the appropriate land use designations. The update also includes current data such as sales tax collections.

The update includes some changes in text where the existing form was somewhat confusing or written in an awkward manner. The changes in these instances were done to improve the readability of the document and message being conveyed. Time references to previous studies or developments were update to reflect the passage of time. A reference to a "recent" study might have been revised with the actual date of the culminating report of the study.

Minor changes to Section 2 “Background and Setting”, Subsection III “Existing Land Use Patterns” were performed to improve readability, to update references, to present certain land areas as having potential for workforce housing, and to acknowledge improvements in Open Space and Public Land discussions.

In Section 3 “Economic Overview”, a new table presenting updated sales tax information.

In Section 4 “Natural & Manmade Environment”, amendments were made to reference the Architectural Guidelines under development.

Section 6 “Land Use Element” was amended to reference the Community Housing Forum held in October of 2016 wherein the community focus was on higher density residential uses, with a mix of housing options for the community’s workforce and full time residents. There was strong support for planning for higher density residential in portions of the Mixed Use and Urban Reserve zoning districts. Amendments also were done to the High Priority Uses table which focuses on the suggested community priorities for the community for the next three (3) to five (5) years. Such references to higher residential densities, a change from a stage theater facility to improvements to the amphitheater, and continued progress on the Town Park improvements were highlighted as high priority uses.

Some portions of Section 6 were reformatted and expanded to clarify the community’s desire for increasing residential densities in the long range planning for the Urban Reserve areas, as well as establishing criteria for reviewing residential projects in the Mixed Use zoning district. The potential for residential uses in the Core Area zone are also more explicitly presented. Amendments to the open space requirements in the Mixed Use (MU) zone were also made.

A new land Use Map was inserted on sheet 6-10 to reflect the appropriate land uses. The old map indicated areas as being commercial, even though they were residentially dominated, though in the Mixed Use zoning district. The new map helps to clarify the difference between land use and the zoning designation of parcels.

Section 7 “Circulation” only had one typographical amendment.

Section 8 “Community Facilities and Utilities” was amended to provide an update on the Old Dillon Town Hall, and to update the EQR table under the “Build Out Projects”, to reflect a minor change in the current demand for EQR’s (increased by 9 due to new projects).

**STAFF RECOMMENDATION:** Staff recommends the adoption of the 2017 Comprehensive Plan as attached.

**PUBLIC HEARING:**

A **Public Hearing** is required for this resolution.

Chairman Nathan Nosari opened the public hearing at 5:40 p.m.

No public comments.

Chairman Nathan Nosari closed the public hearing at 5:51 p.m.

Commissioner Teresa England: If I understand it correctly, if we had residential in the Core District there would be no setback requirements, no open space requirements, it’s basically like a big box. Unlike in the high residential zoning which does require setbacks, open space, patio, yards, something adjacent to

their land. Ned West, Town Planner: A pure residential project in the Core Area would be through a PUD. So all of that would be negotiated. Through a PUD process the Town Council can negotiate with a developer.

Commissioner Jerry Peterson: What are we doing for parking? Ned West, Town Planner: That's the big challenge for a developer, that's when look at going underground potentially. Dan Burroughs, Town Engineer: They'll have to do underground parking or pay parking.

Commissioner Teresa England moved to approve Resolution NO. PZ 01-17 Series of 2017.

Commissioner Charlotte Jacobsen seconded the motion, which passed unanimously upon roll call vote.

**CONSIDERATION OF RESOLUTION NO. PZ 02-17, SERIES OF 2017; A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO TO RECOMMEND THE AMENDMENT OF CHAPTER 16, "ZONING," ARTICLE I, "GENERAL PROVISIONS," SECTION 16-1-50 "DEFINITIONS," AND ARTICLE III, "ZONING DISTRICTS," SECTION 16-3-140, "RESIDENTIAL HIGH DENSITY (RH) ZONE," SECTION 16-3-150, "CORE AREA RETAIL (CA) ZONE," SECTION 16-3-170, "MIXED USE (MU) ZONE," AND ARTICLE V, "PLANNED UNIT DEVELOPMENT," SECTION 16-5-120, "PUD DEVELOPMENT STANDARDS," OF THE DILLON MUNICIPAL CODE OF THE TOWN OF DILLON, COLORADO; AMENDING THE USES ALLOWED IN THE ZONING DISTRICTS; AND, SETTING FORTH DETAILS IN RELATION THERETO.**

**SUMMARY:** Town Staff proposes changes to zoning district code language found in Chapter 16 "Zoning" of the Dillon Municipal Code (Code). The changes relate primarily to residential uses, but also deal with changes in the permitted uses and conditional uses. The changes made within the Mixed Use (MU) section essentially concede retail dominance to residential, so long as workforce housing is a component of a proposed project.

*Residential High (RH)*

It is proposed that Chapter 16, "Zoning," Article III, "Zoning Districts," Section 16-3-140 "Residential High Density (RH) Zone," of the Dillon Municipal Code of the Town of Dillon, Colorado, be amended to remove and replace sub-section (1) to read as follows:

- (1) Purpose. The purpose of this zone is to provide areas suitable and desirable for multi-family dwellings with provisions for associated public service uses, in close proximity to the core area or lake. Residential developments between fifteen (15) and sixty-five (65) dwelling units per acre gross density are encouraged in this district. This district includes existing condominiums areas and other areas suitable for intensive residential uses. Related uses which serve the major residential use would be allowed subject to special review. This district is intended to encourage high quality intensive residential uses for both visitors and permanent residents. Developments should be designed to complement the surrounding areas and blend into the architectural character of the community.

The subsection is amended to change the upper density value of twenty-five (25) dwelling units per acre, to sixty-five (65) dwelling units per acre.

*Core Are (CA)*

It is proposed that Chapter 16, "Zoning," Article III, "Zoning Districts," Section 16-3-150 "Core Area Retail (CA) Zone," of the Dillon Municipal Code of the Town of Dillon, Colorado, be removed in its entirety and replaced.

Changes included with the proposed amendment:

1. Remove “Retail” from the Section title to read, “Core Area (CA) zone. The zone contains considerable mixed-use type commercial and residential developments, such developments are desirable in the district for vibrancy, and retail uses are among the many other uses permitted and desired in the zone.
2. Include reference to mixed-use residential use in Subsection 1 “Purpose”, “with mixed-use upper level residential uses permitted.”
3. Changes to the format and wording of the permitted uses, removal of some permitted uses, and moving some uses from permitted use to conditional use.
  - a. Funeral homes are removed entirely from the CA zone.
  - b. Clubs, lodges, fraternal organizations are moved to conditional use.
  - c. Schools, colleges, trade schools and business schools are moved to conditional use.
  - d. Gymnasiums, churches, and accessory uses to any permitted use in the CA zone, including but not limited to decks, patios, outdoor seating, outdoor food and beverage service, outdoor entertainment, temporary structures and playgrounds, are moved to conditional use.

#### *Mixed Use (MU)*

It is proposed that Chapter 16, “Zoning,” Article III, “Zoning Districts,” Section 16-3-70 “Mixed Use (MU) Zone,” of the Dillon Municipal Code of the Town of Dillon, Colorado, be removed in its entirety and replaced.

Changes included with the proposed amendment:

1. Removal of “limited” from the description of residential in the “Purpose” section of Section 16-3-70.
2. Removal of, “with the exception that single-use residential developments or buildings are not appropriate because of potential for conflicts between uses and the potential of eroding the Town's valuable commercial base.”
3. Changes to subsection (5) to reflect changes in residential criteria:
  - a. Requires that any residential use in the Mixed Use zone be reviewed through a Level IV Development Permit process to ensure that both the Planning and Zoning Commission and the Town Council hold public hearings on any such proposed project. In order to provide adequate language in the Code for this requirement, Town staff requests that the Commission amend this Resolution to add a new Section 2 to the Resolution, re-number the subsequent Sections, and so amend the Resolution title. The new Section 2 of the Resolution should read:

Section 2. That Chapter 16, “Zoning,” Article I, “General Provisions,” Section 16-1-50 “Definitions,” of the Dillon Municipal Code of the Town of Dillon, Colorado, be amended to remove and replace the definition of “*Level IV development*” to read as follows:

*Level IV development* means any development which includes any of the following:

- a. Rezoning.
- b. PUD.
- c. Major PUD amendment.
- d. Town right-of-way or easement vacation.
- e. Class S-1, S-2 and S-3 Subdivisions.
- f. Major modification to a level IV Development Permit.

- g. Residential use in the Mixed Use zoning district.

This reflects the addition of a new subsection “g.” relating to residential uses in the Mixed Use zone. Also, the title should be amended to include the change to the definition of *Level IV development* in Section 16-1-50 to read as follows:

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO TO RECOMMEND THE AMENDMENT OF CHAPTER 16, “ZONING,” ARTICLE I, “GENERAL PROVISIONS,” SECTION 16-1-50 “DEFINITIONS,” AND ARTICLE III, “ZONING DISTRICTS,” SECTION 16-3-140, “RESIDENTIAL HIGH DENSITY (RH) ZONE,” SECTION 16-3-150, “CORE AREA RETAIL (CA) ZONE,” SECTION 16-3-170, “MIXED USE (MU) ZONE,” AND ARTICLE V, “PLANNED UNIT DEVELOPMENT,” SECTION 16-5-120, “PUD DEVELOPMENT STANDARDS,” OF THE DILLON MUNICIPAL CODE OF THE TOWN OF DILLON, COLORADO; AMENDING THE USES ALLOWED IN THE ZONING DISTRICTS; AND, SETTING FORTH DETAILS IN RELATION THERETO.

- b. The maximum of forty percent (40%) residential is changed to eighty percent (80%) residential. During the community housing forum held in October of 2016, the community was in overwhelming support of increasing the residential densities in the community. Also, there was a dominant theme of lending difficulties for projects with greater than twenty-five (25%) commercial.
- c. Remove the restriction on residential uses, limiting them to areas above the first floor. A building with as little as twenty percent (20%) commercial could have residential uses on the first floor in a horizontally mixed-use designed building.
- d. The requirement for private outdoor open space being provided for residential uses is amended to allow common open space be provided as part of or all of the residential open space for a project. Open space cannot be provided in the required yards, snow storage areas, or parking lots. The required square foot areas of open space per residential unit is reduced as well.
- e. The Floor Area Ratio (FAR) table for determining lot density is removed. The zone contains setbacks through the required yards, and a maximum lot coverage criteria of forty percent (40%), and no other zone district contains FAR criteria.
- f. Establishes criteria for mixed use and stand-alone residential projects in Mixed Use zoned parcels through the PUD process if they are focused on providing housing for year round residents and meet the following multi-family residential standards:
  - 1. Residential uses in the Mixed Use zone shall be reviewed through the Level IV Development Permit process as set forth in this Code.
  - 2. Multi-family residential uses are only allowed as a permitted use if developed in conjunction with a retail store, entertainment use, medical or dental clinic, restaurant or office use, or similar use. The multi-family residential use shall not exceed eighty percent (80%) of the total gross square footage of any one (1) lot at any one (1) time.
  - 3. A project developed through the PUD process with one-hundred percent (100%) residential use may be considered provided that the development standards further the objectives of the PUD, is supported by the Comprehensive Plan; and is designed to complement the surrounding areas, blend into the architectural character of the

community, and meet the criteria set forth in Article V of this Chapter and the multi-family residential standards of this Section.

4. Parking for the multifamily residential uses shall be distinct from any other parking on-site, shall be in a separate area (separate from the retail/office/etc. parking) whenever possible and shall be signed for the exclusive use of the residents.
5. The multi-family residential uses are provided with private yards or common outdoor open space. This standard may be met by providing an area either on-grade, or through the use of decks and/or balconies.
6. The commercial component of a project should occupy a primary commercial street frontage.
7. The project provides pedestrian and vehicle connectivity between the residential and commercial uses of the project and surrounding areas.
8. The relationships of scale and connectivity with the community and the surrounding developments are appropriately addressed in the design of the project.
9. The project addresses year-round workforce housing as a priority, incorporates it into the project, and the developer executes agreements with the Town preserving the workforce housing component of the project in perpetuity.

#### *Planned Unit Development (PUD)*

It is proposed that Chapter 16, "Zoning," Article V, "Planned Unit Development," Section 16-5-110 "PUD requirements," of the Dillon Municipal Code of the Town of Dillon, Colorado, be amended to add a new sub-section (c) to read as follows:

(c) A PUD with one-hundred percent (100%) residential use in the Mixed-use (MU) zone may be considered provided that the development standards further the objectives of the PUD, are supported by the Comprehensive Plan, and are designed to complement the surrounding areas, blend into the architectural character of the community, and meet the criteria set forth in Section 16-3-170 "Mixed Use" of this Code.

**STAFF RECOMMENDATION:** Town staff believes it is in the best interest of the Town to adopt these Chapter 16 amendments in an effort to support the high demand for a mix of housing, especially for full time residents, in the County.

Staff recommends approval of Resolution PZ 02-17, Series of 2017.

#### **PUBLIC HEARING:**

A **Public Hearing** is required for this resolution.

Chairman Nathan Nosari opened the public hearing at 5:54 p.m.

Commissioner Charlotte Jacobsen, what sort of layout would that be, condos? Ned West, Town Planner: Residential High zoning district is what we termed the condo belt around the lake. That's what we would envision, potentially that someone might redevelop one of those properties which such density. We do have some existing that are approaching 50 units per. There is a trend to have smaller housing, so there is potential for someone to come in with more compact units. Chairman Nathan Nosari: Which one is approaching 50? Ned West, Town Planner: It's on E Labonte, Upper Yacht Club, across from the tennis courts.

Ned West, Town Planner presented table of condominium and townhome densities.

Commissioner Teresa England: Is there a height limitation involved in this? Dan Burroughs, Town Engineer: It's Residential High which is 35 feet. Marina Place is taller than that, and Point Place is taller than that. Commissioner Teresa England: They'd have to seek a variance today to go above 35 feet? Dan Burroughs, Town Engineer: At this point. Or they could do a PUD. Commissioner Teresa England: How does that relate to the minimum site 20% slope? Dan Burroughs, Town Engineer: With a retaining wall you can make a lot of things happen. That's a carryover from other Towns where they try to keep the steeper areas undeveloped. But we've already subdivided there's not a lot to be developed.

Commissioner Teresa England: Is there a height restriction. Dan Burroughs, Town Engineer: That kind of criteria might not work for us. You might have someone that could develop something really nice. Commissioner Teresa England: Feel like there should be some minimum for unit size. Dan Burroughs, Town Engineer: What we're trying to do is remove a lot of obstacles in the code now. Commissioner Amy Gaddis: I don't think a developer would do something that's not marketable. Commissioner Teresa England: Sometimes it's not marketable. I'm not sure I could determine what the future holds either.

Commissioner Teresa England: Page 6, we have a minimum lot size. Do you really want to keep that in there too? Dan Burroughs, Town Engineer: They always want a minimum when subdividing a lot. Whether or not this is the answer I'm not really prepared to say if that's a good thing or a bad thing right now.

Commissioner Amy Gaddis: On Page 5 where we deleted the exception that single use residential development. Single use vs multi. So single use residential development, what does that mean? Dan Burroughs, Town Engineer: That's 100% residential. On a lot, there wouldn't be any kind of commercial. There would be a chance to review the idea and make sure it makes sense. Commissioner Amy Gaddis: I always hear mixed use, so single use was confusing to me.

Commissioner Amy Gaddis: Item C, so are we ok with a building that has 100% residential on the 1<sup>st</sup> floor? Ned West, Town Planner: Through the PUD process there's a way to do that. Commissioner Amy Gaddis: And are we ok with that? Dan Burroughs, Town Engineer: That's our directive from Council. Council wants to create a mechanism where they can have a shot at it. Right now you can't do it at all and they'd at least like a shot. You'll get a chance to review a case. We just want to open a door to allow that discussion. Right now we say there's no discussion, it's not allowed. That's all we're trying to do is create opportunity.

Commissioner Charlotte Jacobsen: Workforce housing is really like subsidized housing? The Town doesn't define it. If the proposed project meets the needs of the community. If there's a rental property that's only rented to people that work in the county, and only work 30 hours a week. There are criteria that can be established. Commissioner Teresa England: It would be created on a case by case, project by project basis. Ned West, Town Planner: Potentially. Currently we have no direction from Council to that. Dan Burroughs, Town Engineer: Next Tuesday we're going to discuss that issue at Town Council. Hopefully we'll get some clarity on it. Right now we don't know what to tell anybody. Staff needs direction on how much workforce housing they want, they'll have to work on what minimums they want. Commissioner Teresa England: You may have to do deed restrictions. Dan Burroughs, Town Engineer: Council said they wanted it, but now they'll have to work on their minimum. Ned West, Town Planner: It doesn't necessarily need to be subsidized. The advantage is to the community. Then we aren't getting people from Denver that are renting here. There is such a high demand. Dan Burroughs, Town Engineer: A lot of properties people aren't willing to rent because they're putting them on VRBO. If you restrict it to our workforce, if the landlord could only rent it to someone locally that would help. Commissioner Teresa England: You'll have to figure out how to enforce that too, the landlord following through and actually renting to a resident as opposed to a non-resident. Chairman Nathan Nosari: In my condo complex, which I sit on the Board, in our declarations we have the right to request the lease. Commissioner Amy Gaddis: But how do you say they work here? Ned

West, Town Planner: The Housing Authority has ways to determine that. Commissioner Jerry Peterson: When you go to sell it and its deed restricted you're up the creek, all you can do is walk away. Dan Burroughs, Town Engineer: Our intent is to have this workforce housing conversation with Council but we would use Summit County Housing Authority. Ned West, Town Planner: The Town still desires some 2<sup>nd</sup> home owners. But there's a strong desire for that workforce housing.

Chairman Nathan Nosari closed the public hearing at 6:32 p.m.

Chairman Nathan Nosari moved to delete sub section 5 (starting at 16-3-140) and approve Resolution NO. PZ 02-17 Series of 2017. Commissioner Amy Gaddis seconded the motion, which passed unanimously upon roll call vote.

**CONSIDERATION OF A RESOLUTION NO. PZ 03-17, SERIES OF 2017: A RESOLUTION BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO, APPROVING THE PERMANENT SIGNS FOR 652 LAKE DILLON DRIVE AND 223 W. LA BONTE STREET, DILLON, COLORADO.**

**SUMMARY:** RSS Mountainview LLC, owner, submitted a Class I Sign Permit application for Individual Sign Permits for a permanent Freestanding sign and Building Identification Signs for the Best Western Ptarmigan Lodge at 652 Lake Dillon Drive and 223 W. La Bonte Street. The lodge is located in Sign Zone A (Sec. 16-11-450 and Exhibit A, Article 11 of the Dillon Municipal Code). The proposed signs are described as follows:

-The existing freestanding sign panels are to be replaced with a new cabinet attached to the existing monument sign to accommodate the smaller sign panels. External illumination is to be provided, and the existing internal illumination removed. Sign Zone A does not permit internally illuminated signs. Thirty-five (35) square foot cedar wood sign panels are proposed for the double-sided freestanding sign. The Dillon Municipal Code permits a total of thirty-six (36) square feet of signage (Sec. 16-11-450(g)(1)).

-A total of four (4) cedar wood individual building identification signs at four (4) square feet each are proposed, one for each building. The Dillon Municipal Code permits individual building identification signs to be four (4) square feet for each building (Sec. 16-11-450(g)(2)). These signs will also be externally illuminated

-The proposed size, lighting, and wooden sign materials conform to the requirements set forth in the Dillon Municipal Code section pertaining to Sign Zone A.

**STAFF RECOMMENDATION:**

Staff recommends approval of Resolution PZ 03-17, Series of 2017.

Chairman Nathan Nosari, how are the signs on the building going to be lit? Ned West, Town Planner: They're not going to be lit. Commissioner Jerry Peterson: The main sign, it's not on the right of way? Dan Burroughs, Town Engineer: No.

Commissioner Jerry Peterson moved to approve Resolution NO. PZ 03-17 Series of 2017. Commissioner Amy Gaddis seconded the motion, which passed unanimously upon roll call vote.



**DISCUSSION ITEM:** Town of Dillon Architectural Design Guidelines under development by Roth Sheppard Architects

Ned West, Town Planner: I attached the PowerPoint detailing their thought process. They did a lot of research. They didn't just come up with a concept without looking at who we are and what our identity is. Part of their focus is our brand identity, mountain lake style. They're incorporating mountain and lake elements into their guidelines. We hope to have finalized guidelines I'm told next week which will include a lot of these pictures and drawings. So we can hand this to architects and developers so they have something to develop their plan. Kerstin said we'd have actual guidelines next week. They have some really neat ideas.

Commissioner Teresa England: I think this is fabulous, I wish we had this 2 projects ago. Does the amphitheater fit into this plan? Ned West, Town Planner: Some people might think so, some might not. Dan Burroughs, Town Engineer: Most architects would be happy to redesign something.

Commissioner Amy Gaddis: I feel it needs to be a bit better organized in terms of handing it to a developer and saying this is the history, this is the guideline. Ned West, Town Planner: This is a starting point. Dan Burroughs, Town Engineer: We should have guidelines for the March meeting. They had a conversation with Town Council and they felt they were going in the right direction. Ned West, Town Planner: Some of the elements like the lighter base of buildings instead of such massive bases, you can lighten them up. As you move away from the lake you go back toward the heavy mountain theme. Part of their guidelines are going to show a transition from lake, outward.

#### **OTHER BUSINESS**

Commissioner Amy Gaddis: What happened with Gateway? Dan Burroughs, Town Engineer: We don't have any information one way or another. Ned West, Town Planner: You mean Crossroads: We delayed that because they have to do a mass model.

#### **ADJOURNMENT**

There being no further business, the meeting adjourned at 6:50 p.m.

Respectfully submitted,

*Corrie Woloshan*

Corrie Woloshan  
Secretary to the Commission