



**Minutes of the Regular Meeting of the
Buena Vista Planning and Zoning Commission
February 03, 2021**

CALL TO ORDER

A regular meeting of the Planning and Zoning Commission was called to order at 6:00 pm, Wednesday, February 03, 2021 via Zoom virtual meeting by Vice Chair Lynn Schultz-Writsel. Also present were Commissioners Estes Banks, Craig Brown, and Alternate Commissioner Blake Bennetts.

Staff Present: Principal Planner Mark Doering, Project Manager Joel Benson, and Planning Technician Doug Tart.

PLEDGE OF ALLEGIANCE

Doering led in the Pledge of Allegiance.

ROLL CALL

Tart proceeded with the roll call and declared a quorum.

AGENDA ADOPTION

Vice Chair Schultz-Writsel called for approval of the agenda. Commissioner Banks motioned to adopt the agenda as presented, **Motion #1** seconded by Commissioner Bennetts. Motion carried.

APPROVAL OF MINUTES

Commissioner Bennetts motioned for approval of the January 20, 2021 minutes as amended. **Motion #2** was seconded by Commissioner Banks. Motion carried.

PUBLIC COMMENT

Public comments opened at 6:04 pm. With no comments, public comment was closed at 6:04 pm.

NEW BUSINESS

Town Project Manager, Joel Benson, presented a potential code amendment to address water fees for any new development in Town. The public hearing for the ordinance review would be at the next meeting on February 17. This was an information session to determine if this route is an appropriate direction to go. Once it is approved by the Planning and Zoning Commission, it will go to the Board of Trustees for final approval.

The proposed amendment is for a water dedication fee that any new development in Town will pay so the Town can acquire water rights acquisition and/or augmentation. This also includes the implementation of water strategy, i.e. building a well or the re-engineering of the Cottonwood Lake dam. One SFE could be approximately \$6,000, and the Board of Trustees will have final determination of the fee. There are also contractually obligated water tap users, with 11 taps left to be allocated to the Ivy League Subdivision and 115 to the Meadows.

Due to Accessory Dwelling Units becoming an integral part of the community, The Town is seeing increases in water consumption as a result. Would the Town be able to use these fees to incentivize long-term rentals by waving fees if planning to use an ADU as a long-term rental for 3 to 5 years?

For Major Subdivisions, the fee payment could be treated as a Public Improvement Agreement, so developer would not need all of the money up front. This fee would be collected upon submittal of individual building permits within the subdivision. For minor subdivisions or individual development, the fee can be tied to issuance of the Certificate of Occupancy.

Benson stated that there would be no trading or crediting of SFE's. A water report would be required if the development requires more than 50 SFE's, though this number can be negotiated through both the Planning and Zoning Commission and the Board of Trustees.

The Town Administrator would have the ability to determine the maximum amount of water for any project. Also, water is not and would not be guaranteed for any development in Town.

Commissioner Banks stressed the importance of protecting our water rights and availability with the increasing value of water in the western United States

Commissioner Schultz-Writsel asked about the relationship between fees and cost of water rights in the valley. Benson said 1 acre foot of water rights is approx. \$12,000.

Commissioner Bennetts stated that the BOT should review these fees annually to ensure the Town is keeping up with changes in cost and value of water rights.

Commissioner Brown asked what current developments would not be affected by this change and why. Benson explained that prior agreements have been made to provide water to specific projects, such as Colorado Center PUD and The Farm.

Benson explained that a Change of Use of a property can be an opportunity to address changes in water demand.

Doering stated that staff would pick a handful of projects to demonstrate what the SFE totals would look like for larger development projects for the Commission to gain a better understanding of water allocation.

Commissioner Banks suggested coming back next meeting and revisiting some aspects of the code change proposal.

Benson stated that a redline draft would be provided at the next meeting for the approval of the ordinance or approval of the ordinance with amendments.

STAFF / COMMISSION INTERACTION

Doering has ordered "The Missing Middle" books for the Commission, however they are lost in transit and will be reshipped. Staff will distribute books to the Commissioners once they are received.

The Board of Trustees voted to have a conversation about short-term rentals at the Tuesday, February 9 meeting. Interested Commissioners were encouraged to join the meeting. Additionally, a new annexation proposal for a new subdivision will be discussed at next Board of Trustees meeting as well.

ADJOURNMENT

There being no further business to come before the Commission, Commissioner Banks motioned to adjourn the meeting at 8:15 p.m. Commissioner Schultz-Writsel seconded. **Motion #4** was unanimously approved.

Respectfully submitted:



Preston Larimer, Chair



Doug Tart, Planning Technician