



Minutes of the Regular Meeting of the Buena Vista Planning and Zoning Commission April 20, 2022

CALL TO ORDER

A regular meeting of the Planning and Zoning Commission was called to order at 7:00 pm, Wednesday, April 20, 2022 at the Central Colorado Regional Airport and via Zoom video conferencing by Chair Preston Larimer. Also present were Vice Chair Lynn Schultz-Writsel, Commissioners Blake Bennetts, Thomas Brown, and Thomas Doumas (via Zoom).

Staff Present: Principal Planner Mark Doering and Planning Technician Doug Tart.

PLEDGE OF ALLEGIANCE

Chair Larimer led in the Pledge of Allegiance.

ROLL CALL

Tart proceeded with the roll call and declared a quorum.

AGENDA ADOPTION

Larimer called for approval of the agenda. **Commissioner Schultz-Writsel** motioned to adopt the agenda as amended, **Motion #1** seconded by Commissioner Larimer. Motion carried.

APPROVAL OF MINUTES

Larimer called for approval of the minutes from April 6, 2022. Commissioner Bennetts motioned for approval of the minutes as amended. **Motion #2** was seconded by Commissioner Tom Brown. Commissioner Doumas was not at the April 6 meeting so did not vote. Motion carried.

PUBLIC COMMENT

Public comments opened at 7:04 pm. With no comments, public comment was closed at 7:04 pm.

NEW BUSINESS

Doering presented the staff report for four proposed code amendments to the UDC.

Chair Larimer opened the public hearing to all four amendments.

The first amendment was for the Accessory Dwelling Unit requirements. The definition of an 'oven' in 16.03.3.3.4.A.3.a is being proposed to be amended to include:

"The oven shall have a minimum capacity of 2.0 cubic feet and be installed in a permanent configuration with a slide-in/freestanding appliance or installed and built-in into a wall cabinet."

"Countertop appliances shall not be allowed to meet the oven and/or stove requirements"

Commissioner Schultz-Writsel suggest that the text be amended to read - "...Portable countertop appliances shall not be allowed to meet..."

Commissioner Schultz-Writsel motioned to accept the changes to the ADU requirements with the addition of “portable and slide-in/freestanding.” Seconded by Commissioner Tom Brown. **Motion #3 carried.**

The second amendment was related to adding new language to deal with the processing of public improvements associated with Minor Subdivisions in Section 16.06.6.6.1.C.3.b. The new language proposed by staff is:

ii. Once the referral of the public improvements agreement and/or dedication in paragraph i has occurred and the Board of Trustees has approved the public improvement or public improvement agreement, as applicable, the Town Administrator shall review the minor subdivision application and any public comments received and shall approve, approve with conditions, or deny the minor subdivision based on the criteria in paragraph c below.

iv. Any application referred to the Board of Trustees shall first require a public hearing before the Planning and Zoning Commission to provide a recommendation on the application and shall be noticed pursuant to Section 6.3.4. ***The minor subdivision application shall be reviewed based on the criteria in paragraph c below.***

Commissioner Larimer suggested editing the language to read: “...any comments from the public” instead of “any public comments” in order to avoid confusion about the public hearing process.

Commissioner Doumas suggest editing the language in the first sentence of 16.06.6.6.1.C.3.b.ii to read”

“...Board of Trustees has approved the Public Improvement Agreement and/or dedication...”

Commissioner Bennetts motioned to approve the ordinance amending the language associated with the Minor Subdivision process with the amendments addressing comments from the public, approval from the Board of Trustees, as well as the second line of paragraph 2 of 16.06.6.6.1.C.3.B.iv. Commissioner Tom Brown seconded. **Motion #4 carried.**

The third amendment dealt with the processing of Special Use Permits to further clarify the requirements to prevent confusion over the current regulations. Staff has proposed adding the following language to 16.06.6.5.2:

“The special use permit application shall conform to the Site Plan application and its associated materials. No separate fee for the site plan shall be applied for the review of the Special Use Permit.”

This proposed change would make the Site Plan and Special Use permit processes a concurrent review if the applicant can demonstrate their capabilities of the proposal.

Commissioner Schultz-Writsel suggested that staff clarify the last sentence to reference the concurrent review as a single fee. Doering stated that staff would check with the Town’s attorney on the wording to address this.

Commissioner Tom Brown motioned for the recommendation of the amendments to the Special Use Permit process with the modifications by town staff regarding the single fee reference and clarity. Commissioner Schultz-Writsel seconded. **Motion #5 carried.**

The fourth amendment was related to the architectural design guidelines as requirements for future development on East Main Street.

Staff proposed the addition of a new subsection of 16.02.2.4.4 of the UDC to read:

“Exterior alterations to an existing building, alterations affecting a party wall between units in an existing building or between existing buildings, a change in use of an existing building, or new construction in the MU-MS district shall be subject to provisions of Title 19 of this Code.”

This proposed change would move the existing subsection “B. MU-MS District Dimensional Standards” to be a new subsection ‘C.’

Additionally, staff proposed a new subsection to 16.04, which would read:

“16.04.4.9 – Certain development activities in the MU-MS District
Notwithstanding the requirements in this Article, exterior alterations to an existing building, alterations affecting a party wall between units in an existing building or between existing buildings, a change in use of an existing building, or new construction in the MU-MS district shall be subject to provisions of Title 19 of this Code.”

Chair Larimer motioned to accept the revision to article 16.04 by including the new subsections as proposed. Commissioner Schultz-Writsel. **Motion #6 carried.**

STAFF / COMMISSION INTERACTION

Commissioner Bennetts mentioned taking a look at the R-2 zone district and the Special Use permit requirement for multifamily. Commissioner Bennetts also suggested adding a potential future agenda to show date, location, and possible topics. Staff will try to do this moving forward.

Doering announced to the Commission his resignation from the Principal Planner with the Town position effective May 6th. The May 4th meeting will be his final meeting as a staff member.

ADJOURNMENT

There being no further business to come before the Commission, Commissioner Schultz-Writsel motioned to adjourn the meeting at 9:02 p.m. Commissioner Chair Larimer seconded. **Motion #7** was unanimously approved.

Respectfully submitted:

Preston Larimer, Chair

Doug Tart, Planning Technician