



551 Hot Springs Boulevard
Post Office Box 1859
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Phone: 970.264.4151
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**TOWN COUNCIL MEETING AGENDA
THURSDAY, MARCH 19, 2015
Town Hall Council Chambers
551 Hot Springs Blvd
5:00 p.m.**

- I. **CALL MEETING TO ORDER**
- II. **PUBLIC COMMENT** – *Please sign in to make public comment*
- III. **CONSENT AGENDA**
 1. **Approval of the March 3 & 13, 2015 Meeting Minutes**
 2. **Approval of February Financial Statement and Accompanying Payments**
 3. **Liquor Licenses**
 - a. **Liquor License Transfer – Western Refining Southwest Inc dba Giant #068 to Western Refining Retail LLC dba Giant #068 at 2537 Eagle Drive**
 - b. **Special Events Liquor Permit – National Wild Turkey Federation Banquet March 28, 2015 at the Ross Aragon Community Center 451 Hot Spring Blvd**
 - c. **Special Events Liquor Permit – Town of Pagosa Springs Fashion Show, June 11, 2015 at the Ross Aragon Community Center**
 - d. **Special Events Liquor Permit – Town of Pagosa Springs Mud Run, July 25, 2015 at Yamaguchi Park Diamond on South 5th Street**
 - e. **Special Events Liquor Permit – Town of Pagosa Springs Spanish Dance, August 29, 2015 at Town Park on Hermosa Street**
 - f. **Special Events Liquor Permit – Town of Pagosa Springs Festival of Trees, December 4, 2015 at the Ross Aragon Community Center 451 Hot Springs Blvd**
- IV. **REPORTS TO COUNCIL**
 1. **Featured Department Head Reports**
 - a. **Town Clerk**
 - b. **Building Department**
 2. **Sales Tax Brief**
 3. **Lodgers Tax Brief**
- V. **NEW BUSINESS**
 1. **Consideration of Alternatives for New Flooring in Community Center Multipurpose Room**
 2. **Wayfinding and Signage Plan**
 3. **Consideration of Providing Enhanced Economic Development Incentives to Potential Downtown Retail Establishment**
 - **Potential Executive Session pursuant to C.R.S Section 24-6-402(4)(e) Determining Positions Relative to Matters that may be Subject to Negotiations, Developing Strategy for Negotiations, and Instructing Negotiators Regarding Providing Enhanced Economic Development Incentives to Potential Downtown Retail Establishment**

Public comment and agenda comment item sign-up sheets are available at meeting

Copies of proposed Ordinances and Resolutions are available to the public upon request to the Town Clerk

- VI. **OLD BUSINESS**
 - 1. **Approval of Retail and/or Medicinal Location Restrictions**
- VII. **PUBLIC COMMENT** – *Please sign in to make public comment*
- VIII. **COUNCIL IDEAS AND COMMENTS**
- IX. **NEXT TOWN COUNCIL MEETING APRIL 7, 2015 AT 5:00 PM**
- X. **ADJOURNMENT**

Don Volger
Mayor



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TOWN COUNCIL MEETING MINUTES
TUESDAY, MARCH 3, 2015
Town Hall Council Chambers
551 Hot Springs Blvd
5:00 p.m.

- I. **CALL MEETING TO ORDER** – Mayor Volger, Council Member Alley, Council Member Bunning, Council Member Egan, Council Member Lattin, Council Member Schanzenbaker
- II. **PUBLIC COMMENT** – Mr. Mark Wilsey spoke about the McCabe Creek and 6th Street project development. He said there are benefits to purchasing his property located next to the Car Quest. He said 30 cars can be parked in the area and would be a positive impact to the Pagosa residents. He said the property would be a great place for a sewer lift station. He said he was promised by the town a roadway and utilities and instead has a land locked property. He would like a resolution regarding the properties and would like the Town to purchase the lots. Mr. Paul Nobles said he sold the property to his daughter. He said they have received no appreciation from the Town and they don't have utilities or bridges as once promised by the town council.
- III. **CONSENT AGENDA**
 1. **Approval of the February 19, 2015 Meeting Minutes**
 2. **Liquor Licenses**
 - a. **New Beer and Wine Liquor License – Rychelle LLC dba The Lost Cajun Pagosa Springs at 438 C Pagosa Street**
 - b. **Liquor License Renewal – Schnox Corporation dba Riff Raff Brewing Company at 274 Pagosa Street**
 - c. *Special Events Liquor Permit – Humane Society of Pagosa Springs Chocolate Auction, March 28, 2015 at the Pagosa Springs Youth Center on Pagosa Street - WITHDRAWN*
 - d. **Special Events Liquor Permit – Town of Pagosa Springs Concert, March 20, 2015 at the Ross Aragon Community Center** – Council Member Alley recused himself from the item and left the room. Council Member Schanzenbaker moved to approve the consent agenda withdrawing 2c, Council Member Bunning seconded, unanimously approved.
- IV. **NEW BUSINESS**
 1. **Region 9 Enterprise Zone Redistricting** – Ms. Laura Lewis Marchino, Assistant Director for Region 9, oversees the Enterprise Zone Tax Credit Program in this area. Because the economic situations for Archuleta County and the Town have improved so much many tax credits will not be available starting in 2016. She said businesses from 8th street east are still eligible for future tax credits and some business west of town will be contacted to see about grandfathered rights into the program.
 2. **Geothermal Authority Funding Request** - In April 2014, the Town of Pagosa Springs and Archuleta County executed the Pagosa Area Geothermal Water and Power Authority

(Authority) Agreement that created the Authority with the purpose of exploring for geothermal resources. The project, including the test drilling, is being funded from a \$4 million federal Department of Energy (DOE) grant, \$2 million in state of Colorado Department of Local Affairs (DOLA) Energy Impact grant, and \$520,000 in County and Town funds. As the drilling has progressed, it has surfaced that the Authority will need funding to pay for the initial costs and then be reimbursed subsequently by the DoLA grant. Funding is not budgeted and would need to be taken from the Town reserve funds. The county approved the funding request contingent upon a promissory note from the Authority and written guarantee by Pagosa Verde. Should DoLA determine not to fund the entire funding request, there would be have to be an allocation of cost among shareholders (Town 40%, County 40%, Pagosa Verde 20%). Mr. Jerry Smith said DoLA has said the reimbursement will be approximately three to four weeks and that the DoLA representative, Ken Charles, will be watching for the payments from DoLA. He said the county has asked for a guarantee that Pagosa Verde be responsible for 20% of any funds not honored by DoLA. Council Member Schanzenbaker moved to approve appropriating from General Fund reserves an amount not to exceed \$250,000 for the immediate purpose of providing bridge funding to the Pagosa Area Geothermal Water and Power Authority for expenses related to geothermal test drilling, any funding advanced is to be reimbursed by the Department of Local Affairs Energy Impact Grant awarded to the Pagosa Area Geothermal Water and Power Authority, Council Member Egan seconded, unanimously approved.

3. **Retail and Medical Marijuana Business Licensing** - On February 3, 2015, Town Council directed staff to bring forth an ordinance for considering allowing marijuana businesses within Town boundaries. The Town has a number of decisions to make concerning allowing marijuana businesses to operate within the Town Boundaries. Using the Archuleta County's ordinance and regulations as a starting point, for consistency purposes, there are many choices Town Council has in the development of regulations for marijuana businesses. Decisions for the types of establishments, restrictions to operation and locations, establishment of a local licensing authority, applications, fees, and taxes. Town Attorney Cole said a licensing program could be put in place, but taxes deferred to an election decision. A special meeting on Friday March 13th at 7:30 am to discuss options. Council Member Schanzenbaker agrees to have consistency with the County and follow their ordinance. Council Member Lattin asked for an updated map based on county and state regulations. Staff will invite the county attorney and local businesses for input during this meeting.

V. OLD BUSINESS

1. **Purchase of Real Property Lots 6 & 7 Block 33 with Possible Executive Session Pursuant to C.R.S. Section 24-6-402(4)(a) Concerning the Purchase, Acquisition, Lease, Transfer, or Sale of any Real, Personal, or other Property Interest and C.R.S Section 24-6-402(4)(e) Determining Positions Relative to Matters that may be Subject to Negotiations, Developing Strategy for Negotiations, and Instructing Negotiators** – Council Member Schanzenbaker asked for more clarification in real property addresses, Mayor Volger said this is pertaining to Mr. Wilsey's property. Council Member Lattin moved to go into executive session regarding real property lots 6 and 7 Block 33 pursuant to C.R.S. Section 24-6-402(4)(a) concerning the purchase, acquisition, lease, transfer, or sale of any real, personal, or other property interest and C.R.S. Section 24-6-402(4)(e) determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators, Council Member Schanzenbaker seconded, unanimously approved at 6:45pm. Mayor Volger called the meeting back in regular session at 7:43pm.

- VI. **PUBLIC COMMENT** – Mr. Morgan Murri thanked Planning Director Dickhoff for getting stakeholders together to take care of the pot holes at the Country Center Marketplace. Mr.

Bill Hudson is not a marijuana user, but is glad it is legalized. He said it is an alternative to alcohol which is a deadly drug. He believes marijuana is a safe way to self-medicate in dealing with life struggles. Mr. Hudson has offered his services in researching this licensing of marijuana.

VII. COUNCIL IDEAS AND COMMENTS – Council Member Egan would like to review the sign ordinance due to the Pagosa Car Wash sign. He would like to look at what the Town residents receive with the Town’s investment in the PAGWPA venture.

VIII. NEXT TOWN COUNCIL MEETING MARCH 19, 2015 AT 5:00 PM

IX. ADJOURNMENT – Upon motion duly made, the meeting adjourned at 7:46pm.

**Don Volger
Mayor**



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**TOWN COUNCIL SPECIAL
MEETING MINUTES
FRIDAY, MARCH 13, 2015
Town Hall Council Chambers
551 Hot Springs Blvd
7:30 a.m.**

- I. **CALL MEETING TO ORDER** – Mayor Volger, Council Member Alley, Council Member Bunning, Council Member Egan, Council Member Lattin, Council Member Patel, Council Member Schanzenbaker
- II. **PUBLIC COMMENT** - Mr. Mark Weiler said that marijuana retailers do not have a banking option, he as a representative for First SouthWest Bank would like to be the first to allow these retailers in the banks. He said the State of Colorado has set up regulations and the council should adopt the State’s regulations and allow economic development as retail marijuana businesses in our town.
- III. **NEW BUSINESS** - The planning commission reviewed the possible locations of establishments within town limits and recommended the Town Council prohibit marijuana businesses within town. The historic preservation board recommended allowing the licensing of marijuana businesses. Council Member Alley said the planning commission was not asked for a recommendation for or against allowing marijuana businesses in town limits and feels the planning commission’s opinion is not relevant. Mayor Volger said he was at the planning commission meeting and asked them to recommend a location for these businesses, the planning commission made a recommendation not to allow them within town limits. Council Member Schanzenbaker agrees with Council Member Alley’s comments on the recommendation from the planning commission. Mayor Volger said the planning commission’s recommendation is a non issue for the town council. Town Planner Dickhoff reviewed the locations according to the county regulations. These include buffers for schools, daycares, churches, parks, and residential districts. Council Member Schanzenbaker said restriction circles can be altered from what the county has established in order to allow businesses in town areas. The buffer limits can be modified depending on the areas of town.
 1. **Approval of Types of Marijuana Establishments (Retail / Medicinal)**
 2. **Approval of Dual Operations (Retail and Medicinal Marijuana at Same Location)**
 3. **Approval of Location of Retail and/or Medicinal Marijuana Cultivation Operations**
 4. **Approval of Marijuana Retail and/or Medicinal Operations Parameters and Restrictions**
 5. **Approval of Retail and/or Medicinal Location Restrictions** – Council Member Egan said honoring the restrictions from churches and schools is important, he recommends the 750 feet buffer for uptown and downtown areas. Council Member Egan moved to have buffer zones for marijuana facilities, Attorney Bob Cole said there are already in place statutorily restrictions of 1,000 feet from schools, daycares, and drug/alcohol treatment facility. Council Member Egan withdrew his motion. Commissioner Whiting said the county limited certain areas they believed were areas of impressionable minds. He said the churches and park restrictions are based on an emotional state. Schools, parks, daycare facility, alcohol/drug treatment, and churches are restricted per the county. Council Member Bunning moved to buffer school facilities of at least

1,000 feet, Council Member Egan seconded, unanimously approved. Council Member Egan moved to approve a 1,000 feet buffer around child daycare facilities, Council Member Patel seconded, unanimously approved. Attorney Cole said “residential childcare facility” is how the state words the restrictions. Council Member Bunning moved to establish a 1,000 foot buffer for drug/alcohol treatment facility, Council Member Schanzenbaker seconded, unanimously approved. Attorney Starr said he recommends determining suitability of the facility at the time of the application not at the time of licensing. Council Member Bunning said changes of ownership can be a determination of suitability when that situation comes before the authority board. Council Member Alley asked about the possibility of a church moving in just prior to a marijuana establishment applying for an application, Attorney Cole said the council could define a date for applications in order to avoid this situation. Mayor Volger said including park areas is a way to keep marijuana businesses away from impressionable youths. Council Member Schanzenbaker said limiting parks leaves no retail areas for businesses downtown. Mr. Jason Werby said buffer around parks will discourage people from using public spaces after purchases. Mr. Jeremy Bonin said other communities have restricted parks; Durango has a 250 foot buffer. Town Manager Dickhoff said zone district are another restrictions to take in mind. Council Member Egan move to table a decision on park buffers, Council Member Alley seconded, unanimously approved. Staff will prepare maps with and without limits on parks. Council Member Bunning moved to include a buffer zone around churches, Council Member Egan seconded, Council Member Bunning amended his motion to read a 1,000 foot buffer zone around churches, Council Member Egan withdrew his second, motion died for lack of a second. Council Member Schanzenbaker moved to table the church buffer area item, Council Member Egan seconded, unanimously approved. Staff is to provide maps with the three buffer zones for schools, child daycare, and drug/alcohol treatment centers for council’s review. Attorney Cole said the 250 residential restrictions is not a state regulation, but the county has adopted this restriction.

6. Approval of Town of Pagosa Springs Retail and/or Medicinal Marijuana Local Licensing Authority

7. Approval of Retail and / or Medicinal Marijuana Licensing Restrictions

8. Approval of Retail and / or Medicinal Marijuana Enforcement Procedures

9. Approval of Retail and / or Medicinal Marijuana Fees and Taxes

10. Approval for Directing Staff to Extend Ordinance 796 Marijuana Business Prohibition Beyond the June 1, 2015 Deadline - Council Member Bunning said the timeframe is not realistic and would like to extend the deadline. Mayor Volger agrees with Council Member Bunning. He said this controversial issue could be put to a vote of the people at the April 2016 election. Mr. Bill Hudson said he will help with making maps. Council Member Schanzenbaker said extending the moratorium if necessary is easy, he said this is business licensing issue and not an item that needs to be determined by a vote of the people. Council Member Bunning agrees with Council Member Schanzenbaker and wants to have the opportunity to apply good regulations to this issue. Council Member Egan would like more information on realistic timeline to extend the moratorium, but does not support taking this issue to a vote of the people. Commissioner Whiting said a citizen task force worked with the county to address issues, he suggests using a citizen task force to assist. Mr. Morgan Murri said the current timeline is sufficient and can be completed with the already completed regulation templates. Council Member Patel discourages a task force and does not want to move the moratorium expiration date at this time. Mr. Bill Delaney doesn’t agree with putting this to a vote of the people. Council Member Egan moved to direct staff to analyze a timeline on putting the regulations in place and report to council, motion died for lack of second.

IV. PUBLIC COMMENT – Mr. Jason Werby suggests the rules put in place the same restrictions as the county. He would like to see a restriction for production in town limits to protect the current business owners and local jobs. He supports Mayor Volger’s suggestion to bring the item to a vote of the people. Commissioner Whiting said vertical integration requires 70% of the product to be grown in the community, he suggests the Town consider this as a regulation.

V. COUNCIL IDEAS AND COMMENTS

VI. NEXT TOWN COUNCIL MEETING MARCH 19, 2015 AT 5:00PM

VII. ADJOURNMENT – Upon motion duly made, the meeting adjourned at 9:45am.

**Don Volger
Mayor**



AGENDA DOCUMENTATION

REPORTS TO COUNCIL:IV.1A

PAGOSA SPRINGS TOWN COUNCIL
MARCH 19, 2015

FROM: APRIL HESSMAN, CMC, TOWN CLERK

PROJECT: TOWN CLERK DEPARTMENT REPORT

ACTION: UPDATE AND DISCUSSION

CLERK'S OFFICE UPDATE

The Town Clerk's department has been working on changing offices to get Kathy Harker, our new Human Resources/Records Clerk, set up in her new office. Dennis Ford and the maintenance crew worked hard painting, spackling, installing carpet and assisting with moving the Town Clerk's office to the back near planning and building.

Kathy's first assignment as HR clerk was to hire a replacement for her position in the police department. Interviews were held March 12th and a candidate contacted. She is also assisting the Parks and Recreation department in hiring a new Park Use Administrator, applications are being accepted. Priorities for the Human Resources position include review of the personnel handbook policy, police officer recruitment and department training policies. We are fortunate to have Kathy's organizational skills and dedication to the town in the Clerk's office.

The new online billpay system has been happily accepted by town residents and business owners. Along with utility payments, business license renewals are available to be paid online. The recreation department worked with Xpress Billpay to get the sports forms updated and will offer online sign-ups for the next season.

First SouthWest Bank has been very helpful in getting bank accounts set up for the Town along with access to a great online banking system. The Town took over fiscal responsibility of the Pagosa Area Geothermal Water and Power Authority (PAGWPA) from the county to process the payments and reimbursement applications for the DoLA grant funds. Staff has met with the PAGWPA invoice committee and Pagosa Verde to review and approve invoice requests for the project.

The clerk is looking to create a new Facebook page for the Town in order to support the Town Council's goal of improving community involvement and reach a new group of residents.



AGENDA DOCUMENTATION

REPORTS TO COUNCIL:IV.B

PAGOSA SPRINGS TOWN COUNCIL
MARCH 19, 2015

FROM: ZACH RICHARDSON, TOWN BUILDING OFFICIAL

PROJECT: BUILDING DEPARTMENT REPORT

ACTION: UPDATE AND DISCUSSION

COMMERCIAL BUILDING ACTIVITY

Walmart is getting close to completion and it looks likely that they will be able to open next month as planned on April 22. City Market has submitted plans for major remodeling of the store. There is a good possibility that the former City Market building on San Juan Street will have a new owner and plans to put in a new grocery store into that space.

BUILDING PROJECTS

As spring is close upon us, things are starting to come and we are getting a few small project applications for both commercial and residential properties.

BUILDING OFFICIAL TRAINING AND CONTINUED EDUCATION

Zach has been out of the office for much of the last few weeks on training updates and continuing education for the International Fire Code, Building Code, Mechanical Code, Fuel/Gas Code and the NFPA Standard 13.

BUILDING VIOLATIONS

The Department continues to work with legal counsel to follow-up on Building Code violations.

MECHANICAL CONTRACTOR TRAINING

We are continuing to try to work with County officials and Builder's Committee to get up a cooperative effort to have training opportunities for local contractors.



AGENDA DOCUMENTATION

REPORTS TO COUNCIL:IV

PAGOSA SPRINGS TOWN COUNCIL

MARCH 19, 2015

FROM: SHANE LUCERO, COMMUNITY CENTER

PROJECT: COMMUNITY CENTER REPORT

ACTION: UPDATE AND DISCUSSION

UPCOMING EVENTS

March 20, 2015: The Wild Marimbas from Santa Fe, NM will be having a concert at RACC at 7:00pm. Tickets are \$5.

March 21, 2015: Wild Marimbas, Marimba music clinic offered free to the public from 10:00am –noon.

March 28, 2015: The National Turkey Federation will be having its annual Turkey Banquet in the multi-purpose room.

April 11, 2015: RACC and The Springs Resort & Spa are hosting the Pagosa Springs Pints & Pools Craft Beer Festival. Up to 23 Colorado and NM brewers will be pouring in a beer tasting from 1-4pm in the multi-purpose room. After the tasting, attendees will walk to The Springs where they will enjoy soaking, live music and food.

We are hoping for 200-300 people coming to Pagosa for this event.

CENTER UPDATES

Our Young Chefs cooking class comes to a close on March 23rd. There has been a lot of interest from the public for this class. We hope to find funding and raise money to hold more classes like this in the future.

Latin Fitness class has been very successful with 20-30 participants every Wednesday at 5:30 pm. Because of this success, beginning April 1st, Latin Fitness will also be offered on Monday evenings from 5:30-6:30pm.

Staff is currently planning summer events.

RACC currently offers 14 free programs free to the community.



AGENDA DOCUMENTATION

REPORTS TO COUNCIL:IV

PAGOSA SPRINGS TOWN COUNCIL
MARCH 19, 2015

FROM: CANDACE DZIELAK, COURT ADMINISTRATOR

PROJECT: MUNICIPAL COURT, DEPARTMENT REPORT

ACTION: UPDATE

IN-COURT ACTIVITY UPDATE AND SUPERVISION CASELOAD UPDATE

COURT SESSIONS ~ Three (3) court sessions were conducted in February 2015.

Pagosa Springs Municipal Court February 2015 Offender Characteristics			Pagosa Springs Municipal Court Current Supervision Caseload February 19, 2015		
Total Offenders Docketed	55		Total		% of Caseload
Traffic	14		Cases Under Supervision	63	—
Adults		13	Juveniles	21	33.33%
Juveniles		1	Adults	42	66.67%
Criminal	41		Males	41	65.08%
Adults		19	Females	22	34.92%
Juveniles		22			

COMMUNITY YOUTH TASK FORCE (CYTF) UPDATE

- One (1) meeting of the CYTF was conducted. The Task Force staffed five (5) male youth for the charges of Runaway, Criminal Mischief, and False Reporting to Authorities. Nine (9) community volunteers participated in the staffings.

CONTINUING EDUCATION UPDATE

- Court Clerk, Kay Castolenia, and the Court Administrator, Candace Dzielak, completed their required biennial Criminal Justice Information System (CJIS) Security and Awareness Training, and successfully completed the required examination.
- The Court Administrator successfully completed her biennial testing with the Colorado Bureau of Investigation to maintain her Colorado Crime Information Center (CCIC) Certification.
- Please Note** ~ all further training for Court staff has been suspended due to current staff workloads.

COMMUNITY AND REGIONAL COLLABORATION UPDATE

- February 5, 2015 ~ The Court Administrator participated in a Threat Assessment at Pagosa Springs High School.
- Ongoing ~ Municipal Court requested the use of the Archuleta County Combined Courts for upcoming jury trials, and the request for space was approved. Municipal Court staff has extended their thanks to the staff of the Combined Courts.
- Ongoing ~ The Court Administrator continues to attend Student Attendance Review Boards (SARBs) for the 2014-2015 school year.

2015 BUDGET

- 1) **Translation Services** ~ The Court's Spanish Language Interpreter/Translator, Gregoria S. De Lark, has been in attendance to provide interpretation for defendants and victims during Court sessions. Ms. Lark has translated the Court's Victim Impact Statement into Spanish.

- 2) **Office Supplies** ~ Due to upcoming jury trials, the Court will have some significant expenses in supply, printing, and postage costs.



AGENDA DOCUMENTATION

REPORTS TO COUNCIL:IV

PAGOSA SPRINGS TOWN COUNCIL
MARCH 19, 2015

FROM: DENNIS FORD, MAINTENANCE SUPERVISOR

PROJECT: MAINTENANCE DEPARTMENT REPORT

ACTION: UPDATE AND DISCUSSION

MAINTENANCE UPDATE

Maintenance staff has plowed and shoveled town facilities. We are currently working on repairing the walk-in freezer at Community center. We have replaced blower motors at town hall and community center. Staff completes daily tasks and daily monitoring of geothermal



AGENDA DOCUMENTATION

REPORTS TO COUNCIL:IV

PAGOSA SPRINGS TOWN COUNCIL

March 19, 2015

FROM: TOM CAROSELLO, PARKS AND RECREATION DIRECTOR

PROJECT: DEPARTMENT REPORT

ACTION: UPDATE AND DISCUSSION

PARKS AND RECREATION COMMISSION UPDATE

There will be no Parks and Recreation Commission meeting this month. However, there will be a public meeting to discuss skate park expansion Wednesday, March 25 at 6 p.m. in the community center south conference room.

The minutes from the February PRC meeting are included for your review. The next Parks and Recreation Commission (PRC) meeting will be held Tuesday, April 14 at 5:30 p.m. in Town Hall.

RECREATION PROGRAMS UPDATE

After a two-year hiatus due to lack of gym space, a youth volleyball program is being offered for ages 9-12. The program currently includes 45 participants, begins this week and will run through the end April.

The youth basketball program for ages 9-12 ended last week; registration for this year's tee ball program (ages 5-6) and the second session of gymnastics for ages 3 and up will begin later this month.

PARKS UPDATE

In addition to routine duties, the parks crew has refinished the floors in both bathrooms in the Town Park gazebo. Due to thinning ice and deteriorating conditions, the skate pond has been closed for the season.

The temporary ice rink in the Town Park athletics field is scheduled to be disassembled and removed within the next 10 days.

CAPITAL IMPROVEMENT PROJECTS UPDATE

RESERVOIR HILL THINNING PROJECT: If feasible, the project will begin this spring and conclude before the annual Folk and Bluegrass Festival. If weather and soil conditions do not permit work to begin, the project will have to wait until late fall.

However, the Southwest Conservation Corps will be performing hand-thinning operations along steep slopes on mainly the north side of Reservoir Hill in early May as part of the scope of work outlined in the grant agreement with Mountain Studies Institute.



AGENDA DOCUMENTATION

REPORTS TO COUNCIL:IV

PAGOSA SPRINGS TOWN COUNCIL

MARCH 19, 2015

FROM: **WILLIAM ROCKENSOCK, CHIEF OF POLICE**

PROJECT: DEPARTMENT HEAD REPORT

ACTION: UPDATE AND DISCUSSION

POLICE DEPARTMENT INCIDENT REPORTING

The Pagosa Springs Police Department Statistics for February 2015

Officers responded to 263 calls for service.
Officers responded to 28 agency assist calls for service
Officers completed 56 incident action reports
Officers completed 14 accident investigation reports.

OFFICER TRAINING UPDATE

February 2015

Detective Maxwell completed 40 hours of survival firearms training from FLETC.

Officer Gholson attended emotional survival for LE.

Officer Brown is currently being trained as a drug recognition expert for DUID that will continue in March.

Daily training bulletins are administered to each officer by Lexipol.

The Police Department is hosting a training provided free of charge by Homeland Security in May 2015.

RECRUITING UPDATE

The police department currently has two full time opening(s) for patrol officer. The department recently held first phase of testing for the open positions. Only one remaining candidate was selected to continue to the second phase of testing. The department has accepted several applications of candidates who were unable to attend the recent testing process. A second testing process will be held in the near future.

The police department is currently in the process of reviewing applications and interviewing for the Administrative Assistant opening.

CAPITAL IMPROVEMENTS UPDATE

MOBILE RADAR SPEED TRAILER: The police department MRS has been delivered and the police department will be setting up a deployment plan for its use in high traffic areas.



AGENDA DOCUMENTATION

REPORTS TO COUNCIL:IV

PAGOSA SPRINGS TOWN COUNCIL

MARCH 19, 2015

FROM: SCOTT FROST; SPECIAL PROJECTS DEPARTMENT

PROJECT: SPECIAL PROJECTS DEPARTMENT REPORT

ACTION: UPDATE AND DISCUSSION

RIVERWALK PHASE 2

A final (close out) Contract performance evaluation from Colorado State Trails was received regarding the construction and grant management of the Riverwalk extension which was completed last summer. All aspects were rated as satisfactory and the agency representative expressed gratitude for the Town's management of the project.

SUPPORT OF BUILDING DEPARTMENT

A goal of the Special Projects Department is to provide support to other departments as needed with a view towards providing the best possible service to the public. This objective has taken many different forms, from sitting at the front desk answering phones to assisting the Sanitation District in soliciting bids for goods and services. In 2015, the Special Projects Department has taken an active role in assisting the Town Building Official with code enforcement and building inspections. To insure the highest degree of professionalism and accuracy in carrying out these duties, The Projects Manager has (thus far) attended a 3 day fire sprinkler course (N.F.S.A) and a 5 day international code council (I.C.C) seminar, obtaining training that will be of value in both managing the Towns various construction projects and in providing support to the Building Official.

GRANTS MANAGEMENT

Requests for reimbursement are ongoing with Riverwalk phase 3 and Majestic Drive; as work resumes on these projects With the arrival of construction weather, we anticipate closing these projects out with no foreseeable change orders.



AGENDA DOCUMENTATION

REPORTS TO COUNCIL:IV

PAGOSA SPRINGS TOWN COUNCIL
MARCH 19, 2015

FROM: CHRIS GALLEGOS, PUBLIC WORKS DEPARTMENT

PROJECT: STREETS AND GEOTHERMAL REPORT
ACTION: UPDATE AND DISCUSSION

STREETS DEPARTMENT UPDATE

Street department has been taking care of pot holes, blading roads, and taking care of drainages. Plowed snow and picked it up on the center of the streets, also with the slick road conditions sanding has kept us busy. We repaired broken, bent, and faded sign poles and signs. When time permits we are rebuilding the wear parts on the street sweeper.

GEOTHERMAL UPDATE

Daily checks have been good. We have not had any problems with the system this month.



AGENDA DOCUMENTATION

REPORT TO COUNCIL:IV

PAGOSA SPRINGS TOWN COUNCIL
MARCH 19, 2015

FROM: GREGORY J. SCHULTE, TOWN MANAGER

PROJECT: TOWN MANAGER'S REPORT

ACTION: UPDATE AND DISCUSSION

ECONOMIC DEVELOPMENT TRANSITION TEAM

The Transition Team meeting was on March 9th and included representatives from both the Town and County. The notable items of interest were the following items:

- The CDC has approved revised bylaws that includes 2 seats for both the Town and the County. Including the Town and County seats, the Board of the CDC will total 9 people.
- The CDC engaged the Chamber of commerce to provide administrative duties at the rate of \$1,200 per month. This will begin March 2015 and go through December 2015.
- The CDC extended the agreement with Region 9 staff to provide economic development services and expertise to Archuleta County until November 2015.
- Region 9 and the CDC plan to apply for a JOBS grant that will expand the number and quality of Business Advisors as well as establishing a new micro-loan program with the assistance of 1st Southwest Bank. Part of the match for the grant is anticipated to be part of the eventually requested contribution from the Town and County and would be deducted from the overall contribution.

The CDC is planning to attend the next joint Town / County meeting on March 24th to provide an update on the progress on the reformation of the CDC.

CIVIL PROSECUTIONS

The first summons was filed on March 11, 2015 and staff, along with Brett Van Winkle serving as the Special Legal Counsel for civil Municipal Court prosecutions, has prepared the required paperwork associated with the filing. A possible court date has not been set as of this writing. A second case is presently pending, but staff is attempting to achieve compliance in advance of a court summons.

FRANCHISE AGREEMENT WITH LPEA

We received the draft of the Franchise Agreement from LPEA the week of March 2nd. The draft has been forwarded to Town Legal Counsel for review and then will come before the Town council in a work session format.

OTHER ISSUES

Other issues the Town Manager has been working in the past month that the Council has already been briefed on are:

- Pipeline project with PAWSD
- Gym Floor Project (To be heard at this meeting)
- Medical Marijuana Ordinance
- Wilsey Property
- Geothermal Greenhouse Energy Impact Grant Hearing
- CDOT /Town Staff Quarterly Work Sessions
- Geothermal Authority facilitation
- Downtown Task Force Facilitation



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I. **Call to Order / Roll Call:** Commission Chair Ron Maez called the meeting to order at 5:30 PM. Commissioners Kathie Lattin, Peter Adams, Heidi Martinez were present with Cameron Parker arriving at 5:45pm. Alternate Planning Commissioner Natalie Woodruff was absent. Also present were Planning Director James Dickhoff, Associate Planner Margaret Gallegos, Community Members _____.

II. **Announcements:** None.

III. **Approval of Minutes:** Motion made by Commissioner Lattin, seconded by Commissioner Adams and unanimously carried to approve the February 10, 2015 Planning Commission meeting minutes as presented.

IV. **Public Comment:** None Received.

V. **Board of Adjustments:** None.

VI. **Planning Commission:**

A. **Recommendation to Town Council Regarding Location Restrictions for Marijuana Establishments:** Planning Director Dickhoff reported that the Town Council has recently expressed a majority interest in developing regulations to allow Marijuana (Retail and Medical) Establishments to operate within the Town's boundary. The current prohibition ends on June 1st, 2015, so there is motivation to complete the development and approval of such regulations before then. The TC has also expressed interest in consistency with Archuleta County's regulations.

Part of the discussion regards the allowable and prohibited areas in Town where such establishments would be allowed to operate or prohibited from operating. State statute allows municipalities to develop their own allowable areas for such businesses as well as the ability to allow up to a certain # of total establishments within the Town.

Currently, state regulations, as well as many other communities in Colorado (including Archuleta County), have adopted the following distance restrictions from other uses:

Marijuana Establishments cannot be located within 1000 feet of any School, any licensed Day Care Facility, any Church, or dedicated Public Park, weather inside the Town in adjacent County boundaries. Also, the is a 250 foot buffer required from residentially zoned areas, weather inside the Town in adjacent County boundaries.



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Bob Coles office has provided Town Council a memo reviewing some of the decisions Town Council will be considering regarding Marijuana Establishments – copy was provided to the Planning Commission.

Analysis: Currently, Colorado state regulations as well as many other communities in Colorado (including Archuleta County) have adopted the following distance restrictions from other uses and residential districts:

Marijuana Establishments cannot be located within 1000 feet of any School, any licensed Day Care Facility, any Church, or dedicated Public Park, weather inside the Town in adjacent County boundaries. Also, there is a 250 foot buffer required from residentially zoned areas, weather inside the Town in adjacent County boundaries.

The State defines the following 7 different types of **Marijuana Establishments**:

1. Medical marijuana center - a business that sells medical marijuana to registered patients or primary caregivers but is not a primary caregiver.
2. Medical marijuana-infused products manufacturer – a business that manufactures a product containing medical marijuana for use or consumption by a patient. Examples of products include edibles, tinctures and ointments.
3. Optional premises cultivation operation – a business associated with a medical marijuana center or a medical marijuana-infused products manufacturer for a location in which the licensee is authorized to grow and cultivate medical marijuana.
4. Retail marijuana stores - a business that sells retail marijuana to adults over 21 years of age.
5. Retail marijuana products manufacturers - a business that manufactures a product containing retail marijuana for use or consumption by an adult over 21 years of age.
6. Retail marijuana cultivation facilities - a business that grows and cultivates retail marijuana. Unlike medical marijuana optional premises cultivators, a retail marijuana cultivation facility does not have to be directly linked to a retail store or products manufacturer.
7. Retail marijuana testing facilities – a business that operates a lab to test the quality and components of retail marijuana and retail marijuana products.



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Archuleta County allows all types of establishments **except** for Retail marijuana testing facilities and Retail marijuana products manufacturers, which are not allowed due to the nature of some of the hazardous products used in the production of such products.

In the case of #3, Optional Premise Growing Operations and retail marijuana Cultivation Facilities (marijuana growing operations), the county only allows these operations if: The growing operation is in connection with the operation of a Retail marijuana center, and, where the growing center and the Retail marijuana center have identical ownership, and, where the operations are on the same or adjacent parcels for property tax purposes.

Archuleta County allows marijuana establishments in commercial and industrial zoning districts only, consistent with many other communities in Colorado.

Staff's first recommendation is to Prohibit marijuana establishments within the Town's boundary, Given:

- 1) The size of our entire community in relation to the existing three operating County businesses,
- 2) The existing 3 business are in very close proximity to Town now, permitted by the County,
- 3) The fact that the sales taxes collected by the three establishments are shared with the Town, and allowing additional establishments, most likely would not result in additional overall sales tax collections from such business category,
- 4) The fact the existing three establishments are in the correct zoning locations and not on main street or along the Hwy corridor,
- 5) Based on common distance restrictions, there are very few areas that would allow such Establishments within the Town.

Staff's second recommendation is to consider regulations that are consistent with Archuleta County, and many communities in Colorado, including the distance restrictions and allowable zoning districts, Commercial (C) and Light Industrial (LI).

"Marijuana Establishments cannot be located within 1000 feet of any School, any licensed Day Care Facility, any Church, or dedicated Public Park, weather inside the Town in adjacent County boundaries. Also, the is a 250 foot buffer required from residentially zoned areas."

Alternative Actions: Staff Recommends the Planning Commission discuss the subject of prohibited and allowable locations for marijuana businesses within Town, and provide a recommendation for Town Councils consideration. Below are a few alternative actions for the PC's consideration.

- 1) Provide a Recommendation to Town Council to Prohibit Marijuana Establishments within Town, recognizing that the existing marijuana establishments permitted in



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Archuleta County provide adequate access to such products for the Town of Pagosa Springs residents and visitors.

- 2) Provide a Recommendation to Town Council to Allow the Following Marijuana Establishments within the Town Boundaries: Medical marijuana centers, Medical marijuana-infused products manufacturers, Optional premises cultivation operations, Retail marijuana stores and Retail marijuana cultivation facilities; prohibiting the location of such establishments within 1000 feet of any School, any licensed Day Care Facility, any Church, or dedicated Public Park, weather inside the Town in adjacent County boundaries, and prohibiting the location of such establishments within 250 feet from residentially zoned areas (and/or established residential uses).”
- 3) Provide a Recommendation to Town Council to consider another consideration, TBD.

B. Recommendation to Town Council Regarding Cargo Shipping Container Regulations: Planning Director Dickhoff reported that on December 02, 2014, the Town Council directed staff and the Planning Commission to develop LUDC revision recommendations for Town Council’s consideration regarding the Allowable uses and placement of Cargo Shipping Containers (CSC).

On January 13, 2015, the PC tabled this discussion until January 27, 2015 and then continued the discussion to a February 10th work session. A follow up work session was conducted on Monday, March 2nd, resulting in some consensus on certain aspects of the discussion. During this last work session, **The Planning Commission appears to agree on the following:**

1. Require all permanent accessory structures to be consistent in design and appearance as the primary structure.
2. Require a Building Permit for all permanent accessory structures, with no fee charged for structures under 120 sq ft.
3. Allow the Permanent placement of Cargo Shipping Containers in Light Industrial Zoned districts.
4. Allow the Temporary Placement for up to two-180 day periods, with an administratively approved Temporary Use Permit (TUP), in all districts. Use must be associated with the primary structure of the property.



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5. Allow the Temporary placement of CSC's relative to an active building permit, with an administratively approved TUP. Use must be associated with construction activities.

6. Allow the Permanent placement and use within the Commercial (C), Mixed Use Corridor (MU-C) and Mixed Use Town Center (MU-TC) districts (with the overlay district exception in #7 below), limiting to no more than 25% of the primary structure square footage and no more than 320 square feet of Cargo Containers (Two 8' x 20' containers or one 8' x 40' container). As in #1 above, the CSC shall be consistent in design and appearance as the primary structure.

7. Within the Downtown Business and Lodging Overlay District and Downtown East Village Overlay District, Allow the Permanent placement and use, limiting to no more than 25% of the primary structure square footage and no more than 160 square feet of Cargo Containers (one 8' x 20' container). As in #1 above, the CSC shall be consistent in design and appearance as the primary structure.

8. Prohibit the permanent placement and use in the Open Space District (Parks).

9. Allow the Permanent Placement and use within the Public/Quasi Public District, Limiting to no more than 160 square feet. As in #1 above, the CSC shall be consistent in design and appearance as the primary structure.

There were split opinions regarding allowing the permanent placement and use in residential districts; R-A, R-T, R-6, R-12, R-18 and MU-R. Much of the discussion was based on should they be allowed at all, and if so, how an applicant could provide the consistent appearance and design as the primary structure. Would they be required to roof the structure to be consistent with the primary structure ? Would they have to install siding to match the primary structure ?

Staff's first recommendation is to prohibit within all residential districts. Cargo Shipping Containers are industrial in nature and appearance and staff believes that they are not consistent with the guidance provided in the Comprehensive plan and Downtown Master plan, in regards to building appearance, design consistency and protecting property values. If a cargo container is not attached to a building and does not have a roof consistent with a primary structure, then CSC's may look odd and out of place. To provide a consistent design and appearance, an owner would need to almost build a complete structure around the CSC or install siding and roof applications for consistency.

The guiding principles for considering the Cargo Shipping Container issue are found in the Town's adopted Comprehensive Plan (CP), Downtown Master Plan (DMP) and Land Use Development Code (LUDC).

The Comprehensive Plan (CP)



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- ~ Identifies and promotes healthy and attractive neighborhoods and need to protect character of neighborhoods by promoting quality developments, compatible with existing and proposed developments.
- ~ CP Policy G-4(b) Infill and Redevelopment Designed to be Compatible:
Ensure compatible infill & redevelopment by considering aspects such as scale and massing of buildings, setbacks, relationship of entrances to street and public spaces, landscaping, sidewalks, and other broad design issues that provide consistency & compatibility of new structures with older structures.
- ~ Policy G-6(a) Development Contributes to Positive Image and Livability of Town
Ensure new private development (residential +nonresidential) contributes to furthering development of Pagosa Springs as a sustainable and livable community and fosters the town's eclectic and unique architectural qualities. Characteristics may be different for specific parts of the community, and new development should not lead to standard "sameness" for all buildings or all parts of town.

The Downtown Master Plan

- ~ Generally supports building design compatibility.
FP7. Ensure new infill and redevelopment contains site and architectural elements that reflect the desired character of the community, by employing design Guidelines.
Chapter 6: Design Guidelines:
 - ~ Supports architectural character of buildings relative to the existing context, and maintaining the character of an authentic rural mountain Town.
 - ~ New buildings, redevelopment and building renovations should respect the small town character of Pagosa Springs. In General, buildings should have a high degree of visual interest that derives from the use of a traditional building material palette.
 - ~ A new building should be compatible with the traditional architectural features exhibited by existing buildings in town, reinforcing traditional building patterns.

Land Use Development Code, Article 6: Development and Design Standards: 6.1.1. PURPOSE

This Section includes standards that must be followed when developing property or establishing new uses of property within the boundaries of Pagosa Springs, to ensure the protection of the health, welfare, safety, and quality of life for local citizens, visitors, and business owners. The development and design standards in this chapter shall apply to the physical layout and design of all development, unless exempted by this Land Use Code. These provisions address the physical relationship between development and adjacent properties, public streets, neighborhoods, and the natural environment, in order to implement the comprehensive plan vision for a more attractive, efficient, and livable community.



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6.7 COMMERCIAL AND MIXED-USE DESIGN STANDARDS: 6.7.1

PURPOSE

This Section is intended to promote high-quality commercial and mixed-use building design, encourage visual variety in non-residential areas of the Town, foster a more human scale and attractive street fronts, project a positive image to encourage economic development in the Town, and protect property values of both the subject property and surrounding areas. In addition, this Section intends to create a distinct image for important or highly visible areas of the Town.

6.8.1 PURPOSE

Purpose of these standards is to ensure that multi-family and townhome developments exhibit creativity and variety in design features to avoid the creation of bleak, monotonous streetscapes and neighborhoods.

Staff has prepared the following LUDC revisions/additions for consideration:

Addition: LUDC section 4.3.3.A.3.

- a. All Accessory Structures shall be consistent in design and appearance as the principal structure on the property.
- b. All Accessory Structures require a Building Permit prior to construction or placement.

Addition: LUDC section 4.3.4.D.5. (Outdoor Storage).

- a. Cargo Shipping Containers shall be allowed in Light industrial and Commercial districts for permanent placement and use limiting the CSC's square footage to no more than 25% of the primary structure and no more than 1000 square feet total.
- b. Cargo Shipping Containers shall be allowed in the Commercial, Mixed Use Corridor and Mixed Use town Center districts for permanent placement and use, limiting the CSC's to no more than 320 square footage and no more than 25% of the primary structure. In the MU-TC district, overlay district Downtown Business and Lodging and overlay district Downtown East Village, permanent placement and use of CSC's are limited to no more than 10% of the primary structure and no more than 160 square feet total.
- c. Cargo Shipping Containers are Prohibited in all residential zone districts for permanent placement and use. (TBD)
- d. Cargo Shipping Containers in place in any zoning district at the time of this code amendment, are considered non-conforming and shall comply with LUDC Article 9, unless such Cargo Shipping Containers within Commercial and Mixed-Use districts were placed after the LUDC adoption in February 2009, which prohibited permanent Metal Sided structures in the commercial and mixed use districts, unless otherwise permitted, are considered a violation of LUDC section 6.6.7.3.B.2.b.



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Addition: LUDC section 4.4.2.G. (Temporary Uses and Structures Allowed).

Cargo Shipping Containers are allowed for temporary use and placement in the Commercial, Mixed Use Corridor and Mixed Use Town Center districts for a maximum of 180 days, with an approved Temporary Use Permit (TUP), administratively approved by the Planning Director. One additional 180 day extension period may be requested, if the application is received prior to the expiration of the first TUP 180 day period, for a maximum of 360 days of consecutive use allowed. The Cargo Shipping Container use must be relative to the primary structure use. Site placement shall comply with property line set back distances in LUDC article 5.

Addition: LUDC section 4.4.2.H. (Temporary Uses and Structures Allowed).

A Cargo Shipping Container may be allowed on a temporary use basis in any zone district for the duration of an issued building permit. A Cargo Shipping Container shall not be placed on the premise until a Building Permit is issued by the Town of Pagosa Springs Building Department and shall be removed from the premise prior to the issuance of a Certificate of Occupancy (CO) or Temporary Certificate of Occupancy (TCO) or Certificate of Completion (CC). The Cargo Shipping Container use must be accessory to the construction project the building permit is issued for and site placement shall comply with property line set back distances in LUDC article 5.

Addition: LUDC Article 12, Definitions:

Cargo Shipping Container: A Cargo Shipping Container is defined as a large, usually rectangular-shaped, steel constructed unit that is built and used to carry goods for transport by sea, road, rail or air. For the purposes of this LUDC, a Cargo Shipping Container placed on any land is considered either a permanent accessory structure or temporary accessory structure.

Recommendations:

Staff suggests the PC discuss the matter and provide a recommendation to Town Council for their consideration. Staff suggests bringing the general outline of allowances and prohibitions to Town Council for their blessing before staff embarks on preparing LUDC language revisions and additions.

Below are a few alternate options for recommendations:

A. Approve a recommendation to Town Council to consider approving the following regarding CSC's:

1. Require all permanent accessory structures to be consistent in design and appearance as the primary structure.

2. Require a Building Permit for all permanent accessory structures, with no fee charged for structures under 120 sq ft.



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3. Allow the Permanent placement of Cargo Shipping Containers in Light Industrial Zoned districts.

4. Allow the Temporary Placement for up to two-180 day periods, with an administratively approved Temporary Use Permit (TUP), in all districts. Use must be associated with the primary structure of the property.

5. Allow the Temporary placement of CSC's relative to an active building permit, with an administratively approved TUP. Use must be associated with construction activities.

6. Allow the Permanent placement and use within the Commercial (C), Mixed Use Corridor (MU-C) and Mixed Use Town Center (MU-TC) districts (with the overlay district exception in #7 below), limiting to no more than 25% of the primary structure square footage and no more than 320 square feet of Cargo Containers (Two 8' x 20' containers or one 8' x 40' container). As in #1 above, the CSC shall be consistent in design and appearance as the primary structure.

7. Within the Downtown Business and Lodging Overlay District and Downtown East Village Overlay District, Allow the Permanent placement and use, limiting to no more than 25% of the primary structure square footage and no more than 160 square feet of Cargo Containers (one 8' x 20' container). As in #1 above, the CSC shall be consistent in design and appearance as the primary structure.

8. Prohibit the permanent placement and use in the Open Space District (Parks).

9. Allow the Permanent Placement and use within the Public/Quasi Public District, Limiting to no more than 160 square feet. As in #1 above, the CSC shall be consistent in design and appearance as the primary structure.

10. Prohibit the permanent placement and use within all residential districts

OR

Allow the permanent placement and use in residential zone districts, limiting the CDSC size to no more than 80 Square feet and no more than 10% of the primary structure.

B. Approve a recommendation to town Council to Prohibit the permanent placement and use of CSC's in Town Limits

C. Discussion and Possible Recommendation to Town Council regarding Electronic Message Center Sign Regulations:

The Town has had interest from business owners to install and use electronic message center signs (EMC's) for some time now.



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The first ECM sign was installed by the Town on the Bell Tower located at the SE corner of Lewis Street and Hwy 160. Town staff has from time to time received requests to remove the sign and questions into its actual effectiveness.

The first business sign was installed at the Quality Inn Resort located at 3500 W Hwy 160 in 2013. Since this installation, there has been substantial discussion whether the Town should consider prohibiting these signs or regulating how they are used. Town staff had originally received a number of complaints about this sign, and worked with the owner to modify its operation for compliance with the town's signs code, mainly in respect to the flashing effect created when messages change.

Staff has conducted research into other communities around Colorado, and how they regulate ECM signs, with regulations ranging from outright prohibitions to extensive lists of specific regulations.

The Town's Historic Preservation Board was given an opportunity to comment on this issue as it relates to the Historic and Downtown Districts, and has recommended prohibiting EMC signs throughout the entire downtown.

The Town Council has approved the Planning Commission working on this issue and bringing a recommendation back for their consideration.

The Town's sign code defines four sign zones:

Sign Zone 1, Commercial areas of town between 1st Street and 10th Street.

Sign Zone 2: Commercial areas of town West of 10th Street and East of 1st Street.

Sign Zone Historic: Includes the Historic District and Historic listed properties.

Sign Zone Residential: All Residential zoned areas.

The Town's LUDC does not specifically prohibit EMC signs, however,

LUDC sections 6.12.3.C, Prohibited Signs, does prohibit:

"Flashing signs with lights or illumination that flash, move, rotate, scintillate, blink, flicker, vary in intensity, vary in color, or use intermittent electrical pulsations."

And

LUDC section 6.12.4.4.d, illumination:

"No sign shall have or contain blinking, flashing, fluttering or intermittent lights or other devices that create a change in color, brightness, direction or intensity of lighting."

EMC signs can create all of the above effects unless specifically programmed not to. So, in essence, ECM signs are currently allowed in sign zone 1 and 2, **IF** they do not create any of the



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effects listed above. ECM's are considered an Internally Illuminated sign, which are prohibited in the Historic and Residential sign zones.

Staff has conducted a survey of other municipalities regarding any sign code provision others are administering. The Following is the result of that survey:

ELECTRONIC MESSAGING CENTER (EMC) SIGNS RESEARCH:

Town Staff Conclusions:

1. Only larger jurisdictions specifically regulate EMCs
2. Other jurisdictions usually prohibit any sign that is illuminated especially moving, rotating, flashing or the like
3. EMCs are usually prohibited under those more general sign regulations but may be allowed by not specifically prohibiting them
4. The most common limitation is on refresh rate. Prohibiting signs that change image more than once per 24 hours or more than once per second are the most common standards.
5. The other common concern is that LEDs are bright when night falls. Programmed dimmers may be required to either limit the strength of the lights themselves or the glare measured at some defined point.
6. Time and temperature signs are exceptions. Sometimes gas station signs are as well.

Durango: Regulated the same as any electronic signs:

1. Electronic signs are not allowed.
2. No flashing, moving, changing, blinking, chasing or other animation.
3. Time, temperature and gas station signs are exempted.

Frisco:

1. Not allowed.
2. Time and temperature are exceptions.

Steamboat Springs:

1. No regulations now.
2. Think they will regulate: "can't change more than once every 24 hours, dimmer program – or outright ban".
3. They allowed it in one motel and are getting complaints.



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Silverthorne:

1. Not allowed.
2. No signs that flash, scintillate, blink, flicker, vary in intensity or color, or pulse.

Boulder:

1. Not specifically regulated
2. Regulated with other illuminated signage including: "can't change more than once per minute, cannot exceed certain brightness measured at ground level, lights must be full cutoff so there is no glare above or below the sign"....

Breckenridge: Do not allow LED signs.

Colorado Springs: allows EMCs with conditions:

1. EMC's only allowed as part of freestanding signs.
2. Prohibited in residential zoned areas.
3. Limited to static messages only, changed only through dissolve or fade transitions which otherwise shall not have movement or the appearance or optical illusion of movement, on any part of the sign structure, design or pictorial part of the sign, including the movement of any illusion or the flashing scintillating or varying of light intensity.
4. Commercial messages displayed shall only direct attention to a business product, service, activity or entertainment that is conducted, sold or offered on the premise on which the sign is located.
5. Shall have automatic dimmer software or solar sensors to control brightness for nighttime

Analysis

In essence, ECM signs are currently allowed in sign zone 1 and 2, **IF** they do not create any of the effects listed in LUDC sections 6.12.3.C Prohibited Signs and 6.12.4.4.d, Illumination. ECM's are considered an Internally Illuminated sign, which are prohibited in the Historic and Residential sign zones.

Since a business in Town now has a EMC sign and the fact that EMC signs are gaining in popularity across the nation, Staff recommends that the Planning Commission consider either:

- 1) Outright prohibit ECM signs.

OR

- 2) **Allowing EMC signs in sign zone 2 only**, with specific restrictions on their operation, **and prohibiting them in the Sign zone 1**, residential areas and the historic district. (PLEASE NOTE: the current business with an EMC sign has indicated they will be



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removing their current EMC sign as they are signing an agreement with a different franchise that prohibits the use of EMC signs on their properties.)

3)

If the direction is to allow them in sign zone 2, then the following are consideration's for adding to the LUDC regarding the operation.

~ Restrict the message changes to:

- a. No more than one message change each 5 minute period. (or more restrictive)
- b. Require a 5 second phase-out and 5 second phase-in for changing messages. This would help eliminate the message turning off and the new message turning on, reducing the perception the sign is flashing.

~ Limit the light level to 0.3 Foot candles (or more restrictive).

~ Exemption for Temperature/Time display signs, meeting light level to 0.3 Foot-candles (or more restrictive).

~ Exemption for Gas Station pricing signs, meeting light level to 0.3 Foot-candles (or more restrictive).

~ Limit ECM's to freestanding and wall signs only.

~ Restrict EMC signs to no more than 30-50% percentage of total allowable signage, OR, restrict to up to a square foot size for Freestanding and Wall signs.

~ Provide a definition for ECM's

~ Prohibit in sign zone 1, historic district and residential districts.

~ EMC sign regulations shall apply to all EMC signs located inside a building and visible from

a

public sidewalk or public street.

~ Limit to no more than one EMC sign per property.

~ ECM shall not be the predominant element of any sign

~ ECM Messages limited to one color a with one back ground color (two colors total).

~ ECM signs must be provided with automatic dimming software or solar sensors to control brightness for nighttime viewing and variations in ambient light.

~ Animation shall be prohibited.

Recommendation: At this time, Staff recommends considering one of two recommendations for Town Council's consideration. Staff would like to forward a recommendation to Town Council prior to developing LUDC revisions.

1) Outright Prohibit EMC signs in any sign zone.

2) Allowing EMC signs in sign zone 2 only, with specific restrictions on their operation, and prohibiting them in the Sign zone 1, residential areas and the historic district.

The operation of MC signs in sign zone 2 could include the following requirements:



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- ~ No more than one message change each 5 minute period. (or more restrictive)
- ~ Require a 5 second phase-out and 5 second phase-in for changing messages. This would help eliminate the message turning off and the new message turning on, reducing the perception the sign is flashing.
- ~ Limit the light level to 0.3 Foot candles.
- ~ Exemption for Temperature/Time display signs, meeting light level to 0.3 Foot-candles.
- ~ Exemption for Gas Station pricing signs, meeting light level to 0.3 Foot-candles.
- ~ Limit ECM's to freestanding and wall signs only.
- ~ Restrict EMC signs no more than 30-50% percentage of total allowable signage, OR, restrict to up to a square foot size for Freestanding and Wall signs.
- ~ Provide a definition for ECM's
- ~ Prohibit in sign zone 1, historic district and residential districts.
- ~ EMC sign regulations shall apply to all EMC signs located inside a building and visible from a public sidewalk or public street.
- ~ Limit to no more than one EMC sign per property.
- ~ ECM shall not be the predominant element of any sign
- ~ ECM Messages limited to one color a with one back ground color (two colors total).
- ~ ECM signs must be provided with automatic dimming software or solar sensors to control brightness for nighttime viewing and variations in ambient light.
- ~ Animation shall be prohibited.

VII. Design Review Board: None.

VIII. Public Comment: None Received.

IX. Reports and Comments:

A. Planning Commission – None

B. Planning Department Report –Planning Department Director Dickhoff reviewed his Department Report as follows:

TOWN COUNCIL REGULAR MEETINGS: At the March 03, 2015 Town Council meeting:

- ~ TC asked the PC to provide recommendations on allowable locations for Marijuana Establishments.
- ~ The TC also scheduled a meeting regarding marijuana businesses on Friday, March 13, 2015 at 7:30am in Town Hall.

HISTORIC PRESERVATION BOARD (HPB) UPDATE: The Next HPB meeting is on March 11, 2015 at 5:15pm in Town Hall. Staff is preparing a State Historical Fund grant application for the restoration of the historic Water Treatment facility located at 92 1st Street. Additional Projects the HPB is working on include:



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- 1) A New Mural on Main project,
- 2) Interpretive content information,
- 3) Mary Fisher Statue and recognition project,
- 4) Historic preservation month (May) activities and public forum presentations.

CRESTVIEW DRIVE CMAQ PAVING PROJECT Staff received a request for CMAQ paving projects from CDOT on January 12, 2015. Partial unding for paving 2000 lineal feet of Crestview Drive will be available as soon as July 1st, 2015 with the remaining funding available after July 1st 2016. Staff has initiated surveying with Davis Engineering, to identify the scope of the project. Currently, Staff has estimated the project to be under \$400,000.00, if the current road alignment is within the platted ROW.

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6TH STREET PEDESTRIAN BRIDGE: It is currently hoped that the project will be open to the public by March 30, 2015. Landscaping will be completed as weather permits.

WALL MART: Staff has recently reached out to WalMart for an update on anticipated opening date. They are currently anticipating opening on April 22, 2015. The Town Planning Department is working with the client for LUDC compliance of their parking lot lighting. It is expected that



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Walmart will request a Temporary Certificate of Occupancy (TCO) that will allow them to begin accepting merchandise inventory and setting up the store interior, in preparation for the grand opening scheduled for April 22nd. To be eligible for a TCO, the Building Official will inspect the project to ensure no life safety issues are outstanding. Also, the project Landscaping will not be able to be installed until the Spring of 2015, which will require Walmart to submit a Performance Bond equal to the expenses with completing the entire landscaping plan. Staff continues to work with Walmart to remedy line of sight issues from an existing residence to the south loading dock. A solution is close at hand.

CDOT: The next CDOT quarterly meeting set for March 12. Any issues or thought's for consideration at this meeting should be directed to the Planning Director or Town Manager.

C. Upcoming Scheduled Town Meetings are as follows:

Next Scheduled PC Meetings:

- ~ Tuesday, March 24, 2015 @ 5:30pm in Town Hall, Regular Meeting.
- ~ Tuesday, April 14, 2015 @ 5:30pm in Town Hall, Regular Meeting.

Next Regular Scheduled Historic Preservation Board meetings:

- ~ Wednesday, April 15, 2015 at 5:15pm in Town Hall.
- ~ Wednesday, May 13, 2015 at 5:15pm in Town Hall.

Next Regular Town Council Meetings:

- ~ Friday, March 13, 2015 at 7:30am in Town Hall, Special meeting on Marijuana Establishments.
- ~ Thursday, March 19, 2015 at 5pm in Town Hall.
- ~ Tuesday, April 7, 2015 at 5pm in Town Hall.

Next Regular Parks and Recreation Board Meeting:

- ~ Tuesday, March 10, 2015 at 5:30 pm in Town Hall.
- ~ Tuesday, April 14, 2015 at 5:30 pm in Town Hall.

X. Adjournment- Upon motion duly made, the meeting adjourned at 7:20 PM.

Ron Maez, Planning Commission Chair



Town of Pagosa Springs Historic Preservation Board
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I. **Call to Order / Roll Call:** Chair Brad Ash called the meeting to order at 5:20 pm. Present were Board Members Brad Ash, Peggy Bergon, Chrissy Karas, Judy James, Andre Redstone, Planning Director James Dickhoff and Associate Planner Margaret Gallegos.

II. **Announcements:** None

III. **Approval of Minutes:**

Motion made by Member _____, seconded by Member _____ and unanimously carried to approve the February 11, 2015 and February 17, 2015 HPB Meeting Minutes as presented.

IV. **Public Comment:** None

V. **Sign Review:**

A. Resubmittal - Sign Proposal at 438 Pagosa Street, The Lost Cajun Restaurant:

The Town Planning Department received a re-submitted Sign Permit Application for “The Lost Cajun” Restaurant, which is located at 438 Pagosa Street in the Historic District.

The Lost Cajun is a franchise chain and the proposed sign is consistent with the franchises signs and name recognition marketing. The local applicant and business owner, Michelle Juneau, is proposing to install a new wall mounted sign to the building on the front elevation – above the awning/entry door and between the two windows above the awning. The sign manufacturer is BSC Signs. The owner will be placing a business sign inside the business window, which will be less than 30% coverage, thus no application is needed.

The subject property has 50 lineal feet of street frontage, which equates to 50 sq. ft. of total allowable signage for the entire property. The proposal is for one sign – 97.82” wide by 36.5” high, which equals 25 square feet; **and a second sign hanging over the front door – under the awning 66” x 8” that equals 4 sq. ft.** Other existing signage is as follows: 1) Antique Store has 15 sq. ft. which includes one sign on the building and one hanging sign; 2) Montoya’s name plaque is installed across the upper portion of the front elevation of the building is approximately 5’ x 32’ which equals 160 sq. ft. The total proposal for all permanent signs equals 204 sq. ft. Without counting the Montoya’s raised building name plaque, the total signage equals 44 sq. ft.

Specifications for the sign are as follows:

- **“The” letter is 1/2 “ acrylic painted black; flush mounted to building facade using studs.**
- **“Lost Cajun” - background and registered trademark ® are 1/2’ acrylic painted black and outlined area painted; flush mounted to building facade using studs.**



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- **Front Letters- “LOST Cajun” are ¼” red PMS 7621C to match Valspar Fabulous Red 1011-2; flush mounted using VHB and silicone to ½” outline background piece.**

The sign colors were changed to black, red, blue and white. The previous consisted of blue, red, gray, yellow, green, white and black which are depicted in the *The Lost Cajun’s* franchised logo – which has been removed. The color rendering, placement and sign specifications are attached. No illumination is proposed.

Staff’s analysis based on Design Criteria set forth in Chapter 8 of the “HBDLLDG”.

~ **Proposed Sign Location:** The building façade does not have an official sign band for placing the

proposed sign. The proposed wall sign location is above the existing shed roof over the sidewalk,

equally spaced between two windows, generally in the same position as the neighboring Antique

store sign on the same building. The proposed wall sign placement/location would not conceal any architectural features on the façade.

~ **Proposed Wall Sign Size:**

The proposed 25sqft wall sign is considered a primary sign, meeting the 25sqft maximum allowed. The entire building is allowed up to 50 sq ft, and this proposed sign will bring the total

exterior signage to 44sq ft.

~ **Illumination:**

The Sign is not illuminated.

~ **Sign Materials:**

Painted letters mounted flush to the building facade using studs.

~ **Sign Colors:**

Including white and black colorations, there are generally 4 total colors proposed, with the main

portion of the sign being 3 colors. Design Guidelines suggest limiting the number of colors on a

sign, in general, to no more than three colors. The HPB could consider

~ **Sign Content:**

Design Guidelines support using symbols on and for signs.

Staff Recommends the HPB consider the application, materials and colors as presented by the applicant and provide a determination on the proposed Sign Permit Application. Following are a few alternative actions for your consideration only.



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- 1) APPROVE the 29 square foot sign for 438 Pagosa Street, to be located on the front elevation above the awning/front door, finding the sign to be in substantial compliance with the Historic District sign regulations.
- 2) APPROVE the 29 square foot sign for 438 Pagosa Street, to be located on the front elevation above the awning/front door, finding the sign to be in substantial compliance with the Historic District sign regulations, with the following revisions determined at the meeting.....
- 3) DENY the 29 square foot sign for 438 Pagosa Street based on the following

VI. Landmark Designations: None

VII. Alteration Certificate Review: None

VIII. Tax Credit Review: None

IX. Project Review:

A. Review and Update of Historic Preservation Board Projects:

- 1) **Historic Preservation Month Theme, Activities and Ideas:** The 2015 State theme is “History in the Making: Celebrating Youth in Preservation”. The HPB decided to piggy back on the same theme title, defining the theme as “What do youth see in Pagosa Springs that is worth preserving?”
 - Brad Ash was going to check in with the school about coordinating a youth poster contest.
 - Judy James was going to be in contact with Twila Brown regarding a historic walking tour, on a Sunday in May.
 - Staff is filling in dates for event and museum openings.
 - Staff contacted Patrick Eidman from History Colorado for a public presentation regarding the benefits of Historic Preservation, preferably scheduled towards the end of May 2015.
 - Peggy also brought up the idea of a contest to name the old Sun newspaper photo.
 - The HPB also discussed sending articles to the Sun beginning in early April, to help promote Historic Preservation month and Historic preservation in general.
- 2) **Public Presentation Forum:** Staff has begun coordinating the event for the last part of May. We are awaiting a response from History Colorado for staff and date availability.
- 3) **Alteration Certificate Recognition Awards:** It has been discussed that presentation of the Alteration Certificate Awards would be coordinated in May. Brad Ash offered to contact



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Jason Cox to coordinate the presentations at Riff Raff Brewery, during a meet and greet. It was discussed framing an old historic photo of the building with a recognition plaque would be a nice award. Margaret is researching additional photos for the Nossaman/Hatcher house and Devore House, for potential awards.

- 4) **Water Treatment Plant Restoration Project:** Margaret is in the midst of creating the construction Grant application. Several preservation architects were contacted for proposals. The Town hired John D. Feinberg, the Collaborative, Inc. on Friday, March 6, 2015 to conduct the restoration analysis and planning needed for the construction grant application, for the April 1st 2015 deadline. Staff has sent a letter to the San Juan Historical Museum Board, notifying them of the Town's intent to restore the historic reservoir walls and bridge on the property they lease from the Town. Letters of Support are being solicited from various public and private individuals.
- 5) **Mary Fisher Statue and Interpretive Project:** No recent work has been conducted on this project. At the January 14 meeting, The HPB suggested we contact Lisa Scott at the Hospital for ideas how to fund raise for this project, as we have identified that no grant funding is available for the statute portion of this project. Grant funding is available for the interpretive signage associated with the project.

X. Decision Items:

A. Discussion and Possible Decision on Allowable Exterior Paint Colors within the Historic District and for Locally Listed Landmarks.

The HPB has discussed the possibility of amending the current allowable exterior colors for properties within the Historic District and for locally listed landmarks. The HPB has briefly discussed this matter numerous times over the last 2 years. Staff has conducted some research into what other progressive Historic Preservation boards and commissions have adopted for allowable colors.

The existing adopted Town's Historic Business District and Local Landmark Design Guidelines, Appendix D, specifies two Sherwin Williams Color Pallets, or similar colors, for the recommended exterior colors in the Historic District and on Locally Listed Landmarks.

Many other communities generally support one Muted Color as the background color and up to two brighter colors for accents, prohibiting fluorescent and neon colors.

Staff researched the subject, contacted several other municipalities and provides the following report:

Breckenridge, City of



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Color choices for all buildings within the town limits shall be made from those allowed within the range delineated according to the Munsell color notation system from the "Munsell Book Of Color" on display in the planning office.

The Munsell system of color notation is broken into three (3) categories: hue, chroma and value. Chroma is the only characteristic with a set limit, which is as follows: Body color is limited to a maximum chroma of 4 (except that if yellow or red is used, body color is limited to a maximum chroma of 6, trim color is limited to a maximum chroma of 8 and accent color is limited to a maximum chroma of 10). Trim color is limited to a maximum chroma of 6. Accent color is limited to a maximum chroma of 8.

The number of colors used on one structure is limited to three (3); this does not include specifically appropriate additional colors as listed in the architectural color placement list in the design guidelines for such elements as window sashes, porch floors, ceiling half timbers, or roof coverings.

If three (3) colors are used, the color that covers the most building area is the body, the color covering the second most building area is the trim, and the color covering the least building area is the accent color. If two (2) colors are used, the color covering the lesser area is the trim color for purposes of regulating of maximum chroma.

If a different value or chroma of the same hue is used, this is considered a separate color.

All exterior elements of a building that are metal, such as flues, flashings, etc., shall be painted a flat, dark color or one that is a compatible color with the building and not be left nor allowed to become bare metal. The color choices shall be as determined between the staff and applicant. Exceptions to this policy may occur such as for copper roofs, etc., which do not require painting. Painting Of Contemporary Landmark: Notwithstanding provisions of subsection above, a contemporary landmark may be painted a color with a chroma different from that required by subsection above under the following conditions:

a. The planning commission determines on the basis of credible evidence that requiring a change in the chroma of the color of the structure would significantly impair or impede the recognition of the structure by the public;

b. The chroma of the color which the structure is to be painted is the same as the chroma of the historic color which the structure has been continuously painted for the twenty five (25) years immediately preceding the adoption of the color requirements set forth in subsection above on April 24, 1990; and

c. Any class B development permit which authorizes the painting of a contemporary landmark pursuant to the provisions of this subsection above shall provide that the chroma of the color of the structure may not be altered without the structure losing its designation as a contemporary landmark.

Resources: Breckenridge Website - <http://www.townofbreckenridge.com/index.aspx?page=227>



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Munsell Color System Information –
http://en.wikipedia.org/wiki/Munsell_color_system

Crested Butte, City of

The City of Crested Butte bases its “exterior architectural features” on the architectural style, design, general arrangement and components of all the outer surfaces of an improvement, as distinguished from the interior surfaces enclosed by said exterior surfaces, including but not limited to the kind, color and texture of the building materials and the type and style of all windows, doors, lights, signs and other fixtures appurtenant to such improvement.

Staff recommends the HPB review and discuss the concept of allowable exterior colors with in the Historic district and for locally listed landmarks. Below are a few alternate actions for consideration:

- 1) Approve revisions to the Design Guidelines that would allow the use of a muted background color and up to two brighter accent colors, except that neon and florescent colors shall be prohibited, for buildings within the Historic District and for Locally Listed Landmarks.
Additionally approve the use of any color for business signage, up to ___# of colors, except that neon and florescent colors shall be prohibited.
- 2) Approve “to be determined at the meeting after discussion”.
- 3) DENY revising the Design Guidelines approved colors at this time.

B. Discussion and Possible Recommendation for Town Council Regarding Marijuana Establishments within the Historic District.

The Town Council has recently expressed a majority interest in developing regulations to allow Marijuana (Retail and Medical) Establishments to operate within the Town’s boundary. The current prohibition ends on June 1st, 2015, so there is motivation to complete the development and approval of such regulations before then. The TC has also expressed interest in consistency with Archuleta County’s regulations.

Part of the discussion regards the allowable and prohibited areas in Town where such establishments would be allowed to operate or prohibited from operating. State statute allows municipalities to develop their own allowable areas for such businesses as well as the ability to allow up to a certain # of total establishments within the Town.



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Currently, state regulations, as well as many other communities in Colorado (including Archuleta County), have adopted the following distance restrictions from other uses:

Marijuana Establishments cannot be located within 1000 feet of any School, any licensed Day Care Facility, any Church, or dedicated Public Park, weather inside the Town in adjacent County boundaries. Also, the is a 250 foot buffer required from residentially zoned areas, weather inside the Town in adjacent County boundaries.

Bob Coles office has provided Town Council a memo reviewing some of the decisions Town Council will be considering regarding Marijuana Establishments, attached.

The HPB does not have authority to decide what types of businesses are allowed to locate in the Historic District, however, the Town Council would like the HPB's thought's on the matter.

Currently, Colorado state regulations as well as many other communities in Colorado (including Archuleta County) have adopted the following distance restrictions from other uses and residential districts:

Marijuana Establishments cannot be located within 1000 feet of any School, any licensed Day Care Facility, any Church, or dedicated Public Park, weather inside the Town in adjacent County boundaries. Also, the is a 250 foot buffer required from residentially zoned areas, weather inside the Town in adjacent County boundaries.

The State defines the following 7 different types of **Marijuana Establishments**:

1. Medical marijuana center - a business that sells medical marijuana to registered patients or primary caregivers but is not a primary caregiver.
2. Medical marijuana-infused products manufacturer – a business that manufacturers a product containing medical marijuana for use or consumption by a patient. Examples of products include edibles, tinctures and ointments.
3. Optional premises cultivation operation – a business associated with a medical marijuana center or a medical marijuana-infused products manufacturer for a location in which the licensee is authorized to grow and cultivate medical marijuana.
4. Retail marijuana stores - a business that sells retail marijuana to adults over 21 years of age.
5. Retail marijuana products manufacturers - a business that manufacturers a product containing retail marijuana for use or consumption by an adult over 21 years of age.
6. Retail marijuana cultivation facilities - a business that grows and cultivates retail



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marijuana. Unlike medical marijuana optional premises cultivators, a retail marijuana cultivation facility does not have to be directly linked to a retail store or products manufacturer.

- 7. Retail marijuana testing facilities – a business that operates a lab to test the quality and components of retail marijuana and retail marijuana products.

Archuleta County allows all types of establishments **except** for Retail marijuana testing facilities and Retail marijuana products manufacturers, which are not allowed due to the nature of some of the

hazardous products used in the production of such products.

In the case of #3, Optional Premise Growing Operations and retail marijuana Cultivation Facilities

(marijuana growing operations), the county only allows these operations if: The growing operation is in connection with the operation of a Retail marijuana center, and, where the growing center and the Retail marijuana center have identical ownership, and, where the operations are on the same or adjacent parcels for property tax purposes.

Archuleta County allows marijuana establishments in commercial and industrial zoning districts only, consistent with many other communities in Colorado.

Town Staff is preparing a map showing the 1000 foot buffers around Schools, licensed Day Care Facilities, Churches and dedicated Public Parks and the 250 foot buffer from residential zoned areas. Please note, due to Town wide re-zoning conducted in 2009, there are some residential homes outside of actual residentially zoned areas. Staff will attempt to show these locations on the subject map. This Map will be available and displayed at the PC meeting.

Town residential zoned districts include: Rural Transitional (R-T), Agricultural/Residential (R-A), Residential Low Density (R-6), Residential Medium Density (R-12), Residential High Density (R-18) and Mixed Use Residential (MU-R).

Additionally, Multi Family residential dwellings (apartments, townhomes, condos) are allowed in the Mixed Use Town Center (MU-TC) and Mixed Use Corridor (MU-C) districts.

Archuleta County has regulations that require the growing of at least 70% of the marijuana sold at a retail or medical sales establishments, to be grown on site. This ensures for consolidated businesses and ensures that the majority of the product is grown locally, employing locals. If a grow operation is attached to a sales establishment, then the business is more commercial and industrial in nature. Archuleta County has not allowed Retail marijuana testing facilities or Retail marijuana products manufacturers, which are more light industrial to industrial in nature, in staff's view.

The Town's LUDC allows Adult Entertainment business in Commercial zoned areas only. There are very few areas zoned commercial within the Town.



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The Town's LUDC does allow Commercial Greenhouses in MU-C, C and LI zone districts as a use by right and in allowed the MU-TC, MU-R and R-A districts with an approved conditional use permit.

Staff has reached out to some other communities over the course of the last couple of years regarding allowable areas for marijuana establishments. Many communities have expressed concern over having marijuana establishments along main street and in plain view, due to the nature of their visiting tourists that frequently include conservative oriented individuals and families with young children. Products that are offered at a marijuana establishment tend not to be an impulse purchase as your walking down main street or driving through town. If a person is looking for marijuana products, they will find the establishments that offer such products.

Staff recommends the HPB review and discuss the idea of marijuana Establishments within the Historic District and provide comments or a recommendation for Town Council's consideration.

Below are a few alternative actions for the HPB's consideration.

- 1) Provide a Recommendation to Town Council to Prohibit Marijuana Establishments within the Historic District, recognizing the existing marijuana establishments permitted in Archuleta County provide adequate access to such products for the Town of Pagosa Springs residents and visitors.
- 2) Provide a Recommendation to Town Council to Allow the Following Marijuana Establishments within the Town's Historic District Boundaries: Medical marijuana centers, Medical marijuana-infused products manufacturers, Optional premises cultivation operations, Retail marijuana stores and Retail marijuana cultivation facilities; prohibiting the location of such establishments within 1000 feet of any School, any licensed Day Care Facility, any Church, or dedicated Public Park, weather inside the Town in adjacent County boundaries, and prohibiting the location of such establishments within 250 feet from residentially zoned areas (and/or established residential uses)."
- 3) Provide a Recommendation to Town Council to consider another consideration, TBD.

XI. Discussion Items: None

XII. Public Comment: None

XIII. Reports and Comments:

A. **Planning Department** - Planning Director Dickhoff provided the following staff report:

TOWN COUNCIL REGULAR MEETINGS: At the March 03, 2015 Town Council meeting:



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~ TC asked the PC to provide recommendations on allowable locations for Marijuana Establishments.

~ The TC also scheduled a meeting regarding marijuana businesses on Friday, March 13, 2015 at 7:30am in Town Hall.

HISTORIC PRESERVATION BOARD (HPB) UPDATE: REPORT PROVIDED TO THE PLANNING COMMISSION AND TOWN COUNCIL THAT the Next HPB meeting is on March 11, 2015 at 5:15pm in Town Hall. Staff is preparing a State Historical Fund grant application for the restoration of the historic Water Treatment facility located at 92 1st Street. Additional Projects the HPB is working on include:

- 1) A New Mural on Main project,
- 2) Interpretive content information,
- 3) Mary Fisher Statue and recognition project,
- 4) Historic preservation month (May) activities and public forum presentations.

CRESTVIEW DRIVE CMAQ PAVING PROJECT: Staff received a request for CMAQ paving projects from CDOT on January 12, 2015. Partial funding for paving 2000 lineal feet of Crestview Drive will be available as soon as July 1st, 2015 with the remaining funding available after July 1st 2016. Staff has initiated surveying with Davis Engineering, to identify the scope of the project. Currently, Staff has estimated the project to be under \$400,000.00, if the current road alignment is within the platted ROW. Additionally, CDOT has awarded CMAQ funding to the town for the following requests: Paving Mesa Drive in 2016-2017; paving the east leg of Majestic Drive in 2018.

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COBBLESTONE TOWNHOME PROJECT AND YAMAGUCHI LANE: The Cobblestone Townhome project located on the improved 4th/5th Alley is still progressing. Signage for the one-way alley is



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expected in the near future. Yamaguchi lane will then be a one-way street, north to south direction.

6TH STREET PEDESTRIAN BRIDGE: It is currently hoped that the project will be open to the public by March 30, 2015. Landscaping will be completed as weather permits.

WALL MART: Staff has recently reached out to WalMart for an update on anticipated opening date. They are currently anticipating opening on April 22, 2015. The Town Planning Department is working with the client for LUDC compliance of their parking lot lighting. It is expected that Walmart will request a Temporary Certificate of Occupancy (TCO) that will allow them to begin accepting merchandise inventory and setting up the store interior, in preparation for the grand opening scheduled for April 22nd. To be eligible for a TCO, the Building Official will inspect the project to ensure no life safety issues are outstanding. Also, the project Landscaping will not be able to be installed until the Spring of 2015, which will require Walmart to submit a Performance Bond equal to the expenses with completing the entire landscaping plan. Staff continues to work with Walmart to remedy line of sight issues from an existing residence to the south loading dock. A solution is close at hand.

CDOT: The next CDOT quarterly meeting set for March 12. Any issues or thought's for consideration at this meeting should be directed to the Planning Director or Town Manager.

B. Historic Preservation Board Discussion and Ideas:

Member Redstone: CDC progress for downtown

C. Next Scheduled Town Meetings are as follows:

Planning Commission Meetings:

- ~ Tuesday, March 24, 2015 @ 5:30pm in Town Hall, Regular Meeting.
- ~ Tuesday, April 14, 2015 @ 5:30pm in Town Hall, Regular Meeting.

Historic Preservation Board meetings:

- ~ Wednesday, April 8, 2015 at 5:15pm in Town Hall.
- ~ Wednesday, May 13, 2015 at 5:15pm in Town Hall.

Town Council Meetings:

- ~ Friday, March 13, 2015 at 7:30am in Town Hall, Special meeting on Marijuana Establishments.
- ~ Thursday, March 19, 2015 at 5pm in Town Hall.
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Parks and Recreation Board Meeting:

- ~ Tuesday, March 10, 2015 at 5:30 pm in Town Hall.
- ~ Tuesday, April 14, 2015 at 5:30 pm in Town Hall.

XIV. Adjournment: Meeting duly adjourned at _____.

By: Brad Ash, Historic Preservation Board Chair

DRAFT



AGENDA DOCUMENTATION

REPORTS TO COUNCIL:IV.2

PAGOSA SPRINGS TOWN COUNCIL

MARCH 19, 2015

FROM: GREGORY J. SCHULTE, TOWN MANAGER

PROJECT: JANUARY 2015 SALES TAX REVENUE REPORT

ACTION: DISCUSSION AND POSSIBLE ACTION

CURRENT MONTH SALES TAX & LODGERS TAX REVENUE

This report represents the report for January 2015 for sales tax and represents the first report of the calendar year. It gives the first glimpse as to how the Town is doing compared to budgeted numbers for fiscal year 2015.

The January 2015 sales tax revenue showed an impressive increase of +25% compared to January 2014. Total sales revenue for January 2015 was \$310,175, with that divided equally between the General Fund and the Capital Improvement Fund (\$155,088 going to each). In January 2014, the total amount received was \$247,996. However, this impressive increase is misleading as about \$98,000 of the increase resulted from collections by the State from vendors related to prior periods. With those factored out, the January increase was only 5.3% (\$26,267).

Delayed reporting of revenue by the State presents some problems to the Town in reporting sales tax revenue. Since it is difficult, if not impossible, to attribute the revenue back to the prior periods, and since the revenue in question crosses over 2 fiscal years, it's not possible to accrue the revenue back to prior periods. Consequently we are forced to record and recognize the revenue as we receive it, which is March 2015 for January 2015. The other troubling factor is the Town, as indicated below, has a policy in place that dictates expenditure cuts in the event there are decreases in sales tax revenue. In this instance, it's entirely possible that the decrease in revenue that we saw in October 2014 was a result of delayed collections. Consequently, it is possible the Town may make current year budget cuts or decisions based upon incomplete or misleading data.

Lodgers' Tax is covered separately in the report given by Jennie Green, Executive Director of the Town Tourism Commission.

PRIOR YEAR COMPARISON

Compared to 2014 Actual

Because we are only one month into the fiscal year, there is little data to compare to other than just January 2014. As indicated above, it is an increase of +25%. The dollar amount increase between January 2014 and January 2015 is \$62,179.

Compared to 2015 Budget

The sales tax projection for the adopted 2015 budget is a total of \$3,791,242 and represents a 6% increase over the year end for 2014. The month of January 2015 yielded \$155,088 for the General Fund and exactly the same amount for the Capital Improvement Fund. Premised upon the 10 year monthly average, the expectation is the Town should have received about \$127,007 based upon the budgeted annual amount of \$1,895,621. The variance is \$28,081 or 22% higher than budget. This information would be true for the Capital Fund as well. For more detail, please see Exhibit A.

ANALYSIS

Resolution 2015-01 mandates 2015 expenditure reductions if sales tax revenues decline from the average revenue of the past two years. The application of the Resolution requires a monthly analysis that averages several months/years of revenue, to smooth out the impact of significant swings in sales tax collections:

Application of Resolution 2015-01:

	<u>2012</u>	<u>2013</u>	<u>Avg.</u>	<u>2014</u>	<u>% Change</u>
November	247,850	249,725	248,788	255,427	+ 2.67%
December	327,667	312,400	320,034	353,558	+ 10.05%
	<u>2013</u>	<u>2014</u>	<u>Avg.</u>	<u>2015</u>	<u>% Change</u>
January	238,755	247,996	243,376	310,175	+27.45%

The average sales tax collections over the past two months is positive [$27.45\% + 10.05\%$]/2 = +18.75%. The average sales tax collections over the past three months is positive [$2.67\% + 10.05\% + 27.45\%$]/3 = +13.39%. Application of paragraphs 5 and 5(b) of the Council’s policy calls for **NO** reduction of budgeted expenditures since the reduction is not more than 5%

ATTACHMENT(S)

Exhibit A

RECOMMENDATION

Informational, no action required.

**Town of Pagosa Springs
2015 Sales Tax Estimate
General Fund**

<u>Month</u>	<u>2015 Estimated</u>	<u>2015 Actual</u>	<u>Variance</u>	<u>10 Year Ave. % Collection</u>
January	127,007	155,088	28,081	6.7%
February	121,320			6.4%
March	140,276			7.4%
April	117,529			6.2%
May	138,380			7.3%
June	178,188			9.4%
July	231,266			12.2%
August	178,188			9.4%
September	180,084			9.5%
October	155,441			8.2%
November	140,276			7.4%
December	187,666			9.9%
TOTAL	1,895,621	155,088	28,081	100.0%
Percent Ahead of Estimate	22%			



AGENDA DOCUMENTATION

REPORTS TO COUNCIL:IV.3

PAGOSA SPRINGS TOWN COUNCIL
MARCH 19TH, 2015

JENNIFER GREEN
DIRECTOR, TOWN TOURISM COMMITTEE

PROJECT: LODGING TAX UPDATE
ACTION: UPDATE AND DISCUSSION

TTC MEETING ACTIVITY

The Town Tourism Committee held its March meeting on Tuesday, March 10th at 4pm at the Visitor Center. The April TTC meeting will be held on Tuesday, April 14th at 4pm at the Visitor Center. Draft minutes from the March meeting have been included in the packet.

TTC FINANCIAL REPORT

January 2015 is currently down 8.39%, or \$2,969.13, over January 2014, with 8 small payments still outstanding. While January will be down over 2014, it will be up over 2013 and prior. A complete report has been included in the packet for review.

VISITOR CENTER UPDATE

- Current staff schedule has TTC Director at VC approximately 7 hours each week, Liz (Volunteer Coordinator) 25 hours / week and Gail (Visitor Program Manager) 20 hours / week; The hours are currently M-F 9am - 5pm and Sat / Sun 9am - 3pm.
- Development of new year-round camping directory nearly completed for distribution at visitor center and through area businesses - forest service is currently reviewing, prior to printing; updated fishing guide in development and regional heritage brochure once again underway, minor edits were recently received from the Historic Preservation Board - goal is to have new brochures available by end of April
- Electrical outlets added in floorboard; Smart TVs installed - additional video and photo rotations are being developed
- New volunteer recruitment brochure in development for ongoing volunteer recruitment
- 2015 calendar of tours, training and social events developed; new hiking club program to launch in June to provide exposure to popular area trails, plus social component for volunteers / anyone that wants to join

SOCIAL MEDIA UPDATE

- Facebook - www.facebook.com/visitpagosasprings Facebook: 10,410 fans
- Instagram - www.instagram.com/visitpagosa: 1,206 followers
- Twitter - www.twitter.com/visitpagosa - 766 followers

LEAD COLLECTION (VISITOR GUIDE REQUESTS)

History of Leads / Visitor Guide Requests by month:

	Jan	Feb	Mar	April	May	June	July	Aug	Sep	Oct	Nov	Dec	Total
2010	1984	2413	3171	2601	3330	3221	2533	3110	1959	1436	1622	1279	28,659
2011	1443	2255	1657	4255	3684	2092	1945	1789	1518	995	1160	921	23,714
2012	2111	2704	2690	1730	2010	4445	3998	2624	3157	1435	1575	1392	29,871
2013	5322	3281	2658	4357	3626	3537	4372	3040	2791	995	1158	1356	36,491
2014	2,074	2,672	3,857	2,909	2,358	3,118	2,185	1,617	1,498	1,118	1286	783	25,475
2015	1,756	2,453											

NEW LURE PIECE / TRAVEL PLANNER

BaDesign has been approved by marketing / fulfillment subcommittees and reviewed by entire TTC Board; vendor is building out remainder pages and staff is reviewing content / photos. Guide should go to print by end of March, with delivery anticipated by mid April. Mailing options have been investigated so that when guides are available, we immediately mail out 7,500 - 10,000 based on summer guide requests received since October.

SPOTLIGHT ON TOURISM NEWSLETTER

New "Spotlight on Tourism" newsletter to launch April 7th to local businesses interested in tourism marketing efforts; newsletter will include: Intro / Overview, Marketing Efforts - highlight press / media activity, ad placement, PR request - soliciting story ideas, new info to include for upcoming press release, volunteer spotlight - highlight different volunteer each month promotional video showcase, various stats - visitor center traffic, demographics, lodging tax, leads, etc, special highlights - 1st issue can include overview of new lure piece and how to get involved - visitor center volunteers, tourism board subcommittees, PR requests, media hosting, etc, etc.

DESTINATION MARKETING ASSOCIATION INTERNATIONAL

During the January TTC Meeting, the Board approved applying for membership to DMAI. DMAI is the global trade association for official destination marketing organizations (DMOs), Destination Marketing Association International (DMAI) protects and advances the success of destination marketing worldwide. DMAI's membership includes over 600 official DMOs with more than 4,100 staff members in over 15 countries that command more than \$2 billion in annual budgets. Membership is open to all official DMOs recognized by their respective governments from the smallest town to the largest country, including convention and visitor bureaus, regional tourism boards, state tourism offices and provincial tourism offices and national tourism boards. DMAI provides members with information, resources, research, networking opportunities, professional development, and certification programs. See more at: <http://www.destinationmarketing.org>

The TTC Director will be attending the DMAI Marketing Innovation Summit April 15th - 17th in San Francisco. Additionally, the TTC Director will attend the annual DMAI conference in Austin, TX in July.

GROUP TRAVEL

The TTC is participating in IPW in late May in Orlando with the Colorado Tourism Office; over 100 leads have been generated through previous two shows.



DRAFT Minutes

Pagosa Springs Town Tourism Committee

Tuesday, March 10th 2015

Pagosa Springs Visitor Center

4 pm

Meeting called by: Chirag Patel

Attendees: Voting Members; Chirag Patel, Larry Fisher, Jim Smith, Stephen Durham, Nick Tallent, Steve McKain, Criselda Montoya, Jon Johnson, Steve Wadley

Absences: Bob Kudelski, Matt Sprowls

Non Voting Attendees; Jennifer Green, Greg Schulte, Clint Alley

Please review: February Meeting Minutes

Please bring: Agenda, Committee reports

1. Call to Order
2. Determination Of Quorum (6)
3. Approval of Minutes – February
 - a. Nick Tallent motioned to approve the February minutes, Steve McKain seconded, all approved
4. Chair Report – Chirag K. Patel
 - a. Subcommittee Chairs
 - i. During February meeting, CK asked Board members to review subcommittees and volunteer to chair subcommittees in 2015:
 1. Budget – Stephen Durham
 2. Fulfillment – Jim Smith

3. Marketing – Chirag Patel
4. Events – Larry Fisher
5. Special Projects – inactive, given the addition of “Board Ideas and Comments” during each TTC meeting
6. Wayfinding & Signage – co chairs – Jon Johnson and Steve McKain
7. Visitor Center – inactive, group determined now that up-graded have been completed, VC could be handled by staff
8. Holiday – inactive, Chamber and TTC staff will handle Holiday Palooza efforts, any fireworks fundraising efforts will not be time consuming

b. Honoring Bob Hand’s Service to Community

- i. CK explained that the building being named after Bob Hand was not a permanent honor, given the recent change in property ownership and potential future change in ownership; New street sign did not include Mr. Hand’s name

1. Steve Wadley asked about the park in front of the Visitor Center and if it could be named after Bob Hand

- a. Jennie explained that neither James Dickhoff or Jim Miller were aware that the park had a name

- i. Nick Tallent mentioned that Mary Jo may have run into issues in the past with the park name previously; TTC Director will investigate further

- b. Jennie also mentioned that a plaque in the visitor center lobby could be added as well

2. Greg Schulte suggested that staff investigate further and review options and return to TTC Board with staff recommendation during April meeting

5. Treasurers Report – Stephen Durham

- a. Monthly Town Lodging Receipts report – Update

- i. January 2015 was down over 2014, however, 2015 will be stronger than 2013 and all previous Januarys; currently down 8% over 2014, there are multiple small payments outstanding

- b. Current finances

- i. Bills being processed and paid

6. Subcommittee Reports

- a. Budget – Update provided by Jennie Green

- ii. Bills being processed and paid

- b. Fulfillment – Jim Smith

- i. Design review of Lure Piece / Travel Planner

- 1. Jennie explained that a link to the design was sent the Board with monthly reports. TTC Board should review and provide any feedback by end of day Friday, March 13th.

- c. Marketing – Chirag Patel

- i. Go West feedback

- 1. Jennie provided overview of summit held in Colorado Springs, February 9th – 13th; CK and Jennie held over 60 meetings with tour operators, CTO International Reps and media
 - 2. Marketing subcommittee approved new custom email program to target 100,000 potential visitors in TX and Alb or Denver by utilizing third-party email lists of travelers that meet the attributes of Pagosa Springs target audience – Miles anticipates 10% open rate and 5% click through rate; 100,000 emails, content, etc for \$4,500. TTC Director investigating costs for increased TX audience and splitting front range / Alb audience. Program will launch in May.

- d. Events & Events Infrastructure – Larry Fisher

- i. Infrastructure request from FolkWest for upgraded Rigging and Backdrop; Jennie explained Folk West had requested \$5,000 towards new stage rigging and backdrop, an enhancement for 2015 anniversaries, a project that will cost \$7,300.

1. Group discussed ownership of proposed rigging and backdrop. Jennie explained that this was asked of Folk West in anticipation of the question; set up of the equipment would be required of an experienced group, such as Center for the Arts; additionally, storage of rigging would need to be provided of Town, as Folk West stores all items together and it would require unpacking and repacking unit to utilize rigging and backdrops
2. Greg asked group if an arrangement where Town retains ownership, but leases back as small charge was an option. Group questioned if town purchases rigging and event organizer takes event outside of Pagosa
3. Larry Fisher wants to fund something that would encourage more events use Reservoir Hill
4. Group discussed funding Pagosa Springs – advertising banners and investing in more permanent infrastructure
5. Jon suggested we go back to Folk West and ask if there is something else that would be more permanent to offset costs for enhanced rigging / stage
6. Jim Smith suggested we encourage them to host free night in Town Park again; Jennie explained that they attempted again two years ago and weather thwarted good intentions
7. CK pointed out that the events drive more heads in tents than heads in beds
8. Greg summarized discussion with direction that staff will explore permanent infrastructure considerations with event organizer on Reservoir Hill that improves the venue to enable more events to be held

ii. MAKERs Tour – update

1. Jennie provided overview of an email received from the Arts & Culture Project that they were canceling 2015 event and were proposing it being a biennial event; TTC Board wants to encourage MAKERs to hold the event annually for long-term success
2. TTC Director will invite event organizers to future meeting to discuss future plans

e. Wayfinding and Signage – Steve McKain / Jon Johnson

i. Jennie provided overview of 2015 / 2016 plans, based on discussion in subcommittee meeting earlier in day regarding 2015–2016 plans:

1. Piedra Road (\$20k each) = \$40,000
2. Overlook Enhancement – 2 new metal etched signs = \$5,000
3. Entrance Sign Landscaping (\$5k each sign) = \$10,000
4. Visitor Center Sign landscaping = \$2,500 (includes rebuilding retaining wall)
5. New Banners for 10 additional posts = \$2500 (average \$200 each for banner, brackets and set up charge)
6. 125th Anniversary Banners = 18 @ \$2,520 (no brackets needed, estimated \$140 for banner and set up charge)
7. Lights for new posts @ \$2500 / each = \$25,000
8. Chimney Rock Signs = \$1000
9. Hot Springs Blvd 2-sided Banner = \$600
10. Hot Springs Blvd Bridge Light pole Banners = \$2,500
11. Flowers (if town can assist in watering) = \$3,200 (\$200 per basket)

ii. Based on \$25k from Town / TTC annually, the total anticipated expenditures of \$92,320 is less than anticipated budget for 2015 / 2016

iii. Based on subcommittee direction, TTC Director will seek Town Council approval of 2-year priorities / budget during March mid-month meeting

g. Visitor Center subcommittee

i. New monitors have been added in lobby

7. TTC Director Report – Jennie Green

a. New monthly newsletter – TTC Director explained new “Spotlight on Tourism” newsletter to launch April 7th to local businesses interested in tourism marketing efforts; newsletter will include: Intro / overview,

marketing Efforts – highlight press / media activity, ad placement, PR request – soliciting story ideas, new info to include for upcoming press release, volunteer spotlight – highlight different volunteer each month promotional video showcase, various stats – visitor center traffic, demographics, lodging tax, leads, etc, special highlights, and more

- b. Letter of support for Stone & Masonry Restoration of the Old Pagosa Water Treatment Plant & Reconstruction of Historic Pedestrian Bridge
 - i. Jennie provided quick overview of project
 - ii. Group asked if Town supported project; Greg explained that the Town did support the grant
 - iii. Larry motioned to approve letter of support, Steve McKain seconded, all approved

8. Old Business

- a. None

9. New Business

- a. Annie Sewell – Retro Metro Kids; Safe Routes to School introduction – unable to make meeting; TTC Director to reschedule for April meeting
- b. Public Comment – none
- c. Greg gave update on MOU and bylaws – both Town and County have approved MOU with approval of amended bylaws; staff will bring by-law revisions to board for review in April meeting, in order to seek approval of
- d. Greg mentioned CML (Colorado Municipal League) / Colorado Ski Town Association – Greg asked group to consider joining, as it seemed like a similarly interested group to Tourism efforts; Greg explained participants were often Town Managers and Mayors, therefore no additional travel for Board / Tourism staff
- e. TTC Board Ideas and Comments
 - i. Steve Wadley asked about name of board; CK explained he had wanted to discuss same thing; CK suggested Visit Pagosa Springs, based on many other DMOs being named “visit destination” and as we promote ourselves outside of the area, it is a familiar naming convention with other destinations and our website and social media channels are already branded accordingly; group agreed

1. Steve Wadley indicated use of the word “town” was not ideal in the name, but the name of the town would work, given the county residents consider themselves Pagosa Springs
 2. Larry Fisher asked about Visit Pagosa Country; group determined that an online search “Visit Pagosa Springs” would yield stronger results for tourism efforts than Pagosa Country
- f. Nick Tallent asked for updates based on last month’s meeting regarding sidewalk cleaning, community bus transit and website update
- i. CK explained that Jim Smith was encourage to attend Town Council meeting regarding street cleaning, as it was not a TTC effort
 - ii. CK, Jennie and Steve Wadley attended transportation summit on Feb 26th; Steve explained it was more of a service for low-income than tourism right now
 - iii. Jennie explained website update was provided in Director Report; marketing subcommittee approved designs during meeting on Mar 5th and staff was pushing website vendor to early April launch

10. Adjournment

- a. Larry Fisher motioned to adjourn at 5:20pm, Jim Smith seconded, all approved



AGENDA DOCUMENTATION

NEW BUSINESS:V.1

PAGOSA SPRINGS TOWN COUNCIL

MARCH 19, 2015

FROM: TOM CAROSELLO, PARKS AND RECREATION DIRECTOR

PROJECT: REPLACEMENT OF COMMUNITY CENTER MULTIPURPOSE ROOM FLOOR

ACTION: DISCUSSION AND POSSIBLE DECISION

PURPOSE/BACKGROUND

Due to ongoing deterioration issues, Council is being asked to evaluate two alternatives for the replacement of the multipurpose room floor in the community center.

One alternative is to replace the floor with a urethane-based, poured floor similar to the existing flooring. The other option is to have wooden flooring installed (typically beech or maple).

When decisions on replacement flooring and the accompanying funding mechanism(s) are made, a request for proposals will be prepared and advertised by staff, with the intent to have the project completed before the end of the summer. If the decision is to install a new floor directly over the existing floor, the multipurpose room would be off limits to the public for approximately 7-14 days.

Please note that the cost estimates included in this brief do not include speculation on the costs or timeframe required for tearing out the sub-surface of the existing floor before installation of a new surface.

ATTACHMENT(S)

Multipurpose Room Replacement Flooring Brief – A comparison of approximate costs and characteristics of poured-urethane flooring vs. wooden flooring

FISCAL IMPACT

Funding sources being considered for this project include the Town Conservation Trust Fund, as well as a portion of approximately \$183,000 in facility capital improvement funds formerly managed by the Community Center Coalition (which were recently transferred to the Town General Fund).

Once cost estimates are finalized, staff also intends to appeal to the Archuleta County Parks, Recreation, Open Space and Trails (PROST) Committee for additional consideration via an application/request for Ballot Measure 1A funds.

RECOMMENDATION

It is the recommendation of the parks and recreation director, that the Town Council, by motion:

- 1. Select a poured, urethane-based surface or a wooden surface as the replacement floor for the community center multipurpose room**

Multipurpose Room Replacement Flooring Brief

(Poured, urethane-based floor vs. wooden flooring)

Approximate square footage of multipurpose room: 7,200 sq. ft.

Poured, urethane-based floor similar to existing surface:

\$7.50 - \$9.00 per square foot, depending on if a base mat/pad is used and choice of surface thickness

Cost estimate: \$54,000 - \$65,000 (*Does not include extended warranty costs or costs to tear out the existing floor)

Advantages: A poured urethane surface is generally less expensive than the cost of a high-quality wood floor, provides an acceptable (though not optimal) surface for athletics events, and offers a versatile surface that can accommodate the types of heavy foot traffic associated with meetings, parties/dances and church services.

A poured surface is also less susceptible to damage from prolonged exposure to water, and the associated, annual maintenance costs tend to be lower. Also, the existing utility lift could continue to be used without having to provide a protective, plywood "track" while decorating the multipurpose room for special events or performing routine maintenance tasks.

Disadvantages: Poured surfaces are not as aesthetically pleasing, have a shorter warranty (one year is typical) and lifespan (10-15 years) than quality wooden surfaces and do not provide the same level of shock absorption/responsiveness during athletics events.

Wooden floor:

\$8.00 - \$13.00 per square foot, depending on plank thickness and length of warranty

Cost estimate \$58,000 - \$94,000 (*Does not include extended warranty costs or costs to tear out the existing floor)

Advantages: When properly cared for, a wooden surface of appropriate thickness will last upward of 25 years due to the fact that it can be "lightly" refinished with a new coat of polyurethane annually, but can also be completely refinished (heavily sanded) every 5-7 years without the need for complete replacement.

Wood provides a better playing surface for athletics events, is generally more attractive and will tolerate most types of heavy foot traffic if proper care is exercised during non-sporting events.

Disadvantages: Wooden flooring is more susceptible to damage from sharp and/or heavy objects, prolonged exposure to water/fluids and is generally more expensive to purchase and maintain than a poured surface. The existing utility lift could be used if a wooden surface is installed, but a plywood "track" would have to be utilized in order to prevent damage to the floor.



AGENDA DOCUMENTATION

NEW BUSINESS: V.2

PAGOSA SPRINGS TOWN COUNCIL
MARCH 19TH, 2015

FROM: JENNIFER GREEN, TOWN TOURISM COMMITTEE

PROJECT: 2015 / 2016 WAYFINDING & SIGNAGE PLANS
ACTION: DISCUSSION AND POSSIBLE DECISION

PURPOSE/BACKGROUND

Since 2009, the Town and TTC have partnered together to implement the Streetscape Furnishings and Signage Plan approved by Town Council in 2008. Results to date include: Vehicular Directional Signs (@ Hot Springs and @ Pagosa Blvd); pedestrian directional sign at river overlook, enhanced river overlook, new banners throughout downtown, upgraded many trail / information signs, including Reservoir Hill, enhanced Gateway / Entrance signs, volunteer staining projects and more.

The Wayfinding & Signage Subcommittee has had multiple meetings recently to discuss and prioritize projects for 2015 and 2016 to recommend to Town Council for approval. Below are the identified projects and proposed budget:

	Quantity / Estimated Cost	Total Project Cost	Budget Year
Landscaping at Gateway / Entrance Signs	2 / \$5,000	\$10,000	2015
Landscaping at Visitor Center Sign	1 / \$2,500	\$2,500	2015
Approach signs for Chimney Rock National Monument	2 / \$500	\$1,000	2015
Metal-etched Signage for River Overlook	2 / \$2,500	\$5,000	2015
Hot Springs Blvd Bridge Banners	8 / \$312.5	\$2,500	2015
New 3' x 9' Banners for new lightposts	10 / 250	\$2,500	2015
125th Anniversary 3' x 9' Banners	18 / \$140	\$2,520	2015
125th Anniversary Hot Springs Blvd Banner	1 / \$600	\$600	2015
Flower baskets on 3 Pedestrian Bridges and Hot Springs Bridge**	16 / \$200	\$3,200	2015
Lights for new Sidewalk Posts	10 / \$2,500	\$25,000	2015 / 2016
Piedra Road Vehicular Direction Signs	2 / \$20,000	\$40,000	2016
		\$94,820	

** Summer flowers only feasible if staff is able to assist in regular waterings; location of flower baskets on bridges will make volunteer watering efforts difficult

ATTACHMENT(S)

Photos will be shown on the overhead during this discussion.

FISCAL IMPACT

Since 2009, both the Town and TTC have allocated \$25,000 each year towards Wayfinding and Signage efforts, for a total annual budget of \$50,000. The outlined project priorities work within approved 2015 budget and assumes continued support in 2016.

RECOMMENDATION

It is the recommendation of the Town Tourism Committee that the Town Council review the information presented and provide feedback.





- Celebrating 125 Years -



GLENWOOD HOT SPRINGS



Malvern Borough
1889 - 2014

125 Years



AGENDA DOCUMENTATION

OLD BUSINESS:VI.1

PAGOSA SPRINGS TOWN COUNCIL

MARCH 19, 2015

FROM: JAMES DICKHOFF, PLANNING DIRECTOR

**PROJECT: MARIJUANA ESTABLISHMENTS AND CONSIDERATION OF POTENTIAL DISTANCE BUFFERS
FROM CHURCHES AND PUBLIC PARKS**
ACTION: DISCUSSION AND POSSIBLE ACTION

BACKGROUND

On March 13, 2015, the Town Council considered potential allowable areas within Town for Marijuana Establishments. Town Council did determine that required distance buffer restrictions should include:

- ~ 1000 feet from School Facilities.
- ~ 1000 feet from Licensed Child Day Care Facilities.
- ~ 1000 feet from Drug and Alcohol treatment facilities.

Town Council decided to table the discussion and consideration of buffer distance restrictions around public parks and churches until the March 19th TC meeting, and instructed staff to prepare additional maps for consideration.

ANALYSIS

Staff was asked to prepare additional maps showing different distance buffers around public parks and churches for further consideration. Mr. Bill Hudson has offered to prepare maps and conduct research on this topic, on request, thus Town staff asked Mr. Hudson to assist in producing additional maps showing distance buffers considerations for public parks and churches.

Town Council should also discuss the buffer from residentially zoned areas and if those buffers would apply to established residential homes if located in non-residential zoned areas. Archuleta County has adopted a 250 foot buffer from residentially zoned areas, unless a State Hwy is within the 250 foot buffer, in which case the Hwy would serve such buffer requirement. The Town has a few established residential homes that are not now located within a residential zoned district. This maybe a consideration to include if residential area buffers are adopted.

Staff has reached out to the known churches within Town, to better understand the activities associated with each establishment, as far as school programs, child care and youth programs. This info will be available at the Town Council meeting.

ATTACHMENT(S)

~ Brief from Bill Hudson and Additional Distance Restriction Buffer Maps for Churches, Parks and residential areas.

FISCAL IMPACT

The fiscal impact expected during the creation of regulations will include legal expenses, production of documents/maps, substantial staff time (Administration, Planning, Police), and other incidentals.

RECOMMENDATION

Staff recommends that Town Council discuss the matters presented, and provide direction to staff on each matter. Below are a few Alternate Actions for Town Councils consideration.

Distance Restriction Buffer from Public Parks:

- #1. APPROVE a distance restriction buffer of at least _____ feet from Public Parks.**
- #2. DENY a distance restriction buffer from Public Parks.**

Distance Restriction Buffer from Churches:

- #1. APPROVE a distance restriction buffer of at least _____ feet from established Churches.**
- #2. DENY a distance restriction buffer from established Churches.**

Distance Restriction Buffer from Residentially Zoned Areas:

- #1. Approve a distance restriction buffer of at least _____ feet from residential zoned areas and established residential homes outside of residential areas.**
- #2. DENY a distance restriction buffer from residential zoned areas and established residential homes outside of residential areas .**

To Greg Schulte, James Dickhoff, Town Council

Thanks for allowing me to help generate some maps for use by the Town Council in determining the proper locations for medical and retail marijuana businesses within the Town limits. I have attached eight maps to this document (I will send it in Word format and as a PDF.)

All the maps show a 1000 foot offset boundary around schools and daycare centers. I don't believe we have any drug treatment centers within the Town limits.

The other maps show a 1000-foot, 500-foot or 250-foot offset boundaries around parks and churches.

A few notes. In showing the 1000 foot distance from school property boundaries, I did not include the County Extension Building. The Archuetla County marijuana regs do not give a definition for "School" (that I could locate) so I used the State of Colorado regulations, CRS 12-43.4 which define the term "School" this way:

(23) "School" means a public or private preschool or a public or private elementary, middle, junior high, or high school or institution of higher education.

The Extension Building didn't seem to me to fit that definition, so I didn't include it.

I didn't show the location of the Methodist Church, because the intersection of the Middle School boundaries and the Catholic Church boundaries overlapped the Methodist Church boundaries.

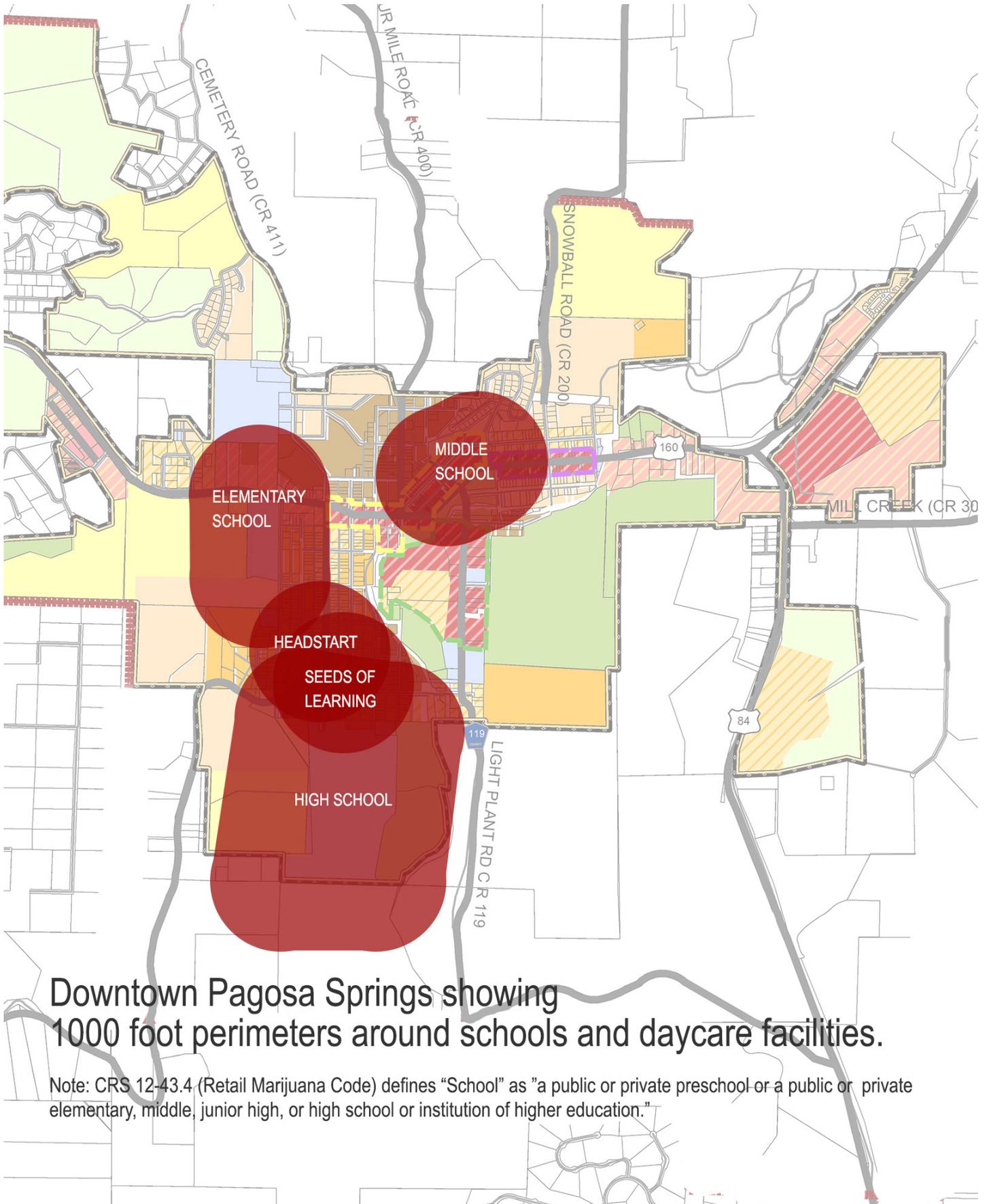
I didn't show Town Park for a similar reason: the Middle School boundaries and the Reservoir Hill Park boundaries essentially overlapped Town Park. I didn't show South Pagosa Park because the Headstart and Seeds of Learning boundaries essentially overlapped it. I didn't include Yamaguchi Park. It is mainly covered by the High School offset, and also seems beyond the range of commercial development generally.

I did not show any offsets from residential area boundaries. I was not clear which zones such offsets would apply to, nor whether the Council actually wanted to have offsets around certain residential zones and not around other residential zones.

If you need revisions of any or all maps, let me know.

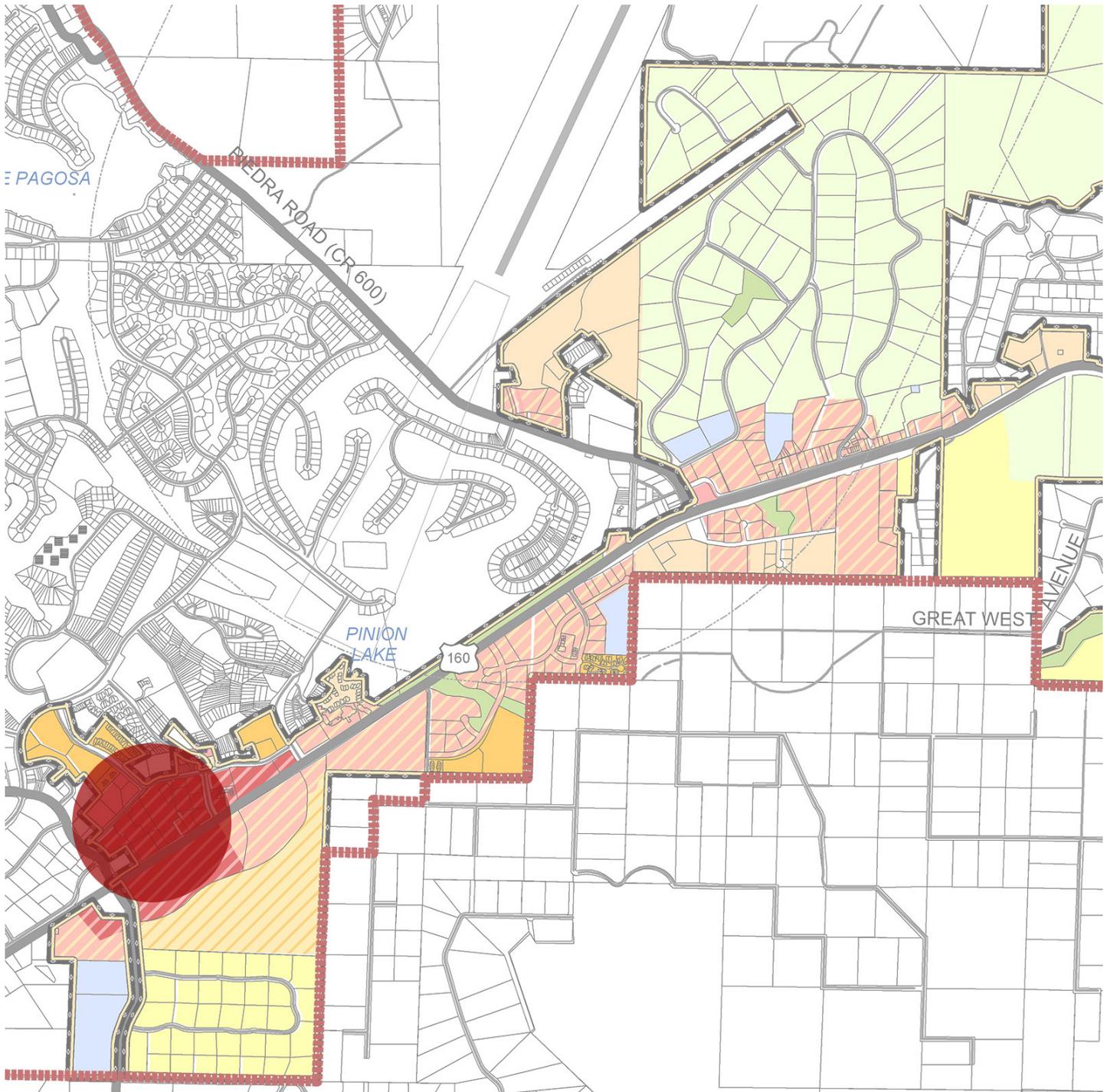
Thanks for allowing me to help with this. Please include my notes, above, with the maps when you distribute them...

Bill Hudson
719-581-9812



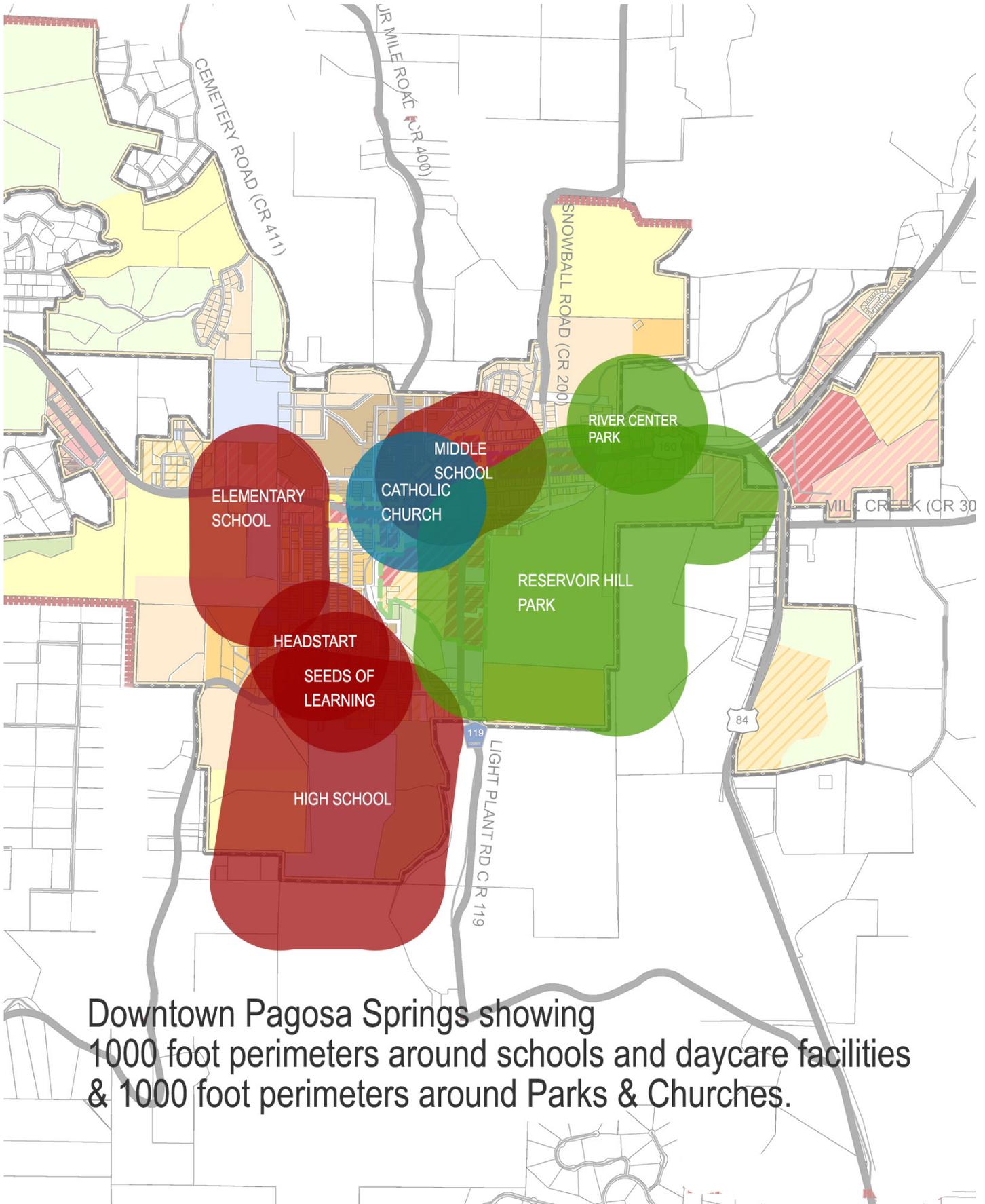
Downtown Pagosa Springs showing 1000 foot perimeters around schools and daycare facilities.

Note: CRS 12-43.4 (Retail Marijuana Code) defines "School" as "a public or private preschool or a public or private elementary, middle, junior high, or high school or institution of higher education."

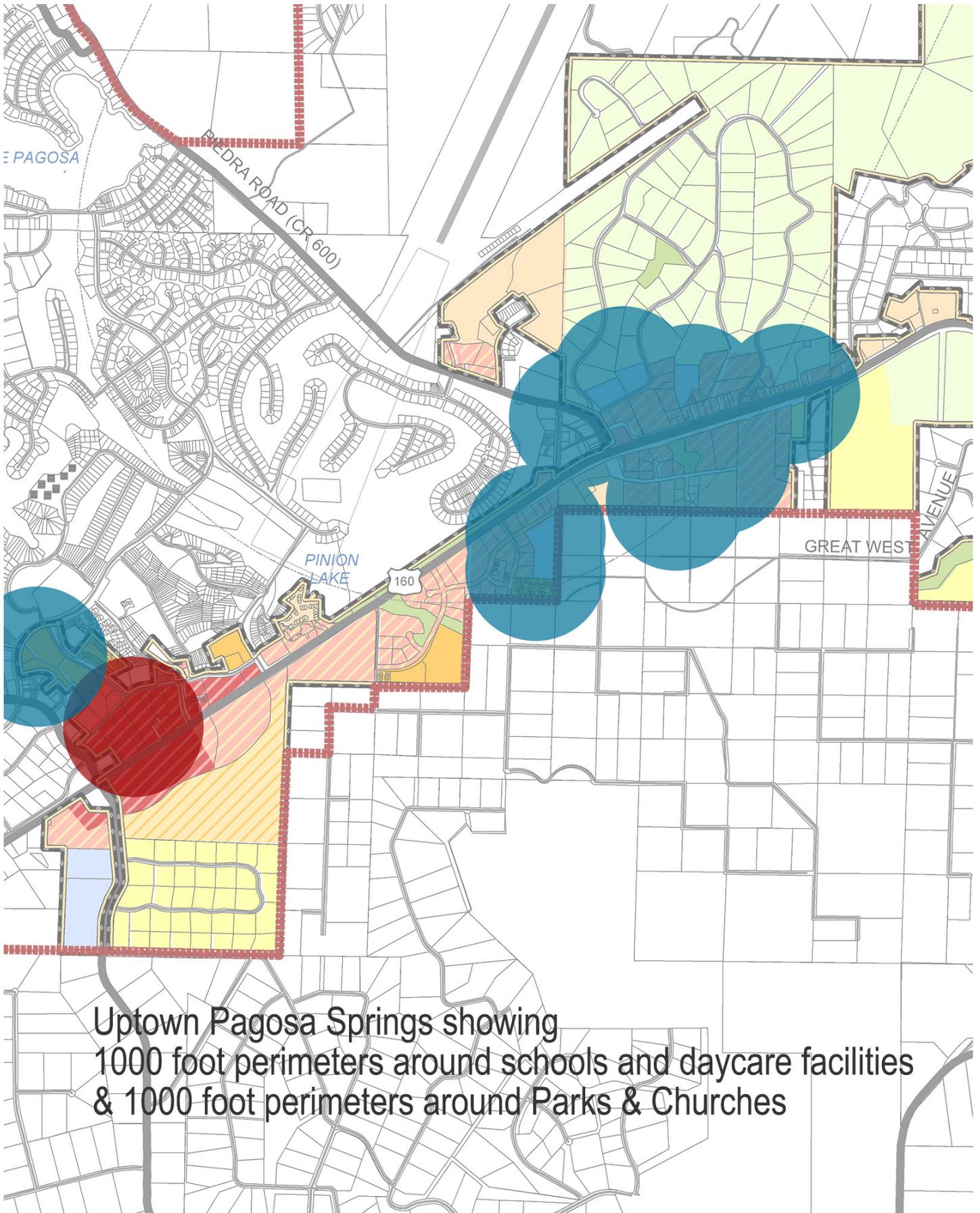


Uptown Pagosa Springs showing 1000 foot perimeters around schools and daycare facilities.

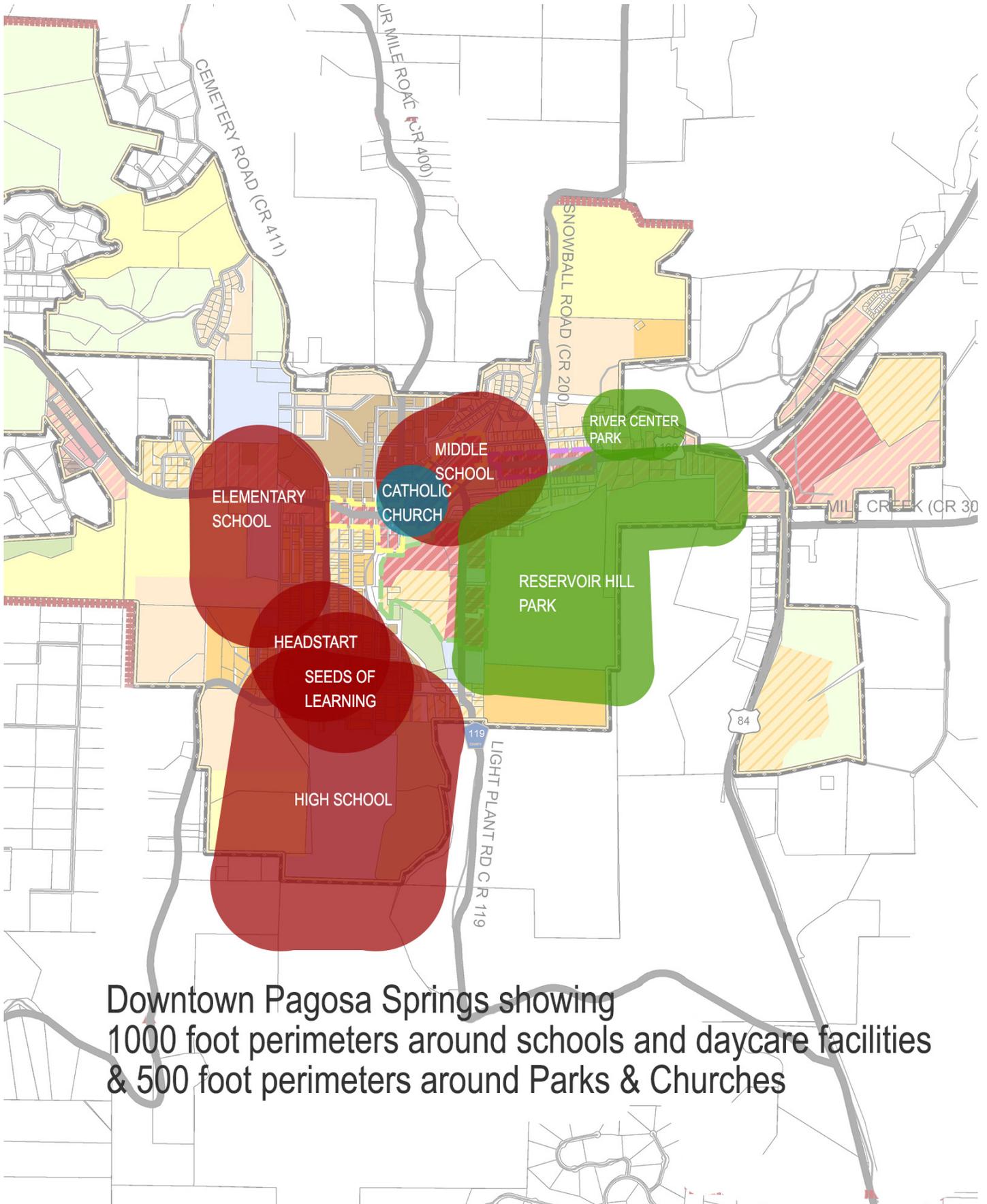
Note: CRS 12-43.4 (Retail Marijuana Code) defines "School" as "a public or private preschool or a public or private elementary, middle, junior high, or high school or institution of higher education."



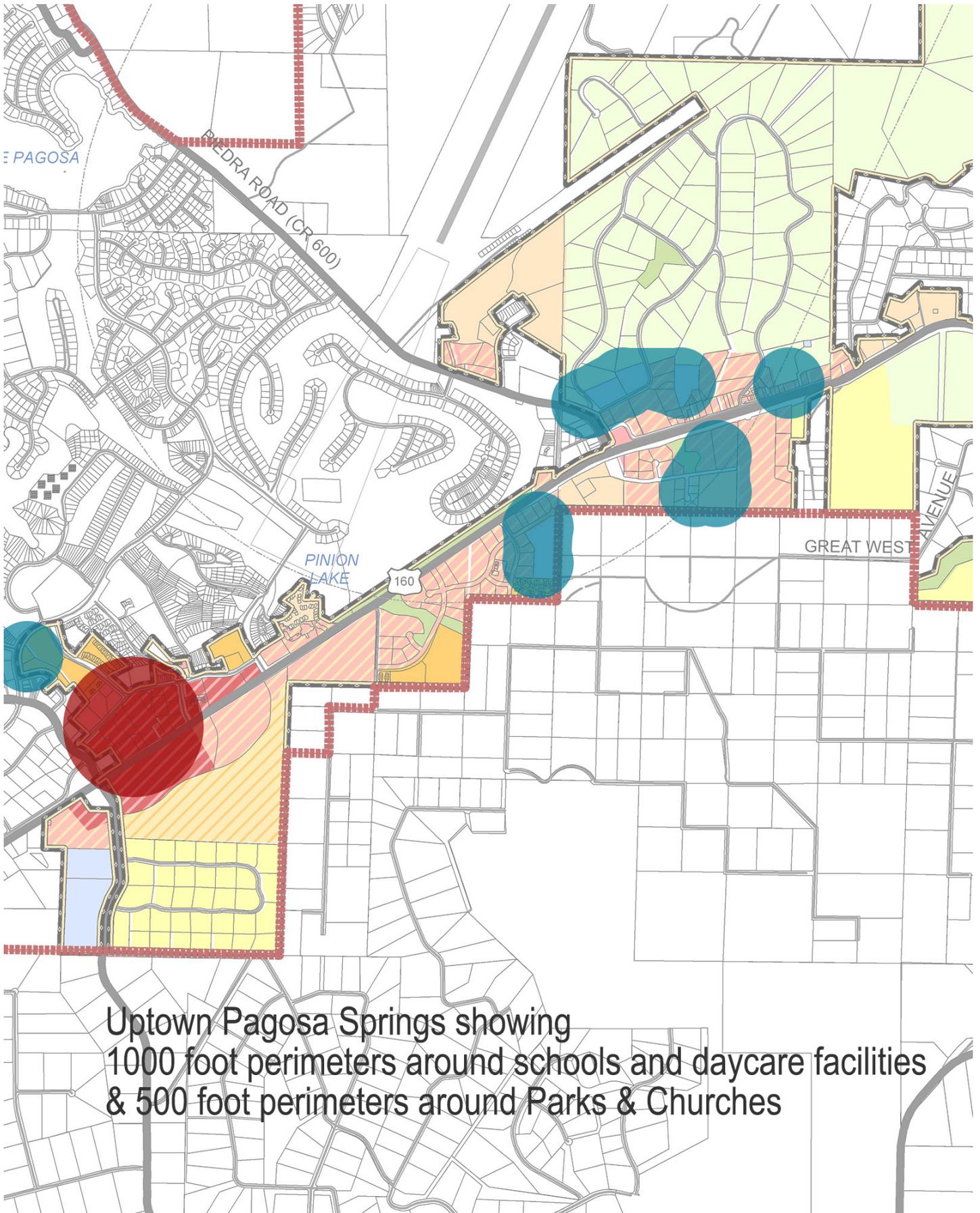
Downtown Pagosa Springs showing 1000 foot perimeters around schools and daycare facilities & 1000 foot perimeters around Parks & Churches.



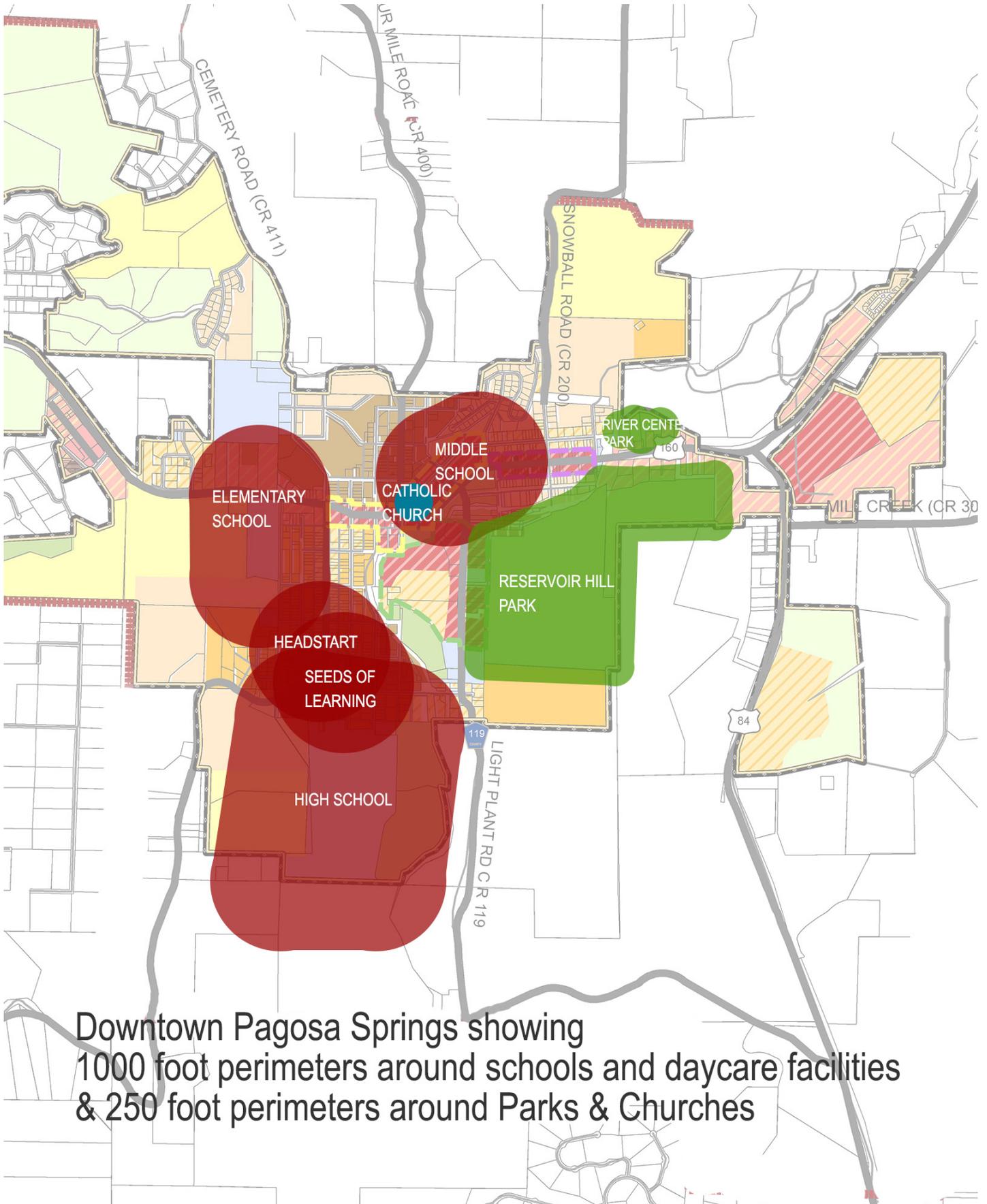
Uptown Pagosa Springs showing
1000 foot perimeters around schools and daycare facilities
& 1000 foot perimeters around Parks & Churches



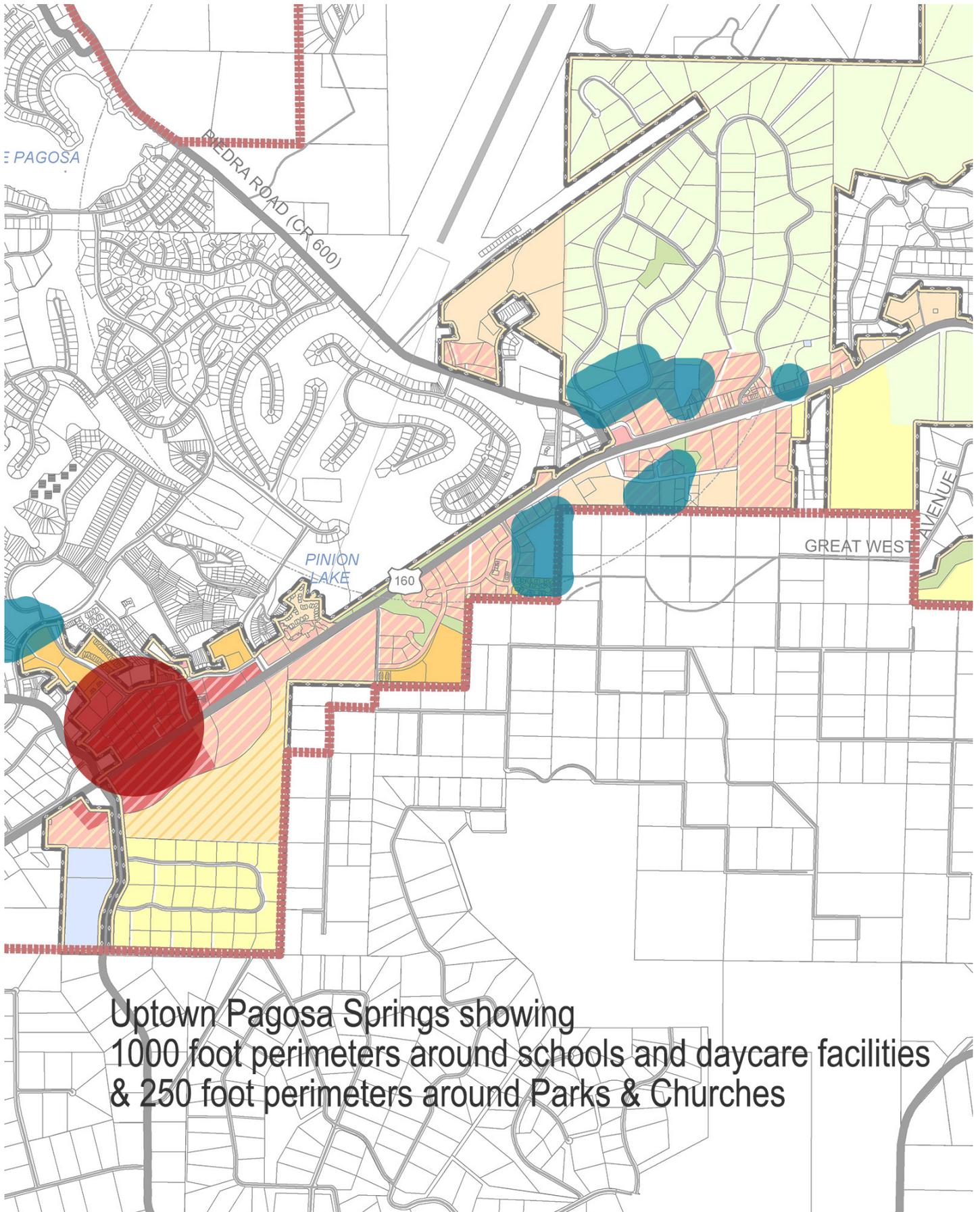
Downtown Pagosa Springs showing 1000 foot perimeters around schools and daycare facilities & 500 foot perimeters around Parks & Churches



Uptown Pagosa Springs showing
1000 foot perimeters around schools and daycare facilities
& 500 foot perimeters around Parks & Churches



Downtown Pagosa Springs showing 1000 foot perimeters around schools and daycare facilities & 250 foot perimeters around Parks & Churches



Uptown Pagosa Springs showing
1000 foot perimeters around schools and daycare facilities
& 250 foot perimeters around Parks & Churches