



Planning Commission, Board of Adjustments & Design Review Board
Regular Scheduled Meeting Agenda
Tuesday, November 8, 2016 at 5:30PM
Town Hall, Council Chambers, 551 Hot Springs Boulevard, Pagosa Springs, Colorado 81147

- I. **Call to order / Roll Call**
- II. **Announcements**
- III. **Approval of Minutes**
 - A. Approval of the October 25, 2016 Planning Commission meeting minutes.
- IV. **Public Comment**
 - A. Opportunity for the public to provide comments and to address the Planning Commission on items not on the Agenda.
- V. **Design Review Board**

NONE
- VI. **Planning Commission**
 - A. Recommendation for Town Council to Appoint Jerry Jackson to the Planning Commission
- VII. **Public Comment**
 - A. Opportunity for the public to provide comments and to address the Planning Commission on items not on the Agenda.
- VIII. **Reports and Comments**
 - A. Staff Report_ Projects, Updates and Upcoming Development Applications.
 - B. Planning Commission – Comments, Ideas and Discussion.
 - C. Upcoming Town Meetings Schedule.
- X. **Adjournment**

James Dickhoff, Planning Director



**Planning Commission, Board of Adjustments &
Design Review Board**

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Tuesday, October 25, 2016 at 5:30 p.m.

Town Hall, Council Chambers, 551 Hot Springs Boulevard,

Pagosa Springs, Colorado 81147

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- I. **Call to order / Roll Call:** Commission Chair Maez calls the meeting to order. Present were Commissioner Adams and Commissioner Giles. Also present were Associate Planner Rachel Novak and Deputy Clerk Colleen Richmond.
- II. **Announcements:** Associate Planner Rachel Novak is presenting tonight's meeting on behalf of the Planning Department. Planning Director James Dickhoff will be returning to the office on 11/1/16.
- III. **Approval of Minutes**
A. *Approval of the October 11, 2016 Planning Commission meeting minutes: Commissioner Adams motions to approve the minutes as presented. Commissioner Giles seconds. Unanimously approved.*
- IV. **Public Comment**
A. *Opportunity for the public to provide comments and to address the Planning Commission on items not on the Agenda: NONE*
- V. **Design Review Board**
NONE
- VI. **Planning Commission**
A. *162 J.J. Junction Vacation Rental Conditional Use Permit Application, Public Hearing / Quasi-Judicial Matter: Associate Planner Rachel Novak presents the application to the Planning Commission. The applicant, Clare Romero, was present. Rachel Novak says that the applicant has submitted a business license, lodger's tax application, and conditional use permit application to use as 162 J.J. Junction as a vacation rental. Associate Planner Rachel Novak continues with the staff comments. The applicant was advised of the uses of the property. Commissioner Adams asks how the parking for a conditional use permit for a vacation rental is determined. Associate Planner Rachel Novak says it is based upon the dwelling unit. As this is a single family, detached dwelling unit, they are already required to have at least two (2) off-street parking spots. Claire and Dustin Romero are asked to speak to the board. They are asked what the intent of the rental is. They intend to rent the home when they are not there as a short-term rental. They anticipate coming up twice a month. The applicant will have a management company that will take care of the rental when they are not in Town. The applicant was advised of the terms of the CUP and that it will be revoked if the terms are not met. Ralph Morris, owns property to the north of 162 J.J. Junction, commented in via email. He would like to reject the application for this conditional use due to people possibly staying in the house were seen hunting squirrels and shooting at targets on the property. The Commission advised that the comment of Ralph Morris is a concern for the HOA not the board. Associate Planner Rachel Novak recommends that the applicant work with the HOA to meet the requirement of the set forth within the bylaws. Commissioner Adams motions to approve the Conditional Use Permit for Clare Romero to operate a Vacation Rental at 162 J.J. Junction with the Following Contingencies of approval:*
- 1) **Ample onsite parking shall be maintained to accommodate occupant vehicles, and on site snow removal/plowing shall be maintained to ensure availability of parking areas.**
 - 2) **Sidewalk snow removal shall be conducted in accordance with TOPS Municipal Code.**
 - 3) **Trash shall not be accumulated on site. Regular trash collection is required. All exterior trash containers shall be compliant with the current Town's municipal code requirements.**

- 4) Any signs displayed on the property shall comply with the Town's sign code requirements and require a sign permit application to be submitted.
 - 5) Renewal of your annual Town Business License is required.
 - 6) A Town Lodgers Tax application is required to be issued by the Town and monthly Town lodging tax reporting is required.
 - 7) All exterior lighting shall comply with the Town Exterior Lighting regulations.
 - 8) Occupancy numbers shall not exceed building code limitations.
 - 9) The Conditional Use Permit is not transferable.
 - 10) The Conditional Use Permit shall be deemed invalid upon discontinued use for 180 consecutive days as defined in section 2.4.4.C.5.c of the land use code.
 - 11) The Conditional Use Permit is revocable if conditions of approval are not kept in good standing.
- Commissioner Giles seconds. Unanimously approved.

VII. **Public Comment**

- A. Opportunity for the public to provide comments and to address the Planning Commission on items not on the Agenda: NONE

VIII. **Reports and Comments**

- A. Staff Report_ Projects, Updates and Upcoming Development Applications: Associate Planner Rachel Novak addresses the Bear Creek fire and advised that the HPB will speak more on the situation. The Rumbaugh Creek Bridge RFP is open for bids and a pre-bid meeting will take place 11/4/16.
- B. Planning Commission – Comments, Ideas and Discussion
- C. Upcoming Town Meetings Schedule

- X. **Adjournment:** Commissioner Giles motions to adjourn. Commissioner Adams seconds. Unanimously approved. The meeting adjourned at 5:56pm

Ronnie Maez, Commission Chair

October 6, 2016

To Whom It May Concern: Thank you James, for responding to my request for information about serving on the Town Planning Commission. I am a resident of Archuleta County, living at 1040 E. McCabe St. in Alpha Subdivision and I own a rental property at 232 Hermosa St., Pagosa Springs, CO.

Qualifications: I have served 2 partial terms on the Town Council, approximately 3 years each. One was when I replaced a resigning council member and the next 3-year term ended when I moved out of the town limits of Pagosa Springs. During my second term I served on the committee which wrote the town charter. At one point I served a short time on the Town Planning Commission before moving into a councilman position. I also served a two-year term, as the representative from the Town of Pagosa Springs, on the Archuleta County Planning Commission.

I have a 38-year love affair with Archuleta County, and more especially, the town of Pagosa Springs. I have a love/hate relationship with governmental bodies, in general. I know that if a community isn't growing, it is dying, and that governmental control of growth is about balance!

I have always done my best to represent the multi-facet populations of individuals who live in the town. I very much like the direction the Town is moving toward at this time and feel the Planning Commission, Town Council and Staff are doing an excellent job!

Respectively submitted,

Jerry Jackson
INDEPENDENT BROKER
970 946-4755



**Planning Commission, Board of Adjustments,
& Design Review Board**
Staff Report – Tuesday, November 8, 2016 Regular Scheduled Meeting

I. Call to Order / Roll Call:

II. Announcements:

III. Approval of Minutes:

A. October 25, 2016 Planning Commission minutes.

Approval of Minutes:	Staff recommends approving Minutes from the October 25, 2016 Planning Commission Meetings, upon finding they are accurate.
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IV. Public Comment:

A. Opportunity for the public to provide comments and to address the Planning Commission on items not on the Agenda.

a.	At this time, Public Comment will be accepted for items not included as an agenda item. Interested persons have the opportunity to address the Planning Commission and express your opinions on matters that are not on the agenda or not listed as a public hearing item on the agenda. Public comments on any pending application that is the subject of a public hearing at the current or a future meeting may only be made during such hearing. The total time reserved for Public Comment at each meeting is 20 minutes, unless extended by a majority vote of the Planning Commission and each comment is limited to 2 minutes.
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**Planning Commission, Board of Adjustments,
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Staff Report – Tuesday, November 8, 2016 Regular Scheduled Meeting

VI. Planning Commission:

A. Recommendation for Town Council to Appoint Jerry Jackson to the Planning Commission

BACKGROUND	<p>The Town has received a letter of Interest (attached) to serve as a Planning Commissioner from Jerry Jackson. Mr. Jackson resides at 1040 E. McCabe Street and owns a rental property at 232 Hermosa Street.</p> <p>LUDC section 2.5.2.B reviews PC members and eligibility:</p> <ol style="list-style-type: none"> 1. The Planning Commission shall consist of five (5) regular members and two (2) alternate members, who shall be appointed by the Town Council by resolution. All members shall be either (a) a Town Resident; or (b) an owner of a business located within the Town which business or owner also owns real property within the Town, and which owner is a resident of Archuleta County, (c) the Chair or Co-Chair of the Archuleta County Planning Commission. An owner of a business includes a sole proprietor and the majority owner of a business entity such as a corporation, a limited liability company or a partnership. Non-Town residents shall be limited to two members at any one time. 2. The members of the Planning Commission shall serve in such capacity without compensation. The terms of office of the Planning Commission shall be four years. 3. The Town Council shall, by resolution, fill vacancies, designate alternate members, and may remove members without cause. The office of any regular member of the Planning Commission shall be deemed vacant if that member misses three consecutive regular meetings, unless the absences are excused by the Chairman. Vacancies may be filled for the unexpired terms only. Members may be reappointed to successive terms without limitation.
ANALYSIS	<p>Mr. Jackson does not live within the Town’s boundary, but does own real property within the Town and operates a business within Town limits.</p> <p>Following a recommendation by the Planning Commission, the Town Council will consider the appointment at their November 17, 2015 meeting.</p>
RECOMMENDATION	<p>The Town Planning Director recommends the Planning Commission consider a recommendation to Town Council regarding the appointment of Jerry Jackson to the Planning Commission.</p> <ol style="list-style-type: none"> 1) Approve a Recommendation for Town Council to APPROVE the Appointment of Jerry Jackson as a regular Planning Commissioner for a 4-year term beginning on November 18, 2016 and ending on November 17, 2020. 2) Approve a Recommendation to Town Council to DENY the Appointment of Jerry Jackson as a regular Planning Commissioner.



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VII. Public Comment:

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- a. At this time, Public Comment will be accepted for items not included as an agenda item. Interested persons have the opportunity to address the Planning Commission and express your opinions on matters that are not on the agenda or not listed as a public hearing item on the agenda. Public comments on any pending application that is the subject of a public hearing at the current or a future meeting may only be made during such hearing. The total time reserved for Public Comment at each meeting is 20 minutes, unless extended by a majority vote of the Planning Commission and each comment is limited to 2 minutes.

VIII. Reports and Comments:

A. Planning Director Report

A FULL DIRECTORS REPORT WILL BE PRESENTED ON NOVEMBER 22, 2016.

With the Holiday Season upon us, we want to ensure we understand the availability of the commission.

Upcoming regular scheduled meetings include:

November 22, 2016

December 13, 2016

December 27, 2016

January 10, 2017.

Please email Rachel your availability for these dates.

B. Planning Commission –

Planning Commission Open Discussion, Ideas and Comments.



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C. Upcoming Scheduled Town Meetings.

a.	Next Scheduled PC Meetings: ~ Tuesday, November 22, 2016 at 5:30pm in Town Hall, Regular Meeting ~ Tuesday, December 13, 2016 at 5:30pm in Town Hall, Regular Meeting
b.	Next Regular Scheduled Historic Preservation Board meetings: ~ Wednesday, November 9, 2016 at 5:45pm in Town Hall ~ Wednesday, November 23, 2016 at 5:45pm in Town Hall
c.	Next Regular Town Council Meetings: ~ Thursday, November 17, 2016 at 5:00pm in Town Hall ~ Tuesday, December 6, 2016 at 5:00pm in Town Hall
	Next Regular Parks and Recreation Board Meeting: ~ Tuesday, December 13, 2016 at 5:30pm in the Ross Aragon Community Center ~ Tuesday, January 10, 2017 at 5:30pm in the Ross Aragon Community Center