



Town of Pagosa Springs
Planning Commission, Board of Adjustments & Design Review Board
Regular Scheduled Meeting Minutes
October 14, 2014

Town Hall, Council Chambers, 551 Hot Springs Boulevard, Pagosa Springs, Colorado 81147

- I. **Call to Order / Roll Call:** Commission Chair Kathie Lattin called the meeting to order at 5:30 PM. Commissioners Heidi Martinez and Peter Adams were present. Commissioners Ron Maez, Natalie Woodruff and Cameron Parker were absent. Also present were Planning Director James Dickhoff, Associate Planner/Certified Permit Technician Margaret Gallegos and property/community members Will Spears and Andre Redstone.
- II. **Announcements:** None
- III. **Approval of Minutes:** Motion made by Commissioner Martinez, seconded by Commissioner Adams and unanimously carried to approve the September 23, 2014 Planning Commission meeting minutes as presented.
- IV. **Public Comment:** Opportunity for the public to provide comments and to address the Commission on items not included as an agenda item – none received.
- V. **Board of Adjustments:** None
- VI. **Planning Commission:** The Planning Commission has been discussing the following possible Land Use and Development Code (LUDC) revisions:
 1. Prohibiting or Limiting the Use of Cargo Shipping Containers.
 2. Current LUDC Prohibition of Metal Siding in Commercial and Mixed Use Zone Districts and considerations in residential zoned districts.
 3. Prohibiting or Limiting the Use of Variable Message Signs.
 4. Current R-18 District Minimum 12.1 Dwelling unit/acre Density Requirement and the Possibility of Deleting the Minimum or Allowing Less Than the current minimum.
 5. Consider allowing Smaller Single Family Dwelling Lot Sizes in the R-12 and R-18 Districts.

Cargo Shipping Containers: The Commission agreed to keep the options, as outlined below, as part of its report to Town Council for Cargo Containers *as permanent accessory structures*. It was further discussed that the current LUDC regulations are not sufficient to regulate the use and placement of cargo containers, additional language is necessary to address location, appearance and condition of cargo containers. The Commission felt that the containers could be categorized as an accessory structure with specific standards – concluded that this could be accomplished by adding options 4a and 4b as noted below.

- 1) Amend the LUDC requiring that all accessory structures be consistent with architecture and color of the primary structure. This would in essence eliminate cargo containers as an accessory structure option in residential zone districts, unless substantial screening/buffering/fencing is provided. Metal Sided cargo containers would still be prohibited in Mixed Use and Commercial districts due to the metal siding prohibition in these zone districts, unless substantial screening/buffering/fencing is provided; or



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- 2) Do not revise the LUDC, and enforce the code as is, allowing cargo containers in residential districts with a building permit and prohibiting cargo containers in Mixed Use and Commercial districts, unless substantial screening/buffering/fencing is provided; or
- 3) Outright prohibit Cargo Containers as permanent Accessory Structures in all districts; or
- 4a) Add New LUDC Section - Article 4.3.4 E to allow Cargo Shipping Containers as an accessory structure with the following standards:
 1. Cargo Shipping Containers shall meet the general requirements outlined in Section 4.3.3 – General Standards for All Accessory Uses and Structures.
 2. Location - the unit location must meet setback requirements and located at the rear of primary structure.
 3. Colors and design – must be compatible with the color, ~~material and incorporated into the overall design~~ of the residential/commercial property. (Commissioner Martinez recommended the removal of material and design as it would be difficult to match wood structures with pitched roofs).
 4. Building permits and enforcement should be outlined.

Add a New Definition to Section 12 for “accessory structure” and include cargo shipping containers.

- 4b) Permanent and Temporary Uses: Allow for permanent structure if meets location, appearance and condition of containers outlined above. Allow for temporary placement on the property if the owner has a valid one-time storage reason for its use and it is placed outside of the setback area it could be approved through a Temporary Use Permit with the unit removed within six months from approval date. As already outlined in the LUDC, Enforce the temporary use of cargo containers in all zone districts with an Administrative Approved Temporary Use Permit (TUP). A TUP limits temporary uses to 180 days (6 months). Additionally, allowing the temporary use of a cargo container associate with a valid building permit for up to 360 days. This requires no LUDC revisions.

The Commission reviewed a proposed Cargo Shipping Container definition, section 12.3.5.1, the staff recommendation is as follows: “A metal container unit manufactured for transporting goods that can be easily loaded from one transport vehicle to another. For purposes of this definition, semi-truck trailers are vehicles, NOT cargo shipping containers”.

It was unclear if the above provisions would apply to the residential, commercial and/or mixed use districts. Commissioner Adams opposed the placement of the units in residential districts siting that the units would not enhance or add value to the properties as recommended in the



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Town's Comprehensive and Master Plans. He also quoted the September meeting minutes in which several Town Council members also opposed the units in the residential districts.

The Commission agreed to conduct an additional work session during November to further discuss the cargo shipping containers and allow time for each member to present the pros and cons of each topic before the Commission finalizes its information for the presentation to the Town Council.

Metal Siding: No discussion took place; however, the Commission agreed to conduct an additional work session during November to further discuss the topic to finalize its information for the presentation to the Town Council.

Variable Message Signs: No discussion took place; however, the Commission agreed to conduct an additional work session during November to further discuss the topic to finalize its information for the presentation to the Town Council.

R-18 District - Minimum 12.1 Dwelling Unit/Acre Density Requirement: The Commission was in agreement that the minimum 12.1 density should be removed from the R-18 zoning districts. Planning Department Director Dickhoff, on behalf of the Planning Commission, will recommend to the Town Council that it approve deleting the Minimum Density requirements for the R-18 zone district based on the rational previously discussed, or provide direction on how they would like the Planning Commission and staff to proceed.

R-12 and R-18 Districts - Reducing Single Family Dwelling Lot Sizes: The Commission discussed that the option for subdividing and requests to reduce any lot size should be evaluated on a case-by-case rather than allow a blanket approval and issues to consider include the alley/road impact, road and property access, road maintenance (including snow removal), owner or town road construction, increased traffic, utility easements and setback constraints. Options to present to the Town Council include: 1) do not approve considering smaller residential lot sizes in the R-12 and R-18 districts; or 2) consider allowing smaller residential lot sizes in the R-12 and R-18 districts, which may be the equivalent of a half lot at 3750 square feet in size. The Commission concluded that it would meet in a work session during November to discuss the topic further and draft proposed regulations, guidelines and an application process for reducing lot sizes.

VII. Design Review Board: None

VIII. Public Comment: Opportunity for the public to provide comments and to address the Commission on items not included as an agenda item – none received.

IX. Reports and Comments:
A. Town Manager – None.



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B. Planning Department Report – Planning Department Director Dickhoff provided the following report to the Commission:

PEDESTRIAN CROSSING SAFETY: There has been renewed interest in pursuing improved pedestrian safety and slower traffic speeds in downtown. The Town Council has suggested a small committee to work on suggestions for improvements. Staff will be preparing information collected over the course of the last 5 years to present to the committee for consideration. The first committee meeting has yet to be determined.

8TH - 10 STREET SIDEWALK AND TRAIL PROJECT: At the request of the Library, Town Council approved installing the trail segment along their property this year, and awarded the 200 lineal foot concrete trail project to Hart Construction. The remaining portion of the trail between 8th Street and 10th Street will be constructed in early 2015.

WEST PHASE TOWN TO PAGOSA LAKES TRAIL PROJECTS: The West Phase trail segment is between Village Drive and Aspen Village Drive. Preliminary CDOT plan review is expected in October and Final Plan review in mid-winter. Advertisement for construction should occur by February 2015 with construction to begin in early 2015.

MAJESTIC DRIVE CMAQ PAVING PROJECT: The 2000 lineal foot paving project has begun construction and should be completed by November 30, 2014, weather permitting.

6TH STREET PEDESTRIAN BRIDGE PROJECT: Construction has begun. S. 6th Street may reopen the week of October 13th. For safety reasons, there will also be occasional pedestrian trail closings. The contractor will then move to the south side abutment. The bridge is expected to be placed by the end of November. The south trail ramp will be constructed after the bridge is set. Some landscaping and other incidentals will most likely be completed in 2015.

CDOT TAP FUNDS AWARDED: The Town has been awarded approximately \$250,000 in CDOT TAP funds for the Town-to-Pagosa Lakes trail segment between Centerpoint Church and Piedra Road intersection with Hwy 160. Staff will be looking at additional grants to partner with this award, for the full estimated 1.1 million dollar project.

ALPHA DRIVE UPDATE: Alpha Drive is being readied for curb/gutter and asphalt. It is still expected the roadway will be paved before winter.

5TH STREET RIVER WALK TRAIL: As part of the Riverwalk Condo Development, a riverwalk trail segment is required to be constructed and deeded to the Town for public use. It is still expected this trail segment will be installed this construction season. There is a 200 lineal foot segment of trail that the Town will need to install to connect the new trail with Apache Street at the NW corner of the Apache Street Bridge.



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YAMAGUCHI LANE UPDATE: Yamaguchi Lane (previously known as 4/5th Alley) is in the process of being improved. Pavement is expected within the next two weeks. The direction of the one-way traffic will be from the North to the South.

C. Planning Commission – Discussion was opened for comments and discussion of non-agenda items – none received.

D. Upcoming Town Regular Meeting Schedule is as follows:

Planning Commission Meeting:

- Tuesday, October 28, 2014 at 5:30pm in Town Hall - *May cancel, if no business.*
- Tuesday, November 18, 2014 at 5:30pm in Town Hall – *Veteran’s Holiday falls on November 11, 2014; therefore, this meeting was rescheduled for November 18, 2014.*

Historic Preservation Board meetings:

- Wednesday, October 15, 2014 at 5:15pm in Town Hall.
- Wednesday, November 12, 2014 at 5:15pm in Town Hall.
- Wednesday, December 10, 2014 at 5:15pm in Town Hall.

Town Council Meetings:

- Thursday, October 23, 2014 at noon in Town Hall.
- Tuesday, November 04, 2014 at 5pm in Town Hall – *Election Day – because this is a mail-in ballot election, the meeting will be held as scheduled (confirmed with Mayor Volger & Town Clerk Hessman).*

Parks and Recreation Board Meeting:

- Wednesday, November 12, 2014 at 5:30 pm in Town Hall

X. Adjournment- Upon motion duly made, the meeting adjourned at 7:10 PM.

Kathie Lattin, Planning Commission Chair