



**PLANNING & ZONING COMMISSION
SPECIAL MEETING**

Tuesday, June 29, 2021, 6 p.m.

Attend in person:

Cedaredge Civic Center, Dining Hall 140 NW 2nd St.

Attend virtually:

On Your Computer: <https://bit.ly/2SgFoZy> | Password 292568

On Your Phone: 669-900-6833 | Webinar ID: 848 0100 1870 | Password: 292568

AGENDA

[A] denotes an action item; [D] denotes discussion item

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Reading of the Mission Statement
5. Minutes: April 6, 2021 Regular Meeting [A]
6. Minutes: April 27, 2021 Public Hearing [A]
7. Expiring Commissioner Terms – Walt Anderson & Larry Naslund [A]
8. Appointment of Chair and Vice Chair [A]
9. Adjourn Meeting [A]

Town of Cedaredge Planning & Zoning Commission Vision and Mission Statement

To retain the small town character with its natural mesa openness and create positive economic and living opportunities for current and future residents.

Commission Members

Chairman Walt Anderson (June 2021)
Vice Chairman Bob Michael (May 2023)
Larry Naslund (June 2021)
Richard Cartin (November 2022)
Terry Jarbo (June 2023)

Gene Welch (February 2024)
Doug Hoggatt (April 2024)
Mayor Raymond F. Hanson (*Ex-Officio*)
Trustee Jim Atkinson (*Ex-Officio*)

Town of Cedaredge Planning & Zoning Commission
Regular Meeting & Public Hearing
April 6, 2021
Record of Proceedings

The Cedaredge Planning and Zoning Commission met for a Regular Meeting on April 6, 2021, at the Cedaredge Civic Center, 140 NW 2nd Street, Cedaredge, Colorado, with a virtual meeting option available. Mayor Raymond F. Hanson called to order the meeting at 6:02 p.m. and led the Pledge of Allegiance. Present were Commissioners Richard Cartin, Larry Naslund, Terry Jarbo and Gene Welch; Mayor Raymond F. Hanson; Trustee Jim Atkinson; Town Administrator Greg Brinck; and Town Clerk Kami Collins. Absent and excused were Walt Anderson and Bob Michael.

Mayor Hanson read the vision and mission statement.

Minutes: February 2, 2021 Regular Meeting: Commissioner Jarbo moved and Trustee Atkinson seconded to approve the minutes as presented; motion passed unanimously.

Roll Call Vote: Voting ‘aye’ were Commissioners Naslund, Cartin, Jarbo and Welch; Mayor Hanson; and Trustee Atkinson; no Commissioner voted ‘nay.’ Motion passed unanimously and the minutes were approved.

Letter of Interest: Douglas Hoggatt: Mr. Hoggatt introduced himself and spoke about why he wanted to serve on the Commission. Commissioner Cartin moved and Commissioner Jarbo seconded to recommend to the Board of Trustees that Douglas Hoggatt be appointed to serve on the Planning Commission.

Roll Call Vote: Voting ‘aye’ were Commissioners Naslund, Cartin, Jarbo and Welch; Mayor Hanson; and Trustee Atkinson; no Commissioner voted ‘nay.’ Motion passed unanimously and Mr. Hoggatt will be recommended to the Board of Trustees to serve on the Planning and Zoning Commission.

Mayor Hanson recessed the Regular Meeting at 6:11 pm.

Public Hearing: Text Amendment under 16.25.300 Accessory Building

- a. Open Public Hearing – Mayor Hanson opened the Public Hearing at 6:11 p.m.
- b. Staff Presentation & Recommendation - Administrator Brinck said in reviewing the Land Development Code and Zoning Code under Accessory Building, it was brought to the Town’s attention that the Code limits accessory buildings to 600 square feet. Most common accessory buildings in Town are detached garages or workshops. Several constituents have asked to be able to build a larger accessory building. The Town has setbacks established, so residents cannot build too close to roadways. There are several covenant neighborhoods or Homeowners Associations in town that will control building regulations on top of the Town’s building code. Allowing residents to build a slightly larger accessory building would allow people to store their belongings in the building instead of outside. Administrator Brinck recommended removing the 600 foot limit and removing the 20 foot height limit, and instead following the current Code of a 30 foot height for residential and 36 foot height for commercial buildings.

- c. Commissioner Comment/Questions - Trustee Atkinson suggested allowing larger buildings could be a nuisance to neighbors. Commissioner Cartin suggested instead striking the words “six hundred square feet” and suggested instead 800 or 1,000 square feet, and keeping the limit of 33 percent of the square footage of the principal structure. Trustee Jarbo suggested that changes in the Code would impact the Cedaredge Volunteer Fire Department; the department may be required to buy additional trucks with ladders if the Town allows buildings to be built to a 30 foot height. Commissioner Cartin suggested a maximum of 25 feet in height would be plenty to house an RV. Commissioner Jarbo asked if in accessory building units someone could ask for a variance to build a larger structure; Administrator Brinck said no, not in this case, as the stipulations for a variance are very strict. Commissioner Cartin suggested the size of the lot should also be considered when considering the size of accessory dwelling units. Administrator Brinck suggested Staff come back to the Commission next month with amended language to include language restricting accessory buildings to a size comparable to the lot size.
- d. Public Comment - Wayne Thaler submitted written comment.
- e. Close Public Hearing - Mayor Hanson closed the Public Hearing at 6:38 p.m.

Text Amendment: Commissioner Jarbo moved and Trustee Atkinson seconded to table the Text Amendment until the next Planning and Zoning Commission meeting.

Roll Call Vote: Voting ‘aye’ were Commissioners Naslund, Cartin, Jarbo and Welch; Mayor Hanson; and Trustee Atkinson; no Commissioner voted ‘nay.’ Motion passed unanimously and the text amendment was tabled until the May 2021 meeting.

Land Use Code Update: Administrator Brinck explained updating the Land Use Code/Title 16 is a budgeted project in 2021. Town Planner Davis Farrar has begun work on the project, and the Commission will have input on the changes. The project will kick off in May with a proposed finish date of Fall 2021. Staff and the Commission will work to make sure that zoning makes sense for the community and that the process is clear for the public to decipher. Administrator Brinck asked the Commission to be familiar with Title 16 in order to begin the discussion next month.

Commissioner Jarbo moved to adjourn the meeting; Trustee Atkinson seconded. Mayor Hanson adjourned the meeting at 6:54 pm.

Respectfully Submitted,

Kami Collins
Town Clerk

Town of Cedaredge Planning & Zoning Commission
Public Hearing
April 27, 2021
Record of Proceedings

The Cedaredge Planning and Zoning Commission met for a Public Hearing on April 27, 2021, at the Cedaredge Civic Center, 140 NW 2nd Street, Cedaredge, Colorado, with a virtual meeting option available. Chairman Anderson called to order the meeting at 6:03 p.m. and led the Pledge of Allegiance. Present were Commissioners Walt Anderson, Bob Michael, Richard Cartin, Doug Hoggatt and Gene Welch; Mayor Raymond F. Hanson; Town Administrator Greg Brinck; Town Planner Davis Farrar; and Town Clerk Kami Collins. Absent and excused were Commissioner Terry Jarbo and Trustee Jim Atkinson. Absent was Commissioner Larry Naslund.

Chairman Anderson read the vision and mission statement and read the rules for Public Hearings.

Public Hearing: Conditional Use Application #2021-02: Accessory Dwelling Unit at 180 W Main Street, Don Burch

- a. Staff Presentation – Town Planner Davis Farrar explained the request is to add an apartment to the commercial building. The property is zoned B1 and is surrounded on all sides by commercial zones. The building is 1,356 square feet; the apartment will be approximately 500 square feet. Mr. Farrar said the Municipal Code requires two onsite parking spots, but the Commission has the authority to waive that requirement if it chooses. Mr. Farrar noted there is space in the rear of the building for the two parking spaces. Mr. Farrar noted Mr. Burch plans to add two lighting structures; this is the only change to the exterior of the building. Mr. Farrar said the apartment would fit in nicely with the downtown area. Mr. Farrar recommended approval of the Conditional Use Application
- b. Applicant Presentation – Mr. Burch was out of town on a family emergency and unable to address the Commission.
- c. Planning Commission Questions to Applicant and/or Staff - Commissioners had no questions for Mr. Farrar.
- d. Public Comment – A letter was received from Sandy Wilt showing support for the project. A letter was received from Barb and DJ Hladik showing concern for parking spots and for the noise their business, The Pondy, could potentially cause a resident. Judy Fairchild, 24255 Cedar Mesa Road, said she supports Mr. Burch’s request and said Mr. Burch follows the mission of the Town. Perry Hotz, 680 SW Brook Lane, said though he doesn’t live in town he has properties that border Mr. Burch’s property. Living units on Main Street are an asset to the Town, Mr. Hotz said. He said the use is compatible with other uses downtown.
- e. Planning Commission Questions to Applicant and/or Staff - Commissioners had no additional questions or comments.
- f. Rebuttal from Staff - There was no rebuttal.
- g. Rebuttal from Applicant - There was no rebuttal.
- h. Planning Commission Deliberations - The Commission had no further deliberation.
- i. Application #2021-02 – Mayor Hanson moved and Commissioner Welch seconded to approve Application #2021-02 for an Accessory Dwelling Unit at 180 W Main. Roll Call Vote: Voting ‘aye’ were Commissioners Anderson, Michael, Cartin, Hoggatt and Welch; and Mayor Hanson; no Commissioner voted ‘nay.’ Motion passed unanimously and an Accessory Dwelling Unit at 180 W Main Street was approved.

Public Hearing: Conditional Use Application #2021-03: Accessory Dwelling Unit at 250 W Main Street, David Starr

- a. Staff Presentation - Mr. Farrar said the building is about 4,000 square feet and is surrounded by commercial and mixed-use residential zones. The use will require two parking spaces; Mr. Farrar noted there is no room on the property for additional parking. The applicant, David Starr, indicated to Mr. Farrar that people could park in the municipal parking lot. Mr. Farrar said in order to secure those two spaces long-term the applicant should work with the Town to have two spaces dedicated within the lot. Administrator Brinck explained that there is adequate space in the lot now, but in anticipation of future growth, the applicant should secure the parking spots, possibly with an official agreement with the Town. Mr. Brinck said the lack of parking is not a reason to deny the application. Mr. Farrar added that waiving the parking requirement is not a practice that should be ignored in every use downtown, but that in this case, an agreement is a reasonable solution. Mr. Farrar said the living unit adds to the vitality of the downtown area and the use is compatible with the other downtown uses. Commissioner Cartin asked for clarification on the parking situation, if it had been addressed yet or if the Commission should settle parking issue. Mr. Farrar explained it was his Staff recommendation that a written agreement be part of the approval of the application. Mr. Cartin noted that if the tenant chooses to park on Main Street that would eliminate already limited parking spaces on Main. Mr. Cartin asked that if Mr. Starr and the Town enter into an agreement for the parking spots in the municipal lot if parking signage should be required. Mr. Farrar said his opinion was that the agreement should say the spaces are made “as available” and that no signage should be added. Chairman Anderson noted that the entrance to the apartment is in the rear of the building, and the most convenient access is from the rear, which should eliminate the tenant parking on Main. Mayor Hanson suggested the issue be brought to the Board of Trustees to create a policy to address off street parking. Commissioner Hoggett asked how well lit the alley is, for the tenant access to the apartment; Mayor Hanson noted the alley is well lit. Mr. Farrar said he recommended approval of the application with the condition that Mr. Starr work with the Town to secure the parking spots.
- b. Applicant Presentation - Mr. Starr was in attendance and addressed the Commission. He explained that there is an apartment over his store already, and that tenant already parks in the municipal parking lot. He said he anticipates the tenant of the new apartment will have only one vehicle. Mr. Starr noted he will make sure there is plenty of light. Commissioner Hoggatt asked Mr. Starr if he thought the use would have an impact on law enforcement, specifically if law enforcement has to monitor parking spots. Mr. Starr noted he did not think it would be an issue. Chairman Anderson asked Mr. Starr if, as indicated in the letter from the Hladiks, that noise would potentially impact the tenant; Mr. Starr responded he would alert his potential tenants.
- c. Planning Commission Questions to Applicant and/or Staff - There were no additional questions or comments from Staff.
- d. Public Comment - Perry Hotz, 680 SW Brook Lane, said there is already an apartment in the building and questioned why there was the requirement for the Change of Use. Chairman Anderson asked Mr. Farrar to explain why Mr. Starr had to go through the Conditional Use process; Mr. Farrar said the first apartment was grandfathered and that additional apartment triggered the Conditional Use per the Cedaredge Municipal Code.
- e. Planning Commission Questions to Applicant and/or Staff - There were no additional questions.
- f. Rebuttal from Staff - There was no rebuttal.
- g. Rebuttal from Applicant - There was no rebuttal.

- h. Planning Commission Deliberations – The Commission had no further deliberation.
- i. Application #2021-03 – Mayor Hanson moved and Commissioner Hoggatt seconded to approve Application #2021-03 for an Accessory Dwelling Unit at 250 W Main, with parking accommodated for in the municipal parking lot. In discussion, Commissioner Cartin asked that the issue of parking be addressed by the Board of Trustees. Commissioner Michael suggested the Town work on additional parking as well. Roll Call Vote: Voting ‘aye’ were Commissioners Anderson, Michael, Cartin, Hoggatt and Welch; and Mayor Hanson; no Commissioner voted ‘nay.’ Motion passed unanimously and an Accessory Dwelling Unit at 250 W Main Street was approved.

Mayor Hanson moved to adjourn the meeting; Commissioner Welch seconded. Chairman Anderson adjourned the meeting at 6:55 pm.

Respectfully Submitted,

Kami Collins
Town Clerk

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