

**STAFF SUMMARY  
NOVEMBER 6<sup>TH</sup>, 2019 PLANNING AND ZONING COMMISSION  
REGULAR MEETING**

**DATE:** October 29, 2019

**AGENDA ITEM NUMBER: 5**

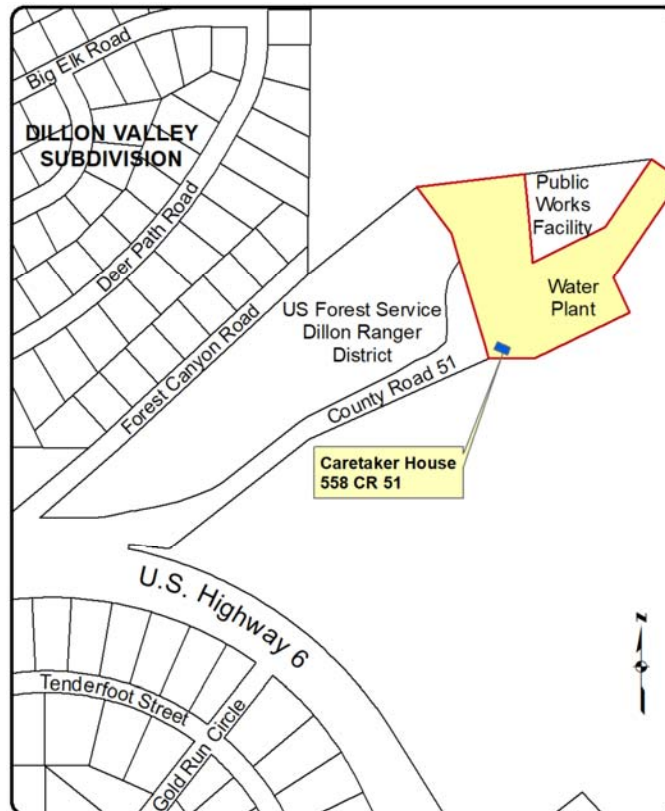
**ACTION TO BE CONSIDERED:** Consideration of Resolution No. 23-19, Series of 2019:  
**A RESOLUTION EXEMPTING A TOWN-OWNED BUILDING FROM  
THE PROVISIONS OF THE DILLON LAND DEVELOPMENT CODE  
PURSUANT TO § 31-23-301, C.R.S.**

**(PUBLIC HEARING)**

**TOPIC:** An exception to the Dillon Municipal Code provision limiting the number of caretaker units to one (1) unit per five (5) acres as provided for in the Public Facilities (PF) zone district as detailed in Section 16-3-190 of the Dillon Municipal Code.

**BACKGROUND/TIME FRAME:**

- November 2019: Planning and Zoning Commission Review then Town Council review



*Site Vicinity of the Caretaker House*

**EXECUTIVE SUMMARY:**

The Town has submitted an application to the Planning and Zoning Commission for this hearing. This resolution, if approved, would exempt the Town-owned water plant house located at 0558 County Road 51 (“Water Plant House”) from the provisions of the Town of Dillon Land Development Code. The Water Plant House currently contains one (1) residential unit on 5.8 acres and sits within the Public Facilities (PZ) zone district. The Town desires to remodel the Water Plant House to create two (2) workforce housing units. The current code language does not permit residential uses within the Public Facilities (PF) zoned district.

This exemption is requested pursuant to Colorado Revised Statute § 31-23-301, which authorizes the Planning and Zoning Commission to exempt a structure from applicable zoning provisions when an applicant has presented satisfactory proof that the proposed use of the structure is reasonably necessary for the convenience and welfare of the public.

Though not required for an exemption under the above-cited statute, the Town’s proposed use of the Water Plant House appears to comply with the purpose of the Public Facilities (PF) zone; i.e., “The purpose of [the Public Facilities (PF)] zone is to provide areas suitable and desirable for governmental entities and service provider uses and facilities necessary to meet the service needs and demands of the public.”

The Town has worked with an architect and builder to evaluate and design the residential remodel and anticipates submitting a Level II Development Permit Application for the project.

**BUDGET IMPACT:** None

**MOTION FOR APPROVAL:**

I move that we approve Resolution 23-19, Series of 2019.

**ACTION REQUESTED:  
MOTION, SECOND, ROLL-CALL VOTE**

*Resolutions require affirmative votes from majority of the members present*

**DEPARTMENT HEAD RESPONSIBLE:**

Scott O’Brien, Public Works Director