

**TOWN OF LYONS, COLORADO
PLANNING AND COMMUNITY DEVELOPMENT COMMISSION
PUBLIC HEARING AND WORKSHOP MINUTES
7:00 p.m. Monday, Oct. 24, 2016
SHIRLEY F. JOHNSON COUNCIL CHAMBERS
LYONS TOWN HALL
432 5TH AVE, LYONS, CO**

- I. Roll Call**
Commissioner Angelo - present
Commissioner Flynn present
Commissioner Sullivan present
Chairman Oetting present
Commissioner Portner absent
Commissioner Dusel - present
Commissioner Browning - present
Trustee Dreistadt - present

II. Public Hearing: Proposed Revisions to land use definitions for Accessory Dwelling Units and related use categories

Chair Oetting stated the PCDC will not be making a decision at this meeting, but will continue the public hearing to a date certain.

Trustee Dreistadt recused himself from the public hearing.

Town Planner Bob Joseph gave the staff report. He said the ordinance is very similar with some exceptions: since there is an existing definition for family in the code, which is three or fewer unrelated people living together, a different definition has been removed from suggested code revisions. Regarding setbacks, setback could be increased for an ADU, per a conditional use review process, instead of having the same setback that other accessory structures have.

Flood Recovery Planner Matt Manley suggested the PCDC not discuss the items since it hasn't been reviewed by legal team.

Joseph said he is only looking for discussion, not action from the PCDC at this time.

Public Hearing

Chair Oetting Opened the public hearing at 7:15 p.m.

He closed it 7:16 p.m., with no comments from the public.

Commissioner Dusel said its fine that a detached ADU have the smaller setback, if the goal is to encourage building them, we should allow them, with neighbors weighing in through a conditional use review.

Commissioner Flynn said the regulations have changed since the last time the PCDC saw them, since ADUs can now be occupied by only 2 people. He asked about would-be renters with a child.

Manley said that was changed after feedback from the BOT and the public.

Chair Oetting said the UEB wanted stronger regulations with limited number of tenants, which is where the 2-person limit comes in.

Commissioners Browning and Angelo stated that this new change seems anti-family. ADUs should be starter residences for young families, if needed.

Manley asked the PCDC to consider what is appropriate for the existing neighborhoods that will receive the brunt of ADU development.

Commissioner Browning said the number of tenants should be increased, not reduced.

Manley said there must be a distinction between multi-family zoning and ADUs in R-1, and what the nature of R-1 zoning means to residents there. He said the intent of ADUs is to add some small dwelling units to allow seniors and single working people.

Commissioner Dusel asked if a landlord can legally tell someone they cannot be rented to if there are children.

Joseph suggested making the lot size the function to limit the number of people living there.

Manley suggested that if the PCDC wants to base resident number on lot size, it should be mapped out to see if there is a reasonable has affect.

Commissioner Dusel asked if the number of people in the main residence has an impact on the number able to live in the ADU.

Manley said that limiting number of residents in ADUs is way to address impacts.

Commissioner Sullivan said it is risky to go down a road that dictates the number of people in a household. He said the ADU law should offer additional housing and limit impacts on neighborhood. It should limit the number of adults, but not children.

Commissioner Browning stated that the new ordinance removes the definition of household, but uses the term household multiple places.

Joseph said he will change it so it is consistent.

The PCDC recommended that mentions from the Comp Plan should be in the whereases of the Ordinance, but not in the code itself, to avoid confusion. They discussed the need to address existing ADUs, but noted that this ordinance is not the tool to do so.

Chair Oetting reopened public hearing at 7:57 p.m.

Lindsay Rousill, 120 Falcon Lane said she runs an air bed and breakfast that doesn't have a kitchen, so it is not an ADU, and should not be regulated through this law. She thinks that tap fees should not be waived for actual dwelling units.

Amy Rheinholds, 434 Reese Street, told the PCDC there will be an income level chart available that shows what kind of income can support what types of rent, for education and awareness to landlords.

Commissioner Angelo moved to continue the hearing to Nov. 14, 2016.

Commissioner Browning seconded the motion, with all voting in favor thereof.

III. Approve PCDC meeting minutes for July, 14 2014; April 13, 2015; October 12, 2015; and March 14, 2016

Commissioner Sullivan motioned to approve all sets of minutes.

Commissioner Flynn seconded, with all voting in favor thereof.

IV. Adjourned at 8:13 p.m.

Respectfully Submitted by

**Jacquelyn Watson, CMC
Town Clerk Pro Tem**

Gregg Oetting, Chair