

**JOINT CITY COUNCIL AND PLANNING COMMISSION
WORKSHOP/SPECIAL MEETING
TUESDAY, AUGUST 19, 2025**

1. The Joint City Council and Planning Commission Special Work Session was called to order at 6:00 p.m. in the City Council Chambers. The following Councilmembers were present: Mayor Pro-tem Dennis Spruell, April Randle, Lydia DeHaven, and Robert Dobry. Mayor Rachel Medina joined the meeting virtually through Avaya. Councilmembers Matt Keefauver and Bill Lewis were absent. The following Planning and Zoning Commissioners were present: Robert Rime, Bob Bright, and Richard Fryover. Commissioner Nina Thao was absent. Staff present included: Paralegal I Lydia Regalado, Contract City Planner Nancy Dodsell, Community and Economic Development Director Rachael Marchbanks, City Planner Jason Armstrong, Housing Coordinator Lisa Bloomquist, Community and Economic Development Specialist Helen West, Interim Chief of Police Andy Brock, City Attorney Patrick Coleman, City Clerk Danielle Wells, and City Manager Drew Sanders.

2. Contract City Planner Nancy Dodsell led the discuss about the City of Cortez Land Use Code Revisions. There were small revisions needed that were found during the use of the new Land Use Code (LUC). These revisions include typos, citation issues, and definition revisions. The larger revisions were discussed chapter by chapter.

A. Chapter 3

- i. Revisions included adjusting yard setbacks for residential units in the new business district, adding types of dwellings into the permitted and conditional use tables, the Farmer's and Flea Markets changing to temporary use permits and cleaning up dwelling mixed use standards definitions.
- ii. Council discussion focused on the Accessory Dwelling Unit (ADU) permits. Currently the ADU cannot be leased for less than 30-day periods. The LUC will be revised by adding the provision that the applicant needs to be living on the property at the time of the application. Councilmember Randle raised concerns about the inclusion of short-term rental provisions in the Land Use Code with the desire to give this topic thorough discussion, debate, research, surveys, and public outreach. It was initially set aside in the previous update to the LUC to advance the broader regulatory framework. Other Councilmembers generally believe sufficient outreach has already been conducted and supports the ADU permits being revised in this way.
- iii. The Council requests that the outdoor recreation provisions introduced in this Land Use Code revision be explicitly defined as non-commercial.

B. Chapter 5

- i. The revisions include off-street parking changes, adjusted driveway standards, and also including these updates to Chapter 4 for consistency.
- ii. Council discussed the modification of signs. Only 50% of each window may be covered with signs—clarified per window rather than in aggregate—to aid police enforcement and enhance safety.

C. Chapter 6

- i. The major revisions of this chapter include adding metes and bounds methods in plats, the approval process of certificate corrections, and corrections for the LUC to match zone mapping rules.
- ii. Planning and Zoning has received many minor deviation requests so a review process has been created and added to the chart to assist staff and ensure uniformity across the requests. Comments and application procedure steps have also been added to help clarify the process in code.
- iii. Traffic assessment guidance was updated to permit staff-determined exceptions. Council emphasized the need for clear documentation outlining the rationale for any waivers to maintain transparency and trust in the process. While Council supports avoiding charges for non-essential items, they request that

the reasons for such waivers be consistently recorded.

- iv. Site plan application requirements were revised for greater clarity and to remove unnecessary elements. Staff recommended including pavement plans or surfacing proposals, identifying proposed storage areas with screenings, and removing subdivision requirements. Clearer narrative instructions were added to better support commission decision-making, and CDOT traffic assessments were reinstated as part of the review process.

3. State Land Use Code and Policy Requirements

- A. There is new state legislation. Staff wanted to review these to gauge Council and Planning and Zoning's thoughts and opinions.

- i. **Factory-Built Structures** – Staff reported an upcoming meeting with DOLA to discuss state requirements allowing modular homes in residential zones. Clarification is needed on how manufactured homes apply locally and whether they can be held to the same standards as site plan uses. Chapter 2 definitions distinguishing modular from manufactured homes were noted as the basis for further discussion.

B. Proposition 123

- i. **Affordable Housing Grants, Process Improvements & Compliance** – Council discussed the voluntary opt-in program needed to maintain eligibility for an affordable housing grant, which requires adopting a “fast-track” land use processing policy (decisions within 90 days of a complete application). While the current process is generally effective, larger projects may need more time. Adoption of fast-track amendments within the first year could secure a \$50,000 grant. Minor code changes may be required, with potential incentives such as expedited review or increased development potential. Staff is also advancing broader process improvements to meet state housing requirements, including simplified forms, detailed checklists, and use of graphics. Affordable housing projects are prioritized on agendas, with special meetings as feasible. A housing needs assessment (50% funded by CHAFA) is underway with SWCCOG and Region 9 to address compliance gaps ahead of the Jan 1, 2028 housing action plan deadline. Water supply and strategic growth elements will be added to the Comprehensive Plan. Councilmember Dobry noted concerns about unfunded mandates; staff acknowledged but cited existing grant support. State definitions require both rental and ownership thresholds (e.g., 60% rental / 100% AMI). Discussion included possibly removing these details from the Land Use Code and setting them by resolution for flexibility; Director Marchbanks recommended more specific code language over a broad definition.
- ii. **Accessory Dwelling Units (ADUs)** – While optional for Cortez, compliance would make the City eligible for the ADU Fee Reduction and Encouragement grant program. Staff discussed the idea of offering pre-planned ADU designs for community use. At present, the City retains full discretion over ADU regulation and implementation. If the City is already doing most of those requests, then we should add the necessary things to receive the extra money.

4. Marijuana Discussion

- A. **Distance Regulations**– Council reviewed GIS-based buffer maps showing 1,500-, 1,000-, and 500-foot radii (“as the crow flies”) around marijuana stores. Schools and parks were also highlighted on the map. Several members of Council supported shifting to a 1,000-foot buffer to simplify rules, improves consistency, and reduces human error. Council requested a 1,000-ft school buffer map, discussed adding parks to marijuana buffer rules for alignment with natural medicine, and acknowledged public perception concerns. Members agreed the matter should advance from workshop to a formal meeting for broader public input.
- B. **Sign restrictions** - The discussion centered on advertising regulations, particularly for marijuana-

related signage, highlighting that state law restricts advertising devices to 150 square feet and requires placement within 1,000 feet of a commercial or industrial building. Marijuana-specific rules prohibit banners unless 71.6% of the audience is expected to be over 21, and while the state allows off-site signage under these conditions, the City currently does not. Electronic signs must not flash, move, or be intermittent, and in Cortez, such signs are only permitted in the Central Business District and industrial zones—excluding marijuana businesses entirely. The legality of free-standing signs raises First Amendment concerns, with no clear case law; Councilmembers Lewis and Spruell support them, while Councilmember Dobry opposes them due to their potential appeal to children and the community's substance abuse challenges. Councilmember Randle supports Councilmember Dobry's intent and believes existing codes already address most concerns, though she sees room to refine rules around promotions and discounts. Councilmember Lewis emphasized the need to clearly define what constitutes appealing to children, acknowledging the difficulty of doing so.

The work session was adjourned at 8:22 p.m.

Dennis Spruell, Mayor Pro-tem

ATTEST:

Danielle Wells, City Clerk