

TOWN OF MANCOS
PLANNING AND ZONING COMMISSION MEETING
January 17, 2024
7:00 p.m.

Agenda

- A. Call to Order
- B. Pledge of Allegiance
- C. Roll Call
- D. Approval of the Agenda
- E. Approval of the minutes of October 18, 2023 and December 20, 2023
- F. Audience Business
- G. Announcements
- H. Discussion and Action Items
 - 1. Resolution 5 Series 2024: Dedicated Land Fee/Cash In Lieu
- I. Adjournment

TOWN of MANCOS
PLANNING & ZONING COMMISSION
MEETING
October 18, 2023

A. Call to Order: Chairperson Catherine Seibert called the meeting to order at 7:00 p.m.

B. Pledge of Allegiance

C. Roll Call: present- Catherine Seibert, Carol Stout, Alternate Ann Coker, Trustee Nick Manning, Mayor Queenie Barz, Economic Development Jason Armstrong, and Deputy Clerk Mercedes Yanito
not present - Peter Brind'Amour

D. Approval of the Agenda: Carol Stout made the motion to approve the Agenda for October 18, 2023, Ann Coker seconds the motion. Motion passed.

E. Approval of the minutes from July 19, 2023: Carol Stout made the motion to approve the minutes of July 19, 2023. Ann Coker seconds the motion. Motion passed.

F. Audience Business

None

G. Announcements

None

H. Discussion and Action Items:

1. Public Hearing: Frost Collective Square Footage Increase -Open & Closed – Send to Board to discuss. Carol Stout made the motion to approve, Ann Coker seconds the motion. Motion passed anonymously.
2. Public Hearing: Comprehensive Plan Update -

*I. Items for November 15, 2023 Agenda
TBD*

Adjournment

8:00 p.m.

Catherine Seibert, Chairperson

Mercedes Yanito, Deputy Clerk

DRAFT

TOWN of MANCOS
JOINT BOARD of TRUSTEES & PLANNING &
ZONING COMMISSION MEETING
December 20, 2023

A. Call to Order: Chairperson Catherine Seibert called the meeting to order at 7:00 p.m.

B. Pledge of Allegiance

C. Roll Call: present-Chairperson Peter Brind' Amour, Catherine Seibert, Carol Stout, Alternate Ann Coker, Trustee Nick Manning, Mayor Queenie Barz, Town Administrator Heather Alvarez, Town Clerk/Treasurer Jamie Higgins, Economic Development Jason Armstrong, and Deputy Clerk Mercedes Yanito

D. Approval of the Agenda: Catherine Seibert made the motion to approve the Agenda for December 20, 2023, Carol Stout seconds the motion. Motion passed.

E. Audience Business

None

F. Discussion and Action Items:

1. Public Hearing: Ordinance 777 Series 2023 Land Use Code Text Amendments Related to Design Requirements in Commercial Districts – Discussion Open at 7:03 PM. Peter Brind' Amour submitted written comments. Discussion Closed at 7:03 PM. Catherine Seibert made the motion to approve, Peter Brind' Amour seconds the motion. Motion passed.

G. Adjournment – 7:29 pm

Peter Brind' Amour, Chairperson

Mercedes Yanito, Deputy Clerk

STAFF REPORT

To: Members of the Planning and Zoning Commission
From: Heather Alvarez, Town Administrator
Date: January 17, 2024
Re: Resolution TBD Series 2024: Adjustment of Cash in Lieu Fee

Recommendation

Review the current Per-Acre Cash in Lieu Fee for Dedicated Land and recommend approval or adjustment to the Board the Board of Trustees

Background/Discussion

The fair market value and cash in lieu amount is set by resolution by the Board of Trustees upon the recommendation of the Planning and Zoning Commission.

Chapter 16, Article 11, Division 4 requires the developer of a subdivision to dedicate at least **ten percent (10%)** of land within a subdivision to the Town, or other entity, as determined by the Board of Trustees, to be used for parks and recreation, open space, school sites, municipal facilities or cash in lieu of such dedication. The cash in lieu fee amount is to be reviewed on an annual basis. The fee reflects the estimated current fair market value for unimproved “raw” land adjacent to town.

The Planning Commission discussed this item at their November 2022 meeting, and recommended a value of \$25,000 per acre to the Board of Trustees. The Board approved this figure with Resolution 3 Series 2023. We are required to do this on an annual basis, so you will see this item each year moving forward.

Market value research conducted in fourth quarter 2021 indicated a 7,500 square foot, vacant lot in Mancos sells for approximately an average of \$76,000. One acre of land is 43,560 square feet. It should be noted that most communities distinguish in their code/policies that it is only new residential development (SF, multi-family or mixed use) that is charged this fee. Some use a % calculation of gross land area, some use a per residential unit fee, and some use a per SF cost.

Is the Planning Commission satisfied with \$25,000 fee in lieu or would you prefer to change it?

Resource Impact

Sets amount for cash in lieu of land set asides for future subdivisions

Attachments

Town of Mancos Land Use Code Chapter 16, Article 11, Division 4
Draft 2024 Resolution

Sec. 16-11-4. Dedication of land or payment of cash in-lieu of dedication.

- (a) Form of dedication. The dedication of land for public use shall be conveyed by the applicant in fee absolute title by warranty deed to the Town. Such land shall be free of liens, special assessments, and other encumbrances, and shall have all taxes paid to the year of dedication. The location of boundaries of such land shall be marked with permanent monuments in accordance with this Chapter.
- (b) Payment of cash-in-lieu of such dedication shall be based upon the current fair market value for raw lands within the corporate limits of the Town. The Board of Trustees, following recommendation by the Planning Commission, shall, by resolution, set the per-acre fee for dedicated land. The per-acre fee shall be annually updated by resolution. If this rate is not acceptable to the applicant, the values per acre shall be determined by an appraiser, agreed upon between the applicant and the Town, or, failing such agreement, by a real estate appraiser's commission consisting of one appraiser appointed by the applicant, one appraiser appointed by the Town, and a third appraiser to be appointed by previously appointed appraisers, which decision by a majority shall be controlling. Reasonable compensation of the appraisers shall be paid by the applicant. The amount so determined shall be paid prior to approval of the final plat.

(Ord. No. 751 , § 1, 11-13-2019; Ord. No. 761 , § 1, 10-28-2020)

Town of Mancos
Resolution TBD Series 2024

A Resolution Setting The Per Acre Fee In Lieu Of Dedicated Land

WHEREAS, the Town of Mancos Land Use Code Chapter 16, Article 11, Division 4 requires that with every new subdivision, sufficient land be dedicated or a fee in lieu paid to meet the public use demand of future residents; and

WHEREAS, the Town of Mancos Land Use Code Chapter 16, Article 11, Division 4 also provides a cash-in-lieu arrangement for new subdivisions; and

WHEREAS, the Town of Mancos Land Use Code Chapter 16, Article 11, Division 4 requires the developer to dedicate at least ten percent (10%) of the gross land area, in fee simple, or other cash-in-lieu, unless such a land dedication was required for the subject land at the time of annexation; and

WHEREAS, the Town of Mancos Land Use Code requires a payment of cash-in-lieu of dedication of land for park and recreational purposes shall be made prior to recording of a final plat; and

WHEREAS, the Town Board of Trustees may set by resolution the fee amount upon the recommendation of the Town of Mancos Planning and Zoning Commission; and

WHEREAS, the Town Board of Trustees by resolution, sets the per-acre fee for dedicated land based upon the current fair market value for raw lands within the corporate limits of the Town of Mancos per Chapter 16, Article 11, Division 4 of the Town of Mancos Land Use Code; and

WHEREAS, after reviewing recent raw land sales within the Town of Mancos, it has been determined that the current fair market value should be set at \$25,000 per acre; and

WHEREAS, the Town of Mancos Planning and Zoning Commission recommended to set the per-acre fee at **\$25,000 per acre** at their regular meeting on January 17, 2024.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF MANCOS:

The Board of Trustees of the Town of Mancos hereby sets the cash-in-lieu fee for dedicated land, per requirements of Chapter 16, Article 11, Division 4 of the Town of Mancos Land Use Code, at \$25,000 per acre. Per the Mancos Municipal Code, this fee will be updated annually.

PASSED, ADOPTED, AND APPROVED this 24th day of January, 2024.

Mayor Ellen “Queenie” Barz

Town Clerk/Treasurer Jamie Higgins