

**TOWN OF MANCOS  
PLANNING AND ZONING COMMISSION MEETING  
December 15, 2021  
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 20, 2021
- F. Audience Business
- G. Announcements
- H. Discussion and Action Items
  - Resolution XX Series 2022: Fee in Lieu
- I. *Items for January 19, 2022 Agenda*
  - *Public Hearing: Mesa Verde Holdings Special Use Permit*
  - *Comprehensive Plan Survey Discussion*
  - *Visioning Workshop Discussion*
- J. Adjournment

Town of Mancos  
Planning & Zoning Commission Meeting  
October 20, 2021

- A. Call to Order: Chairman Brind'Amour called the meeting to order at 6:56 p.m.
- B. Pledge of Allegiance
- C. Roll Call: present-Peter Brind'Amour, Catherine Seibert, alternate Carol Stout, alternate Ann Coker, Mayor Queenie Barz, Trustee Betsy Harrison, Town Administrator Heather Alvarez, Deputy Clerk Georgette Welage  
Absent-Perry D. Lewis
- D. Approval of the Agenda; Catherine Seibert made the motion to approve the Agenda of October 20, 2021 as written. Peter Brind'Amour seconded the motion. Motion carried.
- E. Approval of the minutes of July 21, 2021: Catherine Seibert made the motion to approve the minutes of July 21, 2021 as written. Peter Brind'Amour seconded the motion. Motion carried.
- F. Audience Business: none
- G. Announcements: The Main Street Bridge should be completed in about two weeks. A ribbon cutting is planned.  
  
The Water Plant project is proceeding.  
  
The Town received a Main Street Grant.  
  
The Town received a co working incubator space grant to include economic development, chamber and creative district.  
  
Donna Murphy, Town Clerk/Treasurer, has resigned due to life changes.
- H. Discussion and Action Items
  - 1. Comprehensive Plan Discussion: The next scheduled P&Z meeting will be replaced with the Visioning Meeting. It was decided that future Comprehensive Plan discussions would include one or two chapters per meeting as time permits. The December meeting would include discussion on the Visioning meeting and Chapter 1 of the Comprehensive Plan.

2. Visioning Meeting Update- This meeting has been rescheduled for November 17, 2021 replacing the regular Planning & Zoning Commissioners meeting. Meeting will be held in the Board Room, 117 N. Main, Mancos. P&Z Commissioners would like to use the same questions used in the 2011 Survey for the Comprehensive Plan as a comparison for the Comprehensive Plan update.
3. IBC Update Discussion-The Town of Mancos presently uses the 2006 International Building Code. Staff is currently working with the Town of Dolores to update our code to the 2021 version. The update would include all new construction and used for 60% of the building is damaged. David Douady of Town of Dolores is doing a comparison of the 2006 and 2021 IBC. They have agreed to share their information with the Town of Mancos.

4. Items for November 17, 2021 Agenda

No Public Meeting-Visioning Public Workshop. The December 2021 Planning & Zoning Meeting will include discussion on the Visioning Workshop and possibly review Chapter 1 of the Comprehensive Plan.

5. Adjournment

7:45 p.m.

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Chairman Peter Brind'Amour

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Deputy Clerk Georgette Welage

# ***STAFF REPORT***

To: Members of the Planning and Zoning Commission  
From: Heather Alvarez, Town Administrator  
Date: December 15, 2021  
Re: Resolution TBD Series 2021: Adjustment of Cash in Lieu Fee –Fair Market Value

## **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 June 2021 meeting, and recommended a value of \$25,000 per acre to the Board of Trustees. The Board approved this figure with Resolution 11 Series 2021. We are required to do this on an annual basis, so you will see this item in December each year moving forward.

Recent market value research indicates 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 2021 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)

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Town of Mancos  
Resolution TBD Series 2022

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 December 15, 2021.

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 12<sup>th</sup> day of January, 2022.

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Mayor Ellen “Queenie” Barz

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Town Clerk/Treasurer Jamie Higgins