



Town Hall 551 Hot Springs Blvd.
Pagosa Springs, CO 81147

AGENDA

Planning Commission Meeting
Tuesday, September 23, 2025 @ 5:30 PM

1. REMOTE PARTICIPATION

The public is encouraged to join via Zoom conference call as space is limited in the meeting room.

Please paste this link below to join the webinar:

<https://us06web.zoom.us/j/82738710091>

Or to join by telephone dial: 1-719-359-4580 Webinar ID: 827 3871 0091

Meetings are conducted in person at Town Hall located at 551 Hot Springs Blvd. Whenever possible, meetings will be broadcast online via Zoom, which can be accessed from a computer or phone with internet access, or by calling in. The Town does not and cannot guarantee internet service or online broadcasting. Remote attendance is at the risk of the attendee as public meetings will continue in person regardless of the Town's broadcast capability.

I. CALL MEETING TO ORDER

II. ANNOUNCEMENTS

III. APPROVAL OF MINUTES

A. Approval of the September 9, 2025 Meeting Minutes

[Planning Commission - 09 Sep 2025 - Minutes - Pdf](#)

IV. PUBLIC COMMENT

An opportunity for the public to provide comments and to address the Planning Commission on items not on the agenda.

V. BOARD OF ADJUSTMENTS

VI. DESIGN REVIEW BOARD

A. Final Major Design Review Application, 103 Majestic Drive, Vehicle Sales and Rental Use

[Agenda Brief - Final Major Design Review Application, 103 Majestic Drive, Vehicle Sales and Rental Use - Pdf](#)

VII. PLANNING COMMISSION

A. Conditional Use Permit, 103 Majestic Drive, Vehicle Sales and Rental

[Agenda Brief - Conditional Use Permit, 103 Majestic Drive, Vehicle Sales and Rental - Pdf](#)

B. Recommendation for Appointing Regular Member to the Planning Commission

VIII. REPORTS AND COMMENTS

A. Planning Commission - Comments, Ideas and Discussion

IX. PUBLIC COMMENT

An opportunity for the public to provide comments and to address the Planning Commission on items on the agenda.

X. ADJOURNMENT



Town Hall 551 Hot Springs Blvd.
Pagosa Springs, CO 81147

MINUTES

Planning Commission Meeting
September 9, 2025 @ 5:30 PM

A regular meeting of the Planning Commission was called to order on September 9, 2025, at 5:30 PM in the Town Hall 551 Hot Springs Blvd. .

COMMISSION PRESENT: Commissioner Pitcher, Commissioner Weiler, Commissioner Gurule, and Commissioner Hodges

COMMISSION ABSENT: Commissioner Pribble and Commissioner Reid

1 CALL MEETING TO ORDER

a) at 5:33 p.m.

2 ANNOUNCEMENTS

a) Director Dickhoff introduced the Commission to the new Planning Manager, Owen O'Dell.

3 APPROVAL OF MINUTES

a) Commissioner Gurule moved to approve the June 24, 2025 meeting minutes. Commissioner Weiler seconded.

Carried.

4 PUBLIC COMMENT

a) None.

5 DESIGN REVIEW BOARD

a) Final Design Review Application - Pagosa Bible Church, 209 Harman Park Drive

Brad Ash, applicant representative introduced the project. Planner Tunnell presented the staff report. Chair Pitcher asked for clarification from staff about the IWUIC Code reference in the staff report. Planner Tunnell noted that the adoption of the code will happen in April of 2026 and implementation will be in July of 2026. Chair Pitcher asked if it is a standalone code or attached to an existing code. Director Dickhoff answered that it is a standalone code. It will amend the Town's landscaping regulations, hardening the exterior of structures, looking at defensible around the perimeter of your home, and much more. Chair Pitcher asked how the proposal would impact landscaping requirements. Planner Tunnell explained that there are three designated zones for non-combustible materials, and each zone has specific requirements regarding distances from structures. Director Dickhoff noted that this code will not impact any projects that have approved building permits. Member Gurule asked how long it will take to get Harman Park Association approval. The applicant answered that it should be just a formality and that the uses are not large increases. Chair Pitcher asked why the Town reapproves each application that comes into the Harman Park collection system. Director Dickhoff answered that the just ensures the HOA is aware. Don Ford, applicant, noted that there were initially condos anticipated where the jail is now. Chair Pitcher opened for public comment; none; closed public comment.

Commissioner Hodges moved to APPROVE the Pagosa Bible Church FINAL Major Design Review Application, directing the applicant to address staff's comments contained in the staff report,

Page 1 of 3

Planning Commission
September 9, 2025

including:

1. Snow storage plan exhibit
2. Screening of any mechanical equipment and/or trash enclosures prior to TCO or CO
3. Verification from the Harman Park Association regarding increased sanitary sewer service.
4. Storm Water Management Plan prior to building permit submittal

Commissioner Gurule seconded.

Carried.

b) Final Major Design Review - Pagosa Auto Rents, 103 Majestic Drive

The Pagosa Rents Design Review application is being continued until the September 23rd Planning Commission meeting.

Due to public notifications being sent out, it is important that the Design Review Board officially continue the application consideration until the September 23, 2025 Planning Commission meeting.

Commissioner Gurule moved to continue the Pagosa Rents Design Review application consideration until September 23, 2025. Commissioner Hodges seconded.

Carried.

6 PLANNING COMMISSION

a) Amending the Official Zoning Map Regarding Property Known As 1040 East U.S. Highway 160.

Director Dickhoff presented the staff report. Member Gurule asked if this is where Bob's LP currently is. Director Dickhoff answered yes. She asked if this is a rafter access point. Director Dickhoff answered yes.

Commissioner Gurule moved to approve a Recommendation for Town Council to APPROVE the Open Space and Parks Zoning District Designation for 1040 E. Hwy 160.
Commissioner Hodges seconded.

Carried.

b) Elect Planning Commission Vice-Chair for Remainder of 2025

Commissioner Gurule moved to elect Chad Hodges as the Planning Commission Vice-Chair to serve for the remainder of 2025. Commissioner Weiler seconded.

Carried.

c) Recommendation for Appointing Regular Member to the Planning Commission

Commissioner Hodges moved to table this discussion until the September 23, 2025 Planning Commission meeting.
Commissioner Gurule seconded.

Carried.

7 REPORTS AND COMMENTS

a) Projects Review

The Town's Projects Manager, Kyle Rickert, presented on current active Town projects.

8 PUBLIC COMMENT

a) None.

9 ADJOURNMENT

APPROVAL OF MINUTES III.A.

Planning Commission
September 9, 2025



AGENDA BRIEF

MEETING: Planning Commission - 23 Sep 2025

FROM: Katelyn Tunnell, Planner

PROJECT: Final Major Design Review Application, 103 Majestic Drive, Vehicle Sales and Rental Use

ACTION: Design Review Board action

ATTACHMENTS:

[Final MDR Packet-103 Majestic Dr Pagosa Rents PC 09.23.25](#)

RECOMMENDATIONS:

A. Move to APPROVE the Pagosa Auto Rents Final Major Design Review Application, directing the applicant to provide at least the following with their Final Major Design Review application:

- 1) Provide erosion control improvements to ensure bank erosion is contained to the owner's properties.
- 2) The applicant is required to submit a sign permit application for approval prior to sign installation.
- 3) Submit Sign Permit Application prior to installation of signs.
- 4) Submit Business License application to the Town.
- 5) Other contingencies as determined by the Design Review Board during the public hearing.

B. Move to CONTINUE the consideration of the Pagosa Auto Rents Final Major Design Review Application until [specify date].

C. Move to DENY the Pagosa Auto Rents Final Major Design Review Application (and providing direction to staff and/or the applicant).

PLANNING DIVISION STAFF BRIEF

103 MAJESTIC DRIVE PAGOSA AUTO RENTS - FINAL MAJOR DESIGN REVIEW APPLICATION

Application: Final Major Design Review application for Pagosa Auto Rents

Property Location: 103 Majestic Drive, Lot B of the Nobles Minor Commercial Subdivision

Acreage: Lot B = 0.41 acres

Property Owner/Applicant: George Brown

Zoning: Mixed Use Corridor (MU-C)

Proposed Project and Property Use:

The applicant proposes to improve the property for Vehicle Sales and Rental.

Public Notification:

Public notification was mailed to property owners within a 500-foot radius, posted on site, posted in Town Hall, and published in the Sun Newspaper pursuant to LUDC 2.3.6.

Background:

The Design Review Board approved the SKETCH MDR application on June 24, 2025, contingent on the applicant providing at least the following with their FINAL Major Design Review application:

- 1) Complete dimensioned site plan showing all proposed improvements and code requirements.
- 2) Details regarding all proposed structures.
- 3) Cargo container painted to blend in with property.
- 4) Gravel areas frequently used by vehicles.
- 5) Landscape treatments consistent with code.
- 6) Buffering along northern property line.
- 7) Drainage waiver determination.
- 8) Sign plan to be provided at Final MDR.

LUDC Article 3, Zoning:

The proposed project is located within the Mixed Use - Corridor (MU-C) zoning district.

"The MU-C district is intended to allow for the vertical or horizontal mixing of uses, including some high-density residential, along major highways. Commercial uses are appropriate, including retail, offices, hotels, and tourism-related businesses. The district is intended to promote gradual development and redevelopment of existing commercial corridors to become more vibrant and attractive mixed-use areas that also contain some housing, offices, and light trade".

LUDC Article 4, Allowable Uses:

The proposed "Vehicle Sales and Rental" use allowable with an Approved Conditional Use Permit within the MU-C District pursuant to Table 4.1-1, Table of Allowed Uses. **To Be Determined by Planning Commission.**

Definition-Vehicle sales and rental: An establishment engaged in the display, sale, leasing, or rental of new or used motor vehicles. Vehicles included, but are not limited to, automobiles, light trucks, vans, trailers, recreational vehicles, motorcycles, personal watercraft, utility trailers, all-terrain vehicles, and mobile homes.

LUDC 4.3.E.3

Cargo Containers: Cargo shipping containers shall be allowed in the Commercial District, Mixed-Use Corridor District and Mixed-Use Town Center District, limiting the maximum of no more than three hundred and twenty (320) square feet (8'x40'), unless otherwise approved with a conditional use permit pursuant to Section 2.4.4.

Current property condition:

The Vacant property is currently being used for storage of various items; cargo container, materials, tires, trailer. The current condition of the property is in violation of the LUDC as "Storage Yards" are not allowable in the MU-C zoning district. If approved for a Vehicle Sales and Rental use development, only those items accessory to primary use (associated with such use) may occupy the property.

LUDC Article 5, Dimensional Requirements

Proposed Cargo Container location complies with setback requirements.

Building Height (35 mid-span and 41 peak maximum allowed): The applicant has mentioned including a small building for a sales office, however, has not provided information regarding such structure. Cargo container is the only proposed structure.

Landscaping (Minimum 15%): Applicant has not provided a landscaping plan. Staff requests clarification from the Design Review Board regarding their Sketch Plan Approval motion, as discussions indicated a desire not to require landscaping given the minor site improvements and proposed limited time the site will operate as a Vehicle Sales and Rental use. Staff believes that landscaping along the street side of the chain link fence would be a visual enhancement including the consideration of street trees.

LUDC Article 6, Development and Design Standards**6.3.1 Construction Erosion Control:**

The phased disturbance areas will be under the 1-acre threshold for a Colorado Storm Water Management Permit (SWMP). However, a stormwater management Plan shall be submitted to the Town identifying "Best Managements Practices" (BMPs) to be installed for storm water erosion control during construction activities and maintained in place as function erosion control structures until re-vegetation has been re-established to a minimum of 70%. The applicant had previously excavated the eastern bank along the property line which has created a large deposit of erosion on the applicant's property to the south. To ensure the continual erosion from this bank does not impact neighboring properties, Staff recommends that a condition of approval should include providing an erosion control plan to staff for approval.

6.3.2. Site Drainage

A grading and Drainage plan has been provided, proposing site drainage to flow to the Majestic Drive drainage ditch. The applicant does not propose creating a substantial amount of impervious surfaces, thus staff does not see a need for storm water detention for the proposed site improvements, however, See note above regarding bank erosion concerns.

6.3.3: Adequate space for snow storage shall be provided. "For planning purposes, one (1) square foot of snow storage space is generally necessary for each two (2) square feet of area to be cleared". The site plan does not include enough detail to determine the need for snow storage, however, there are areas to the east for snow storage. Snow removal shall not be pushed off of the property into the Town's ROW.

6.3.4 Sanitary Sewer and 6.3.5 Potable Water: The property is within the PAWSD boundary for water service and the PSSGID boundary for sanitary sewer service. The applicant is not proposing the need these services.

6.4 Sensitive Area Protection: Sensitive areas include steep slopes, hazard-prone areas, geologic or wildfire hazards. The applicant has previously excavated the eastern portion of the subject property creating a steep embankment and has placed the parking area and cargo container away from the rock fall area.

LUDC 6.6 Access and Circulation

6.6.2 Connectivity and 6.6.5 Sidewalks and Trails.

Vehicular Access

The project will improve one existing access to the property through grading and paving the access for connectivity to Majestic Drive.

The project does not propose to install sidewalk. Connectivity of Sidewalk does not exist along Eagle Drive. The proposed project is unlikely to create much pedestrian activity to require a sidewalk.

6.6.6. Parking and Vehicle Access

The on-site parking lot is not proposed for paving. The expected vehicle traffic for the proposed use is likely minimal. The parked autos for sale will not likely create dust concerns or an air quality nuisance. The Design Review Board approved the applicant to gravel the parking given it's limited use and development.

LUDC 6.7. Commercial and Mixed-Use Design Standards

Buildings are currently not proposed. The cargo container falls under an accessory structure category pursuant to LUDC 4.3.2. APPROVAL OF ACCESSORY USES AND STRUCTURES

"All principal uses allowed in a zoning district shall be deemed to include those accessory uses, structures, and activities typically associated with the use, unless specifically prohibited..."

LUDC 6.9 Parking and Loading

6.9.3 Off-Street Parking Requirements.

LUDC Parking standards for outdoor display areas, table 6.9-2, are 1 space per 750 sqft for outdoor display areas of 3,000 sqft or less, and 1 space per 2,000 sqft for outdoor display areas more than 3,000 sqft. Staff is comfortable with a median calculation based on specific square footage.

LUDC 6.10 Landscape and Buffers

6.10.3 Design Standards

A. General: Landscaping plan has not been provided.

E. Street trees: Planting some trees along the front property line could be incorporated into a landscaping plan and provide a visual improvement.

6.10.4. Buffering and Screening

Properties west of Majestic Drive are zoned MU-C. Properties to the north and east are zoned Agricultural Residential. Buffering/screening along the northern property line would be appropriate to separate the more intensive business use from the residential use.

LUDC 6.12 Exterior Lighting

An exterior lighting plan was not provided in the application and shall be submitted with the Final MDR application. The Exterior lighting plan shall demonstrate that all exterior lighting sources (bulb, LED board, reflective surface) will be completely shielded from visibility while standing at the property line.

All exterior lighting will be inspected after installation for compliance determination prior to issuance of CO. All exterior lighting shall ensure the light source (bulb, LED board, reflective surface) is completely shielded from visibility at the property line. The applicant intends to install solar lighting and has stated the lighting will be dark sky compliant. Inspection of installed lighting is required to ensure the light source is completely shielded at a 5-foot height at Lot B's property line.

6.1 SIGN CODE

Applicant has provided some basic details regarding proposed signage. All signage requires submission of a sign permit application and subsequent Town approval.

Major Design Review Approval Criteria includes:

- (i) *The development plan complies with all applicable development and design standards set forth in this Land Use Code, including but not limited to the provisions in Article 3, Zoning Districts, Article 4, Use Regulations, Article 5, Dimensional Requirements, and Article 6, Development and Design Standards.*

The Sketch Design Review Application approval contained the following Planning Commission conditions of approval. Staff's comments following each.

- A. Dimensioned site plan showing for sale display area(s), parking area, location of cargo container, and all other site improvement shall be included in a site improvement plan.
The applicant provided a site plan showing the location of the graveled parking and access areas, cargo container location. The applicants narrative further explains the plans for inclusion.
- B. Complete dimensioned site plan showing all proposed improvements and code requirements.
The applicant provided a site plan showing the location of the graveled parking and access areas, cargo container location, and is acceptable to staff.
- C. Details regarding all proposed structures.
Only one cargo container is proposed as far as structures.
- D. Cargo container painted to blend in with property.
The applicant proposes one 8'x40 cargo container, existing on site, that will be painted brown to help blend in.
- E. Gravel areas frequently used by vehicles.
Applicant proposes geocell fabric and gravel for proposed parking area.
- F. Landscape treatments consistent with code.
Applicant has not provided any landscape treatments. Staff seeks guidance from the Planning Commission.
- G. Buffering along northern property line.
The applicant proposes screening fabric on the northern chain link fence to help screen the northern side along the Agriculture Residential zoned property.
- H. Drainage waiver determination.
Staff has determined that a Drainage waiver is acceptable for the proposed site improvements since impervious surfaces are very limited. However, the excavated hill side has created a large amount of erosion onto the property owners neighboring property. The Applicants application for Final MDR and CUP triggers the need to provide erosion control structures to protect neighboring properties. Staff would recommend the Planning Commission require the applicant to work with staff to provide such erosion control structures.
- I. Sign plan to be provided at Final MDR.
Applicant has provided locations of signage along the fence, and some initial sign text considerations. Staff will work with the applicant to process an actual sign permit application pursuant to the sign code.

- (ii) *The development plan is consistent with any previously approved subdivision plat, planned development, or any other precedent plan or land use approval as applicable.*

No specific plan identified.

- (iii) *The development plan is consistent with the Comprehensive Plan and other adopted Town policies and plans, including any adopted transportation plan or streets/roadway plan.*

Staff finds the proposed use could generally be consistent with the 2018 Comprehensive Plan through compliance with the LUDC. No identified concerns associated with other adopted Town policies and plans, including any adopted transportation plan or streets/roadway plan.

Alternative Motions for Design Review Board's Consideration:

- A. Move to APPROVE the Pagosa Auto Rents Final Major Design Review Application, directing the applicant to provide at least the following with their Final Major Design Review application:**
 - 1) Provide erosion control improvements to ensure bank erosion is contained to the owner's properties.
 - 2) The applicant is required to submit a sign permit application for approval prior to sign installation.
 - 3) Submit Sign Permit Application prior to installation of signs.
 - 4) Submit Business License application to the Town.
 - 5) Other contingencies as determined by the Design Review Board during the public hearing.
- B. Move to CONTINUE the consideration of the Pagosa Auto Rents Final Major Design Review Application until [specify date].**
- C. Move to DENY the Pagosa Auto Rents Final Major Design Review Application (and providing direction to staff and/or the applicant).**

Proposed Development For 103 Majestic Dr Pagosa Springs Co 81147

Submitted 8/20/25 By George Brown

On Steep hillside all vehicles or installations shall remain 20 Feet from base of slope.

Landscape Buffering

Screening fabric on north fence line to be provided.

Lighting

Shall be motion detector Dark Sky Compliant Source shall be shielded.

Signage

shall be mounted on fence near entry 3 Signs : Pagosa Auto Rents,

Pagosa Auto Consignment Sales

And Sign Stating : Property is Under Video Surveillance

Storage to Be painted brown.

Paving at entry and Geo Grid with ½" - Gravel at interior Drive area and at Parking Spaces

Drainage to be 3% slope to street, impervious surface will be at entry only



GEOCELL GROUND GRID

TECHNICAL SPECIFICATIONS PRODUCT DATA SHEET

PROPERTY	TEST METHOD	TEST RESULT
Polymer Density	ASTM D 1505	58.4 - 60.2 lb/ft ³ (0.935 - 0.965g/cm ³)
Environmental Stress Crack Resistance	ASTM D 5397	>400 hours
Environmental Stress Crack Resistance	ASTM D 1693	6000 hours
Carbon Black Content	ASTM D 1603	1.5% by weight (minimum)
Nominal Sheet Thickness* Before Texturing	ASTM D 5199	50mil (1.27mm) -5%, +10%
Nominal Sheet Thickness* After Texturing	ASTM D 5199	60mil (1.52mm) -5%, +10%
Nominal-Expanded Cell Size (wid x len)		12.6 x 11.3in (320 x 287mm)
Nominal-Expanded Cell Area		71.3in ² x (460cm ²)
Nominal-Expanded Section (wid x len)		8.4 x 27.4ft (2.56 x 8.35m)
Nominal-Expanded Section Area		230ft ² (21.4m ²)
Minimum-Expanded Section (wid x len)		9.2 x 24.8ft (2.8 x 7.6m)
Maximum-Expanded Section (wid x len)		7.6 x 30ft (2.3 x 9.1m)

*The nominal sheet thickness is an average thickness of the sheet, taken from 10 readings.

The polyethylene strip is textured with rhomboidal indentations. The rhomboidal indentations have a surface density of 140 to 200 per in² or 22 to 31 per cm².

CELL DEPTH	SEAM PEEL STRENGTH	% CELL WALL OPEN AREA	SEAM HANG STRENGTH
2in	160lbf (710N)	11 +/- 1%	A 4in weld joint supporting a load of 160 lbs for 30 days min or 4in weld joint supporting a load of 160lbs for 7 days min while undergoing temperature change from 74F to 130F on a 1 hour cycle.
3in	240lbf (1060N)	16 +/- 1%	
4in	320lbf (1420N)	11 +/- 1%	
6in	480lbf (2130N)	16 +/- 1%	
8in	640lbf (2840N)	11 +/- 1%	

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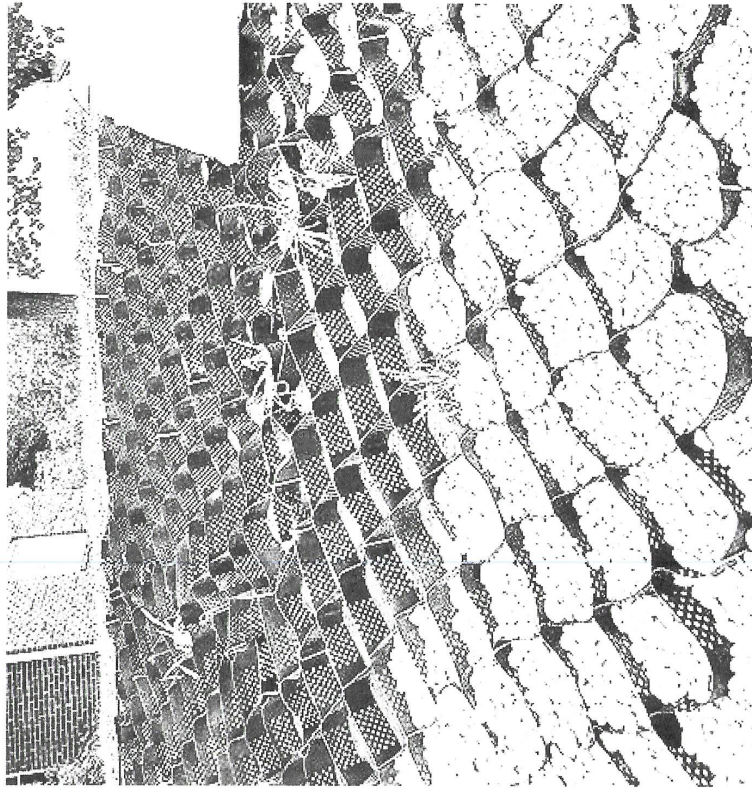
• Agtec LLC, 125 Mayo Road, Humpden Maine 04444 •

Sheet1

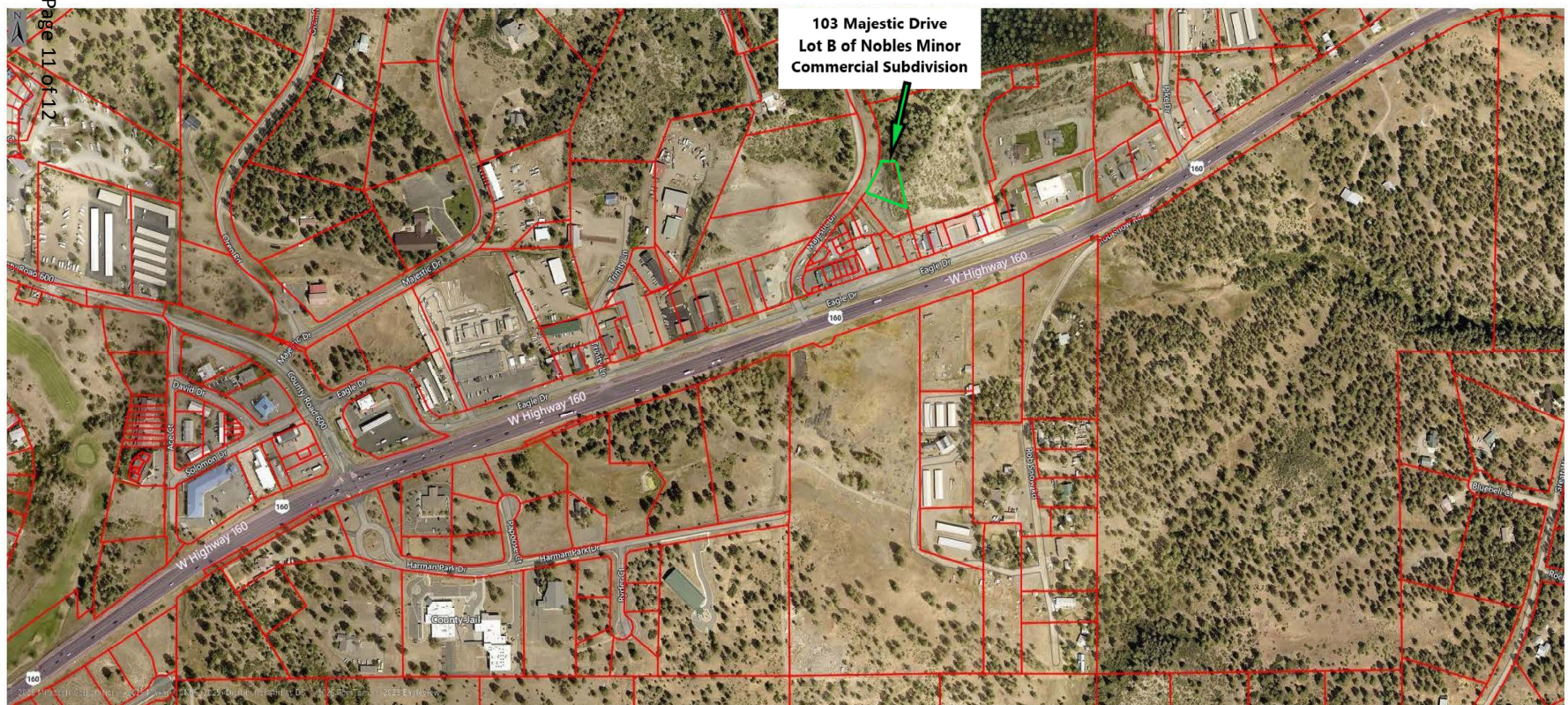
**Pagosa Auto
Consignment Sales
970 -585- 9181**

**Pagosa Auto Rents
970 -585- 9181**

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Vicinity Map-103 Majestic Drive



06/09/2023 - 09/22/2023





AGENDA BRIEF

MEETING: Planning Commission - 23 Sep 2025

FROM: Katelyn Tunnell, Planner

PROJECT: Conditional Use Permit, 103 Majestic Drive, Vehicle Sales and Rental

ACTION: Planning Commission action

ATTACHMENTS:

[Final CUP Packet-103 Majestic Dr Pagosa Rents PC 09.23.25](#)

RECOMMENDATIONS:

- A. Move to APPROVE the Pagosa Auto Rents Conditional Use Permit Application with the following Conditions of approval to be included in the CUP Agreement:
 - a. The property shall only be used for the primary purpose as a Vehicle Sales and Rental operation.
 - b. One Cargo Container is allowed, completely painted to blend in with the surroundings, and used solely for accessory use associated with the primary use.
 - c. Storage of materials, junk, non-operational vehicles or other unrelated items to the primary use are prohibited on the property for any period of time.
 - d. The proposed area for vehicle display shall not be enlarged beyond the proposed area without additional Administrative or Planning Commission approval for amending the Conditional Use Permit.
 - e. The Conditional Use Permit is revocable for any violation of the terms of the Conditional Use Permit Approval.
 - f. A Town Business License shall be obtained and maintained in good standing.
 - g. The conditional use permit shall terminate if the rights granted are discontinued for one hundred eighty (180) consecutive days.
 - h. Other conditions of Approval determined by the Planning Commission.
- B. Move to CONTINUE the consideration of the Pagosa Auto Rents Conditional Use Permit Application Sketch Major Design Review Application until [specify date].
- C. Move to DENY the Pagosa Auto Rents Conditional Use Permit Application (providing direction to staff and/or the applicant).

PLANNING DIVISION STAFF BRIEF

103 MAJESTIC DRIVE PAGOSA AUTO RENTS – CONDITIONAL USE PERMIT APPLICATION

Application: Conditional Use application for Pagosa Auto Rents

Property Location: 103 Majestic Drive, Lot B of the Nobles Minor Commercial Subdivision

Acreage: Lot B = 0.41 acres

Property Owner/Applicant: George Brown

Zoning: Mixed Use Corridor (MU-C)

Proposed Project and Property Use:

The applicant proposes to improve the property for a Vehicle Sales and Rental operation.

Public Notification:

Public notification was mailed to property owners within a 500-foot radius, posted on site, posted in Town Hall, and published in the Sun Newspaper pursuant to LUDC 2.3.6.

Background:

The Design Review Board approved the SKETCH MDR application on June 24, 2025, contingent on the applicant providing at least the following with their FINAL Major Design Review application:

- 1) Complete dimensioned site plan showing all proposed improvements and code requirements.
- 2) Details regarding all proposed structures.
- 3) Cargo container painted to blend in with property.
- 4) Gravel areas frequently used by vehicles.
- 5) Landscape treatments consistent with code.
- 6) Buffering along northern property line.
- 7) Drainage waiver determination.
- 8) Sign plan to be provided at Final MDR.

LUDC 2.4.4. CONDITIONAL USE PERMITS

- A. *Purpose. (Conditional Use Permits applications) provide a **discretionary** approval process for conditional uses, which have unique or widely varying operating characteristics or unusual site development features. The procedure encourages public review and evaluation of a use's operating characteristics and site development features and is intended to ensure that proposed conditional uses will not have a significant adverse impact on surrounding uses or on the community-at-large. Specific conditional uses allowed in each zone district are listed in Table 4.1-1, Table of Allowed Uses.*

LUDC Article 3, Zoning:

The proposed project is located within the Mixed Use - Corridor (MU-C) zoning district.

"The MU-C district is intended to allow for the vertical or horizontal mixing of uses, including some high-density residential, along major highways. Commercial uses are appropriate, including retail, offices, hotels, and tourism-related businesses. The district is intended to promote gradual development and redevelopment of existing commercial corridors to become more vibrant and attractive mixed-use areas that also contain some housing, offices, and light trade".

LUDC Article 4, Table of Allowable Uses:

The proposed "Vehicle Sales and Rental" use requires a Conditional Use Permit (CUP) within the MU-C District pursuant to Table 4.1-1, Table of Allowed Uses.

Definition-Vehicle sales and rental: An establishment engaged in the display, sale, leasing, or rental of new or used motor vehicles. Vehicles included, but are not limited to, automobiles, light trucks, vans, trailers, recreational vehicles, motorcycles, personal watercraft, utility trailers, all-terrain vehicles, and mobile homes.

LUDC 4.3.E.3

Cargo Containers: Cargo shipping containers shall be allowed in the Commercial District, Mixed-Use Corridor District and Mixed-Use Town Center District, limiting the maximum of no more than three hundred and twenty (320) square feet (8'x40'), unless otherwise approved with a conditional use permit pursuant to section 2.4.4.

LUDC 4.4.4.C.4

Approval criteria. The Director or the Planning Commission may approve a proposed conditional use that meets all of the following criteria:

- (i) The proposed use is consistent with the Comprehensive Plan and all applicable provisions of this Land Use Code and applicable state and federal regulations;
The Planning Commission approved the Sketch Major Design Review application on June 24, 2025, finding the application to be in general compliance with the Code for the proposed use of the property, with conditions of approval.
- (ii) The proposed use is consistent with the purpose and intent of the zoning district in which it is located and any applicable use-specific standards in Article 4 of this Land Use Code;
The MU-C zone district does allow the operation of an Auto Rental and Sales lot with the approval of a conditional use permit application.
- (iii) The proposed use is compatible with adjacent uses in terms of scale, site design, and operating characteristics (such as, but not limited to, hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts);
Neighboring properties to the north and east are zoned Agricultural/Residential.
Neighboring properties to the south and west are also zoned MU-C, with existing uses being a Mechanical shop, Auto Repair shops, and Sign shop. The proposed Vehicle Sales and Rental use characteristics are consistent with these neighboring property uses regarding hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts.
- (iv) Any significant adverse impacts anticipated to result from the use will be mitigated or offset to the maximum extent practicable; and
The applicant proposes to secure the property with chain link security fencing with screening fabric installed along the northern fence.
- (v) Facilities and services (including sewage and waste disposal, water, gas, electricity, police and fire protection, and roads and transportation, as applicable) will be available to serve the subject property while maintaining adequate levels of service for existing development; and
Facilities and Services for the proposed use are in place.
- (vi) Adequate assurances of continuing maintenance have been provided.
Continual maintenance and adherence to the terms of the CUP agreement of the property is a condition for continued use of the property as an Vehicle Sales and Rental operation. Neglect will result in the revocation of the CUP and the use for Auto Rental and Sales.

Conditional Use Permits are a discretionary decision and the Planning Commission can consider any conditions of approval *to ensure that proposed conditional uses will not have a significant adverse impact on surrounding uses or on the community-at-large*. Any conditions of approval are formalized in a Conditional Use Permit Agreement signed by the property owner and recorded with the Archuleta County Clerk and Records office and shall obligate successive owners and operators to the terms of the agreement (*see note below). Staff recommends at least the following conditions of approval for Planning Commission's consideration.

- 1) The property shall only be used for the primary purpose as a Vehicle Sales and Rental operation.
- 2) One Cargo Container is allowed, completely painted to blend in with the surroundings, and used solely for accessory use associated with the primary use.
- 3) Storage of materials, junk, non-operational vehicles or other unrelated items to the primary use are prohibited on the property for any period of time.
- 4) The proposed area for vehicle display shall not be enlarged beyond the proposed area without additional Administrative or Planning Commission approval for amending the Conditional Use Permit.
- 5) The Conditional Use Permit is revocable for any violation of the terms of the Conditional Use Permit Approval.
- 6) A Town Business License shall be obtained and maintained in good standing.
- 7) The conditional use permit shall terminate if the rights granted by it are discontinued for one hundred eighty (180) consecutive days.

* Given the applicants proposal that the intent is to operate the [Auto Rental and Sales Lot](#) for 5 years or so, a limited time for the CUP use of property with a sunset date, and/or prohibit transfer of the CUP right and agreement to successive property owners or business operators.

LUDC 2.4.4.5. Lapse of Approval.

- a. *A conditional use permit shall lapse and have no further effect one (1) year after its effective date or at such alternate time specified in the approval unless one (1) or more of the following criteria has been met:*
 - (i) *A building permit has been issued and construction diligently pursued.*
 - (ii) *A certificate of occupancy has been issued;*
 - (iii) *The use has been established and in continuous operation; or*
 - (iv) *The conditional use permit is renewed.*
- b. *A conditional use permit shall lapse upon termination of a project or expiration of a building permit.*
- c. *A conditional use permit shall lapse if the rights granted by it are discontinued for one hundred eighty (180) consecutive days or other period as specified in the original approval.*

Alternative Motions for Design Review Board's Consideration:

- A. Move to APPROVE the Pagosa Auto Rents Conditional Use Permit Application with the following Conditions of approval to be included in the CUP Agreement:**
- 1) The property shall only be used for the primary purpose as a Vehicle Sales and Rental operation.
 - 2) One Cargo Container is allowed, completely painted to blend in with the surroundings, and used solely for accessory use associated with the primary use.
 - 3) Storage of materials, junk, non-operational vehicles or other unrelated items to the primary use are prohibited on the property for any period of time.
 - 4) The proposed area for vehicle display shall not be enlarged beyond the proposed area without additional Administrative or Planning Commission approval for amending the Conditional Use Permit.
 - 5) The Conditional Use Permit is revocable for any violation of the terms of the Conditional Use Permit Approval.
 - 6) A Town Business License shall be obtained and maintained in good standing.
 - 7) The conditional use permit shall terminate if the rights granted are discontinued for one hundred eighty (180) consecutive days.
 - 8) Other conditions of Approval determined by the Planning Commission.
- B. Move to CONTINUE the consideration of the Pagosa Auto Rents Conditional Use Permit Application Sketch Major Design Review Application until [specify date].**
- C. Move to DENY the Pagosa Auto Rents Conditional Use Permit Application (providing direction to staff and/or the applicant).**

Proposed Development For 103 Majestic Dr Pagosa Springs Co 81147

Submitted 8/20/25 By George Brown

On Steep hillside all vehicles or installations shall remain 20 Feet from base of slope.

Landscape Buffering

Screening fabric on north fence line to be provided.

Lighting

Shall be motion detector Dark Sky Compliant Source shall be shielded.

Signage

shall be mounted on fence near entry 3 Signs : Pagosa Auto Rents,

Pagosa Auto Consignment Sales

And Sign Stating : Property is Under Video Surveillance

Storage to Be painted brown.

Paving at entry and Geo Grid with ½" - Gravel at interior Drive area and at Parking Spaces

Drainage to be 3% slope to street, impervious surface will be at entry only



GEOCELL GROUND GRID

TECHNICAL SPECIFICATIONS PRODUCT DATA SHEET

PROPERTY	TEST METHOD	TEST RESULT
Polymer Density	ASTM D 1505	58.4 - 60.2 lb/ft ³ (0.935 - 0.965g/cm ³)
Environmental Stress Crack Resistance	ASTM D 5397	>400 hours
Environmental Stress Crack Resistance	ASTM D 1693	6000 hours
Carbon Black Content	ASTM D 1603	1.5% by weight (minimum)
Nominal Sheet Thickness* Before Texturing	ASTM D 5199	50mil (1.27mm) -5%, +10%
Nominal Sheet Thickness* After Texturing	ASTM D 5199	60mil (1.52mm) -5%, +10%
Nominal-Expanded Cell Size (wid x len)		12.6 x 11.3in (320 x 287mm)
Nominal-Expanded Cell Area		71.3in ² x (460cm ²)
Nominal-Expanded Section (wid x len)		8.4 x 27.4ft (2.56 x 8.35m)
Nominal-Expanded Section Area		230ft ² (21.4m ²)
Minimum-Expanded Section (wid x len)		9.2 x 24.8ft (2.8 x 7.6m)
Maximum-Expanded Section (wid x len)		7.6 x 30ft (2.3 x 9.1m)

*The nominal sheet thickness is an average thickness of the sheet, taken from 10 readings.

The polyethylene strip is textured with rhomboidal indentations. The rhomboidal indentations have a surface density of 140 to 200 per in² or 22 to 31 per cm².

CELL DEPTH	SEAM PEEL STRENGTH	% CELL WALL OPEN AREA	SEAM HANG STRENGTH
2in	160lbf (710N)	11 +/- 1%	A 4in weld joint supporting a load of 160 lbs for 30 days min or 4in weld joint supporting a load of 160lbs for 7 days min while undergoing temperature change from 74F to 130F on a 1 hour cycle.
3in	240lbf (1060N)	16 +/- 1%	
4in	320lbf (1420N)	11 +/- 1%	
6in	480lbf (2130N)	16 +/- 1%	
8in	640lbf (2840N)	11 +/- 1%	

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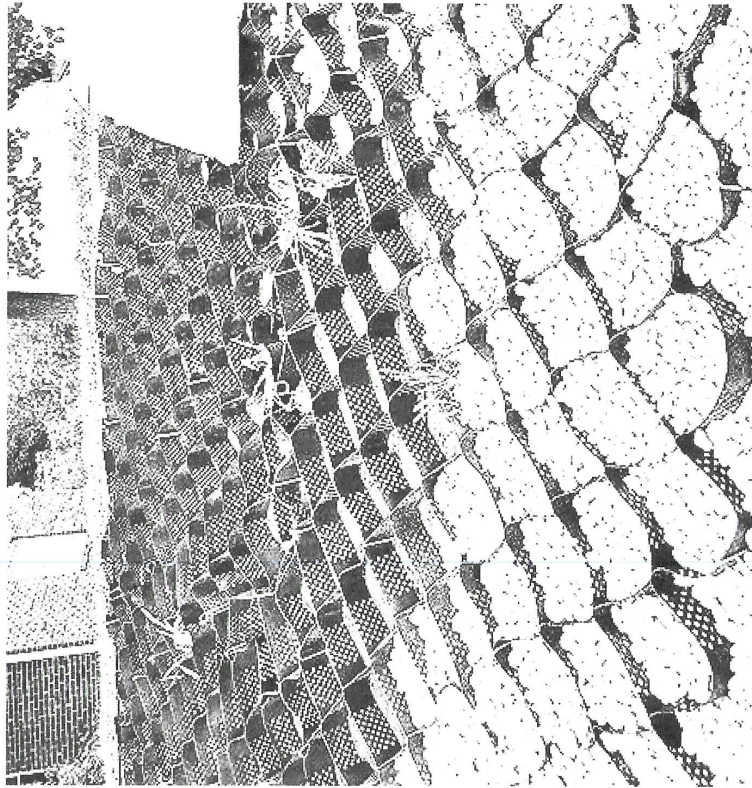
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Sheet1

**Pagosa Auto
Consignment Sales
970 -585- 9181**

**Pagosa Auto Rents
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PLANNING COMMISSION VII.A.



