

**Town of Bayfield
Planning Commission Minutes
December 11, 2012
1199 Bayfield Parkway, Bayfield, CO 81122**

Planning Commissioners Present: James Sanders (Chairman), Joe Mozgai (Vice Chairman), Dr. Rick Smith (Mayor), Matt Nyberg, Marvin Seale, Pat Heyman, and Kalon Porter

Staff Present: Chris La May (Town Manager), Elizabeth Jackson (Deputy Town Clerk)

Media Present: None

The meeting was called to order by Chairman James Sanders at 7:00 p.m.

Minutes: Marvin Seal made a motion to approve the minutes from the November 8th, 2012 regular planning commission meeting as submitted. James Sanders seconded the motion. All were in favor and the motion passed unanimously, 7-0.

Public Input: None

Public Hearing: Use by Review for in-home daycare services (668 Dove Ranch Road)

Chairman James Sanders opened the public hearing.

Chris La May said Leslie Kirk, applicant, was seeking permission to operate a licensed daycare service at her residence, 668 Dove Ranch Road. The hours of operation would be 7:30a.m. to 5:30p.m., Monday through Friday, with a maximum of eight children. The place of residence is zoned R-10 Single Family Residence; intended to provide an area in which only single-family homes on lots of at least 10,000 square feet are allowed by right and other uses are subject to review.

La May stated the application for Use by Review was filed and fees were paid November 20, 2012. The narrative was also sent to limited referral agencies on this day. The public hearing was properly noticed in the Pine River Times on November 30, 2012 and December 7, 2012. Property owners within 200 feet of the property were also notified of the Use by Review request and public hearing.

The application appeared to be in conformance with the Town's Master Plan. La May also mentioned that there might be a slight increase in water/sewer consumption thus, patterns might change. Any changes, however, would reflect in monthly user rates.

The property has two on-site parking spots in the front driveway. Client vehicle parking would be limited primarily to short term use for the morning drop off and evening pick up of the children. This would slightly impact traffic patterns in the neighborhood.

Planning Commission was asked to consider the following criteria:

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- 1) Are the offsite impacts of the use either consistent with the character of the land use district or adequately mitigated?
- 2) Will the use as proposed comply with the requirements, intents and purposes of Bayfield's codes, policies and comprehensive plan?
- 3) Is the proposed use consistent with the scope and intent of the property's land use district category as described in the Land Use Code?

Staff recommended approval of the Use by Review with the following conditions:

1. *Property Owner provides verification to the Town of Bayfield of Upper Pine Fire District inspection and/or approval.*
2. *Property Owner provides verification to the Town of Bayfield of health inspection and/or approval from San Juan Basin Health Department.*
3. *Property Owner submits a copy of the State of Colorado license to operate a day care facility to the Town of Bayfield within 30 days of receipt and shall operate in accordance with the license.*
4. *Business Owner submits a business license application and applicable fees to the Town of Bayfield.*
5. *Use by Review is granted solely to Leslie Kirk and shall expire six (6) months from any termination of child care services provided, or change in ownership of the property.*

Action Agenda:

Applicant Leslie Kirk told Planning Commission that she has two boys of her own and also cares for two others. Her plan, however, is to expand this operation and obtain a license for daycare services.

Vice Chairman Joe Mozgai asked if the place of residence had a backyard. He wanted to know if applicant had a fence or had plans to put a fence up.

Kirk said that as part of the licensing requirements, she would build a fence. A specific amount of square footage was also required. She said she would meet those requirements.

Chairman James Sanders opened the public hearing.

The public hearing was then closed due to no public comment.

Commissioner Pat Heyman asked applicant if she received any comment from neighbors.

Kirk said she did not.

Commissioner Kalon Porter asked if she had pets.

Kirk said she had two dogs, but that they have their own, separate fenced off area.

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Chairman Sanders asked applicant what kind of help she would have.

Kirk said she has a sub in accordance with state regulations.

Mayor Rick Smith made a motion to approve the Use by Review as long as the six conditions were met. Commissioner Matt Nyberg seconded. All were in favor and the motion passed unanimously, 7-0.

New/Unfinished Business:

La May stated that one permit was pulled in Mesa Meadows.

AmeriGas is still moving forward—they are working on fire analysis and have additional refinements needed from their engineer. This, however, should be wrapped up soon.

Lee McCutchen still plans on moving forward with the assisted living facility, though probably does not intend to do anything until sometime next year.

Mayor Rick Smith asked what happened to the Sundown Bakery.

La May said all three bakeries (Bayfield, Ignacio and Durango) were no longer operating. One local restaurant did call to discuss the possibility of expanding their operations to include a prep kitchen, or something similar, to provide baked goods. That however, was not certain. La May also stated that La Casita restaurant was close to closing.

Mayor Smith commented that the property east of Chivalo's restaurant was operating a wrecking yard for used cars. He said he received some complaints regarding this.

La May said he could start a nuisance action.

Commissioner Sanders asked if Bayfield had a city charter.

La May said there is a Municipal Code but not a town charter because Bayfield is not a home rule charter community. Bayfield is a statutory town guided by state statutes.

Adjournment:

Joe Mozgai made a motion to adjourn. Marvin Seal seconded the motion. All were in favor and the motion passed unanimously, 7-0. The meeting adjourned at 7:32p.m.

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Minutes were approved as submitted on March 12, 2013.

Approved:

James Sanders (Chairman)

Elizabeth Jackson (Deputy Town Clerk)