

Town of Bayfield
Planning Commission Minutes
June 12, 2012
1199 Bayfield Parkway Bayfield, CO 81122

Planning Commissioners Present: Michelle Nelson (Chairman), James Sanders, Matt Nyberg, Pat Heyman

Planning Commissioners Absent: Dr. Rick K, Smith (Mayor), Chris Rhodes

Staff Present: Chris La May (Town Manager), Kathleen Cathcart (Town Clerk), Heather Poulton (Deputy Town Clerk)

The meeting was called to order @ 7:03 p.m. by Michelle Nelson

Minutes: There were no minutes to approve.

Public Input: None offered so it was immediately closed.

Action Item #1: Temporary Use Requirements

Town Manager Chris La May gave his staff report. He has reviewed the proposed list of temporary uses and evaluated the uses in accordance with current Land Use Code Language. La May believed that most uses are incorporated in the Land Use Code; however, the language is somewhat vague. La May suggested it would be appropriate to include more definitive language. The Planning Commission discussed each temporary use listed.

- Construction and sales office which also can be used as security quarters incidental to construction on the premises.

La May informed the Board that there is currently no time limit, but two years is proposed. Other than that the verbiage is adequate at this time. Chair Nelson agreed and felt that it was adequate at this time and does not need more attention.

- Real estate offices and model homes incidental to a new housing development.

La May stated that Mesa Meadows and Palo Duro have sales offices that are considered open houses, and if there is more than one builder, who gets the preference. La May questioned, looking into the future, how do we want to handle this?

Commissioner Heyman stated that she felt they should be able to leave it as long as the builder has lots available. Chair Nelson asked the commissioners if they wanted a real estate office next to their house. Chair Nelson stated that she liked the limit on it and wanted to have a time limit for each phase of construction. La May stated that two years was proposed, but at this time it states one year, Commission was in general agreement that the time period should be for two years.

- Temporary residential or commercial storage containers

La May informed the Commission that there are situations in town, at this time, where zircons are being used for retail business. La May also questioned if a storage shed should be considered differently from a storage container? La May also asked whether it would be appropriate to define terms?

Chair Nelson asked if the containers were taking away from adequate parking for the businesses? Commissioner Heymen recommended that the terms accessory and temporary be defined. The term temporary

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suggests some time limit. Commissioner Sanders suggested that a permit with a time limit would be appropriate. Chair Nelson was generally comfortable with storage if for the right use and placed in the back of the primary structure. La May suggested that better definition of terms would be beneficial.

- Carnival, circus, bazaar, fair, petting zoo, music and art festivals, open air market which may include retail sales of specialty items

La May questioned whether the uses should be allowed on private property and have a time limit, and if there should be a fee, if in the park to compensate for extra security and cleanup? Chair Nelson felt that they should come to planning commission so neighbors could comment on issues if done on private property. All members of the commission were comfortable with a two week time limitation.

- Seasonal sales including but not limited to farm produce or other food products. Any structures used for display shall be removed during the period when not in use.

Chair Nelson asked if the commission would prefer to permit for a limited time and if done on private property should it be required to meet all the requirements? What if it is continual? Commissioner Heyman felt there needed to be limits when open.

La May stated that if it takes place outside of town limits, it is generally beyond Town's control. Chair Nelson felt at this time it would be appropriate to limit the amount of days a farmers market could operate.

- Temporary facilities related to special events, including, without limitation, grand openings, weddings, parties, luncheons, reunions, award ceremonies and downtown/chamber theme events

La May suggested that the Town steer away from private events and focus on public events, although there is some concern about grand openings going on and on. Chair Nelson asked if the commission was comfortable allowing for anything for the first 7 days. The Commission liked the two week period. Commissioner Heyman asked if it would be appropriate to differentiate between the kind of events? The Commission felt that this section was not necessary.

- Parking for another temporary use.

La May stated that the uses require a temporary use permit and staff can evaluate parking with the proposed use. Commission was comfortable removing.

- Sidewalk sales – A sidewalk sale shall be conducted only by the retail establishment located on the property and shall only include merchandise that is regularly offered for sale inside that retail establishment

Commissioner felt the current arrangement is good, as long as it does not interfere with pedestrian traffic.

- Christmas tree sales

Commissioners were comfortable with this section as written.

- Fireworks stands

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Commissioners agreed that fireworks stand should be banned.

- Outdoor sales or events by charitable organizations (written documentation of charitable status required)

La May informed the Board that this is the bake sale and car wash uses. His only concern was public safety, but suggested that he didn't want to regulate these types of activities. The Commission was in agreement.

- Outdoor Market

Chair Nelson suggested that we lump farmers market and outdoor market together. Other commissioners agreed. Commissioner Heyman hated to see a fee on a charitable event. La May suggested they leave that issue for later discussion.

- Temporary vendor cart

Chair Nelson asked what the difference was from a cart versus a trailer. Commissioner Heyman stated not stationary. There was discussion in regards to Happy Cow Food Shack and its ability to operate at a lower cost and whether this was a fair and should they be allowed at all. La May suggested that he should add something differentiating a special event and temporary use. Chair Nelson felt they needed to come to town hall to get permit and commissioners should talk about this completely aside from special events. She stated that 6 months is not temporary. Chair Nelson, in regards to food vendors believed they should be required to have a grease trap and water. Commissioners agreed that they should follow the same standards we have in place for dumping grease and water standards.

Chair Nelson asked if we wanted to allow these carts and what time frame do we grant them.

La May suggested 30 consecutive days. Heyman stated that she was not sure which way to go. She sees the side of local businesses, but on the other hand, what about the food truck that comes to serve the construction site. Commissioners agreed that 6 months is too long and 30 days would be appropriate. Commissioners also concluded that food and retail should be considered the same and same requirements should apply to mobile or temporary retail or food/beverage truck, mobile or temporary retail or food/beverage trailer, and food and retail vendor carts.

La May stated that staff would make changes to the document based on discussion and return to the Planning Commission for further discussion.

Action Item #2: Agency Comments

La May stated that from time to time he receives letters from other agencies requesting comments on land use approvals. He received two from La Plata County and wanted to give the Planning Commission the opportunity to discuss before providing comment.

Commissioners asked for La May's opinion. La May stated that it is outside the town's boundaries, so we do not have much say, but are welcome to suggest thing to minimize the impact. Chair Nelson

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recused herself from the discussion. General consensus of the commission was that there was no opposition to the applications.

Action Agenda #3: Chair Election

Chair Michelle Nelson has served as Chair for an extended period and desires to relinquish the Chair. The consensus of the Planning Commission was to appoint another member to serve. Commissioners tabled this discussion until more board members were present.

New and unfinished business.

Commissioner Sanders requested the Town update the website.

La May informed the Commission that the Town will likely come to an agreement with LAPLAWD on joint water treatment and delivery facilities. La May updated the Commission on the Mill Works Woodworking Company and informed them that they would not be coming to Bayfield. La May was not sure on the status of Amerigas.

Commissioner Sanders made a motion to adjourn, Commissioner Nyberg seconded the motion. Motion passed unanimously.

Meeting was adjourned at 8:17 p.m.

Minutes were approved as submitted on July 10, 2012.

Approved:

Michelle Nelson
Chairman

Kathleen Cathcart
Town Clerk