

Town of Bayfield
Planning Commission Minutes
December 10, 2013
1199 Bayfield Parkway, Bayfield, CO 81122

Planning Commissioners Present: James Sanders (Chairman), Dr. Rick Smith (Mayor), Pat Heyman, and Kalon Porter.

Staff Present: Chris La May (Town Manager), Wendi Weinstein (Administrative Assistant)

Media Present: none

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

Minutes: Mayor Smith noted that the name of a citizen present at the December 10th meeting was misspelled in the minutes. The correct spelling for Lynne Matievich was entered. With that amendment, Mayor Rick Smith made a motion to approve the minutes of the December 10, 2013 meeting as presented. Pat Heyman seconded the motion. Vice-Chairman Joe Mozgai abstained from approval because he was absent from the December 10th meeting. All other members present were in favor and the motion passed.

Public Input: None

Action Agenda Item 1 – Temporary Use Ordinance

Town Manager La May said he wanted to discuss again the proposed Temporary Use Ordinance that we've been working on for the past few months, and noted there have been some significant changes since our last discussion.

Firstly, Chris recommends removing language regarding temporary storage sheds. From further study after our last discussion, he believes that detached storage sheds are already a permitted use as an accessory use. The sheds are "accessory" whether they are temporary or permanent, and he believes we should leave them out of this particular ordinance.

Secondly, the definition of temporary storage containers or Zircons was detailed as "portable on-demand storage structures," and was separated into residential and non-residential. The Temporary Use Ordinance will state that residential portable on-demand storage structures will be allowed for 30 consecutive days per calendar year with no permit required. The same structures for non-residential purposes will be required to have a permit from the Town, and also would be allowed for 30 consecutive days. Non-residential Zircons may be allowed for longer than 30 days with a special permit. In both cases, properties with portable on-demand storage structures will have a grace period for bringing their property into conformance with these requirements. Chris noted that the issue of non-residential use of Zircons will be the most challenging to deal with. He said some of the local businesses were not too happy to hear that the Town was considering these requirements.

Vice-Chairman Joe Mozgai remarked that the biggest challenge for most people will be making the Zircons compatible with the existing structure.

Chris said he is trying to find some language that will strengthen the definitions, but there will undoubtedly be some folks who are upset by the requirement.

Another significant change concerns Temporary Vendors. Chris noted that a few months ago when he issued a permit to Hail Star for them to set up a tent and repair hail damage, he realized that some temporary vendor structures were not addressed in our existing ordinance. That definition has been expanded and clarified, and the update also adds language pertaining to other requirements, such as the impact on pedestrian mobility, vehicle traffic, and snow removal.

Chris noted these as the most significant changes to our Temporary Use Ordinance, and asked if there were any questions.

Mayor Rick Smith stated his agreement that the “matching” of a portable unit to an existing structure involves a lot of subjectivity and will pose some challenges. He believes, however, that giving administration more discretion is the way to go, rather than having people come before the Board for a decision.

Chris replied that if an applicant doesn’t like his decision, he or she can still appeal to the Town Board.

Vice-Chairman Mozgai and Chairman Sanders agreed that keeping the decisions regarding Temporary Vendors in the Town Manager’s office is best since he knows the direction we want our community to take.

Chris acknowledged that the hail damage vendor situation was a bit of a test, and he wondered what kind of reactions would occur. There was one concerned citizen who thought it might be “unfair competition” and take away from local businesses. In this instance, however, there were no local businesses doing the same type of work. Chris believes that the updated language in the Temporary Use Ordinance will help establish our guidelines and rules.

Mayor Smith congratulated Chris on a job well done.

Chris added that because this is an amendment to our Land Use Code, it will require a public hearing before the Planning Commission, and another public hearing before the Town Board. We will do our due diligence and advertise for the public hearing with 15 days advance notice, and it is Chris’s hope that at the next regular meeting of the Planning Commission, a recommendation will be made to the Town Board to adopt the Temporary Use Ordinance.

All present were in agreement with that schedule.

New/Unfinished Business

Chris reported that Mercy Regional Medical Center has signed a lease for a space in the Bayfield Center Plaza in order to put in a medical clinic, beginning in February. There are not a lot of details available yet.

Vice-Chairman Mozgai thanked Chris for the new bike path.

Chairman Sanders asked if Chris and the Mayor were happy with the results of the recent Open House held at our Senior Center to discuss the proposals for a new intersection on the west side of town at Bayfield Parkway and Highway 160.

Chris replied it has been an enlightening process. Over the years, many alternatives for this intersection have been presented. CDOT has approved one that the Town has never been happy with, so the Open House was held to bring folks together to help narrow down all the options. Chris explained that CDOT has always approached the project from a standpoint of environmental impact, while the Town has been concentrating more on traffic flow. Many options were presented and the Open House helped narrow the choices to three of those options. There will be a work session with the Town Board on June 6, 2014 to explore those choices. Chris invited our Planning Commission members to attend; County Commissioners have also been invited to attend, as they are part of the Intergovernmental agreement that applies.

Vice-Chairman Mozgai asked about the timeline for implementation of the intersection project.

Chris replied that is a significant question because he expects the project will take a long while and will be expensive. Chris explained that CDOT has a "record of decision" which they've approved and which includes an environmental impact study. Unraveling that may be a cumbersome process and may include a Supplemental EIS which might open things up for re-review at a later date, so they will want to work to make good decisions from the start.

Vice-Chairman Mozgai asked if the intersection would include a traffic light.

Chris replied that some of the alternatives do include a light, but the current record of decision does not, so it will ultimately depend on which alternative is chosen.

Vice-Chairman Mozgai asked if Chris and the Town Board were satisfied with the three options that came out of the Open House discussion.

Chris replied that none of the options seemed perfect.

Chairman Sanders asked if CDOT recognized the proposal that the Bayfield residents put forth, and if that was one of the three options being considered.

Chris replied it was.

Mayor Rick Smith noted that CDOT is more willing to work with Bayfield and La Plata County because it is a joint effort and they are looking for a cooperative solution.

Chris remarked that he believes CDOT is listening to our concerns and they recognize the importance of working together.

Vice-Chairman Mozgai made a motion to adjourn. Kalon Porter seconded, all were in favor, and the motion passed.

Meeting was adjourned at 7:28 p.m.

