

Town of Bayfield
Planning Commission Minutes
March 12th, 2013
1199 Bayfield Parkway, Bayfield, CO 81122

Planning Commissioners Present: James Sanders (Chairman), Joe Mozgai (Vice-Chairman), Dr. Rick Smith (Mayor), Matt Nyberg, Marvin Seale, 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 Rick Smith made a motion to approve the minutes from the December 12th, 2012 regular Planning Commission meeting as submitted. Joe Mozgai seconded the motion. All were in favor and the motion passed unanimously.

Public Input: None

Public Hearing: Use by Review for in-home daycare services (725 Mississippi Drive)

Chairman James Sanders opened the public hearing.

Chris La May introduced the applicant, Amanda Andrys, and stated that she was seeking permission to operate a licensed daycare service at her residence, 725 Mississippi Drive. The hours of operation would be 7:30 a.m. to 5:30 p.m., Monday through Friday, with a maximum of eight children. The 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.

Chris reported the application for Use by Review was filed and fees were paid on February 11, 2013. The public hearing was properly noticed in the Pine River Times on February 22, 2013 and March 1, 2013. Property owners within 200 feet of the property were notified of the Use by Review request and public hearing.

Chris also noted the parking situation as an issue for consideration. The property has two on-site parking spaces. Client vehicle parking would be limited primarily to short-term use for the morning drop-off and evening pick-up of the children, but would still have a slight impact on traffic patterns in the neighborhood. Other impacts would include a slight increase or pattern change in water/sewer consumption, which would be reflected in monthly user rates. The application appeared to be in conformance with the Town's Master Plan.

The Planning Commission was asked to consider the following:

- 1) Are the off-site 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 recommendations are as follows:

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

Applicant Amanda Andrys informed the Planning Commission that she has a child of her own and expects to have at least four others in her care, with a possible maximum of eight.

Commissioner Joe Mozgai asked if the residence had a fenced yard in the back. Ms. Andrys reported that she will be required by the State of Colorado to erect a fence within six months and she will meet that requirement.

Joe also asked if Ms. Andrys had received any comments from neighbors with concerns about a daycare going in. Ms. Andrys replied that she had not received any negative comments and has obtained signatures of support from several neighbors.

Commissioner Kalon Porter asked about animals on the property. Ms. Andrys replied she has one dog that will be locked up during business hours. Commissioner Matt Nyberg added that proof of vaccinations is required as part of the license.

Chairman James Sanders opened the hearing for public comment. No comment was provided. The public hearing was closed.

Commissioner Matt Nyberg made a motion to approve the Use by Review as long as the four conditions in the staff report were met. Mayor Rick Smith seconded the motion. All were in favor and the motion passed unanimously.

Discussion – Land Use Code Update

Town Manager Chris La May reported that the Town is attempting to update planning and development requirements and documents in preparation for the next building boom. To this end, we would like to review the current Land Use Code with the Planning Commission and discuss the land use process to ensure the process is efficient, fair, equitable and in conformance with the Town's Comprehensive Plan.

Chris noted that we want to make sure that everyone is still comfortable with the vision, the language and the updates to the Comprehensive Plan. Amendments were made to the Comprehensive Plan in 2008 and 2010. Although the document is somewhat dated, Chris believes the underlying vision is still prevalent and consistent within the community, and since an update to a Comprehensive Plan is a lengthy and costly effort, Staff would like to move forward with a review and potential updates to the Land Use Code.

Commissioner Joe Mozgai asked what led to the desire to update the Land Use Code.

Chris stated that we are trying to take advantage of the drop in land use requests to take time to review and revise.

Mayor Rick Smith noted that the Comprehensive Plan and the Land Use Code become our two guiding documents, and we want to have our Staff prepared for the future.

In closing, Chris encouraged Commissioners to review the Comprehensive Plan before our next meeting. Chris will also present the first two chapters of the Land Use Code for review and discussion at our next regular meeting.

New Business

Chris reported that the Southwest Council of Governments (SWCOG) is in the process of organizing training sessions for Planning members. The training will be sometime in April, and Chris will email everyone with a schedule.

Commissioner Joe Mozgai asked if it would be possible for the Town to provide computer tablets or notebooks for Planning Commission members to use for meetings.

Joe also asked if anything was happening with the Evening's Porch project. Chris replied that they are waiting on approval by an engineer before we can issue a foundation permit.

Chris also noted that Amerigas will begin construction soon, and that the new bakery going in the Bayfield Center still has a few issues to resolve before opening.

Adjournment:

Joe Mozgai made a motion to adjourn. Mayor Rick Smith seconded the motion. All were in favor and the motion passed unanimously. The meeting adjourned at 7:33 p.m.

Approved:

James Sanders (Chairman)

Wendi Weinstein (Admin. Assistant)