

Town of Bayfield
Planning Commission Meeting
March 9, 2010
1199 US Highway 160B Bayfield, CO 81122

Planning Commissioners Present: Bob McGraw (Chairman), Ed Morlan (Vice-Chairman), Rick Smith (Mayor), Gabe Candelaria (Town Board Member), Michelle Nelson, Pay Heyman

Staff Present: Justin Clifton (Town Manager), Ron Saba (Director of Public Works), Marianne Jones (Town Clerk)

Media Present: None

The meeting was called to order @ 7:01 p.m.

Minutes: Rick made a motion to approve the minutes from the February 9th, 2010 Planning Commission Meeting as presented. Pat seconded the motion. All were in favor, motion passed unanimously.

Public Comment: No public comment was offered.

Action Agenda Item #1: Public Hearing: Ordinance #354 - Fire Flows For New Developments

Justin gave his staff report. He stated that the Town Board adopted the International Fire Code (IFC) in 2006. However, the Board opted not to include Appendix B of that Code at that time. Appendix B is the portion of the IFC that creates standards for fire flows (water volume). The 2006 Ordinance included Appendix B as a non-binding "reference guideline" only. This created confusion when the Fire Chief was conducting plan reviews and there was not a clear standard for fire flow. Justin brought this issue to the Board in the fall of 2009 for consideration. There was concern at the time of initial adoption of the IFC that the new standards could be prohibitive to new development or re-development; especially in cases where existing infrastructure is inadequate.

The Board created a sub-committee to review the pros and cons of adopting Appendix B of the IFC. The Committee consisted of Justin, Ron Saba (Director of Public Works), Mike Shave (Town of Bayfield Building Official), Trustees Dan Ford and Tom Au, Chief Rich Graeber, Fire District Board members Jeff Dyer and Bill Quorum and citizens at large Hunter Swanson and Mack Coker. After about 3 months of discussion the Committee recommended to the Board of Trustees to adopt the new standard but to allow for some limited flexibility in how the standard is met. This might include leniency for buildings where there is eminent infrastructure upgrades or alternatives such as fire suppression systems and fire resistive construction.

The Town Board adopted an Ordinance on March 2nd, 2010 based on the recommendations received from the committee. He explained that the Land Use Code change being presented to the Planning Commission clarifies that new development will be expected to do anything within reason to provide adequate fire flow. Most of the time, this will entail looping the water lines rather than allowing dead end lines. It could also require developers to loop water lines by constructing off-site extensions or to install larger water lines throughout a development. There may be some extenuating circumstances where compromise is necessary. However, the goal of the ordinance is to ensure new development meets the standards of Appendix B so that building construction does not need to rely on fire suppression systems or fire resistive construction. The Land Use Code change will impact residential development but will primarily focus on commercial development where fire flows are more stringent and vary significantly based on use type.

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Justin explained that the table of required flows in Appendix B is based on the building type and total square footage. The minimum fire flow for commercial development is 1,500 gallons per minute.

Gabe asked if a development agreement has been approved for the Elston Subdivision and if this Ordinance would give the Town leverage to ask that the water line be completed rather than sprinkler systems being installed in the buildings to mitigate fire issues.

Justin answered that the Subdivision Improvement Agreement (SIA) has already been approved for the Elston Subdivision. The Town would not be able to force the developer to loop the waterline at this point because it was not originally negotiated in the SIA. However, the developer would have to abide by the requirements in Appendix B. Since the fire flow is inadequate for this area, the developer will have to provide other mitigation items for fire protection. If the developer decides that it would be more cost effective to go ahead and loop the line instead of doing other mitigation items, the Town will fully support that decision.

Gabe asked about cost sharing for large development infrastructure improvements.

Justin answered that cost sharing will be determined on a case by case basis. There would have to be very unique circumstances to warrant a cost share program because the Town does not want to allow just any improvements to be subject to reimbursement agreements. Any cost share program would have to be looked at through a very thorough review process on a case by case basis.

Gabe asked if there is a standard process for cost sharing/reimbursement agreements.

Justin answered that negotiations for cost sharing/reimbursement agreements begin at annexation time. However, there isn't anything in place that designates a total amount of cost improvements that triggers a potential cost share program because that would need to be determined by a case-by-case basis. He stated that if the Town decided to have a reimbursement policy it would need to be a stand-alone policy that would apply to any of the following infrastructure items: access, sewer, water, drainage, roads, etc.

Ed asked if the Town gets involved when infrastructure needs to be installed on other residents' property for a new development.

Justin answered that most of the time that sort of negotiation is the responsibility of the developer. However, the Town does get involved in some instances in a very limited capacity if there is a good reason.

Michelle asked for clarification that there are other forms of mitigation that can be used to meet the requirements for fire safety.

Justin answered that the Town doesn't want to compromise on fire safety items because of its importance. The Ordinance states that new developments need to meet adequate fire flow; however, if there are unique circumstances that make it unreasonable for a developer to meet the requirement the Ordinance allows for other forms of mitigation to be implemented. The Town's stand is always going to be that new development bring infrastructure up to the modern standard whenever possible.

Ed asked if the Town has a master plan for Town infrastructure

Justin answered that the Town does not currently have complete mapping of infrastructure. However, the Town has discussed the need for this type of information and is looking into it.

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There is a general plan in the water fund for replacing valves, asbestos lines, etc; however, the Town does need to go back and add the component of fixing some of the old infrastructure such as connecting some of the unconnected lines, replacing some of the smaller lines, etc. Justin stated that the Town also needs some system mapping. Once that system mapping is in place the Town can do some modeling that will give more information about how new developments will be able to connect to the Town's systems.

The floor was given to Rich Graeber, Fire Chief for the Upper Pine Fire Protection District.

Rich Graeber stated that the Town and the Fire Department have spent a lot of time discussing this item. He said that there has been a hundred years of development items that weren't done in the best interest of growth. The Town has to start somewhere in resolving these known issues. He stated that the Fire Department understands that there will be things that have to be dealt with immediately for fire safety but that most of the issues will have to be resolved over time. Rich stated that adoption of Appendix B is a very good decision and the Fire Department hopes to bring more appendixes to the Board for adoption in the future.

The item was opened for public comment. None was offered so it was immediately closed.

Rick made a motion to recommend approval to the Town Board of Ordinance #354, an Ordinance amending Section 7-3 of the Town Land Use Code By The Addition Of Provisions Related To Fire Flows To New Developments In The Town. Gabe seconded the motion. All were in favor, motion passed unanimously.

Action Agenda item #2: Election of Officers – Chairman/Vice-Chairman

Rick made a motion to appoint Michelle Nelson as chairman for the Planning Commission. Ed seconded the motion. All were in favor, motion passed unanimously.

Rick made a motion to nominate Bob McGraw as the vice-chairman for the Planning Commission. Ed seconded the motion. All were in favor, motion passed unanimously.

Action Agenda Item #3: New/Unfinished Business

Justin stated that applicants for the Westside Comp Plan Amendment requested that the review of that amendment begin on the March 23rd meeting. He explained that meeting will be a special meeting dedicated to reviewing the Westside Comp Plan Amendment. Justin said that he hasn't met with the County yet regarding that project but he does have a meeting schedule with CDOT.

Bob asked if all members of an entity will receive an adjacent land owner letter regarding this project. He stated that there are 5 owners of the "Mankins Trust" which own adjacent property and three of the owners are concerned that they are going to be omitted from the discussions.

Justin answered that the County has contact information for each parcel of the land in their GIS system. The adjacent land owner letter will be sent out to the address listed in that database. Unfortunately, if contact information is not available in that system for each individual owner, the letter will be sent to the address listed for the trust.

The meeting was adjourned at 7:43 p.m.

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Approved:

Bob McGraw
Chairman

Marianne Jones
Town Clerk