

**Town of Bayfield  
Planning Commission Meeting Minutes  
January 9, 2024, Bayfield, Colorado**

**I. Opening Ceremony**

Chair Nyberg called the January 9, 2024, Town of Bayfield Planning Commission meeting to order at 6:31 p.m.

**Planning Commissioners Present:** Bryan Gadd, Mayor Ashleigh Tarkington, Tish Nelson, Cash Snooks, Jason Evans, Chris O'Shea Heydinger (via Zoom) and Chair Matthew Nyberg.

**Commissioners Absent:** None

**Staff Present:** Nicol Killian, Community Development Director; Katie Sickles, Town Manager; Jeremy Schulz, Public Works Director; Amber Lamb, Deputy Town Clerk; Kristin Dallison, Administrative Assistant

**Media Present:** None

**Pledge of Allegiance**

**General Public Input:**

Chair Nyberg opened public comment. Seeing none, Chair Nyberg closed public comment.

**Disclosure of Conflicts of Interest:** None

**Approval of Agenda:** Commissioner Nelson moved to approve the agenda for the January 9, 2023, meeting as presented. Mayor Tarkington seconded.

Vote:

Commissioner Gadd – Yes

Commissioner Nelson – Yes

Commissioner Snooks – Yes

Commissioner Evans – Yes

Commissioner O'Shea Heydinger – Yes

Mayor Tarkington – Yes

Chair Nyberg – Yes

**II. Public Hearing Agenda:**

**a. 2024-01 Land Use Code Test Amendment for Pet Stores**

Nicol Killian, Community Development Director, presented the staff report provided in the packet and asked the board if they had any questions or comments. Staff is recommending approval. The Board of Trustees would have this item on their February 6, 2024 agenda.

Commissioner O'Shea Heydinger made a comment about this possibly having an impact on a Bayfield business, due to taking in some stray dogs on occasion and giving them away. Nicol Killian, Community Development Director said that they would still be in compliance with the revised code as the animals would not come from puppy mills.

Chair Nyberg opened the public hearing.

**Joyce Cohen, 20 Creekside Drive** – Thanks the board for considering this action. She wanted to address a couple of comments that she has received. First, that it is a slippery slope and that next action will be to put restrictions on livestock animals. She wants to clarify that this is only for companion animals, cats and dogs. Livestock are not what she considers a companion animal. Second, that the government should not be putting restrictions on businesses. She believes this action is protecting those who cannot speak for themselves and believes it is important for the town to step up. Adoption rates are going down and euthanasia rates going up. She wants to make a statement to the State of Colorado that this is the correct action to take.

Mayor Tarkington asked her about the statistics. She said that fifteen (15) towns in the State of Colorado have passed this ordinance. Twelve (12) cases have been brought to state and federal courts and the ordinance has been proven legal and constitutional.

Commissioner O'Shea Heydinger said she had read an article about Amish communities in Pennsylvania and Ohio running puppy mills. Joyce Cohen agreed.

Chair Nyberg closed public hearing.

### **III. Action Agenda**

#### **a. Approval of November 14, 2023 Minutes**

Mayor Tarkington moved to approve the November 14, 2023 minutes. Commissioner Snooks seconded the motion.

Vote:

Commissioner Gadd – Yes  
Commissioner Nelson – Yes  
Commissioner Snooks - Yes  
Commissioner Evans – Yes  
Commissioner O'Shea Heydinger - Yes  
Mayor Tarkington - Yes  
Chair Nyberg – Yes

#### **b. 2024-01 Land Use Code Text Amendment for Pet Stores**

Finding: The proposed Land Use Code Text Amendment is consistent with the intent of the Comprehensive Plan.

Mayor Tarkington made a motion to approve. Commissioner Gadd seconded the motion.

Vote:

Commissioner Gadd – Yes  
Commissioner Nelson – Yes  
Commissioner Snooks – Yes  
Commissioner Evans – No  
Commissioner O'Shea Heydinger – Yes  
Mayor Tarkington – Yes  
Chair Nyberg – Yes

### **IV. Discussion and Adjourn**

#### **a. Memo on Pet Licensing**

Community Developer Killian presented the staff memo for the changes proposed for pet licensing and is looking for any comments or changes that the planning commission would like to make.

Commissioner O'Shea Heydinger had a question about how many animals you could have under the ordinance. Currently the code is three (3) total cats and dogs.

Commissioner Snooks suggested "companion animals" instead of the use of cats and dogs. Community Developer Killian said that many animals could be "companion animals".

There was a discussion on service animals and if they will be charged and what questions staff will be able to ask to qualify the service animal. Commissioner Evans said that service animals should not be free. Would consider a senior citizen (65 and older) discount.

The Commission discussed raising the number of total cats and dogs to four (4). Any citizen above the total would need to apply for a kennel license. A kennel license would go through the land use code process. Mayor Tarkington asked to Community Developer Killian to look into what other communities similar to Bayfield have in their code.

There was a discussion on if cats would have licenses in the future. Town would not deny the citizen a license, but currently cat licensing is not part of the code and not planned to be.

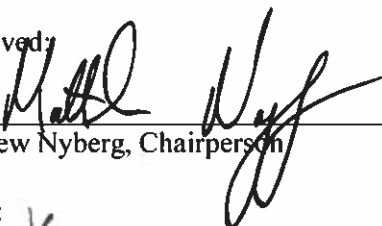
Mayor Tarkington asked about foster animals. Fostering will continue to be allowed, unless they are reported for becoming a nuisance.

- b. Community Development Annual Update
- c. January 16, 2024 Next Board of Trustees Meeting
- d. February 13, 2024 Next Planning Commission Meeting
- e. Adjourn

Commissioner Gadd moved to adjourn the January 9, 2024 meeting and Mayor Tarkington seconded.

Chair Nyberg adjourned the meeting at 7:08 p.m.

Approved:

  
Matthew Nyberg, Chairperson

Attest:

  
Town of Bayfield