



**CITY OF RIFLE
PLANNING COMMISSION REGULAR MEETING
PUBLIC HEARING**

**Tuesday February 23, 2016
Rifle City Hall – Council Chambers**

- 6:00 PM Workshop ~ Text Amendment, LiveWell Bike/Ped Initiatives
- 7:00 PM Convene Regular Planning Commission Meeting
- 7:01 PM Roll Call
- 7:02 PM January 26, 2016 Regular Planning Commission Meeting Minutes
- 7:03 PM Conditional Use Permit 2016-1 702 Buckhorn Drive (Public Hearing)
To allow for a tow /impound yard
- 7:15 PM Zoning 2016-1 E. 7TH Street Property re-submittal (Public Hearing)
To zone parcel 217710300010 to Public Zone District (PD)
- 7:30 PM Text 2016-1 Mobile Vending (Public Hearing)
- 7:45 PM Member Comments and Adjournment.

*The order and times of agenda items listed above are approximate and intended as a guideline
for the Planning Commissioners.
Next Regular Planning Commission Meeting: March 29, 2016*





REGULAR PLANNING COMMISSION MEETING

Tuesday, January 26, 2016

Chair Helen Rogers called the Regular Planning Meeting to order at 7:00 p.m.

MEMBERS PRESENT AT ROLL CALL:

ROLL CALL: Rogers, Fuller, Pettinger, Caldwell, Marantino, Strode and Barnett

OTHERS PRESENT:

Planning Director Nathan Lindquist, Planner Hannah Klausman, City Attorney Jeff Conklin, City Television Station Michael Churchill, Jeff Johnson, Gary Miller.

APPROVAL OF SEPTEMBER 29, 2015 REGULAR PLANNING COMMISSION MEETING MINUTES

Commissioner Caldwell moved to **APPROVE** September 29, 2015 Regular Planning Commission Meeting Minutes. *Commissioner Pettinger* seconded the motion. The motion **CARRIED** with the following vote:

ROLL CALL: Yes- Rogers, Fuller, Pettinger, Caldwell, Marantino, Strode and Barnett

MAP AMENDMENT 2016-1 128 E. 10TH STREET

The Chair called applicant Jeff Johnson

The Chair verified public notice requirements had been met.

Purpose: the applicant requests approval for rezoning of 128 E. 10th Street from Medium Density Residential Redeveloping (MDR-X) to Community Service (CS).

Staff Report:

Staff recommends Planning Commission recommend City Council APPROVE Map Amendment 2016-1

Public Comments: No Comments

Commissioners Questions and Comments: No Comments

Motion Made:

Commissioner Fuller moved to **RECOMMEND** to City Council to **APPROVE** Map Amendment 2016-1128 E. 10th Street. *Commissioner Strode* seconded the motion. The motion **CARRIED** with the following vote:

ROLL CALL: Yes- Rogers, Fuller, Pettinger, Caldwell, Marantino, Strode and Barnett

MAP AMENDMENT 2016-2 GARCO PROPERTY

The Chair called applicant City of Rifle Planning Staff

The Chair verified public notice requirements had been met.

Purpose: The City of Rifle requests a zoning change of four (4) parcels owned by Garfield County from Community Service (CS) and Developing Resource (DR) to Public Zone District (PD).
The Four County owned properties are:

1. 1301 Howard Avenue, Cross Minor Subdivision Lot 1, .5 acres – current zoning is Community Service (CS).
2. 1241 Howard Avenue; Cross Minor Subdivision Lot 2, .5 acres – current zoning is Community Service (CS).
3. 1001 Railroad Avenue, Garfield County Fairgrounds, 24.714 acres – current zoning is Community Service (CS).
4. Alcott Minor Subdivision Lot A, 8.288 acres – current zoning is Developing Resource (DR)

Staff Report:

Staff recommends Planning Commission recommend City Council APPROVE Map Amendment 2016-2

Staff explained the zoning is not brought on by major changes at the Fairgrounds; it is a map clean up. This was done with the City Properties on the parks and other parcels. When looking at a map it is easy to identify parcels owned by government agencies.

Public Comments: No Comments

Commissioners Questions and Comments: No Comments

Motion Made:

Commissioner Marantino moved to **RECOMMEND** to City Council to **APPROVE** Map Amendment 2016-2 GARCO Property. *Commissioner Fuller* seconded the motion. The motion **CARRIED** with the following vote:

ROLL CALL: Yes- Rogers, Fuller, Pettinger, Caldwell, Marantino, Strode and Barnett

ZONING 2016-1 E. 7TH STREET PROEPRTY (LAND ABOVE NEW WATER TRETMENT FACILITY) (ANNEX 2016-1)

The Chair called applicant City of Rifle Planning Staff

The Chair verified public notice requirements had been met.

Purpose: The City of Rifle requests a zoning annexation and zoning a thirty (3) acre property to Public Zone District.

Staff Report:

Staff recommends Planning Commission recommend City Council APPROVE Annex 2016-1 E. 7th Street Property.

Staff recommends Planning Commission recommend City Council APPROVE Zone 2016-1 E. 7th Street Property to Public Zone District (PD).

Public Comments:

Gary Miller explained there is a neighborhood mountain bike area on this property and would like to keep it on record and to have 7th Street as an access along with 5th Street access with the trail system developing further. Very interested in being able to maintain access and possibly work with the City to develop this trail system further, development allowing.

Staff explained that the site specific development plans do not exist, however that the Director of Utilities and the Water Treatment Plant is open to the idea of leaving space for trails. Up until the point of construction of the expansion, access to the existing trails would remain the same.

Commissioners Questions and Comments:

Commissioners asked what the development plans for the area

Staff explained that at this time there are no specific development plans other than the land being held for future expansion purposes. Also noted that the Water Treatment plant only intends to use the eastern one third of the property with the remainder possibly left to open space and trails.

Motion Made:

Commissioner Strode moved to **RECOMMEND** to City Council to **APPROVE** Zoning 2016-1 E. 7th Street Property. Commissioner Fuller seconded the motion. The motion **CARRIED** with the following vote:

ROLL CALL: Yes- Rogers, Fuller, Pettinger, Caldwell, Marantino, Strode and Barnett

MEMBER COMMENT AND ADJOURNMENT

Chair Rogers adjourned the meeting at 7:55 p.m.

Helen Rogers, Chairman

Date

Charlotte Squires, Planning Technician

Date

DEPARTMENT OF PLANNING & DEVELOPMENT

202 Railroad Avenue, Rifle, CO 81650

Phone: 970-665-6490 Fax: 970-625-6268



MEMORANDUM

TO: PLANNING AND ZONING COMMISSION

FROM: HANNAH KLAUSMAN, PLANNER

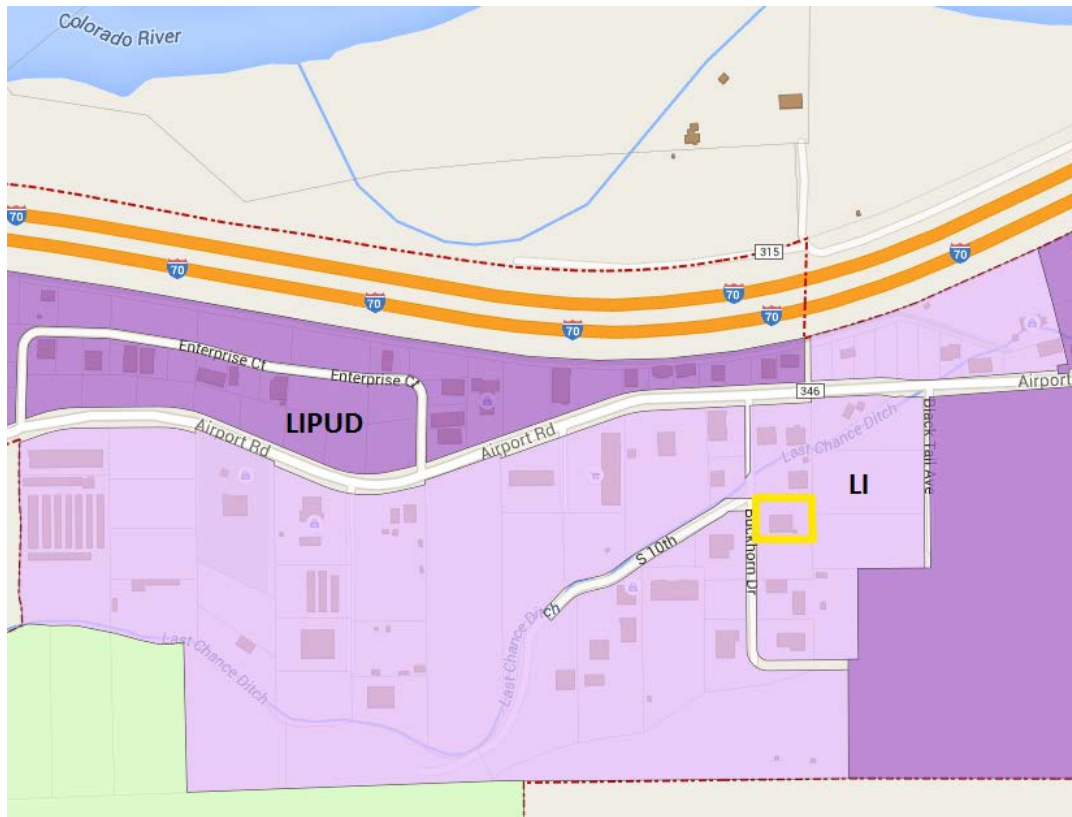
DATE: February 23rd, 2014

SUBJECT: CONDITIONAL USE PERMIT 2016-1
702 BUCKHORN DRIVE
PURPOSE: TOW YARD
APPLICANT: COVENANT TOWING & TRANSPORT
PROPERTY OWNER: CRAIG WHITLOCK

REQUEST:

The applicant requests approval of a Conditional Use Permit for a Limited Tow Yard. See the applicant's statement (Exhibit A).

The location is 702 Buckhorn Drive. See the highlighted property on the map below.



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BACKGROUND

Covenant Towing Company desires to move from their current location at 2157 Whiteriver Avenue, where they also hold a Conditional Use Permit, to the property located on Buckhorn Drive. The applicant's intent is to expand their growing business on a lot that can better accommodate their size.

The property is zoned Light Industrial. Tow yards are not included as an itemized use as set forth in Rifle Municipal Code Section 16-3-420. Per Rifle Municipal Code uses not itemized may be allowed by approval of a conditional use permit.

Uses not listed in Sections 16-3-320 and 16-3-420 are prohibited in the applicable zone district, except that unlisted uses may be allowed by approval of a conditional use application or as a permitted use.

The area surrounding the property is zoned Light Industrial. The proposed limited tow yard is compatible with existing uses of similar light industrial nature in the area, and is compatible with future Light Industrial land uses envisioned in the Comprehensive Plan.

FINDINGS

Pursuant to Section 16-5-360, Planning and Zoning Commission shall consider the following criteria before approving a Zoning application (***staff comments shown in bold italics***):

1. Conformance of the proposal with the City of Rifle Municipal Code;

The proposal conforms to the Rifle Municipal Code for zoning property.

2. The compatibility of the proposal with the character of the surrounding area, including but not limited to the architectural character of the neighborhood, the average lot and building sizes in the neighborhood, and the relative value of the proposed structure to the value of other structures in the neighborhood;

The proposed Tow Yard is compatible with uses in this area, and more compatible than its current location in North Rifle. The use would be occurring away from any arterial streets with less visibility to the public. In addition, there is existing landscaping and street trees that shield the lot.

3. The desirability for the proposed use in the specific area of the City;

This area of Rifle is currently used, and envisioned in the Comprehensive Plan, as a Light Industrial area. A tow yard is most suited to this property due to it's seclusion from populated commercial areas, and location on a private side street that is entirely surrounded by other light industrial uses.

4. The potential for adverse environmental effects that might result from the proposed use;

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5. Compatibility of the proposed use and the site (or subdivision) plan with the City of Rifle Comprehensive Plan;

The Comprehensive Plan identifies this area for Light Industrial uses.

6. The potential impact of the proposed use upon the value of property and buildings within the surrounding area; and

The applicant would be moving into an existing building and therefore property values would not be impacted. Staff does not believe that the storage of vehicles would negatively impact property values given similar outdoor equipment storage uses already happening in the area.

7. Conformance of the proposal with the approval requirements concerning water and sewer tap availability for high volume use requests pursuant to 13-4-120 of the Code, if applicable.

Not applicable. The use does not have a high volume use.

RECOMMENDATION

Staff recommends Planning Commission APPROVE CUP 2016-1 with the following conditions:

1. The applicant shall maintain current street tree landscaping.
2. The tow yard shall be enclosed by a solid opaque or screened fence measuring 6 feet in height.

Covenant Towing and Transport
Russell and Rose Rauman
PO Box 1288
Silt, CO 81652
970-876-2693

Attention City of Rifle staff and board members,

We would like to explain the nature of our current business; Covenant Towing and Transport has been in business for over 8 years, serving all of Garfield County. We provide towing, law enforcement impounds, and various roadside assistance services for many members of this community. Rifle Police Department requires our business to have a storage lot for vehicle impounds within the Rifle city limits.

Over the course of our existence, we have developed positive relationships and partnerships which have required our business to grow and expand. Our current needs for more operating space have also expanded. We will be leasing the property of 702 Buckhorn which will allow us to grow and expand, as well as operate safely and effectively from a location that is better designed to provide industrial and/or commercial services to the residents of Rifle and surrounding communities.

We work very closely with Rifle Police Department to provide a safe and expeditious service, assuring their needs are met. Vehicles are stored in our lot for various reasons; law enforcement impounds for lack of insurance, incarcerations, incorrect registrations, abandonment, etc. Our goal is not to become a storage lot/facility. Rather, have a place to take these vehicles for secure sorting, and quicker and more efficient processing. The bulk of vehicles stored within our facility are in operating condition and are picked up from abandonment within the 30 day requirement. Our intent is not to be a storage facility or auto body repair shop. Vehicles that are junk, severely damaged, and/or not in

running condition get moved from our location to a salvage yard, or otherwise.

Our business is growing and expanding, allowing us to serve more residents or Rifle and surrounding communities. As we expand, we are able to increase the quality of our services, operating in a in a safe and more efficient manner. We appreciate our positive relationships, especially with the City of Rifle, and intend to continue a productive working relationship.

Respectfully,

Russell and Rose Rauman, Owners/Operators
Covenant Towing and Transport

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MEMORANDUM

TO: Planning and Zoning Commission

FROM: Hannah Klausman, Planner

DATE: February 23rd, 2016

SUBJECT: ANNEX 2016-1, ZONING 2016-1
Address: TBD
Parcel 217710300010
APPLICANT AND PROPERTY OWNER: City of Rifle

REQUEST:

The City of Rifle requests annexation and zoning a thirty (30) acre property to Public Zone District.

This is a resubmittal from the previous January 23rd Planning and Zoning Meeting. The previous application failed to meet proper public notice and therefore has been resubmitted.

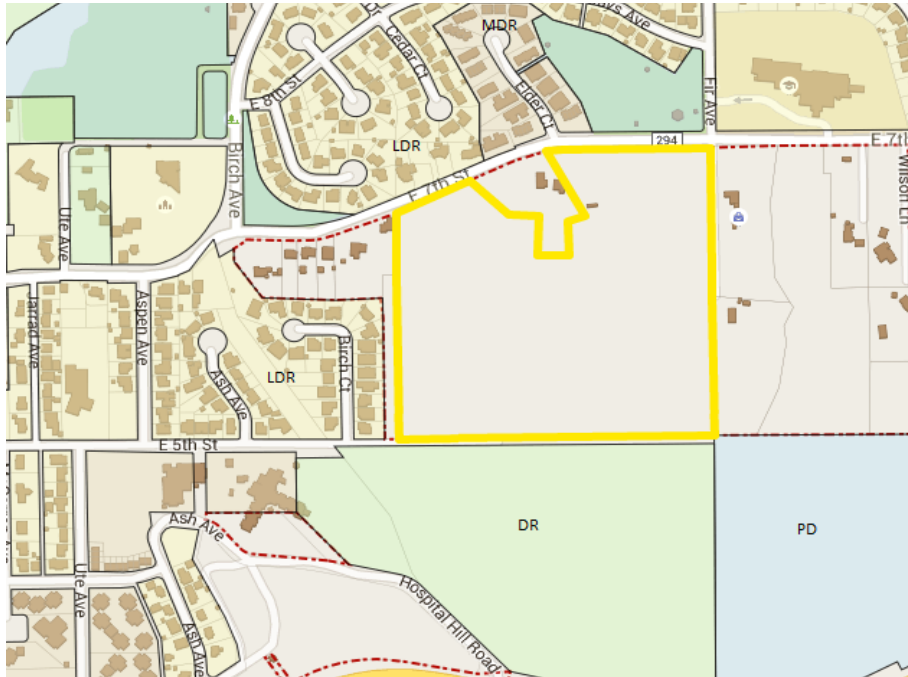
SITE LOCATION:

The location currently is not addressed, but is located on County Road 294, or E. 7th Street, directly north of the new Water Treatment Facility. See the highlighted property on the map below.

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BACKGROUND

The property is located directly north of the new City of Rifle Water Treatment Facility that is currently under construction. The City of Rifle intends for this property to be a future expansion site of the water treatment facility at a date in the future. The parcel, which is over thirty acres, would be used partially for expansion of the water treatment facilities in the eastern 1/3 of the property. This will require a Conditional Use Permit from Planning Commission before the expansion occurs. The use of the rest of the property is undetermined at this time.

The intent of the Public Zone District is to provide a classification for lands owned, leased or used by the City, or by other public or nonprofit entities, for public recreation, cultural, educational, civic and other public purposes within the City. Development in the Public Zone District is characterized by governmental and quasi-governmental facilities which provide public functions or services and related uses which are customarily incidental or accessory to public functions and services.

The area surrounding the property is composed mostly of Low to Medium density residential zoning to the north and west, and surrounded to the south by Developing Resource, with County land to the east.

FINDINGS

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Pursuant to Section 16-5-360, Planning and Zoning Commission shall consider the following criteria before approving a Zoning application (**staff comments shown in bold italics**):

1. Conformance of the proposal with the City of Rifle Municipal Code;

The proposal conforms to the Rifle Municipal Code for zoning property.

2. The compatibility of the proposal with the character of the surrounding area, including but not limited to the architectural character of the neighborhood, the average lot and building sizes in the neighborhood, and the relative value of the proposed structure to the value of other structures in the neighborhood;

The proposed use is compatible with surrounding properties owned by the City for the same use.

3. The desirability for the proposed use in the specific area of the City;

The proposed use is an expansion of existing City services at this location and is compatible with adjacent uses. Centralized service for Water treatment facilities is desirable.

4. The potential for adverse environmental effects that might result from the proposed use;

Not applicable

5. Compatibility of the proposed use and the site (or subdivision) plan with the City of Rifle Comprehensive Plan;

The Comprehensive Plan envisions this area as Low and Medium Density Residential however staff believes this should be updated in the Comprehensive Plan to reflect changing residential development priority in other areas of the City. The proposed use matches with the recent zone change to the south for the Water Treatment Facility and allows for an efficient expansion of necessary services while maintaining adequate buffers from existing residential development.

6. The potential impact of the proposed use upon the value of property and buildings within the surrounding area; and

This area of the City is undeveloped for the most part. The new Water treatment facility is already under construction and this expansion will not impact property value further.

7. Conformance of the proposal with the approval requirements concerning water and sewer tap availability for high volume use requests pursuant to 13-4-120 of the Code, if applicable.

Not applicable.

RECOMMENDATION

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Staff recommend that Planning Commission to recommend to City Council to approve ANNEX 2016-1.

Staff recommend Planning Commission to recommend City Council to approve ZONING 2016-2.

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MEMORANDUM

TO: PLANNING AND ZONING COMMISSION
FROM: NATHAN LINDQUIST, PLANNING DIRECTOR
DATE: February 18, 2016
SUBJECT: Text Amendment 2016-1; Temporary Uses/Mobile Food Vending Code Revisions

REQUEST

Staff is proposing revisions to the regulations regarding Temporary Uses, what are often called mobile vendors. These are food vendors that use a trailer or a truck to sell food to the public.

Planning and Zoning Commission directed Staff to investigate changes to the temporary use regulations after an inquiry by a citizen who is looking to establish a food vending truck in conjunction with his own business that is housed in a permanent structure. The business includes ice cream, a snack shop, and a car wash. Under current code, the business cannot add a food truck to the property because both of the two (2) mobile vendor permits allowed in North Rifle are in use by other mobile vendors.

The question before Planning Commission is to determine whether this situation—a food truck owned by, on the same property as, and used in conjunction with a business that is housed in a permanent building—should be given an exception in the rules. All other mobile vendors that exist in Rifle are separately owned trucks that lease a piece of another person's property to set up shop. Planning Commission may consider whether the situation in question deserves special consideration, and should have the ability to apply for a Conditional Use Permit on a case-by-case basis.

If Planning Commission is in favor of creating this exception, Staff recommends the code be amended as follows:

Section 16-3-90

d. Exceptions. The following temporary uses shall be exempt from obtaining a temporary use permit pursuant to this Chapter.

- (1) Prepared food mobile vending trucks or trailers that are owned by, used in conjunction with, and on the same property as a business housed in a permanent building in a Community Service (CS) or Tourist Commercial (TC) zoning district. This type of mobile

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vending unit may apply to Planning Commission for a Conditional Use Permit. If approved, it shall not count towards the number of vendors allowed in its area.

(2) Temporary uses associated with not-for-profit organizations, groups or community events (i.e., Christmas tree sales, Boy Scout sales, etc.), provided that such uses operate for no more than two (2) months out of the calendar year and meet the location requirements described herein.

(2) Special community events or festivals, such as a farmers' market, which shall be reviewed under the City's special events permit process. Temporary sales uses associated with a community event shall be subject to all licensing requirements, including sales tax.

(3) Temporary uses to be conducted on public property (sidewalks, etc.), which shall be subject to the City's encroachment permit regulations at [Chapter 11](#), Article II.

BACKGROUND

The Planning Commission and City Council approved the current Temporary Use regulations in 2009. The number of temporary uses in the Community Service (CS) and Tourist Commercial (TC) zoning districts to be allowed are: three (3) in South Rifle, two (2) in North Rifle, and (1) in West Rifle. These numbers were arrived at after much discussion on the effects of temporary vendors on restaurants. The concern was that restaurants are at a disadvantage to mobile vendors because they have invested in a permanent building. Still, there was a desire to have some Mobile Vending options in town, and thus the limits in each part of town were developed as a compromise.

In 2014 the Mobile Vending code was reviewed at the request of City Council and extra allowances for "Seasonal Offerings" were allowed (non-entrée items such as ice cream, coffee, etc). Seasonal food sale items do not have a limit in number, however are only allowed to operate for five (5) months out of the year with size restrictions.

FINDINGS

Pursuant to Section 16-5-360, the Commission shall consider the following criteria before approving a Conditional Use Permit (***staff comments shown in bold italics***):

1. Conformance of the proposal with the City of Rifle Municipal Code;
The proposal conforms with the process for amending the Rifle Municipal Code.
2. The compatibility of the proposal with the character of the surrounding area, including but not limited to the architectural character of the neighborhood, the average lot and building sizes in the neighborhood, and the relative value of the proposed structure to the value of other structures in the neighborhood;
Mobile Food Vendors would be limited to commercial areas and limited in size to avoid undue visual impacts.
3. The desirability for the proposed use in the specific area of the City;

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This type of use is already approved for commercial areas.

4. The potential for adverse environmental effects that might result from the proposed use;

None.

5. Compatibility of the proposed use and the site (or subdivision) plan with the City of Rifle Comprehensive Plan;

The Comprehensive Plan does not specifically address this issue, but it can be construed to assist the economic development goals of the Comprehensive Plan.

6. The potential impact of the proposed use upon the value of property and buildings within the surrounding area; and

Adherence to the guidelines proposed should not affect property values.

7. Conformance of the proposal with the approval requirements concerning water and sewer tap availability for high volume use requests pursuant to 13-4-120 of the Code, if applicable.

Not applicable.