

**MINUTES OF THE PLANNING AND ZONING COMMISSION
TOWN OF OPHIR, CO 81426
TUESDAY, September 8th, 2020 7:00 PM
REMOTE MEETING VIA ZOOM PLATFORM**

Members in Attendance:

Valerie Sloan, Ken Haynes, Mark Ridders, Phil Hayden, Allison Snyder-Kingsley, Jen Rose, Sonja Allen,

APPROVAL OF AGENDA

All members approve of the agenda.

APPROVE ANY COMPLETED MINUTES OR ZOOM RECORDING

BUSINESS ITEMS

A. Cornell property grow dome

- Katrina would like to build a 22ft grow dome on their property. It is an empty lot, half of the lot is in the moderate avalanche zone. There is nothing in the LUC specifically to greenhouses. Under the current LUC it wouldn't count as an accessory building because it would be built on an empty lot. What is the use of the grow dome? Personal or commercial use? There is no language in the LUC in regard to greenhouses. There is discussion on what a "temporary structure/shed" is. The P&Z decides to table this item for a month for considerations.

B. Chew SFR review

- The Planning and Zoning Committee reviews the Dave Chew plans and exterior/ interior materials for the building of his new home. A question is brought up "Was there an amendment to the LUC that requires propane tanks to be buried?" Ken says he has not read anything that requires propane tanks to be buried in the LUC. The Planning and Zoning votes to approve the Chew Building. There is discussion about materials before the vote. Planning and Zoning would like to see physical samples of exterior materials.

- Yay: Allison, Mark, Jen, Sonja, Janice
- Nay:
- Abstain: Phil
- The Planning and Zoning votes to approve the Chew SFR building on the contingency that they will provide physical samples of their exterior samples.

C. McNeice Shed Review

- The Planning and Zoning reviews the plans for the McNeice shed. It will sit on the leech field of their septic, this must be approved by the County. It will be under 200 sq feet. It is unclear in the LUC if this shed requires a formal approval by P&Z. Sheds need a building permit, but currently do not need P&Z approval. There is discussion on sheds in the Ophir community and if these sheds need to be reviewed by P&Z for exterior materials, if the shed is in the setback, etc. Having P&Z review exterior materials for accessory buildings will be considered in the upcoming LUC amendments. The P&Z decides to allow for the building of their shed but under the contingency for them to finish their south driveway, san Miguel counties leech field approval, and to have exterior materials submitted to P&Z for final approval before finishing the shed.

D. P&Z Authority

- Ken would like assistance from the P&Z in regard to LUC violations. This is not so much assistance with enforcement, but as a support system to the town manager as it relates to LUC violations. An example, when Ken fields a complaint, he will research the violation and find the code in the LUC, then bring the information to P&Z for their review and decision on the complaint. After P&Z review, Ken would then follow up with enforcement. This would help Ken because he would not be solely making a decision if someone is violating the LUC. There is discussion amongst the P&Z members and their thoughts. There is agreement but sounds like a municipal court to some P&Z members. Allison would like to see a clear process of how P&Z review of LUC violations will be handled. Val motions for P&Z to assist town staff with Land Use Code enforcement and administration. Jen Rose brings up that in the past the town manager has never also been the

building official which has created a larger workload on Ken. Moving forward is this the best model for Ophir government, for the town manager to also be the building official/inspector?

- Yay: Allison, Janice, Jen, Sonja, Mark
- Nay:
- Abstain

E. Drone Ordinance

- Steve, town attorney, would like for P&Z to review the Drone Ordinance as to where they are allowed to fly on town property. The information also be shared on the kiosk, website, via email to residents. There is discussion amongst P&Z on information, amount of use, etc. P&Z decides that drones should not be allowed on Town of Ophir property, Source Water Protection Area, neither for take off or landing.
- Yay: Allison, Phil, Jen, Janice, Sonja, Mark
- Nay:
- Abstain:

F. Allison motions to move the Ferguson Letter item to next month, October

- All in favor

G. P&Z Seats

- Valerie motions to table this item until next month.
- All in favor.

H. Master Plan edits

- Allison has done a lot of revisions to the Master Plan. There are a couple of things from the OEC. The P&Z continues to work on the Master Plan.

