



CITY OF RIFLE PLANNING COMMISSION REGULAR MEETING PUBLIC HEARING

June 27, 2017
Rifle City Hall – Council Chambers

6:00 PM Workshop ~ Comprehensive Plan and General Planning Updates

Regular Meeting

7:00 PM Convene Regular Planning Commission Meeting

7:01 PM Roll Call

7:02 PM Approve May 30, 2017 Regular Planning Commission Meeting Minutes

7:03 PM Conditional Use Permit 2017-7 2185 10th Street S. (Public Hearing)

Consider approval of a Conditional Use Permit to allow the growing and processing of hemp.

7:20 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: July 25, 2017



CITY OF RIFLE
202 RAILROAD AVENUE • P.O. BOX 1908 • RIFLE, CO 81650
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REGULAR PLANNING COMMISSION MEETING

Tuesday May 30, 2017

Vice Chair Strode called the Regular Planning Meeting to order at 7:20 p.m.

MEMBERS PRESENT AT ROLL CALL

Strode, Pettinger, Marantino, Rogers, Villasenor and Steffen

Commissioner Marantino moved to **EXCUSE** Chair Fuller, Commissioner Caldwell and Commissioner Barnett, from the May 30, 2017 meeting Commissioner Steffen seconded the motion. The motion **CARRIED** with the following vote:

ROLL CALL: Yes- Strode, Pettinger, Marantino, Rogers, Villasenor and Steffen

Commissioner Villasenor and Commissioner Steffen will be voting members

OTHERS PRESENT

Administrative Assistant Charlotte Squires, City Attorney Jeff Conklin, Ch. 10 Salvador Tovar-Guzman, Barb Clifton

APPROVAL OF MINUTES

Commissioner Rogers moved to **APPROVE** minutes from the April 25, 2017 meeting. Commissioner Villasenor seconded the motion. The motion **CARRIED** with the following vote:

ROLL CALL: Yes- Strode, Pettinger, Marantino, Rogers, Villasenor and Steffen

ADDITIONS TO OR DELETIONS FROM THE AGENDA

None

PUBLIC MEETING OPENED: 7:23 P.M. ANNEXATION 2017-4 RIFLE ANIMAL SHELTER

Applicant – Attorney Barb Clifton

Confirmed Public Notice was met – letters mailed and sign posted on property – there was no public notice in the paper.

PURPOSE

Applicant requests approval to annex and zone of 22.5 acres into the City of Rifle

APPLICANT PRESENTATION

Ms. Clifton explained that additional land was purchased adjacent to the previous parcel annexed last year that is for the new animal shelter building. This property is the subject of this annexation. There are a couple of requests: first, to annex 22.5 acres. The acreage is all on the south side of 16th Street and adjacent to the existing Rifle Animal Shelter property. Second, we are requesting a lot line adjustment; Mr. Brown requested we stay at least fifty (50) feet away from the Grand Tunnel Ditch, so the lot line will be adjusted to the centerline of the ditch. This is a common way to divide property and allows access to the ditch from either side of the properties. 1.596 will be dedicated for a dog park and a trail easement that will run along the Grand Tunnel Ditch and the north side of the high school and down toward 14th Street. The third request is to zone the property as Developing Resources, at this time we don't have any plans for it. The Dog Park we would like to zone as Public Zone District.

STAFF REPORT

Attorney Jeff Conklin explained the with the Annexation and Zoning accruing together, as the property is brought into the city it creates the lot lines as they wish and Staff's position is that they have reviewed this and found it to be acceptable.

Staff recommends Planning Commission recommend to City Council APPROVAL of ANNEXATION 2017-1 with the requested Public Zone District and Developing Resources zoning as discussed in this report.

PUBLIC COMMENT OPENED

No Comments

PUBLIC COMMENT CLOSED

COMMISSION QUESTIONS AND COMMENTS

Commissioner Strode asked does the easement for the trail follow the ditch line or property line and go through the dog park.

Ms. Clifton replied the dog park will be owned by the City, so it will create a separate parcel. There currently is a trail along the ditch that is used to clean the ditch and will go on down and along the boundary. There is a little irrigation ditch that runs through the dog park for irrigation. There is also an easement on the current property to connect the trail from the bus barn on down to 14th Street.

Commissioner Villasenor asked on the 19.9 acres if agriculture would continue.

Ms. Clifton replied they would like to keep it agriculture, right now there are some cows on the property. We would like to keep the agriculture for the tax classification purposes. There are a few dog runs on the property; there are some dogs that need a place to chill out.

Commissioner Steffen asked if the dog park will be given to the City of Rifle and ran by the Rifle Animal Shelter.

Ms. Clifton replied that is the way it is anticipated. For liability reasons the dog park needs to be owned by the City of Rifle. There is already a contract with the City of Rifle for the stray animals and the contract will be amended that the Animal Shelter will be responsible to maintain the dog park.

Attorney Jeff Conklin mentioned it should be noted what public notice was met and not met for the record.

Planning Administrative Assistant Charlotte explained letters were mailed out, sign was posted, notice was sent to the local paper and the local paper failed to publish the notice for the Planning and Zoning Meeting.

COMMISSION DISCUSSION

No Comments

Motion Made:

Commissioner Rogers moved to **RECOMMEND** to City Council to **APPROVE** Annexation 2017-1 Rifle Animal Shelter to annex the 22.5 acres and 1.6 acres be zoned Public Zone District (PD) and the remaining acres be zoned Development Resources (DR) Commissioner Pettinger seconded the motion. The motion **CARRIED** with the following vote:

ROLL CALL: Yes- Strode, Pettinger, Rogers, Marantino, Villasenor and Steffen

PUBLIC HEARING: CLOSED 7:35 P.M.

COMMISSIONER COMMENTS

Vice Chair shared the playground and Centennial Park has been completed
Commissioner Rogers shared the 3rd Street Sidewalk Seating will be completed by June 3rd this project is to encourage downtown shopping and dining.
Commissioner Villasenor shared Heritage Days is the weekend of June 3rd. There will be a fashion show of the era's at New Ute Theater and the free entrance to the Museum.

STAFF COMMENTS

No Comments

REGULAR MEETING ADJOURNMENT

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

Sean Strode, Vice Chairman

Date

Charlotte Squires, Planning Administrative Assistant

Date

DEPARTMENT OF PLANNING & DEVELOPMENT

202 Railroad Avenue, Rifle, CO 81650

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



MEMORANDUM

TO: City of Rifle Planning Commission
FROM: Nathan Lindquist, Planning Director
DATE: June 20, 2017
SUBJECT: Growing and processing of hemp at 2185 S 10th Street
CASE: Conditional Use Permit 2017-7
APPLICANT: Mark Sills, Property Owner

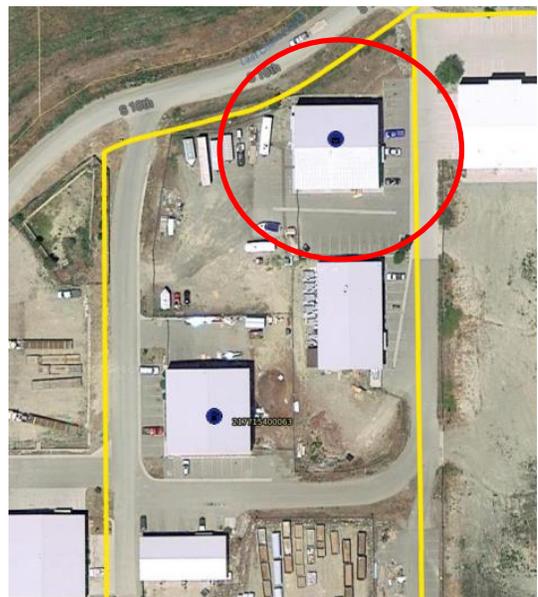
The applicant requests a Conditional Use Permit for growing and processing of hemp inside of a structure at 2185 South 10th Street. The location is within a Light Industrial Zoning District. See the property in yellow below.



The property shown above was subdivided into four parcels in 2016 (our online GIS system has not yet been updated to show the subdivision). The property in question, 2185 S 10th Street, is circled in the image on the right. It is the structure closest to 10th Street South.

BACKGROUND

Agricultural hemp became legal in Colorado with the Constitutional Amendment passed by Colorado voters in 2012. Hemp has no THC or drug-like qualities. It is an industrial material applicable for a wide variety of products, from car dashboards to clothing. The state regulates hemp production through the Department of



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Agriculture. Planning Commissioners may read further on state regulations at this link: <https://www.colorado.gov/pacific/agplants/industrial-hemp> Staff's review has not uncovered anything that significantly differentiates hemp from other agricultural products.

Hemp production is not specifically mentioned as a listed use in the Rifle Municipal Code zoning table. In almost all aspects, Staff would be comfortable with including hemp under "crop production" which is a permitted use in Light Industrial zoning. The only aspect of hemp production that, in Staff's opinion, triggers the need for a Conditional Use Permit is the odor issue. Hemp production emits an odor that smells similar to marijuana (even though it shares none of the drug-like characteristics). Thus it would not be appropriate to automatically permit hemp production in all Light Industrial areas of Rifle, specifically, those that are near residential or public-oriented commercial or civic uses. The Conditional Use Permit process allows Planning Commission discretion to ensure that hemp production is permitted only in appropriate locations.

In the case of 2185 South 10th Street, Staff's opinion is that hemp production is appropriate in this part of the City. No residential or public-oriented uses are nearby. There are already multiple marijuana grow-facilities in the vicinity with similar odor issues. The use is a productive industrial activity with no negative impacts that should be encouraged in this part of the City.

DECISION

Staff recommends Planning Commission APPROVE Conditional Use Permit 2017-7.

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 to the Rifle Municipal Code by going through the Conditional Use Permit process.
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 project is compatible with the industrial and marijuana-related uses in this neighborhood.
3. The desirability for the proposed use in the specific area of the City;
The project is desirable in this area of the City as a productive industrial activity.
4. The potential for adverse environmental effects that might result from the proposed use;
None.

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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 designates this area for industrial uses such as the proposal in question.

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

The use should not have an affect on surrounding property owners.

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.