



AGENDA  
HAYDEN PLANNING COMMISSION  
THURSDAY, JULY 17<sup>th</sup>, 2025  
6:00 P.M.  
Join Zoom Meeting  
<https://us02web.zoom.us/j/89548614591>  
Meeting ID: 895 4861 4591  
HAYDEN TOWN HALL – 178 WEST JEFFERSON AVENUE, HAYDEN

REGULAR MEETING

1. CALL TO ORDER, MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. CONSIDERATION OF MINUTES  
Review and Consider Approval of June 12<sup>th</sup>, 2025 Planning Commission Minutes.
4. 365 S Poplar Street Rezone,
  - a) The Town of Hayden has submitted an application (Application) for a rezone under Hayden's Development Code (HDC). The application requests a rezone of 365 S Poplar Street. from the existing zone district of Open to a new zone of Residential Medium Density (RMD).
  - b) If approved, the applicant plans to facilitate the development of an income restricted housing development through the Hayden Municipal Housing Authority.
5. STAFF REPORT
5. ADJOURNMENT

*NOTICE: Agenda is subject to change up to 24 hours before scheduled meeting. If you require special assistance in order to attend any of the Town's public meetings or events, please notify the Town of Hayden at (970) 276-3741 at least 48 hours in advance of the scheduled event so the necessary arrangements can be made.*

The regular meeting of the Hayden Planning Commission was called to order by Chair Williams at 6:00 p.m. Also in attendance were Commissioner David "Mo" Demorat, Commissioner Ben Robbins, and Alternate Commissioner Welch, , Town Deputy Manager

**Pledge of Allegiance**

**Chair Williams** led the Pledge of Allegiance.

**Approval of the Minutes**

Chair Williams made a motion to approve the Planning Commission meeting minutes from May 8<sup>th</sup> 2025, the motion was approved unanimously.

**Kunubu Conditional Use Permit, 481 Enterprise Street.**

Bears Ears Holdings, LLC has submitted an application (Application) for a Conditional Use Permit (CUP) under Hayden's Development Code (HDC). The application requests the approval of a CUP to operate a marijuana establishment. The subject property is located at 481 Enterprise St. If approved, the applicant plans to move their existing marijuana facility from 499 Enterprise St. (Units A & B) to the building located at 481 Enterprise St. to perform extraction, where they process raw marijuana trim into distillate form for Colorado licensed manufacturers. The applicant has been in operation at 499 Enterprise St. since 2020.

This proposal is to use the existing building located at 481 Enterprise St. that was erected in 2018. The original use the structure on the subject property was as a greenhouse for the production of produce. The structure has been vacant for several years.

**Public Comments**

Chair Williams opened public comment. There was no public comment at this

**Roundtable****Motion**

Commissioner Kelly made a motion of approve and stated the

Findings of fact:

1. The proposed conditional use is consistent with the master plan and all applicable provisions of this Development Code and applicable state and federal regulations and preserves the health, safety, and welfare of the citizens of the Town of Hayden.
2. The proposed conditional use is consistent with the purpose and intent of the zoning district in which it is located and any applicable use-specific standards in the Development Code.
3. The proposed conditional use is compatible with adjacent uses in terms of scale, site design and operating characteristics.

4. The proposed conditional use will not substantially alter the basic character of the district in which it is in or jeopardize the development or redevelopment potential of the district.
5. The proposed conditional use will result in efficient on- and off-site traffic circulation which will not have a significant adverse impact on the adjacent uses or result in hazardous conditions for pedestrians or vehicles in or adjacent to the site.
6. Any significant adverse impacts (including but not limited to hours of operation, traffic generation, lighting, noise, odor, dust and other external impacts) anticipated to result from the conditional use will be mitigated or offset to the maximum extent practicable.
7. Facilities and services (including sewage and waste disposal, water, gas, electricity, police and fire protection and roads and transportation, as applicable) will be available to serve the subject property while maintaining adequate levels of service for existing development.
8. Adequate assurances of continuing maintenance have been provided.
9. The proposed conditional use meets all the applicable standards in chapter 10.24, development standards.

The decision was approved unanimously.

#### Staff Reports

#### Adjournment

The meeting was adjourned at 7PM

Recorded by:

\_\_\_\_\_  
Kevin Corona

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025

\_\_\_\_\_  
Amy J. Williams, Chair



## **Town of Hayden**

### **Planning Commission Agenda Item**

<b>MEETING DATE:</b>	July 17, 2025
<b>AGENDA ITEM TITLE:</b>	Poplar St. Rezone
<b>AGENDA SECTION:</b>	New Business
<b>PRESENTED BY:</b>	Ty Johnson, Contract Planner
<b>APPLICANT(S):</b>	Town of Hayden
<b>CAN THIS ITEM BE RESCHEDULED:</b>	Not recommended.
<b>ATTACHMENTS:</b>	Application Submittal

### **BACKGROUND REVIEW:**

The Town of Hayden has submitted an application (Application) for a rezone under Hayden's Development Code (HDC). The application requests a rezone of 365 S Poplar Street. from the existing zone district of Open to a new zone of Residential Medium Density (RMD). If approved, the applicant plans to facilitate the development of an income restricted housing development through the Hayden Municipal Housing Authority.

The Town of Hayden enrolled in the Colorado Housing and Finance Authority (CHFA) Small Scale Affordable Housing Technical Assistance Program with the intent of determining if the site could function as housing for entry level, public service employees that work in Hayden. Through the CHFA program, with participation from local public service employers, a conceptual property layout was created.

The concept plan, which has not been finalized at this stage, considers constructing four (4) structures across the site. Each structure is planned to contain a larger, primary dwelling unit with an attached accessory dwelling unit. The site would accommodate 8 households in total. The project, as planned is intended to serve entry level public service employees (ie educators, first responders, non-profit, and municipal/local government employees) who earn between 30-80% of the area median income.

## COMPLIANCE WITH THE TOWN OF HAYDEN DEVELOPMENT CODE

While the HDC contains numerous regulations regarding land use, staff has analyzed the following checklist to highlight the regulations directly applicable to this application and how it meets the standards for approval. Interested parties are encouraged to review the HDC to determine if there are other regulations that may be applicable to the review of this Application.

### Chapter 10.16 – Development Review Procedures

#### Section 10.16.020 – General Procedures and Requirements.

Complies Yes                  No		Section	Standards
		<b>10.16.020(3)</b>	<b>Step 3: Application Processing</b>
X		<b>10.16.020(3)(a)</b>	<b>Determination of Completeness.</b> A development application shall be reviewed for completeness by the manager within ten business days after receipt
X		<b>10.16.020(3)(b)</b>	<b>Referral to Other Agencies.</b> Development applications may be referred to other agencies for review and comment.
X		<b>10.16.020(3)(b)(1)</b>	Any utility, local improvement or service district or ditch company, when applicable. <i>Staff comment: A referral was made to Hayden Public Works Department, Yampa Valley Electric Association, Hayden Police Department, Hayden Building Department, Routt County Public Works Department, CDOT, Hayden School District and West Routt Fire Protection District. One comment was received which was a letter of support from the Hayden School District. This standard has been met.</i>
X		<b>10.16.020(4)</b>	<b>Step 4: Notice.</b> Notice shall be required for all public hearings conducted by the Planning Commission and Council. <i>Staff comment: All public notice requirements have been completed. Therefore, this standard is met.</i>
X		<b>10.16.020(5)</b>	<b>Step 5: Public Hearings.</b> The Manager shall schedule a public hearing date before the Planning Commission and/or Council after a complete application has been received, Town staff has completed Town staff review, and referral agencies have had an opportunity to provide comments. <i>Staff comment: The public hearing has been scheduled with the Planning Commission on July 17, 2025 and Town Council on August 7, 2025; therefore, this standard has been met.</i>
		<b>10.16.020(6)</b>	<b>Step 6: Review and Decision</b>
X		<b>10.16.020(6)(c)</b>	<b>Findings.</b> The reviewing authority shall adopt written findings which document that a recommendation or

decision is based upon a determination of whether the development application complies with the applicable review criteria. The written findings shall state the conditions or mitigation. *Staff comment: Recommended findings of fact are included below for the Town Council's consideration.*

#### **Section 10.16.050 – Zone Change.**

The boundaries of any zone district may be changed or the zone classification of any parcel of land may be changed pursuant to this section. The purpose is not to relieve particular hardships nor to confer special privileges or rights on any person, but only to make adjustments to the official zoning map that are necessary in light of changed conditions or changes in public policy or that are necessary to advance the general welfare of the town.

Complies Yes	No	Section	Standards
		10.16.050(2)	<b>Review Criteria.</b> The planning commission and Council shall use the following review criteria as the basis for recommendations and decisions on applications for zone changes. <i>Staff comment: The rezone application is reviewed against the zone change review criteria, which are reviewed below.</i>
✓		10.16.050(2)(a)	<b>Correction of an error in an ordinance establishing the zoning for a specific property (if applicable);</b> <i>Staff Comment: This application is not to the correction of an error. Therefore, this standard is not applicable.</i>
✓		10.16.050(2)(b)	<b>Evidence of substantial compliance with the purposes of the Development Code</b> <i>Staff Comment: The subject application has followed all general procedures and requirements in throughout the application process, as defined in the Development Code. Therefore, this standard is met.</i>
✓		10.16.050(2)(c)	<b>Consistency with the master plan;</b> <i>Staff Comment: The Hayden Forward Future Land Use Map depicts the subject property as Residential Medium Density (RMD). The requested zone of RMD is the implementing zone district for the Residential Medium future land use designation and therefore complies with the Town's vision for growth. Additionally, this rezone request enables residential development on the subject property and meets the following goals and objectives of the comprehensive plan:</i>

*Action HE.ED1.1: Identify lots to encourage infill residential within Hayden's traditional neighborhood street network near downtown.*

*HE.ED2: Increase the quantity of housing units community-wide to achieve a carrying capacity that supports downtown investment.*

*Action ED2.1: Stimulate workforce housing creation through supportive policies and regulations along with other public resources and regulations (e.g. workforce housing overlay).*

*HE.ED3: Encourage housing stock that is affordable to the community's workforce.*

*Action HE.ED3.1: Develop partnerships with local and regional employers and organizations for land allocation, funding and other resources to support workforce housing development.*

*Action HE.ED3.5: Provide support for opportunities and development programs that prioritize provision of flexible, attainable, affordable and / or workforce housing*

*Action HE.HL1.2: Promote development of housing for the local workforce, including multi-family, duplex, single-family and alternative housing types.*

*Action HE.FE1.1- Encourage development that integrates affordable housing into the neighborhood or project.*

*This standard has been met.*

✓

**10.16.050(2)(d)**

**Physical suitability of the land for the proposed development or subdivision.** Staff Comment: The subject property is suitable for development. It is bordered and has access to two established streets – Poplar and 1<sup>st</sup> st. The property has access to all required utilities to support future development.

*This standard has been met.*

✓

**10.16.050(2)(e)**

**Compatibility with surrounding land uses;** Staff Comment: Residential Medium zoning is compatible with surrounding properties. The subject property is currently bordered by Mobile Home Residential (MHR) Zoning on the south and west with Open Zoning on the east and north. The properties on the north, west, and south function as residential properties. The property to the east functions as the Routt County Fairground. Therefore, this standard is met.

✓

**10.16.050(2)(f)**

**Whether the proposed rezoning is justified by changed or changing conditions in the character of the area proposed to be rezoned.** Staff Comment: The proposed zoning is supported by changed characteristics

*in that a new comprehensive plan has been adopted that outlines a vision for growth for this area that has changed since the original zoning of the property. The Town's vision for growth, as defined by the future land use map, envisions residential medium density development in this area. Therefore, this standard is met.*

✓

**10.16.050(2)(g) Whether there are adequate facilities available to serve development for the type and scope suggested by the proposed zone compared to the existing zoning, while maintaining adequate levels of service to existing development;.** *Staff Comment: Adequate facilities exist to support residential medium development on the subject property. This includes all utilities, vehicle access, and the ability to be served by emergency response as required by Town development standards.. Therefore, this standard is met.*

✓

**10.16.050(2)(h) Whether the rezoning is consistent with the stated purpose of the proposed zoning district;; and** *Staff Comment: The intent of the Residential Medium Density is to provide compact residential development and transition between lower and higher density residential uses and commercial uses. The RMD District encourages the creation of viable neighborhoods that occur adjacent to community destinations (schools and parks) and at key existing and future intersections. The subject property is consistent with the intent of the requested zone district and can support such development. Therefore, this standard is met.*

✓

**10.16.050(2)(i) That, compared to the existing zoning, the rezoning is not likely to result in adverse impacts upon the natural environment, including air, water, noise, stormwater management, wildlife and vegetation, or such impacts will be substantially mitigated.** *Staff Comment: The proposed zoning will not result in adverse impacts. Any development on the subject property will be required to follow applicable procedures and standards in the Development Code, and will have to demonstrate compliance with Town standards for development and mitigate any adverse impacts, if applicable. Therefore, this standard is met.*

✓

**10.16.050(2)(j) That, compared to the existing zoning, the rezoning is not likely to result in significant adverse impacts upon other property in the vicinity of the subject tract; and** *Staff Comment: The proposed zoning will not result in adverse impacts upon other property. The subject property is bordered by residential development to the north, south, and west, and is located in an area that envisions medium density growth in the future. Therefore, this standard is met.*





**10.16.050(2)(k)** Adequate mitigation is required for zone change applications which result in greater intensity of land use or increased demands on public facilities and infrastructure. *Staff Comment: It is not anticipated that adverse impacts will be created because of this zone change. It is recommended that mitigation efforts be assessed at the time of development of the property, if any are necessary at all. Future development will be required to go through the Town's development review procedures which will formally address whether any adverse impacts are created that require mitigation. Therefore, this standard is met.*

**RECOMMENDATION:**

Move to recommend approval to the Town Council of the Poplar St. Rezone with the findings of fact that the application complies with the review criteria as defined in Section 10.16.050(2) of the Land Development Code.

**MANAGER'S RECOMMENDATION/COMMENTS:**

*I concur with this recommendation.*

[illegible]



Hayden School District RE-1  
P.O. Box 70, 300 Breeze Basin Blvd.  
Hayden, CO 81639

July 1, 2025

Attn: Kevin Corona

Cc: Ty Johnson, Mathew Mendisco

RE: Support for Rezoning Application at 365 S Poplar Street

Dear Planning Commission and Town Council Members,

On behalf of the Hayden School District, I write in strong support of the Town of Hayden's rezoning application for the property at 365 S Poplar Street. Rezoning this parcel from Open (O) to Residential Medium Density (RMD) to facilitate the development of income-restricted workforce housing is a critical step forward in meeting the needs of our growing community.

The proposed development is ideally located within walking distance of nearly all of Hayden's essential amenities, including the Hayden School District campus, the Hayden Center, Town Hall, and public parks. This proximity allows residents, especially those employed in public service roles like education, to live affordably and conveniently near their workplaces and community hubs.

As a rural school district, we are acutely aware of the challenges associated with recruiting and retaining high-quality educators and staff. The lack of accessible and affordable housing continues to be a significant barrier. The proposed housing project offers a promising solution, particularly for early-career teachers and essential service workers whose salaries fall within the targeted 30–80% AMI range. Supporting this development will strengthen the district's ability to attract and retain dedicated professionals who are essential to the well-being and educational success of our students.

While the residential density proposed is appropriate for the neighborhood context, we respectfully request the Town consider concurrent infrastructure improvements, including necessary enhancements to the Poplar Street Bridge between 2nd Street and Breeze Basin Boulevard. In addition, the inclusion of dedicated pedestrian sidewalks from 1st Street to Breeze Basin Boulevard would significantly improve student safety and walkability for families and staff who travel on foot.

We appreciate the Town's continued focus on forward-thinking planning and inclusive community development. Thank you for your thoughtful consideration of this rezoning request, and for your partnership in helping Hayden remain a vibrant, welcoming community for our workforce and their families.

Sincerely,

Eric Owen

Superintendent, Hayden School District RE-1