

Town of Leeds

Planning Commission Meeting for Wednesday, September 2, 2026

1. Call To Order/Roll Call: 7:00pm

ROLL CALL:	<u>Present</u>	<u>Absent</u>
CHAIR: CHUCK BENTLEY	X	
COMMISSIONER: ROCHELLE GARDNER	X	
COMMISSIONER: LAURIE SULLIVAN		X
COMMISSIONER: ALAN ROBERTS	X	
COMMISSIONER: DAVID RHOADS		X

Others in attendance:

Town Planner Scott Messel and Clerk/Recorder Cari Bishop

2. Invocation: Alan Roberts

3. Pledge of Allegiance

4. Declaration of Abstentions or Conflicts: None

5. Agenda:

a. Tonight's Agenda of September 2, 2026

Motion to approve tonight's agenda made by Commissioner Roberts, 2nd by Commissioner Gardner

ROLL CALL VOTE:	Yes	No	Abstain	Absent
CHAIR: CHUCK BENTLEY	X			
COMMISSIONER: DAVID RHOADS				X
COMMISSIONER: ROCHELLE GARDNER	X			
COMMISSIONER: LAURIE SULLIVAN				X
COMMISSIONER: ALAN ROBERTS	X			

b. Meeting Minutes of August 5, 2026, Work Session and Regular Meeting

Motion to approve made by Commissioner Gardner, 2nd by Commissioner Roberts

ROLL CALL VOTE:	Yes	No	Abstain	Absent
CHAIR: CHUCK BENTLEY	X			
COMMISSIONER: DAVID RHOADS				X
COMMISSIONER: ROCHELLE GARDNER	X			
COMMISSIONER: LAURIE SULLIVAN				X
COMMISSIONER: ALAN ROBERTS	X			

6. Announcements: Dumpster Days, September 11th & 12th, located on Cherry Lane

7. Staff Reports: Town Planner Scott Messel states that the Washington County Planning Commission will be reviewing Jared Westhoff's project. The Washington County Planning Commission also plans a work meeting, tentatively on the 15th, to discuss three tourism categories: Agritourism, rural tourism, and outdoor tourism. The proposed approach would support genuine agricultural operations by making activities such as dude ranches and pick-your-own farms permitted uses, while discouraging artificial or "faux" agriculture. Rural and outdoor tourism would emphasize visitors' experiences in rural settings, potentially including vineyard lodging, glamping, hut-to-hut stays, and horseback riding tours.

8. Business:

- a. Discussion and Possible Action Items – Set Agenda Items to Work on in the Future and Potentially Preliminarily Discuss those items, including, but not limited to, Blasting, Conditional Uses, Bed & Breakfast, and Home Occupation.

The Planning Commission began reviewing Chapter 24, focusing on whether home occupations should be limited to property owners who live in the home. Commissioners confirmed that owner occupancy restrictions are legal but noted that renters particularly those running online or side businesses may also seek business licenses. The County has approved renter operated businesses when the property owner consented and the activity had minimal impact on the neighborhood. The discussion emphasized evaluating home businesses based on their effect on nearby residents, recognizing that online businesses are often indistinguishable from ordinary residential use.

The Planning Commissioners supported revising the language so that a home occupation must be operated specifically by an owner who resides in the home, rather than by any resident. A question about a long-term renter running a landscaping business highlighted the need to distinguish and actually conducting business there, such as storing equipment or serving customers.

The Planning Commissioners discussed defining home occupations by their impact on residential neighborhoods rather than trying to list every possible business. Town Planner Scott Messel proposed a three-tier system:

- No-Impact/Minor: Administrative, computer, or telephone work with no customer traffic, outside employees, storage, unusual deliveries, noise, or increased utility use.
- Limited-or moderate-impact: Activities involving customers, students, equipment, deliveries, classes, food production, a single-chair salon, or limited storage, subject to additional review.
- Major or incompatible: Businesses involving employees, commercial vehicles, outdoor storage, industrial activity, hazardous materials, or impacts inconsistent with residential character; these may require Planning Commission review or be prohibited.

The Planning Commission also recommended stronger standards addressing signage, outdoor storage, noise, lighting, odors, dust, glare, utility demand, and similar impacts. Some favored keeping home occupations separate from conditional use permits because State law may require approval of conditional uses when impacts can be mitigated. Summit County, Colorado's tiered system was cited as a useful model. Further legal review and a draft classification of businesses such as home occupations, conditional uses, or prohibited uses were planned.

The Planning Commission discussed how recent State Law affects the regulation of home based and undefined businesses. If a business type is not clearly addressed in the Town Code, an applicant may appeal and request a hearing, making it important to explicitly classify uses rather than simply omit them.

Town Planner Scott Messel proposed reviewing existing business types and placing each into one of three categories:

Home occupation, potentially divided into low-medium, and high impact tiers.

Conditional use, which must be approved if identified impacts can be mitigated.

Not permitted in residential neighborhoods.

They also considered separating home occupation and business license regulations from the land use code, as other jurisdictions do. The Commissioners acknowledged that the revised code will not be perfect but agreed it should be carefully developed and adopted rather than delayed indefinitely. Commissioner Gardner will prepare a draft classification for review, while legal counsel will clarify whether home occupations can be regulated separately from conditional use and zoning provisions.

The Planning Commissioners identified a flaw in the building permit process: permits may be approved for construction code compliance without anyone first checking zoning, setbacks, land use rules, utilities, or other local requirements. This has allowed non-compliant structures to proceed because the building inspector's role is limited to building safety, not municipal planning and zoning.

Town Planner Scott Messel recommended creating a mandatory pre-approval process and comprehensive checklist.

Before an application reaches the building inspector, designated staff or a contracted reviewer should verify:

- Planning and zoning compliance
- Setbacks and permitted structure size and location.
- Water, sewer or septic, and power availability
- Required municipal approvals and fees.
- HOA or CC&R approval, when applicable.

No permit should advance until each required review is completed and required documents are submitted. The Planning Commission may recommend the procedure to the Mayor and Town Council, particularly because approximately 730 new homes are anticipated and the Town needs a reliable review system before permit activity increases.

The Planning Commission favored separating conditional uses from home occupations, treating conditional uses as full businesses subject to specific conditions. Town Planner Scott Messel will consult Legal Counsel to confirm whether that structure is legally appropriate.

For building permits, staff said the current checklist is incomplete. Town Clerk Cari Bishop currently verifies items such as professional licensing, business licensing, and required site and building plans, but she cannot evaluate the plans themselves. The Planning Commission discussed expanding the checklist to include planning and zoning review and proof of utilities, which would make the remaining administrative review more complete.

9. Adjournment: 8:13pm

Approved this 7th Day of October 2026.

Chuck Bentley, Planning Commission Chair

ATTEST:

Cari Bishop, Clerk/Recorder