



**PLANNING COMMISSION
MINUTES
January 24, 2019**

Members Present

**David Seymour
Lana Kinsey
David Frank
Dennis Murphy
Gary Garren**

Staff Present

**Steve White – Planning & Development Director
Carolyn Clawson – Asst. County Attorney
Kim Ficco – Planning Tech I**

Alternate Member

Jim Haugsness

Chairman David Seymour called the meeting to order at 6:00 p.m. in the Commissioner's Board Room and asked that everyone stand for the pledge of allegiance. He asked that everyone silence their cell phones and welcomed the public. He stated that the Planning Commission is an advisory to the Board of County Commissioners and all items on the agenda tonight will be heard by the County Commissioners. The 11 o'clock rule will be enforced and a quorum was determined to be present.

The December 20, 2018 minutes were presented. **M/S-** Lana Kinsey/David Frank to **Approve** the minutes as presented. All votes aye. **Motion Carried.** Dennis Murphy was absent and abstained from voting.

CALL TO THE PUBLIC

Jack Petruccelli: discussion to consider allowing RV storage and RV park business as a use by right

Dominick Lovato: 2632 6000 Road & 2626 6000 Road; discussion to lift a plat note from the Big Mac Minor Subdivision creating a 4th lot

Robert Lovato: 2626 6000 Road; discussion to further subdivide Big Mac Minor subdivision without constructing a county road

ELECTION OF OFFICERS FOR 2019

Chairman David Seymour opened the nominations. **M/S-**David Frank/Dennis Murphy to retain the current board of the Montrose County Planning Commission for 2019.

Chairman – David Seymour

Vice-Chairman – Lana Kinsey

Secretary – David Frank

All votes aye. **Motion Carried.**

OLD BUSINESS:

PUBLIC HEARING

1. FirstNet Program [SU-18-0039]

Location: 7750 Trail, Cerro Summit, CO 81401

Zoning: General Agricultural

Proposal: Installation of a monopole tower, antennas and ground equipment for the FirstNet program, a high-speed wireless broadband network dedicated to public safety.

Owner: AT&T Mobility (New Cingular Wireless PCS, LLC)

Applicant: Evan Brooks, Selective Site Consultants

The Planning and Development Director presented the staff report. Applicant Evan Brooks with Selective Site Consultants was present and addressed the plans to construct and install a monopole tower, antennas and ground equipment, for a high-speed wireless broadband network dedicated to public safety for the FirstNet program.

M/S – Lana Kinsey/Dennis Murphy to **Approve** the special use based on the following findings of fact and conditions of approval:

Findings of Fact:

- a) The proposed Special Use Permit is not in conflict with the land use designation of the Montrose County Master Plan.
- b) The proposal meets the requirements of the County Zoning Resolution and the special use criteria.
- c) The facility will enhance the cell phone services for the citizens in the surrounding area.

Approval is subject to the following Conditions:

1. The permit shall be applicable only to the specific use and specific property for which it was issued.
2. The development of the facility shall be in conformance of all materials submitted as a part of the application with a height limitation of 150 feet.
3. The Special Use Permit shall run with the land.
4. Prior to operation of the facility the Planning & Development Department will inspect the site to verify compliance with all approved plans, acceptance by all appropriate County Departments and compliance with all conditions attached to the permit.
5. Approval of this request does not limit the Commissions power to terminate this permit, if a finding of non-compliance with the provisions of the permit, Zoning Resolution or other laws of the County or State.
6. The Special Use Permit is limited to the 50' X 50' area as shown in the application.
7. Montrose County shall be notified and provided with a detailed plan, prior to any additional facilities being added to the tower.

8. All generation equipment shall be low-profile, not exceeding 20' in height as measured from the ground pad.
9. The tower shall have a light that meets the specifications of the FAA.
10. The tower shall be painted or covered with a non-reflective material.
11. The Special Use Permit shall be subject to all State and Federal Regulations.

All votes aye. **Motion Carried.**

NEW BUSINESS:

PUBLIC HEARING

2. Trout Creek Rezoning [RZ-18-0023]

Location: 67320 Trout Road
Zoning: General Agricultural
Proposal: To rezone from General Agricultural to General Commercial C
Owner: Trout Road, LLC
Applicant: Del-Mont Consultants

The Planning and Development Director presented the staff report. Planning Commission explored how rezoning Trout Creek Minor could be impacted by the Highway 550 Access Plan. Applicant Fred Ballard with Del-Mont Consultants was present and available to answer questions. Neighbor Melissa Sullivan (67344 Trout Rd) presented concerns regarding potential commercial use and development south of Montrose. Neighbor Rick LaNoue (67255 Trout Rd) presented concerns regarding potential commercial use and development and explains he recently received a Special Use permit and wants the area to stay mostly agricultural. Neighbor James Sullivan (67344 Trout Rd) explains that he would like the area to stay rural and has concerns accessing Highway 550 from Trout Road.

M/S - Dave Frank/Dennis Murphy to **Continue** the special use to **2/28/19** based on staff recommendation. All votes aye. **Motion Continued.**

3. Short Term Rental Amendment Revisions

Proposal: To amend Zoning Resolution to create regulations for Short-Term Rentals for the General Residential District.

The Planning and Development Director presented the staff report.

M/S-Lana Kinsey/ Dennis Murphy to Approve Amendment to the Montrose County Zoning Resolution, newly created Section B.2.j (General Residential District), which will read as follows:

Uses-By-Right:

(New) Section B.2.j - Short-term rental of primary dwelling units. The property owner must obtain a "Short-Term Rental Registration" from the County prior to short-term rental operations (Appendix 4).

Note: The previous section “j” was associated with Accessory Uses. If this amendment is approved, the current section “j” will become section “k”.

All votes aye. **Motion Carried.**

MINOR SUBDIVISIONS

4. **Double H Minor Subdivision [MI-18-0037]**

Location: 61121 Meadow Lark Lane
Zoning: General Agricultural
Proposal: To divide an 8 acre lot into three (3) lots
Owner: Darrel Holman et al
Applicant: Mesa Surveying

The Planning and Development Director presented the staff report Bill Wiley with Mesa Surveying was present and offered to answer questions.

M/S- Gary Garren/David Frank to **Approve** based on the following findings of fact:

Findings of fact:

- a) The proposed Minor Subdivision will comply with the requirements of the Montrose County Subdivision Regulations.
- b) The proposed Minor Subdivision is consistent with the development standards of the General Agricultural Zoning District.

All votes aye. **Motion Carried.**

5. **Kate’s Minor Subdivision [MI-18-0042]**

Location: 15801 6100 Road
Zoning: General Agricultural
Proposal: To divide a 36.5 acre parcel into two (2) lots
Owner: Kenneth and Donna Valencich
Applicant: Del-Mont Consultants

The Planning and Development Director presented the staff report. Fred Ballard with Del-Mont Consultants was present and offered to answer questions. Neighbor Rita Zweck (60725 W Oak Grove) questioned if access to Lot 2 will be off W Oak Grove Road and how that would affect her property. Neighbor Jerry Story (60886 W Oak Grove) requested clarification on the lots sizes noted on the plat and requested that each lot be minimum 5 acres and remain agricultural.

M/S- David Frank/Gary Garren to **Approve** based on the following findings of fact:

Findings of fact:

- a) The proposed Minor Subdivision will comply with the requirements of the Montrose County Subdivision Regulations.
- b) The proposed Minor Subdivision is consistent with the development standards of the General Agricultural Zoning District.

All votes aye. **Motion Carried.**

6. Kindred Spirit Minor Subdivision [MI-18-0044]

Location: 24125 Horsefly Road
Zoning: General Agricultural
Proposal: To divide a 35.86 acre lot into 2 lots
Owner: Sharon Schumacher
Applicant: Mesa Surveying

The Planning and Development Director presented the staff report Bill Wiley with Mesa Surveying was present and offered to answer questions.

M/S- Dennis Murphy/Lana Kinsey to **Approve** based on the following findings of fact:

Findings of fact:

- a) The proposed Minor Subdivision will comply with the requirements of the Montrose County Subdivision Regulations.
- b) The proposed Minor Subdivision is consistent with the development standards of the General Agricultural Zoning District.

All votes aye. **Motion Carried.**

7. Kovacic Minor Subdivision [MI-18-0047]

Location: 16143 6250 Road
Zoning: General Agricultural
Proposal: To divide a 4.75 acre lot into 2 lots
Owner: Tony & Christine Kovacic
Applicant: Mesa Surveying

The Planning and Development Director presented the staff report Bill Wiley with Mesa Surveying was present and offered to answer questions.

M/S- David Frank/ Gary Garren to **Approve** based on the following findings of fact:

Findings of fact:

- a) The proposed Minor Subdivision will comply with the requirements of the Montrose County Subdivision Regulations.
- b) The proposed Minor Subdivision is consistent with the development standards of the General Agricultural Zoning District.

All votes aye. **Motion Carried.**

8. Freeland Minor Subdivision [MI-18-0050]

Location: 750 & 830 Fruit Park Road
Zoning: General Residential
Proposal: To divide a 6.91 acre lot into 3 lots
Owner: John & Karmen Freeland
Applicant: Del-Mont Consultants

The Planning and Development Director presented the staff report. Fred Ballard with Del-Mont Consultants was present and offered to answer questions.

M/S- Gary Garren/Dennis Murphy to **Approve** based on the following findings of fact:

Findings of fact:

- a) The proposed Minor Subdivision will comply with the requirements of the Montrose County Subdivision Regulations.
- b) The proposed Minor Subdivision is consistent with the development standards of the General Agricultural Zoning District.
- c) The proposed Minor Subdivision is Zoned Residential and has access to a public sewer system.

All votes aye. **Motion Carried.**

OTHER ITEMS FOR DISCUSSION

9. Maximum enrollment capacity for daycare revisions

The Planning and Development Director requested direction from the Planning Commission to update County regulation to increase daycare maximum enrollment capacity

M/S- David Frank/Dennis Murphy to **Approve** request to create new regulation to increase daycare maximum enrollment capacity.

All votes aye. **Motion Carried.**

10. Planning Commission County/City Meeting & Planning Commission Retreat Dates:

PC County/City Meeting: potential dates 2/26/19, 3/5/19 & 3/7/19

Planning Commission Retreat: potential meeting dates 4/20/19