



**PLANNING COMMISSION
MINUTES
June 27, 2019**

Members Present

David Seymour
Lana Kinsey
David Frank
Dennis Murphy
Rob Smith

Staff Present

Steve White – Planning & Development Director
Cameron Poore – Asst. County Attorney
Kim Ficco – Planning Tech I

Alternate Member

Philip Lee
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 May 23, 2019 **M/S-** Dennis Murphy/David Frank to **Approve** the minutes as presented. All votes aye. **Motion Carried.**

The June 5, 2019 minutes were presented. **M/S-** Lana Kinsey/Rob Smith to **Approve** the minutes as presented. All votes aye. **Motion Carried.**

CALL TO THE PUBLIC - NONE

OLD BUSINESS:

PUBLIC HEARING

1. 3XM Grinding & Compost Special Use [SU-17-0008]

Location: 59039 Amber Road
Zoning: General Agricultural
Proposal: To build a large commercial composting facility.
Owner: Land Solutions an Improvement, LLC
Applicant: 3xM Grinding and Compost, LLC

The Planning and Development Director presented the staff report. Applicants, Keith Mautz and Kurt Mautz, were present and answered questions regarding the application. Frankie McIntosh, Barb Hulet, Brenton Martinez, Ken Wilson, John Lee, Gordy Dyers, Dan Allen, Dave Taylor, and

Don Taylor spoke in opposition of the application. Many are in agreement with composting however, the majority have concerns with the potential for increased traffic, dust, decreased property values, and potential for cross contamination from winds and animal movement, increased trash blowing in surrounding properties, rodents, bugs & flies, unpleasant odors, etc. Stu Krebs spoke in favor of the application.

M/S- Dennis Murphy/David Frank to **Approve** based on the following **findings of fact** and **condition**:

Findings of fact:

- a) The proposed Special Use Permit is in conformance with the Montrose County Master Plan.
- b) The proposal meets the requirements of the County Zoning Resolution and the special use criteria.
- c) Possible negative impacts have been mitigated by permit conditions.

Approval is subject to the following Conditions:

1. Prior to operation of the facility all applicable County, State and Federal permits shall be obtained and maintained in good standing at all times during the facilities operations. Approved copies of all required permits shall be provided to the Planning and Development Department.
2. The development of the facility shall be in conformance with site plans - stamped "received June 20, 2019".
3. Operations of the facility shall be subject to all applicable requirements outlined in the Narrative - stamped "received June 27, 2019".
4. Operation of the facility shall be from the hours of 8:00am to 5:00pm, Monday thru Friday for mechanized machinery.
5. Noise levels shall not exceed 75 decibels measured from the property line.
6. A county access permit shall be obtained prior to operation of the facility. If the facility begins retail operations, a revised access permit shall be required.
7. Food waste shall not be processed within 500 feet of any neighboring property that has an existing residential home.
8. Fencing or other mechanisms shall be in place to keep trash or debris on site.
9. All exterior lighting associated with the composting facility shall be down directed.
10. No stockpiles of any type shall be located within 100 feet of the property located west of the facility noted in the Montrose County Assessors records as Parcel number 3495-223-00-003.
11. Stockpiles and windrows shall be limited to 25' in height.
12. A berm shall be installed adjacent to Amber Road prior to operations and shall be constructed as shown on the site plan – stamped received "June 20, 2019".
13. Bulk meats, animal processing waste, slaughter house products, cardboard, restaurant waste or Bio-solids shall not be processed or stored on the property.
14. Raw sewage or residential waste shall not be processed at the facility.
15. All non-green products brought to the site shall be covered before the end of each business day.
16. A weed control and plan shall be submitted to the Planning and Development Department and reviewed by the Montrose County Ecological Services Division prior to operations.
17. The operator shall use industry best practices to limit odors, including details provided in the Narrative – stamped "received, June 27, 2019".
18. The permit shall be applicable only to the specific use and property for which it was issued.
19. The Special Use Permit shall run with the land.

20. Approval of this permit does not limit the Board of County Commissioners 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, State or Federal Government.

4 votes aye. 1 vote nay. **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. The Applicant, Fred Ballard, and Owner, Hagle Summers, were present and available to answer questions and reviewed the history of the proposed rezoning application and the conformance with the County Master Plan. Nadia Beyea, Larel Woods, and Lee Lanoue spoke in opposition of the proposed rezoning application presenting concerns with view obstruction, access onto HWY 550 off Trout Road and preservation of agriculture land on Trout Rd and areas South of Montrose.

M/S- David Frank/Rob Smith to **Approve** based on the following **findings of fact and condition:**

Findings of fact and Condition:

- a) The proposed rezoning is in conformance with the County Master Plan.
- b) The property will have access to the State Highway from a County roadway.
- c) Development of the site under the requirements of the Montrose Zoning Resolution.
- d) There are existing commercial properties in the area located along Highway 550.

3 votes aye. 2 vote nay. **Motion Carried.**

MINOR SUBDIVISIONS

3. Caitlyn Minor Subdivision [MI-19-0010]

Location: 1261 6530 Rd & 1265 6530 Rd
Zoning: Light Industrial
Proposal: To divide a 11.74 acre lot into 3 lots
Owners: Todd Haynes
Applicant: Del-Mont Consultants

The Planning and Development Director presented the staff report. Applicant, Fred Ballard, was available to answer questions. Marvin Taylor property owner received a registered letter regarding the Planning Commission meeting and wanted to be present.

M/S- Dennis Murphy/Rob Smith 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) Montrose County has coordinated with the City of Montrose because this property is within the City Growth Boundary.

All votes aye. **Motion Carried.**

4. Mile Marker Eight Minor Subdivision [MI-19-0024]

Location: Parcel 4263-364-00-003 off of Sanborn Park Road
Zoning: General Agricultural
Proposal: To divide a 39.44 acre lot into 3 lots
Owners: Brian Kille
Applicant: Mesa Surveying

The Planning and Development Director presented the staff report. Applicant, Bill Wiley was available to answer questions.

M/S- Lana Kinsey/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. Clugston Minor Subdivision [MI-19-0027]

Location: 62063 Jade Road
Zoning: General Agricultural
Proposal: To divide a 7.376 acre lot into 3 lots
Owners: Neil Clugston
Applicant: Mesa Surveying

The Planning and Development Director presented the staff report. Applicant, Bill Wiley was available to answer questions also making mention that HOA requirements are a civil matter not County regulated. Kathy Fowler spoke in opposition of the proposed minor subdivision and presented concerns regarding conflicts with the existing subdivision HOA requirements, access issues and the potential for an address change.

M/S- David Frank/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.

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- b) The proposed Minor Subdivision is consistent with the development standards of the General Agricultural Zoning District.

All votes aye. **Motion Carried.**

OTHER ITEMS FOR DISCUSSION

- Jim Haugsness requested a review of Pioneer Soils - not operating on Special Use. Steve White will research and clarify

Planning Commission Secretary

Verbatim tapes of the Planning Commission proceedings of June 27, 2019 are available for purchase in the Montrose County Planning and Development Department.