



**PLANNING COMMISSION
MINUTES
May 27, 2021**

Members Present

Lana Kinsey
David Seymour
Dennis Murphy
Rocky Gabriel

Staff Present

Steve White – Planning & Development Director
Tallmadge Richmond – Planner
Kim Ficco – Planning
Montrose County Attorney

Alternate Member

Chairman Lana Kinsey called the meeting to order at 6:00 p.m. in the Public Works Meeting Room and asked that everyone stand for the pledge of allegiance. She asked that everyone silence their cell phones and welcomed the public. She 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 minutes for the Planning Commission meeting on March 25, 2021 & April 22, 2021 were presented.

March 25, 2021: M/S- Dennis Murphy/David Seymour to **Approve** the minutes as presented. All votes aye. **Motion Approved.**

April, 2021: M/S- David Seymour/ Dennis Murphy to **Approve** the minutes as presented. All votes aye. **Motion Approved.**

CALL TO THE PUBLIC – NONE

OLD BUSINESS - NONE

NEW BUSINESS

PUBLIC HEARING - NONE

MINOR SUBDIVISIONS

1. Pomeroy Minor Subdivision [MI-20-0063]

Location: 6063 5600 RD

5/27/21 PC Minutes

Zoning: General Agricultural
Proposal: To divide a 12 acre lot into 2 lots
Owners: Mama Bears Den, LLC
Applicant: Mesa Surveying

The Planner presented the staff report addressing the recent amended plat, approved by the BOCC, which removed a restrictive plat note, septic improvement capabilities and noting that existing manufactured homes can be replaced however; any additional homes placed on the parcel would require a special use application. Applicant, Bill Wiley with Mesa Surveying, was present and available to address questions from the Planning Commission.

M/S- Dennis Murphy/Rocky Gabriel 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 consistent with the Land Use Designation of the area from the Montrose County Master Plan.

All votes aye. **Motion Carried.**

2. Comstock Minor Subdivision & Boundary Line Adjustment [MI20-009]

Location: 21591 HIGHWAY 550
Zoning: General Agricultural
Proposal: To divide a 35 acre lot into 3 lots and adjust a boundary line between 2 existing lots
Owners: Wayne Comstock
Applicant: Del-Mont Consultants

The Planner presented the staff report addressing new road, Ute Valley Drive, access approval from CDOT, emergency access capability and the future potential for additional subdivision. Applicant, Fred Ballard with Delmont Consultants, and Owner, Wayne Comstock, were present and available to address questions from the Planning Commission including making note that an agreeable irrigation easement & plat note could be added to the plat prior to the presentation to the BOCC. Neighbors present requested that an irrigation easement be noted on the plat and addressed concerns regarding residential access, county road access and irrigation flooding.

M/S- David Seymour/Dennis Murphy to **Approve based on adding a plat note regarding a private irrigation line that services the neighbor to the north of the property** and 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 consistent with the Land Use Designation of the area from the Montrose County Master Plan.

All votes aye. **Motion Carried.**

3. Trout Creek II Minor Subdivision [MI21-002]

Location: Parcel 399326107001 Trout Rd & HWY 550
Zoning: General Agricultural
Proposal: To divide a 20.580 acres lot into 3 lots not including the 2 lots created from the 6720 Road Dedication
Owners: Jeremy Spencer
Applicant: Del-Mont Consultants

The Planner presented the staff report addressing the newly dedicated 6720 Road and the effect on the existing parcels and the minor subdivision application. The reason this property can be further subdivided is due to the construction of 6720 Road. The road will need to be completed prior to the presentation to the BOCC. Lots 1 and 2 front 6720 Road and Lot 3 accesses by easement to 6720 Road. Noted in the discussion; the dedication of 6720 Road separated an existing parcel creating two separate parcels, 399326107002 (C) and 399326107003 (A). Applicant, Fred Ballard with Delmont Consultants, was present and available to address questions from the Planning Commission. Mr. Ballard explained that the construction of 6720 Road and Trout Creek II Minor was the Owners solution to limited commercial rezoning.

M/S- Dennis Murphy/Rocky Gabriel 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 consistent with the Land Use Designation of the area from the Montrose County Master Plan.

All votes aye. **Motion Carried.**

4. Mosqueda Minor Subdivision [MI21-007]

Location: Parcel: 372303400036, 6000 RD & Dalia RD
Zoning: General Agricultural
Proposal: To divide a 8.592 acre lot into 3 lots
Owners: Mosqueda Jose Antonio JR
Applicant: Mesa Surveying

The Planner presented the staff report addressing direct frontage on 6000 Road and shared access. Applicant, Bill Wiley with Mesa Surveying, was available to answer questions and addressed the ditch located on the east of the parcel, requesting to add an easement plat note specifically for the ditch prior to the presentation to the BOCC. Neighbors present presented concerns regarding septic and ground water and the validity of subdividing parcel 372303400036, irrigation water availability and area density.

M/S- Dennis Murphy/David Seymour 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 consistent with the Land Use Designation of the area from the Montrose County Master Plan.

All votes aye. **Motion Carried.**

5. Twin Pine Minor Subdivision [MI21-008]

Location: Parcel: 376534101002, 6000 Rd & Spring Creek Rd
Zoning: General Agricultural
Proposal: To divide 3 lots from a 104.890 acre parcel
Owners: Evan & Madison Tate
Applicant: Mesa Surveying

The Planner presented the staff report addressing direct frontage on 6000 Road and shared access, road dedication. Applicant, Bill Wiley with Mesa Surveying, was available to answer questions and requested to add an easement plat note specifically for the ditch located in the south east corner of lot 1 and 2 prior to the presentation to the BOCC.

M/S- David Seymour/Rocky Gabriel to **Approve based the addition of a recorded ditch easement and 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 consistent with the Land Use Designation of the area from the Montrose County Master Plan.

All votes aye. **Motion Carried.**

6. Zacatecas Minor Subdivision & Boundary Line Adjustment [MI21-009]

Location: 4771 6000 RD
Zoning: General Agricultural
Proposal: To divide a 18.02 acre lot into 3 lots
Owners: Escalera Humberto
Applicant: Mesa Surveying

The Planner presented the staff report addressing the boundary line adjustment and the qualification of a minor subdivision, road frontage, shared access, canal access easement and court ordered Collins Farms easements, existing homes and structures on the parcel. Applicant, Bill Wiley with Mesa Surveying, was available to answer questions. Neighbors presented concerns regarding increased access traffic, access safety, visual nuisances, possible unpermitted structures and water lines built in access easements.

M/S- Dennis Murphy/David Seymour 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 consistent with the Land Use Designation of the area from the Montrose County Master Plan.

All votes aye. **Motion Carried.**

7. Navarrete Minor Subdivision [MI21-010]

Location: Parcel 399501400019: Pearl Rd & 6300 RD
Zoning: General Agricultural
Proposal: To divide 1 lot from a 75.600 acre parcel
Owners: Zahniser Kenneth Allen
Applicant: Navarrete, Alycia

The Planner presented the staff report reviewing the access easement. Applicant, Alycia Navarrete, was present and available to answer questions.

M/S- Rocky Gabriel/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 consistent with the Land Use Designation of the area from the Montrose County Master Plan.

All votes aye. **Motion Carried.**

CORRESPONDENCE - NONE

OTHER ITEMS FOR DISCUSSION

- Zoning Regulation updates continue; plan for a Planning Commission work session to review.
- Parcel 376719100003 is currently being used for agricultural purposes although it has been rezoned from General Agricultural to Manufactured Home Park Residential. Utilizing the parcel for agricultural purposes is a legal non-conforming use.
- Hemp processing updates will be addressed in the updated Montrose County Zoning Regulations
- Management of Montrose County Code Enforcement
- Lana Kinsey provided Project 7 updates

Planning Commission Secretary

Verbatim recordings of the Planning Commission proceedings on May 27, 2021 are available for purchase in the Montrose County Planning and Development Department.