



**PLANNING COMMISSION
MINUTES
July 22, 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 May 27, 2021 were presented.
M/S- Dennis Murphy/Rocky Gabriel to **Approve** the minutes as presented. All votes aye.
Motion Approved.

The minutes for the Planning Commission meeting on June 24, 2021 were presented. The approval was moved to the 8/26/21 Planning Commission meeting due to an absence of a quorum.

CALL TO THE PUBLIC – NONE

OLD BUSINESS

PUBLIC HEARING

3. The Dell at Twin Pines Ranch Special Use [SU21-002]

Location: Parcel: 376534101002, Spring Creek Rd & 6000 Rd
Zoning: General Agricultural
Proposal: To create a farming & ranching retreat to include RV & tent camping sites
Owners: Tate Evan & Tate Madison

Applicant: Twin Pines Ranch

This item was continued from the June 24, 2021 Planning Commission meeting. As the Planner began to present the staff report Vice-Chairman David Seymour rose to a point of order regarding the discussion and consideration of agenda item number one should be to review traffic, safety and road conditions, which was the reasoning for the continuation from the June Public Hearing. The Chairman explained that it was requested the Planner bring the Commission and Public "up to speed". The Planning staff became aware that based on the participation of Planning Commission members from the June 24, 2021 meeting there was currently an absence of a quorum for this particular Public Hearing and informed the Chairman of the situation. The Planning & Development Director and Assistant County Attorney stated that this particular Public Hearing should be delayed, continue on to the next agenda item and staff will contact the Montrose County Attorney to review the circumstances and receive additional direction.

M/S- David Seymour/Dennis Murphy to alter the agenda move agenda item number 1 to agenda item number 3. All votes aye. **Motion Carried.**

Returning to the Public Hearing the Assistant County Attorney asked Planning Commission members, Rocky Gabriel & Dennis Murphy, whom were not present at the June 24, 2021 Planning Commission meeting, if they had read the minutes and if they have listened to the recording of the meeting. The County Attorney recommended the Public Hearing be continued to the August 26, 2021 due to the absence of a quorum. Additionally, if Planning Commission members, Rocky Gabriel & Dennis Murphy, listen to the recording they can participate in the decision process of the Public Hearing during the August meeting.

M/S- David Seymour/Dennis Murphy to **Continue to the August 26, 2021** due to the absence of a quorum.

All votes aye. **Motion Carried.**

NEW BUSINESS

PUBLIC HEARING –

1. Ken Kirby Rezone [RZ21-004]

Location: Parcel 426917200061
Zoning: Light Industrial
Proposal: Rezone from Light Industrial (IL) to General Agricultural (A)
Owners: Kirby, Kenith
Applicant: Kirby, Kenith

The Planner presented the staff report addressing the access, the applicants plans for the parcel, and the rezone request conforming with the master plan. Applicant, Kenith Kirby, was not present.

M/S- David Seymour/Dennis Murphy to **Approve** based on the following **findings of facts**:

- a) The zone change does not constitute a spot zone because the property is adjacent to other properties zoned General Agricultural (A).

- b) The proposed change is consistent with the land use element of the Montrose County Master Plan.
- c) There will be no negative impacts to surrounding properties.

All votes aye. **Motion Carried.**

2. River Road Warehouse Adjacent Parcel Rezoning [RZ21-008]

Location: Parcel 349521300005 & Parcel 349528100018
Zoning: General Agricultural
Proposal: Rezone from General Agricultural (A) to Light Industrial (IL)
Owners: CO Mine 1 Landco LLC
Applicant: Kosakowski, Matthew

The Planner presented the staff report addressing conformance to the master plan, access requirements, site plan development, use by rights, accessory uses, and use of existing structures and resources. Applicant representative, Luca Lovell, was present and available to answer questions from the Planning Commission regarding use of existing structures and resources, environmental studies, and access plans.

M/S- David Seymour/Dennis Murphy to **Approve** based on the following **findings of facts**:

- a) The zone change does not constitute a spot zone because the property is adjacent to other properties zoned Light Industrial (I-L).
- b) The Proposed change is consistent with the land use element of the Montrose County Master Plan.
- c) There will be no negative impacts to surrounding properties.

3 votes aye. 1 vote nay. **Motion Carried.**

MINOR SUBDIVISIONS

4. Orville Kline Minor Subdivision [MI21-018]

Location: 18545 HWY 550
Zoning: General Agricultural
Proposal: To divide a 3.470 acre lot into 2 lots
Owners: Kline Orville L & Kline Gladys M
Applicant: Mesa Surveying

The Planner presented the staff report addressing access and existing structures. Applicant, Bill Wiley with Mesa Surveying, was present and available to address questions from the Planning Commission.

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

Findings of Fact

1. The proposed Minor Subdivision will comply with the requirements of the Montrose County Subdivision Regulations.
2. The proposed Minor Subdivision is consistent with the development standards of the General Agricultural Zoning District.
3. 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. David Minor Subdivision [MI21-020]

Location: Parcel 399503400019, 6100 RD & HWY 90
Zoning: General Agricultural
Proposal: To divide (1) 2.68 acre lot from a 38.30 acre parcel
Owners: Jerad David
Applicant: Delmont Consultants

The Planner presented the staff report addressing road access, easements along the canal and site characteristics analysis. Applicant, Fred Ballard with Delmont Consultants, was present and available to address questions from the Planning Commission.

M/S- David Seymour/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.**

6. Bailey Minor Subdivision [MI21-021]

Location: 71150 HWY 50
Zoning: General Agricultural
Proposal: To divide a 47.1 acre parcel into 3 lots
Owners: Bailey Estle D III
Applicant: Delmont Consultants

The Planner presented the staff report addressing road access, flood area and potential for (re)subdividing. Applicant, Fred Ballard with Delmont Consultants, 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.**

CORRESPONDENCE - NONE

OTHER ITEMS FOR DISCUSSION

- Montrose County Subdivision Regulations still in review with the BOCC
- Planning Commission to hold a Work Session Thursday, August 5, 2021 at 6:00p.m. to review of the Montrose County Zoning Regulations. No action will be taken during this work session. Public is welcome to attend, however; comment from the public will not be heard until a Public Hearing is scheduled.
- Planning Commission and BOCC will meet August 11, 2021 at 6:00p.m. This is an annual meeting required in the Planning Commission by-laws. No action will be taken during this work session. Public is welcome to attend, however; comment from the public will not be heard.
- Exemption for Boundary Line Adjustments and Minor Subdivisions will no longer be on the same application and plat.

Planning Commission Secretary

Verbatim recordings of the Planning Commission proceedings on July 22, 2021 are available for purchase in the Montrose County Planning and Development Department.