



**PLANNING COMMISSION
MINUTES
August 26, 2021**

Members Present

Lana Kinsey
David Seymour
Dennis Murphy
Philip Lee
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 June 24, 2021 were presented.

M/S- David Seymour/Philip Lee to **Approve** the minutes as presented. All votes aye. **Motion Approved.**

The minutes for the Planning Commission meeting on July 22, 2021 were presented.

M/S- Dennis Murphy/Rocky Gabriel to **Approve** the minutes as presented. All votes aye. **Motion Approved.**

CALL TO THE PUBLIC – NONE

OLD BUSINESS

PUBLIC HEARING

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

Location: Parcel: 376534101002, Spring Creek Rd & 6000 Rd
Zoning: General Agricultural

8/26/21 PC Minutes

Proposal: To create a farming & ranching retreat to include RV & tent camping sites
Owners: Tate Evan & Tate Madison
Applicant: Twin Pines Ranch

The Montrose County Attorney asked each Planning Commission member if they were present or not present at the June 24, 2021 Planning Commission Meeting. Lana Kinsey, David Seymour and Philip Lee were present and Rocky Gabriel & Dennis Murphy were not present. The County Attorney asked Rocky Gabriel & Dennis Murphy if they had listened to the June 24, 2021 recording of the public hearing in its entirety, knowledge of the minutes, reviewed all materials and if they were fully informed on the subject matter. Rocky Gabriel & Dennis Murphy stated that they are fully up to date and able to make an informed decision. The Attorney determined a quorum present.

The Planner presented the staff report reiterating the purpose of the continuation of the Public Hearing, held previously on June 24, 2021, was to further review traffic concerns including speed studies and crash data. Applicants Evan and Madison Tate were present and available to answer questions from the Planning Commission. No members of the public commented in opposition of the proposal at this meeting. One resident near the property recommended that the Planning Commission consider approving the proposal due to the positive promotion that the facility would provide related to the agricultural history of Montrose. The Planning Commission discussed the road capacity and safety concerns brought up by the public in previous meetings.

M/S- David Seymour/Rocky Gabriel to **Approve**

2 – aye

3 – nay

Motion Failed

The Planning Commission paused due to confusion on the motion. Receiving council from the Attorney, the Chair entertained an additional motion to capture the intension of the Planning Commission.

M/S- Philip Lee/Dennis Murphy to **Deny** based on the following **findings of facts**:

- a) Location of the area where the facility is proposed is not safe because of the traffic flow along 6000 Road and at the Spring Creek Road and 6000 Road intersection.

4 – aye

1 – nay

Motion Carried

NEW BUSINESS

PUBLIC HEARING –

2. Coventry Rezone [RZ21-005]

Location: 429507300003
Zoning: General Agricultural
Proposal: Rezone from General Agricultural (A) to Commercial (C)
Owners: Monte Spor
Applicant: Amy Smith

The Planner presented the staff report addressing the commercial access, water services, septic impact and commercial use by rights. Applicant & Owner, Amy Smith & Monte Spor, were present and available to answer questions. No public comment.

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

- a. The zone change meets the intent of the Master Plan by supporting the creation and expansion of businesses within Montrose County.
- b. Only a small portion of the property is proposed to be rezoned. There will be limited negative impacts to surrounding properties.
- c. The property is adjacent to the highway.

All votes aye. **Motion Carried.**

3. Taylor Minor Subdivision Waiver Request [WV21-001]

Location: Parcel 376535100034, Niagara Rd & 6100 Rd
Zoning: General Agricultural
Proposal: To allow access for the 3 new lots from Niagara Road
Owners: Taylor Tim Linton & Taylor Daniela Simona
Applicant: Mesa Surveying

The Planner presented the staff report addressing Section III.20.B of the Montrose County Subdivision Regulations, which requires one lot within a Minor Subdivision to have minimum road frontage of fifty (50) feet. The proposed waiver is a request to allow subdivision without minimum road frontage requirement. Montrose County Public Works Department will not allow access from the property onto 6100 Road and prefers access to the future Niagara Road. Neighbors presented comments that included concerns about the location of the parcels presented on the proposed Minor Subdivision, safety of 6600 Rd and Niagara intersection, and potential for additional subdividing and development. Applicant, Bill Wiley with Mesa Surveying, and Owner, Tim Taylor, were present and available to answer questions from the Planning Commission.

M/S- Dennis Murphy/Rocky Gabriel to **Approve** based on the following **findings of facts and conditions**:

- a. Niagara Road will be built along the southern portion of this property in the future and will then offer direct road frontage to the property.
- b. Granting the waiver will not be detrimental to the public health, safety, or welfare of the citizens of Montrose County.
- c. The subdivision will have frontage on County Right-of-Way.

Approval is subject to the following Conditions:

1. At least one of the lots in the proposed Taylor Minor Subdivision shall have 50 ft. of frontage on Niagara Road Right-of-Way.
2. The subdivision will be processed under the previously adopted subdivision regulations dated 9/16/20.

All votes aye. **Motion Carried.**

MINOR SUBDIVISIONS

4. Skiles Minor Subdivision [MI21-012]

Location: 17950 6650 RD
Zoning: General Agricultural
Proposal: To divide 3 lots from a 54 acre parcel
Owners: Skiles Lucy Kay
Applicant: Aaron Wilcox

The Planner presented the staff report addressing access easements, plat notes and irrigation water and the enforcement of irrigation water by UVWUA. Applicant was not present. One neighbor presented comments and concerns regarding access to the existing irrigation water and shares.

M/S- Philip Lee/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. Cimarron Minor Subdivision [MI21-028]

Location: Parcel 399306400049, Orange Rd & 6400 Rd
Zoning: General Agricultural
Proposal: To divide 3 lots from a 65.900 acre parcel
Owners: P&H Land LLC
Applicant: Mesa Surveying

The Planner presented the staff report addressing road access from Orange Rd, water tap, septic impact and irrigation water. Applicant, Bill Wiley with Mesa Surveying, was present and available to address questions from the Planning Commission.

M/S- Dennis Murphy/Philip Lee 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. Trout Creek III Minor Subdivision [MI21-031]

Location: Parcel 399326107003, 6720 Road & Trout Road
Zoning: General Agricultural

Proposal: To divide a 4.92 acre lot into 3 lots
Owners: Jeremy Spencer
Applicant: Del-Mont Consultants

Planning & Development Director, Steve White, explained that he is an owner of a neighboring parcel located in the Trout Creek II Minor and recused himself from the meeting, leaving the conference room. The Planner presented the staff report addressing road access, soils, septic impacts, recently dedicated road 6720 LN, parcel road frontage and plat notes. Applicant, Fred Ballard with Delmont Consultants, was present and available to address questions from the Planning Commission.

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.**

7. Bunny Minor Subdivision [MI21-034]

Location: 12870 6820 Rd
Zoning: General Agricultural
Proposal: To divide a 14.180 acre lot into 3 lots
Owners: Cornelius Robert E & Cornelius Martha K
Applicant: Del-Mont Consultants

The Planner presented the staff report addressing road access and safety, contour/topography areas, potential flood area, water run-off, and buildable area. Applicant, Fred Ballard with Delmont Consultants, was present and available to address questions from the Planning Commission. Neighbors presented concerns regarding water rights.

M/S- David Seymour/Philip Lee 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

- Planning Commission to hold a Work Session Tuesday, September 14, 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 the City of Montrose will meet Thursday, September 16, 2021 at 6:00p.m. No action will be taken during this work session. Public is welcome to attend, however; comment from the public will not be heard.
- Lana Kinsey will not attend Planning Commission meetings in September, November, December, & January.
- Dennis Murphy will not attend Planning Commission meeting in October.

Planning Commission Secretary

Verbatim recordings of the Planning Commission proceedings on August 26, 2021 are available for purchase in the Montrose County Planning and Development Department.