



**PLANNING COMMISSION  
MINUTES  
October 28, 2021**

**Members Present**

Lana Kinsey  
David Seymour  
Dennis Murphy  
Rocky Gabriel

**Staff Present**

Steve White – Planning & Development Director  
Tallmadge Richmond – Planner  
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 September 23 & October 14, 2021 were presented.

**M/S-** David Seymour/Rocky Gabriel to **Approve** the minutes as presented. Dennis Murphy abstained.

All votes aye. **Motion Approved.**

**CALL TO THE PUBLIC – NONE**

**OLD BUSINESS**

**1. Montrose County Zoning Regulations**

The Planner presented the staff report and reviewed administrative workflow & clean-up, user experience and general updates including:

- Changed the title from “Montrose County Zoning Resolution” to “Montrose County Zoning Regulations.”
- Reorganized the procedural sections of the regulations to a concise, modern, and standardized process.
- Confirmed, updated, and added references to applicable county regulations and standards, and any applicable Colorado Revised Statutes and federal laws.

10/28/21 PC Minutes

- Added graphics and charts to show regulations, and definitions more clearly.
- Changed all references of responsible staff member(s) to “Planning and Development Director” or “Planning and Development Department.”
- Updated references to submittal requirements, notification, and other forms of communication to adequately allow for electronic processing and communication via County portal submittals.
- Definitions added and antiquated terms eliminated from the definitions section. Graphics were incorporated where necessary to illustrate definitions clearly.
- Both the Light Industrial (I-L) and Heavy Industrial (I-H) zoning districts were combined into one Industrial (I) Zone District.

**M/S-** Dennis Murphy/David Seymour to **Approve** with the condition any minor changes be added to the document.

All votes aye. **Motion Carried.**

## **NEW BUSINESS**

### **PUBLIC HEARING**

#### **2. Rose RD 550 Property Rezone [RZ21-003]**

Location: Parcel 399315300012, HWY 550 & Rose Rd  
Zoning: General Agricultural  
Proposal: Rezone from General Agricultural (A) to Commercial (C)  
Owners: Carlson Jim & Carlson Jenny  
Applicant: Carlson Jim & Carlson Jenny

The Planner presented the staff report and reviewed the proposal to rezone from General Agricultural (A) to General Commercial (C), access from Rose Road, conformance (for and against) to the Montrose County Master Plan, current commercial nodes in the south corridor, current zoning of adjoining parcels, spot zone review, property owner notifications and traffic impacts on Rose Rd and HWY 50. Owner/Applicant, Jim Carlson, was present and available to answer questions. Neighbors present opposed the rezone and presented concerns related to road safety, increased traffic, increased trash and increased dust from the road.

**M/S-** Dennis Murphy/Rocky Gabriel to **Deny** based on the subject property is not within a Commercial Node designation and therefore is not in conformance with the Master Plan.

All votes aye. **Motion Carried.**

#### **3. Pioneer Wholesale Supply: Composting Facility Special Use [SU21-007]**

Location: 58521 Amber Road  
Zoning: General Agricultural  
Proposal: To operate a composting facility  
Owners: 8355 Vollmer Road LLC  
Applicant: Pioneer Landscaping Materials Inc.

The Planner presented the staff report and reviewed the proposal, surveyed area and site plan, access plan, current zoning, CDPHE adherence and conformance to Master Plan, road conditions and traffic counts on Amber Road and 5900 Road. Chip Scroggs with Pioneer Landscaping Materials, was present, answered question from Planning Commission,

addressed the continuation of the current business plan & processes and drainage. Public comments received by letter and public addressed concerns regarding lack of parking for commercial trucks, increased noise, increased traffic on Amber Road and 5900 Rd, road safety & speeding, increased dust and suppression, unpleasant odors and bugs & flies.

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

- 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) Possible negative impacts will be mitigated by the permit conditions listed below.

**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 operation of the facility. 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 the approved site plans and narrative on file with the Planning and Development Department.
3. Facility operation shall be in conformance with the approved Engineering Design and Operations Plan approved by the Colorado Department of Public Health and Environment.
4. Operation of the facility shall be from the hours of 8:00am to 5:00pm, Monday thru Friday.
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.
7. Fencing or other mechanisms shall be in place to keep trash or debris on site.
8. All exterior lighting associated with the event facility shall be down directed.
9. No stockpiles of any type shall be located within 50 feet of the property located east of the facility or within 25 feet of the property located north of the facility.
10. Stockpiles and windrows shall be limited to 25' in height.
11. Berms shall be constructed on the north and east side of the facility as shown on the approved site plan on file with the Planning and Development Department.
12. No meats, animal waste, slaughter house products, cardboard, plastics, or hazardous materials shall be processed or stored on the property.
13. No raw sewage or residential waste shall be processed at the facility.
14. A weed control plan shall be submitted to the Planning and Development Department prior to operations.
15. The operator shall use industry best practices to limit odors and other nuisances, including details provided in the approved narrative on file with the Planning and Development Department and the EDOP approved by the CDPHE.
16. The permit shall be applicable only to the specific use and property for which it was issued.
17. The Special Use Permit shall run with the land.
18. Approval of this permit does not limit the Commission's 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.

All votes aye. **Motion Carried.**

**4. Windriver Log Homes Rezone [RZ21-009]**

Location: 61388 Jay Jay Rd  
Zoning: Commercial  
Proposal: Rezone a portion from General Commercial (C) to Heavy Industrial (IH)  
Owners: Wind River Log Homes LLC  
Applicant: Casey Smith

The Planner presented the staff report and reviewed the proposal, surveyed area and site plan, access plan, conformance with the Master Plan, site development mitigation, modification in zoning benefits and purpose. Owner/Applicant, Casey Smith, was present and available to answer questions from Planning Commission.

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

- a. The zone change proposal is in conformance with the Montrose County Master Plan.
- b. Only a portion of the property is proposed to be rezoned which will reduce the negative impacts to surrounding properties.
- c. The property is adjacent to the highway for good access.

All votes aye. **Motion Carried.**

**5. JBARJ Rezone [RZ21-012]**

Location: Parcel 376510100031  
Zoning: General Agricultural  
Proposal: Rezone from General Agricultural (A) to Manufactured Home Park Residential District (R-MHP)  
Owners: JBARJ CAPITAL LLC  
Applicant: Del-Mont Consultants

The Planner presented the staff report and reviewed the proposal, surveyed area/boundary line adjustment, site plan and mitigation requirements, access plan, special use requirement for a manufactured home park, existing infrastructure, [non]conformance with the Master Plan and public comments received by letter and in-person discussions, current zoning requirements for manufacture home parks to be connected to community sewer and what defines community sewer. Owner, Jack Petruccelli, was present and addressed the plans for the manufactured home park. Public comments received in opposition of the rezone were related to concerns with access, lingering sewage, septic and drainage issues, non-managed domestic pets, traffic and speed safety, increased/current crime and trespass to adjoining parcels, illegal hunting and fishing and wildlife welfare.

**M/S-** Dennis Murphy/David Seymour to **Continue to the December 16, 2021 Planning Commission meeting** to allow staff time to review concerns regarding the determination of community sewer.

All votes aye. **Motion Carried.**

**MINOR SUBDIVISIONS**

**6. Taylor Minor Subdivision [MI21-019]**

Location: Parcel 376535100034  
Zoning: General Agricultural  
Proposal: To divide 3 lots from a 58 acre parcel  
Owners: Taylor Tim Linton & Taylor Daniela Simona  
Applicant: Mesa Surveying

The Planner presented the staff report addressing the proposed plat, previous waiver approval and access easements. Applicant, Bill Wiley with Mesa Surveying, was present and available to answer questions.

**M/S-** Rocky Gabriel/Dennis Murphy to **Approve** based on the following **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. Jacob's Ridge Minor Subdivision [MI21-035]**

Location: 12870 6820 Rd  
Zoning: General Agricultural  
Proposal: To divide a 20.14 acre lot into 3 lots  
Owners: Health Management Systems Inc Pr Bindues Mary J  
Applicant: Larry and Steve Ruggles

The Planner presented the staff report addressing road frontage, access easements, driveways and parcel contours. City of Montrose review had no comments regarding OWTS, OWTS engineering requirements and plat notes regarding future subdividing. Applicant, Steve Ruggles, was present and available to answer questions. Public comment concerns regarding privacy due to the potential for new building on a parcel with a higher elevation, potential for future re-subdividing and mudslides.

**M/S-** Dennis Murphy/Rocky Gabriel to **Approve** based on the following **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.**

**8. Spring Time Minor Subdivision [MI21-037]**

Location: 68873 Kinikin Rd  
Zoning: General Agricultural

10/28/21 PC Minutes

Proposal: To divide a 43 acre Tract into 3 lots  
Owners: John Bullington  
Applicant: Mesa Surveying

Planning & Development Director presented the staff report reviewing the proposed plat and clean-up of existing recorded deeds and shared driveway access. Applicant, Bill Wiley with Mesa Surveying, was present and available to answer questions.

**M/S-** David Seymour/Dennis Murphy to **Approve** based on the following **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.
- d. The proposed Minor will use a shared common driveway access.

All votes aye. **Motion Carried.**

**9. Buckhorn Views Minor Subdivision [MI21-038]**

Location: Parcel 404109200031, Buckhorn Rd  
Zoning: General Agricultural  
Proposal: To divide 3 lots from a 71.374 acre parcel  
Owners: Kramer Jake D & Kramer Amanda R  
Applicant: Del-Mont Consultants

Planning & Development Director presented the staff report, reviewed the proposed plat, shared driveway access and road dedication. Applicant, Fred Ballard with Del-Mont Consultants, was present and available to answer questions.

**M/S-** Dennis Murphy/David Seymour to **Approve** based on the following **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.
- d. The proposed Minor will use a shared common driveway access.

All votes aye. **Motion Carried.**

**10. Midnight Skyview Minor Subdivision [MI21-039]**

Location: 59624 Joey Trail  
Zoning: General Agricultural  
Proposal: To divide 2 lots from a 37.97 acre parcel  
Owners: Mercer Mark A & Mercer Pauline A  
Applicant: Mesa Surveying

The Planner presented the staff report addressing common driveway access. Applicant, Bill Wiley with Mesa Surveying, was present and addressed concerns regarding shared driveway access and road & bridge standards.

**M/S-** Rocky Gabriel/Dennis Murphy to **Approve** contingent on adding an easement to the private ditch and noted on the plat and based on the following **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.**

**11. Church-Hoover Minor Subdivision [MI21-041]**

Location: 217 Coffman  
Zoning: General Agricultural  
Proposal: To divide a 3.88 acre lot into 2 lots  
Owners: Church Rusty D & Church Kristin D  
Applicant: Del-Mont Consultants

Planning & Development Director presented the staff report, reviewed the proposed plat, driveway access and road dedication. Applicant, Fred Ballard with Del-Mont Consultants, was present and available to answer questions.

**M/S-** Dennis Murphy/Rocky Gabriel to **Approve** contingent on adding an easement to the private ditch and noted on the plat and based on the following **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 - NONE**

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Planning Commission Secretary

**Verbatim recordings of the Planning Commission proceedings on October 28, 2021 are available for purchase in the Montrose County Planning and Development Department.**