



**PLANNING COMMISSION
MINUTES
May 26, 2022**

Members Present

Lana Kinsey
David Seymour
Dennis Murphy
Rocky Gabriel

Staff Present

Steve White – Planning & Development Director
Tallmadge Richmond – Planner
Kim Ficco - Planning
Joe Gaffney - 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 April 28, 2022 were presented.

M/S- David Seymour/ Dennis Murphy to **Approve** the minutes with the condition: delete repetitive phrase from paragraph #4.

All votes aye. **Motion Approved.**

CALL TO THE PUBLIC – NONE

OLD BUSINESS

1. Black Tie Barn Special Use [SU21-011]

Location: Parcel 399501100004, 16104 6250 RD
Zoning: General Agricultural
Proposal: To establish a multipurpose event venue
Applicant: Ross Davis

The Chairman announced that the public comment portion of this particular application was closed during the meeting held on April 28, 2022, confirming that additional comments have been received via letter & email however; additional public comments will not take place during the meeting. The Planner announced that applicants, Ross & Heather Davis, requested a continuance to June 23, 2022 Planning Commission meeting. The applicants were not able to

attend the meeting due to illness. The Chairman requested, because there were many members of the public in attendance, the Planner review updates and changes to the application that have been discussed as of the April 2022 Planning Commission meeting. The Planner presented the staff report and updates to the Planning Commission: RV camp sites have been removed from the site plan, reductions to the number of events per year, added maximum of 75 vehicles per event, decrease hours of operation; ceasing at 9:00p.m., decreased the decibel level to 60, all lighting will be required to be down directed with the exception of holiday lighting, applicant to provide dust control for the drive & parking areas, fencing or similar apparatus shall exist along the northern, eastern, and southern property lines to limit access to adjacent private properties. The Planner noted several reasonable and potential conditions derived from the public comments received via letter & email as of the April, 2022 Planning Commission meeting: limitations on alcohol sales, the existing residence inclusion of the special use, limitations on number of events and defining event vs days of operation, increased lighting, limit the number of parking spaces vs the number of people in attendance, decreasing the hours and days of operation, limitations on sound level and clarification on type of events allowed. The Planner reiterated the driveway access plan and commercial standards and 6 month operational conditions review. The Chairman requested the aforementioned condition recommendations be added to the list of conditions on the staff report. Chairman closed the public hearing.

M/S- Dennis Murphy/David Seymour to **Continue** to the June 23, 2022 per the Applicants request.

All votes aye. **Motion Carried.**

NEW BUSINESS

PUBLIC HEARING

2. San Juan Huts Special Use [SU21-013]

Location: 7275 U Road, Parcel 401326300011
Zoning: General Agricultural
Proposal: To allow continued use of existing bike hut
Applicant: Kelly Ryan

The Planner presented the staff report addressing the proposed narrative & site plan, existing structures within the legal description, current site characteristics and parcel access locations. Applicant, Kelly Ryan, was present and available to answer questions, discussing the limited water supply and how the water is hauled to the site and made available to guests.

M/S- Dennis Murphy/Rocky Gabriel 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) Upon completion and/or implementation of the required conditions, the proposal will meet the standards of the Montrose County Zoning Resolution.
- d) Possible negative impacts will be mitigated by the permit conditions listed below

Approval is subject to the following Conditions:

1. The permit shall be applicable only to the specific use and specific property for which it was issued.
2. The Special Use Permit shall run with the land.
3. Where applicable, all facility activities shall be in compliance with all local, state, and federal laws, regulations, and permit requirements.
4. The development of the facility shall be in conformance with the narrative and site plan on file with the Planning and Development Department.
5. Prior to operation of the facility the Planning and Development Department will inspect the site to verify compliance with all approved plans, acceptance by all appropriate County Departments and compliance with all conditions attached to the permit.
6. Prior to facility operations, the applicant shall provide record of an approved water source for the proposed use from Ridgway Municipal Water District.
7. Trash facilities sufficient to address guest activities shall be located on site, and the applicant shall be responsible to keep all trash on the subject property. All trash shall be contained and removed in a timely manner.
8. All exterior lighting associated with the facility shall be down directed. Quiet hours shall be from 11:00 pm to 7:00 am.
9. 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 or State.
10. The applicant shall provide all guests, renters, and vendors with information regarding the conditions of the SUP.

All votes aye. **Motion Carried.**

3. Peace Of Mind Dog Boarding Special Use [SU22-004]

Location: Parcel 376525401001, 61663 Spring Creek Rd
Zoning: General Agricultural
Proposal: To move and expand dog boarding operation
Applicant: Jessica Poynter

The Planner presented the staff report addressing the proposed narrative & site plan, existing structures, current site characteristics, and current boarding operations. Comments, letters and emails, were received for and against the special use. The Assistant County Attorney explained the recent barking ordinance would not apply to the special use. The Applicant, Jessica Poynter, was present and available to answer questions, discussing the current boarding operation, planned improvements with special use approval, and compliance with CDHE and County regulations. Residents in opposition of the proposal discussed concerns related to increased lighting, current noise/barking nuisance, future noise/barking nuisance with the increased number of pets, increased traffic and proximity to homes.

M/S- Dennis Murphy/David Seymour to **Continue** to the June 23, 2022 to allow time for staff & attorney to research and improve conditions on barking.

All votes aye. **Motion Carried.**

4. Weimer Ranches 2022 Rezone [RZ22-007]

Location: Parcel 427112300015
Zoning: Light Industrial - IL
Proposal: Rezone from Light Industrial (IL) to General Agricultural (A)
Applicant: Todt, Katie

The Planner presented the staff report addressing the proposed narrative, surrounding area zone districts and current use of the land. Applicant, Katie Todt, was available to answer questions.

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

- a) Adjacent properties are zoned General Agricultural (A).
- b) The property has been grandfathered and used for agricultural uses for a number of years.
- c) The site will be developed under the requirements of the General Agricultural (A) Zoning District.

All votes aye. **Motion Carried.**

5. Weimer Ranches 2022 Parcel 2 Rezone [RZ22-008]

Location: Parcel 427112300015
Zoning: Light Industrial - IL
Proposal: Rezone from Light Industrial (IL) to General Agricultural (A)
Applicant: Todt, Katie

The Planner presented the staff report addressing the proposed narrative, surrounding area zone districts and current use of the land. Applicant, Katie Todt, was available to answer questions and stated that parcel does have a reclamation mining pit that is no longer active and is in the regrowth phase.

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

- a) Adjacent properties are zoned General Agricultural (A).
- b) The property has been grandfathered and used for agricultural uses for a number of years.
- c) The site will be developed under the requirements of the General Agricultural (A) Zoning District.

All votes aye. **Motion Carried.**

MINOR SUBDIVISIONS

6. Church Road Ranch Minor Subdivision [MI22-007]

Location: Parcel 372316400041, 6859 Church Rd
Zoning: General Agricultural
Proposal: To divide a 15.56 acre lot into 2 lots
Applicant: Mesa Surveying

The Planner presented the staff report addressing the proposed plat, shared access and current site characteristics. Owner, Michael Despres, was available to answer questions.

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

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- 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. Silva Minor Subdivision [MI22-011]

Location: Parcel 376716400055, 12580 6450 RD
Zoning: General Agricultural
Proposal: To divide a 4.83 acre lot into 3 lots
Applicant: Del-Mont Consultants

The Planner presented the staff report addressing the proposed plat, shared access, road dedication requested by the City of Montrose and current site characteristics. Applicant, Fred Ballard, was available to answer questions.

M/S- David Seymour/Dennis Murphy to **Approve** based on the **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. Summers Minor Subdivision [MI22-016]

Location: Parcel 376535403001, 60569 Oak Grove Rd
Zoning: General Agricultural
Proposal: To divide a 26.33 acre lot into 3 lots
Applicant: Del-Mont Consultants

The Planner presented the staff report addressing the proposed plat, shared access, road dedication and current site characteristics. Applicant, Fred Ballard, was available to answer questions and reviewed the parcel contours and OWTS viability.

M/S- David Seymour/Dennis Murphy to **Approve** based on the **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.**

9. Walter Grumly Minor Subdivision [MI22-023]

Location: 62200 Chu Chu Lane, Parcel 376731202001
Zoning: General Agricultural
Proposal: To divide a 3.314 acre lot into 2 lots
Applicant: Spencer Gibbs

The Planner presented the staff report addressing the proposed plat, shared access, road dedication, current site characteristics and potential for resubdivision of surrounding parcels. Applicant, Spencer Gibbs, was available to answer questions.

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

SKETCH PLANS

10. Cimarron Vista Subdivision Sketch/Preliminary Plan [MA21-004]

Location: Parcel 376731106002, Spring Creek Rd & HWY 90
Zoning: General Agricultural
Proposal: To divide 19.360 acres into 15 lots
Applicant: Michael Hoffman

The Planner presented the staff report addressing the proposed plat of 15 lots, current site characteristics, OWTS viability, subdivision road access, drainage, traffic reports and road construction reports have been submitted by the applicant which has been reviewed by the Public Works department. Applicant Michael Hoffman and Delphine Jodot discussed the vision for the subdivision. Neighbors in support and against the major subdivision were present. Those opposed presented concerns regarding the type of homes to be built, would like to see a well-established HOA, light from vehicles coming into homes directly across from the entrance/exit, road safety, increased traffic and traffic/access safety to adjoining church playground. Applicant requested a continuation to the June 23, 2022 Planning Commission meeting to review location of the current access plan.

M/S- Dennis Murphy/Rocky Gabriel to **Continue** to the June 23, 2022 per the Applicants request.

All votes aye. **Motion Carried.**

CORRESPONDENCE - NONE

OTHER ITEMS FOR DISCUSSION – NONE

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Verbatim recordings of the Planning Commission proceedings on May 26, 2022 are available for purchase in the Montrose County Planning and Development Department.