



PLANNING COMMISSION MEETING MINUTES
July 22, 2020

Planning Commission Members in Attendance:

Tate Locke
Steve Schrock
Tom Kay
Eli Wolcott (ZOOM)
Brett Hilling

Steve Shea
Layne Brones
Jacob Gray
Dick Gilmore

Absent Members:

NONE

Planning Staff in Attendance:

Community & Economic Development Director, Elyse Casselberry
Current Planning Manager, Kelly Yeager
Community & Economic Development Technician II, Kate Kelly
Community & Economic Development Technician I, Vivian Archuleta

Chairman Tom Kay called the meeting to order at 5:30 p.m. in the Delta County Court House Room #234 and asked for introductions from all present.

Item #1:

Approve Previous Meeting Minutes for July 8, 2020

Motion/Second:

Tate Locke moves to approve minutes, as presented. Jacob Gray seconds to approve minutes, as presented. **Motion Carried Unanimously.**

Item #2:

SUB20-010 Tribble Subdivision – A Re-Sub of Lot 2 of the Chirp Minor Subdivision

Owner(s):

Seth Tribble

Location:

31258 J Road, Hotchkiss, CO 81419

Proposal:

To divide 16.280 acres into two (2) lots

The Delta County Planner, Kelly Yeager, presented the staff report for SUB20-010 Tribble Subdivision. Applicant, Seth Tribble, was present; he confirmed with the Commission that he wants to split the property to make it more affordable, building on the lower portion of the proposed lot and keeping the rest as farm ground.

There were numerous questions from the Commission in regards to the hammerhead turnaround that was never previously built. They wanted to make sure that the applicant understood that the proposed hammerhead turnaround was to be built before final plat.

There was also concern about the building lying in the easement on Lot 1 Cherp Minor Subdivision; asked staff if this was addressed; applicant explains that this was the layout from previous years. Staff confirmed that it was addressed.

The Commission asked if there was a road maintenance agreement in place. Staff has requested a road maintenance agreement confirming that the County does not maintain 3260 Road.

Motion/Second:

Jacob Gray moves to accept subdivision with staff recommendations, as provided. Layne Brones seconds to accept subdivision with staff recommendations, as provided. **Motion Carried Unanimously.**

To BoCC:

August 19, 2020 @ 10:00 a.m.

Item #3 SUB20-007 Inman Subdivision – A Re-Sub of Lot 1 Gallup Farm III
SUB17-008
Owner(s): Scott Inman
Location: 18713 H Road, Delta, CO 81416
Proposal: THIS SUBDIVISION HAS BEEN TABLED UNTIL FURTHER NOTICE

Item #4 SUB20-009 Fifth Direction Agrihood Subdivision
Owner(s): Fifth Direction Agrihood, LLC – Sara Brody
Representative(s): Bryant Mason / Randy Wilmore
Location: 39778 Pitkin Road, Paonia, CO 81428
Proposal: To divide 14.07 acres into three (3) lots

The Delta County Planner, Kelly Yeager, presented the staff report for SUB20-009 Fifth Agrihood Subdivision. Applicant, Sara Brody was present, along with Bryant Mason and Randy Wilmore as representatives. Mr. Mason expressed his excitement to plant an orchard and bring life back to the property as it has been neglected. He informed the Commission that they are in the process of cleaning up a 1912 horse house that is on the property, as well. Sara Brody did not address the Commission during this meeting.

Comments from the Commission in regards to the irrigation plan; concept looks good.

The Commission asked for clarification on the difference between right-of-way and an easement. Randy Wilmore responded that there was no legal difference. The right-of-way for the enclave Lot is labeled right-of-way without proof of surveying, as it is not described. The Commission asked if this would be a survey described easement on the final plat. Randy Wilmore confirmed that it would. The Commission then asked if the utilities would be included on the survey; the owner stated that there were two other existing easements that already address the utilities.

The above discussed topics led the Commission to the understanding that there was essentially a four (4) lot subdivision, the fourth lot being the enclave. Randy Wilmore responds that it will all be addressed and that there will be a non-exclusive easement. The width of the easement is undetermined but should be between 20 and 30 feet; a 30 foot minimum was suggested.

Delta County Planner, Kelly Yeager, addressed the water being split on the proposed lots. He stated he thinks this will be redone, as the revised sketch shows a change in acreage. He also stated that the orchard will be on Lot 2 and the design they came up with for this was good.

The Commission asked about the Farmers Ditch going through Lot 1 and wanted to know if there was a right-of-way or easement that was clearly defined there. Randy Wilmore stated that there is and it will be on the final plat once they get it defined and they can place notes on the plat.

The Commission asked about several other easements that were located on Lot 1. Owner responded confirming that DMEA comes through the south of Lot 1, a gas easement comes through Lot 1, and Pitkin Mesa Water Company, but has no exact knowledge of location.

Randy Wilmore addressed confirmation on his comment about the enclave property never being subdivided again, as there can only be a Boundary Adjustment for that property.

Motion/Second: Steve Schrock moves to accept the subdivision with the understanding that all the easements are to be on the final sketch plan. Jacob Gray seconds to accept the subdivision. **Motion Carried Unanimously.**

To BoCC: August 19, 2020 @ 10:00 a.m.

Item #5**Delta County Land Use Code (LUC) Update**

The Delta County Community & Economic Development Director, Elyse Ackerman-Casselberry, addresses the Commission about the LUC updates.

Elyse starts by making mention that the public comments of the first draft are due today. Numerous comments have been received by email. Most of the comments have been on one extreme or the other; Primary issues are CAFO's and UGA's. The owners of these areas want to be zoned something different. Significant comments on CAFO's. Comments will be added in the morning to the website.

There are two (2) more meetings on the calendar. Next draft will go to the PC on the 12th. There are three (3) more revisions possible; depending on comments and future meetings. More open house options are coming. There were three (3) open houses held prior to this meeting; the delta meeting consisted of neighbors off G50 rd.; they want their area to be zoned A35. The Hotchkiss meeting's primary issue was confined animal feeding operations (CAFO's) and a little about subdivisions; they feel too restricted. The Cedaredge meeting was very similar to Delta; they don't want to be urban development and want to be zoned A35.

All these issues/comments are to be a conversation with the Commissioners next week based on input.

In regards to CAFO's there are suggestions for more language, not less, to be extremely clear. The Commission Chair, Tom Kay, stated it was really difficult to understand the CAFO's. It was mentioned that the UGA feels that coloring it purple makes it seem like it's going to the city; these people want to be part of the county and not forced to deal with the municipality; maybe show them as a county property first and then UGA.

The Commission asked who ultimately has control of the UGA. Elyse responded that the municipality has to address this in the Master Plan. UGA is a master planning tool; we have IGAs with the municipalities stating that we will help with the standards. At the end of the day annexation is the decision of the property owner. They want to be part of the county and not thrown to the city. They want to be sure they are being taxed appropriately.

There was concern from the Commission in regards to the amount of time that was given to the public, for comment. Elyse confirms that there will be more time to comment; this is not a once and done; this is the beginning of the process. There will be more rounds of comments.

Planning Commission member, Tate Locke, thinks this is a learning perspective issue; once they learn they won't have a problem. Most of it is educational.

Allison Elliot (ZOOM): Concern about future operations and noise and activity. Elyse responds "one of the key things is a minimum acreage requirement. The intent was managing where they would go. Setbacks as well could still be very small." Commission Chair Tom Kay responds "as the animals go up, so do the setbacks. If you can't meet those setbacks, you can't put them in."

Meeting adjourned at 7:10 p.m.

THE RECORDING FROM THIS MEETING IS UNAVAILABLE

Respectfully submitted by:

Community & Economic Development Technician, Kate Kelly