

**Planning Commission Meeting Minutes**  
**August 28, 2019**

Planning Commission Members in Attendance: Angela Mackey, Tate Locke, Steve Schrock, Layne Brones Tom Kay, Jacob Gray, Dick Gilmore  
Absent Members: Kim Shay & Steve Shea  
Planning Staff in Attendance: Community & Economic Development Director, Elyse Casselberry;  
Current Planning Manager, Kelly Yeager

Chairman Mackey opened the meeting at 5:30 with introductions.

**Item #1: Approve Previous Meeting Minutes for August 14, 2019**  
**Motion: Tom Kay**  
**Second: Layne Brones**  
**Minutes Approved**

**Item #2: SUB19-016 Re-Sub of Lot 3 Wood Road LLC, No-Impact MS07-032**  
**Owner: Timothy Manupella- Wood Road, LLC**  
**Representative: Randy Wilmore- Wilmore & Co. Land Surveying**

**Mr. Yeager read the proposal:**

The purpose of the Re-Subdivide of Lot 3 is to divide Lot 3 into two 2.5 acre lots. The original area in Lot 3 was 5.06 acres with two existing single family dwellings. Each single family dwelling has all utilities (DMEA, Access onto Outlook Road, existing on site waste water treatment systems are located on each lot #025-10 and #072-18, and Domestic water is supplied to each lot by a private well). The lot size for Lot #3 is 2.5 acres and Lot #4 is 2.5 acres each with a residence serviced by a common well water supply and two (2) onsite waste water treatment systems. Section 3.20, Table 1 of the Delta County Onsite Wastewater Treatment System Regulations require 5 acres minimum lot size for a well and OWTS installation. The Applicant received a variance from the required minimum lot size from the Delta County Board of Health on July 16, 2019, since this is an existing development. Outlook Road is classified as a private road and is not maintained by Delta County. Outlook Road is accessed from Coal road, which is classified as a Local Access Road and has a 60' right of way width. Delta County is requesting that there be a minimum of 30' of road right of way along the westerly property line of proposed Lot 3, along Coal Road, to be dedicated to Delta County. A 10' utility easement will need to be shown in conjunction with the 30' road right of way dedication on Coal Road. Compliance with Density Standard, the Density Standard for this subdivision is 2.59. The maximum number of lots within this subdivision is 2.

**Staff Findings:**

- Utilities issues
  - Domestic water existing well #275394
  - Irrigation plan – No irrigation water
  - Septics- Two existing systems – one for each single family dwelling

**Planning Staff Recommendation:**

Staff finds that the Sketch Plan for the Resub of Lot 3 of Wood Road, LLC No Impact Minor Subdivision #MS07-032 is feasible and recommends the concept of the feasibility of the application be approved by BoCC with the directions given for Final Plat with the findings, conditions /issues as presented and those elements of the attached check list.

**Conditions or Issues to be addressed:**

- The Board of Health stipulated that approval of the expansion of the existing dwellings or additional dwellings would be denied on the substandard size lots. This Department recommends that a plat note be recorded on the final plat stating that,

“No additional dwellings or expansion of the existing dwellings shall be allowed on Lots 3 and 4.”

- Fire Mitigation Fee is \$500 per lot for a total of \$1,000.

Attached material: list, in order as attached

- Sketch Plan
- Comments
- Maps...subdivision maps, vicinity maps...and only those maps having an impact on the property

**Presentation by the applicant:**

It's been a 14 year process but there are new septic systems & everything has been separate for many years, taxed individually, but we just want to make everything official

**Open Public Comment:**

Proponents:

No proponents present

Opponents:

No opponents present

**Questions from Planning Commission Members:**

Q: The well can support 3 houses, but you're not really going to build more houses?

A: We have agreed to no expansion. There will be no additional houses allowed.

Q: You put in a water treatment system, is that being maintained and used?

A: Yes, the water is hard, but good. Actually have a bacteria system and reverse osmosis. It doesn't taste too bad, a little hard.

Q: Is in each house?

A: No just in the bigger house, but shared to the other home with a feeder line.

Q: The name of the subdivision is misleading and confusing. Can we change the name of subdivision?

A: No-impact minor subdivision was done in 2007.

Q: So that was a county classification?

A: Yes we didn't make it up.

Q: The well, you already have two and a third neighbor that wrote concerns. We are sure there are not four users?

A: There are two water taps on the other properties from Hanson Mesa. Third user was a mobile home on Lot 1. That since has gone. That is what that 3<sup>rd</sup> service was, but he does still own that service from the well. It's not a two party well it's a three party well. The well is actually a spring, done in the '70's, and has been a good well.

Q: Contemplating a private road and ROW maintenance agreement? What about a well maintenance agreement?

A: I think already exists, if doesn't exist, we'll include doing that. That needs to be depicted & I believe it already is, but have to dig it up. If I haven't will make sure we will.

Q: Town of Hotchkiss, looks like it touches, but the railroad may intervene. Have we had comment from Hotchkiss?

A: They received a notification.

Q: So as to water and sewer they never said they want to serve?

A: No

Q: Are there safety concerns about Coal Road or Outlook Road? Maintenance agreement would address?

A: Kelly reading comments from neighbors regarding narrowness of Coal Road.

Q: We are getting ROW dedication?

A: In 2007, we did give ROW, when done earlier, gave 25 extra feet. County hasn't done anything yet. Keep in mind, this minor subdivision doesn't add any new cars. It's been like this since the '70's.

Q: In staff recommendations, you have or have not specifically called for the recommendations of the engineer?

A: Go to final plat, it is there. County is requesting 30' plus 10' utility along Coal Road. It's always in that last paragraph in the checklist.

### **Public Comment Closed**

### **Deliberations of the Planning Commission:**

**Motion: Tom Kay moves to recommend approval with conditions of approval as outlined by staff in the Staff Report with additional conditions that no new additional residences be allowed and a well maintenance agreement be implemented.**

**Second: Jacob Gray**

**Unanimous Ayes**

**Motion Approved**

To BoCC: September 17th @ 10:00 a.m.

**Item #3: SUB19-026 Vista Montagne Subdivision  
Owner: Andrew Bogie  
Representative: Jesse Messenger**

### **Elyse read the proposal:**

This project will create two lots. Lots 1 will be approximately 4.5 acres and includes an existing home and outbuildings. Lot 2 will be approximately 34.3 acres. Access is proposed from 1740 Road. Domestic water will be provided by Tri County. Onsite waste water systems for each lot are proposed. Compliance with Density Standard, the Density Standard for this subdivision is 6.58. The maximum number of lots within this subdivision is 6.

Impacts on adjacent property, service providers, and County Roads

- Engineering: Setbacks from ROW are 25'. The subdivision appears feasible.
- Health: Lot 1 has an existing permitted onsite wastewater treatment system, permit #038-73. An application has been submitted for an onsite wastewater treatment system on Lot 2. The property is not in a mapped floodplain. No other environmental concerns identified.
- CPW: No concerns at this time. Future subdivision of Lot 2 could be of more concern.
- UVWUA: No new water delivery structures will be constructed. Irrigation water will be delivered through the existing head gate and water will be divided between the properties. The GHE Lateral flows through the northeast portion of the property and through the proposed Lot 1. A 35' easement for operation and maintenance is required and should be shown on the final plat.
- Tri County: Existing tap #351 for Lot 1. Lot 2 will need to purchase a tap.
- Delta County Fire: Requests \$500 fire mitigation fee.

### **Staff Findings**

- Utilities issues
  - Domestic water: Purchase of a new tap for Lot 2 required prior to final plat.
  - Septics: Lot 2 application filed.

### **Presentation by the applicant:**

Nothing to add

**Open Public Comment:**

**Proponents:**

None present

**Opponents:**

None present

**Questions from Planning Commission Members:**

Q: Split mineral rights. That's part of the agreement?

A: I think they are split. That is common.

Q: Letter from dynamic science from City of Delta. Need to ask municipality to make comments for them? I don't think that is strong enough. Shouldn't it come from City staff?

A: We can't control how they do that?

Q: Park and wildlife letter, said something about future development on lot 2. I didn't see that, was that his assessment?

A: It must be his own interpretation.

Q: Can't require this, I live on the road, which is not a conflict, this is the second subdivision within a year. It's a quarter of mile. Impact fees, when can we start doing that, given subdivision activity?

A: It's a county road.

Q: There is irrigation and irrigation water, so creating some pipelines, but no easements?

A: We will need to put those on the plat, we can do that.

Q: Can we put the box in an easement?

A: The box is within the 35' easement from Uncompahgre, and then we need to add easements to the final plat for lines that will come from that box.

Q: Above ground lines?

A: I'm not sure.

**Public Comment Closed**

**Deliberations of the Planning Commission:**

**Motion: Steve Schrock moves to recommend approval with conditions as outlined by staff with the condition to create easements for irrigation water lines.**

**Second: Jacob Gray**

**Motion Approved**

**To BoCC: September 17<sup>th</sup> @ 10:00 a.m.**

**Item #4: SUB19-024 Kye Subdivision  
Owner: JD Smith  
Representative: Randy Wilmore- Wilmore & Co. Land Surveying**

**Elyse read the proposal:**

This project will consist of the creation of two lots. Lot 1 will be approximately 3 acres. Lot 2 will be approximately 1.8 acres. Access to both lots will be from Soncrest Road, a privately maintained access with an existing maintenance agreement. Domestic water will be provided by Tri-County, and onsite waste water treatment systems will be used for both lots. Irrigation water is provided through Uncompahgre Water Users Association, and subject to an existing irrigation plan and agreement.

Compliance with Density Standard

- The Density Standard for this subdivision is .83

- The maximum number of lots within this subdivision is 1, however; the density standard is waived by the BOCC for two lot subdivisions.

Impacts on adjacent property, service providers, and County Roads

- Neighbor Comments: See attached. Neighbor expressed concerns regarding the identified location of the ditch that delivers water, maintenance of the road, and the smaller lot size in comparison to surrounding lots.
- Engineering: All setbacks from any road right-of-way are 25'. Labels need to be verified. The subdivision appears to be feasible.
- Colorado Parks & Wildlife: Lot 2 appears to be in a small grove of elm trees. Suggest a raptor next survey in the trees before clearing any vegetation for a building site.
- UWWUA: No new water delivery structures will be constructed. The irrigation water will be delivered through the existing head gate, and water will be divided between the owners. The subdivision must remain in the Cockroft Irrigation Association.
- Delta County Fire: Requests the \$500 per lot fire mitigation
- Tri County Water: Lot 1 has an existing tap. Lot 2 will need to purchase a tap
- Black Hills Energy: There is a 1 ¼" steel main through the property.

Staff Findings

- Utilities issues
  - Domestic water: A second tap will have to be purchased prior to final plat.
  - Irrigation plan: An existing irrigation plan was recorded as part of the DC Subdivision. See attached. This plan needs to be updated to identify how water will be delivered to Lot 2. Questions about the location of existing ditches have been raised and will need to be addressed as part of the creation of an updated irrigation plan.
  - Septics: Lot 1 has an existing septic system. Lot 2 will have to install a system in accordance with current regulations.
- Access issues
  - County road standards: No issues have been identified.
  - Access: Access will be from Soncrest Road, which is privately maintained and subject to an existing maintenance agreement. The new lot will need to be added to the cost sharing agreement of the existing road maintenance agreement. The location of the access needs to be clarified.

Planning Staff Recommendation:

Staff finds that the Sketch Plan for SUB19-024 KYE Subdivision is feasible and recommends the concept of the feasibility of the application be approved by the BOCC with the directions given for Final Plat with the findings, conditions /issues as presented and those elements of the attached check list.

Conditions or Issues to be addressed:

- Purchase of a tap for Lot 2
- Payment of all fees including \$500 fire mitigation fee per lot
- Updated irrigation plan that clarifies location of existing ditches and delivery of water to Lot 2
- Inclusion of Lot 2 into Cockroft road and irrigation agreement

**Presentation by the applicant:**

Nothing to add

**Open Public Comment:**

**Proponents:**

None present

**Opponents:**  
None present

**Questions from Planning Commission Members:**

Q: Diversion box, is the head gate offsite? I would like to see easements. Condition for an easement for delivery should be included

A: Not a problem

Q: Is there a gas line? Is it shown anywhere?

A: Blackhills is requesting it be shown on the final plat

Q: Has there been agreement for Soncrest road?

A: Applicant never knew there was an agreement. Will handle before final plat

Q: Mesa Ridge Line, what is that?

A: A topographic reference

**Public Comment Closed**

**Deliberations of the Planning Commission:**

Angela noted though this wasn't an HOA, we do have an agreement, and people didn't know about it. We need to make people aware of agreements. Who is in charge of telling people the agreements exist?

**Motion: Jacob Gray moves to recommend approval with conditions of approval as outlined by staff and with creation of easements for irrigation water delivery.**

**Second: Steve Schrock**

**Motion Approved**

To BoCC: September 17th @ 10:00 a.m.

**Item #5: SD19-010 Mountain Valley View RV Park**  
**Owner: Nathan G. Durham Watts & Vicki L. Watts**

**Mr. Yeager read the proposal:**

Pursuant to the Delta County Specific Development Regulations you are hereby notified that Nathan G. Durham Watts and Vicki L. Watts (Applicants) have submitted a Specific Development Application for Mountain Valley View RV Park. The property is located in Section 11, Township 15 South, Range 95 West, 6 PM known as 20464 HWY 92 Delta, Co.

The following memo was sent to all property owners within 1000 feet of the proposed development and to all relevant review agencies.

The following was taken directly from the application from the applicant – General information required on the application - The Performance Standards covers Compatibility, Federal, State and local regulations, Financial Assurance-Funding is coming from Don Hawkins / Vicki Watts. The land, total of 22 acres has been paid for many years and is family owned. No Floodplains. Geology and Soils, yes we will hire a Professional engineer from a list that the Health Department gave me. There will be security lighteninghooded facing down. Irrigation Water and Ditch Easements. Irrigation ditch is on the south side of property. Remaining AG acres will be farmed and irrigated. Irrigation water will also be used to water the trees and grass in the RV Park. Noxious Weed -We will be spraying for noxious weeds routinely. Nuisances -Should not be any disturbances. No more noise than the Hwy 92 Traffic or the existing trains. We are not going to allow tent campers. There should be no generator noises, as these are going to be full hook ups. We are also not going to offer

propane. No off road parking. Parking RV's will be permitted. Open Spaces. The open space will be irrigated farm ground. Protection of Agriculture Operations-No impact to Ag operations. Provisions of Adequate Water Supply, Sewage Disposal, Fire Protection, Access, Roads, and Utilities. Slopes -Since the area of soil disturbance is more than one acre, A Storm water Discharge Permit must be obtained from the Water Quality Control Division. We will comply. Scenic Views -The Proposed RV Park will have beautiful views of the Grand Mesa North and east are the West Elks. Slopes - Slight Slope, none over 30%. No streams, River or Creeks. Wildlife Hazards - the operation will not impede wildlife migration. Wildlife Corridors-No significant impacts are expected to wildlife based on this proposal development per Colorado Parks and Wildlife.

#### **Staff Findings:**

As shown in the Delta County Specific Development Regulations, Delta County does not have Recreational Vehicle Park Regulations. In Appendix 3 of the Delta County Specific Development Regulations are Delta County Commercial Mobile Home Park Regulations. The Specific Development Regulations define a Recreational Vehicle in the Delta County Commercial Mobile Home Park Regulations. The Applicants are applying for a Recreational Vehicle Park which is a different land use than a Commercial Mobile Home Park. Delta County Master Plan – Economic Development - Delta County encourages and welcomes new business and industrial growth and strives to clearly identify area in the county where business and industry may locate with processes that are fair and predictable. Growing and diversifying the economy will create needed jobs and increase the tax base that funds critical assets and services. The economic development strategy and the County's fiscal goals and policies need to be aligned to generate revenues that are and will be needed. The County's current economy is built on ingenuity and creativity of many individuals and local businesses across numerous economic sectors including government, health care, agricultural, retail, and more. Goal 4.1 - Align land use and development policies and regulations with core values for economic development by defining where business and industry may locate as a permitted land use. A Level 2 Traffic Assessment for the Mountain Valley View RV Park was completed by Turn Key Consulting. The Recommendations are as follows: CDOT should consider a new temporary direct access from the Site to SH-92 at MP 4.95 with the following conditions: The CDOT access permit volume on the Project Site should be 28 trips per hour (VPH-PCE) Close the existing direct access to SH-92 at MP 5.07 that services the single family residence to remain. Permittee shall create internal site access from the new access point to the residence. Upon future construction of County Road 2050 by the County (as shown in the SH-92 Access Plan), reconfigure Project Site Access as follows: 1) Construct permanent site access to 2050 Road, which would be indirect access to SH-92 and 2) Close temporary direct site access at MP 495. The Site Access shall be designed to accommodate the simultaneous (inbound and outbound) turning movements of Class A Recreational vehicles and provide sufficient stacking space for these vehicles within the access. Domestic Water for the Park will be supplied by Tri County. The proposed access will be constructed to CDOT Standards. The road to the RV Park will be an internal road on private property. Therefore, Delta County has no specific requirements in regard to the specs of the road; the road will be privately maintained. The RV park is only permitting RV trailers and will not provide an area for Campsites. A photo of H50 Road on the north side showing the trees which screen the RV Park from the neighbors on the south side of the subject property.

#### **Planning Staff Recommendations:**

Staff is recommending approval of the application and that a development agreement be entered into with the Applicant.

1. All outside lighting shall be hooded.
2. Complete the construction of all improvements to the drainage system prior to the start of construction.
3. Since the area of soil disturbance is more than one acre, Storm water Discharge Permit shall be obtained from the Water Quality Control Division, CDPH&E for the RV Park.

4. The Colorado Department of Public Health and Environment has adopted regulations for campground facilities, 6 CCR 1010-9. This facility will be required to comply with this regulation as administered by Delta County Health Department Environmental Health Division.
5. A new on-site waste water treatment system (OWTS) will be required to be permitted, designed, and installed for the RV Park. An analysis of the wastewater generated from 24 RV spaces would be 2,400 gallons per day. The Delta County On-Site Wastewater Treatment System Regulations adopted pursuant to 25-10-101 et. CDR, Section 3.9 states: Referral to Water Quality Control Division – Any system with a design capacity of over 2,000 gallons per day or that will discharge into State Waters must be designed by a professional engineer. The discharge permit application must be submitted for preliminary approval to the local board of health. Once approved by the local board of health, the application must be submitted to the Water Quality Control Division for review in accordance with the Water Quality Act, 25-8-101, et seq CRS and all applicable regulations of the Water Quality Control Commission. Compliance with such a permit shall be deemed full compliance with this regulation, a permit from the Delta County Health Department and the Colorado State Water Quality Control division shall be required for the RV Park.
6. An access permit shall be obtained from the Colorado Department of Transportation for the access from Highway 92 as determined by the Level 2 Traffic Assessment. Compliance with the CDOT requirements and recommendations of the Level 2 Traffic Assessment are required.
7. DMEA Electrical service is on the property. The owner/Applicant will need to contact DMEA to have electric service designed by the RV Park.
8. Domestic water for the RV Park will be provided by Tri-County. Waterline will need to be extended approximately 1,400 feet west from 2075 Road. Water meter, pipeline construction and tie in, all fees to be paid in full at Developers expense.
9. The Applicants will contact Fire District #1 to create a fire protection plan for the RV Park and show the location of fire hydrants.
10. All noxious weeds shall be controlled on the property.
11. Create an emergency response plan and implement it prior to opening the facility so all guests are aware of the plan. .
12. The burning of trash and waste materials generated from the RV Park is not allowed in Delta County. All solid waste must be disposed of in an approved/permitted landfill.
13. Create a list of rules for the RV Park to control load music, noise, and etc to not impact the RV park users and neighbors of the property.
14. All dogs and pets belonging to the guests shall be controlled to not impact neighbors and guests.
15. There are no time limits on the space rentals. Guests may stay at the RV Park and travel to the mountains and enjoy Delta County and not have to deal with 14 day requirements in the Forest Service's camp grounds.
16. The Colorado Department of Public Health and Environment has adopted regulations for campground facilities, 6 CCR 1010-9. The RV Park will be required to comply with this regulation as administered by the Delta County Health Department.

Any changes/alterations to this development shall be submitted to the Delta County Planning Department for approval. If the impacts for any changes/alterations are significant, a new application shall be submitted and full review with approval from the Delta County Board of County Commissioners and a new Development Agreement will be required prior to any construction or expansion of the operation.

**Presentation by the applicant:**

We know it's going to be a long process and a lot of money involved but we're prepared to do it. We know Delta County needs more RV parks, most of them are over flowing. We want a RV Park we can work at, and Nathan can have it when I am gone. It's something we have always dreamed about. We have lived there for 30 years. Decided to bite the bullet and try to get it done.

**Open Public Comment:**

**Proponents:**

None present

**Opponents:**

Six opponents were present. Comments were provided by:

Christina Lundy, Executive of Parents Estate east of property, concerned about property values, could require privacy fence? No requirements for RV parks, but are for mobile homes, couldn't you use those requirements? I have seen other RV parks where people just stay & it becomes junky, the crime has gone up. If people live full time, it's not really tourism revenue. Is access all off of Hwy 92? Answer was yes.

Paul Glick, owns property to the west. Basically I believe it's an inappropriate use for farm land. Delta County has espoused protecting farm land. Have a low density small farming situation and I feel like this is incompatible with that. In addition, the stipulation on that long-term or permanent residents would be welcome is absolutely unacceptable because we feel that it will evolve into multifamily rental project in dirt lot.

Paula Walstrom, lives directly south. Totally opposed & in agreeance with everyone else here. Concerns will be addressed by others. This is not the place for this.

Jim Stewart, located 50 yards from our house across H50 Road. The problem I have is that long-term residences don't contribute but require services for fire, ambulance, sheriff, but not paying property taxes. If end up with 24 long-term residence, which no one can say they won't because specifically states that is ok, then have load on the county taxpayers with no way to recover it. Also have horses and cattle, less than 50 feet away, what would stop people coming over and getting hurt from my horses and cattle. I was recently sued when a cow got across the fence. We lost. Little kids, school buses, aren't being contributed to. Have a code for mobile homes, have to be of a certain age and located 24 feet apart, they are building a small shanty town in front of my house and the county is paying for it. Understand people need a place to live, but full time living in a camping trailer is substandard living. I like my neighbors but I am completely opposed to this for a number of issues. There is an increased fire hazard. I shouldn't have to pay for services for a shanty town.

Pat Stewart, I agree with everything he said. There are a couple of things that bother me, noise more than highway and trains? 24 households won't make noise with dogs or music? How will this be enforced with noise abatement? It's on the county to enforce it. It's a burden that we don't need.

Jim Stewart, Gravel roads, yet subdivision that went in had to tar road and put fire hydrants in. Ruby Wellborn asked me to say that they were opposed.

### Questions from Planning Commission Members:

Q: CDOT, driveway goes currently onto highway? Introducing RVs onto 92, is turn lane being required?

A: No study was done. CDOT is not requiring.

Q: Is there a reason no to come off of H50?

A: We didn't want to bother the neighbors. Dan said it would be a go, but we have to close our driveway off to the house and come in on the north side of Highway 92 and build a road going down to our house.

Q: What differentiates mobile home Park from RV Park? & if there are no limits to long-term residences, what is the difference?

A: Mobile home regulations are intended for residential. RV Park is where you pull with a car & might stay and then drive out.

Q: But no limitation on how long someone could stay in their RV

A: Depends on how it is run. We will have contracts with everyone. It will not be cluttered & we won't allow loud music. We went to a couple of RV parks near Paonia & drove around & it was nice and quiet. They have contracts for each of the visitors. We went to one in Olathe & it's the same.

Q: Is your vision for long term?

A: No, we really want is just visitors, but back row of 8 we would like to allow permanent spaces if we can.

Q: Neighbors concerns seem valid. Could be considered a mobile home park if it's permanent residences?

A: -inaudible-

Q: We are not considering this under the state regs for camp sites?

A: Yes, camp site regulations will apply.

Q: Need to understand what regulations we are really applying?

A: And CDOT requirements will exist no matter what

Q: Discrepancy with what you said and what is Appendix 3, all roads within a mobile home park shall comply with Delta County Roadway Design Standards?

A: They are private roads, so it doesn't apply.

Q: Pad sites, just saw on a drawing, looked like parking lot, angular sites. How big?

A: They are pull through, they will be 30'X60' with full hook ups.

Q: Our regs say pad sites shall be a minimum of 6,000 square feet. These regs say you have to have that much space?

A: Appendix 3 doesn't apply to this. We're using the Section 6 Performance Standards.

Q: As far as we define recreational vehicle, I don't see how we can approve an RV park with permanent spaces that would only allow a vehicle that is only for temporary housing.

Q: Who enforces the amount of days one stays if there is a 30 day maximum?

A: We would

Q: Is this for 24 spots with 8 of them permanent? Or just 24 spots?

A: We can agree to not have permanent, and they would have to address that differently.

Q: Will there be any sewage ponds? Can you have a septic tank to handle that amount?

A: Health department will tell us what we have to do.

Q: What is the intention with the existing permanent residence? Would it be for caretaker/office?

A: Yes, we live there

Q: Why is park so far away from that residence?

A: Because of the access road

Q: Who is farming?

A: Jeff Wick. I've leased it to him for many years. He plants corn.

Q: Does he have any comments?

A: Don't know

Q: What is the difference between a RV & a tiny home?

A: If the tiny home is mobile, it's an RV. We don't have a definition of a tiny home. The definition of an RV is a portable structure without a permanent foundation & that can be towed hauled or driven & whose primary design is a temporary living accommodation. A mobile home is a single

family dwelling unit built on a permanent chaise designed for long term residential occupancy. It depends on the specific circumstances. A tiny home built on a permanent foundation is just a tiny stick built home. We haven't defined tiny home yet.

Q: Farming, is there any way to assure that it continues to be farmed?

A: He leases it from me. It is a year to year lease.

Q: So you could use for RV park if choose to?

A: We can't put RVs there.

Q: But you could put basketball courts or something? I'm concerned about losing that. Could it be a no build area or conservation easement?

A: We farmed it for years & raised alfalfa there. But the RV's will just be at the west end.

Q: Consultant recommended something to CDOT. Remind me?

A: The ag access will become the main access

Q: CDOT has approved that?

A: Not yet, but Dan has indicated he will approve it. Another access is difficult.

Q: So where would the access be?

A: Highway 92

Q: So would require more loss of ag land to put a different access in?

A: RV is a transitional use.

Q: Tri-County water, part of approval would be for an agreement so could be infrastructure built?

A: That has started. Tri County has said they can serve. Been talking to Troy

Q: Asking about 2050 Road, who would provide the land and who would build it?

A: That would be between two properties and two owners.

Q: What would trigger that?

A: Future development

#### **Angela allowed additional question:**

Jim Stewart--What about enforcement?

Dave Huerkamp, live at 20067 H Road about 1 mile away. Appreciate comments about preserving ag land. Calling this RV or mobile or tiny home, isn't going to be attractive. Turning into a trashy mobile home park. Not in character of nice valley. I urge caution.

#### **A 10 minute recess was taken.**

Upon returning to the meeting, Angela allowed Mr. Huerkamp to make additional comments.

David Huerkamp we need to keep irrigation land in irrigation. Relief ditch water is valuable. More concerned about impact to county services, number of times sheriff will have to go out there. Crime, drugs, would encourage you to think about the character of the area and protect valuable farm ground.

#### **Public Comment Closed**

#### **Deliberations of the Planning Commission:**

Tate raised concerns that this needs to be fleshed out. Screening, landscaping, more consideration and more information would be helpful addressing concerns presented.

Applicant: we plan on planting grass and trees, subdivisions have been allowed in this area even though we want to protect agriculture on 3 acre lots. There are several houses back there.

**Motion: Jacob Gray move that we continue this decision to our next meeting September 11 addressing the following stipulations, a time restriction, a comment from Tri County on water supply, a screening/landscape plan, enforcement/contracts, and considerations for**

**the orientation of the lots to the north side along the highway to reduce impact on neighbors, and a farm land conservation plan.**

**Second: Layne Brones**

**A discussion about adding a requirement that they meet with the neighbors should be added. Oenus is on the applicant to go meet with their neighbors.**

**No need to put it in conditions.**

**Motion Approved 6-1**

**Dick Gilmore dissenting**

**Item: #6: Other Agenda Business**

**Item #7: New Business**

Meeting adjourned at: 8:08 pm

Respectfully submitted by: Elyse Casselberry & Vivian Archuleta