

Planning Commission Meeting Minutes
September 11, 2019

Planning Commission Members in Attendance: Angela Mackey, Kim Shay, Tate Locke, Steve Shea, Steve Schrock, Layne Brones, Lucinda Stanley, Tom Kay, Dick Gilmore, Eli Wolcott

Absent Members: Jacob Gray

Planning Staff in Attendance: Community & Economic Development Director, Elyse Casselberry; Current Planning Manager, Kelly Yeager; Administrative Assistant, Vivian Archuleta.

Chairman Mackey opened the meeting at 5:30 by reading a statement about civility as a group.

Item #1: Approve Previous Meeting Minutes for August 28, 2019

Motion: Steve Shea moves to approve minutes as presented

Second: Layne Brones Seconds

Minutes Approved

Item #2: SD19-010 Mountain Valley View RV Park

Property Owner: Nathan G. Durham Watts & Vicki L Watts

Mr. Yeager covers Questions & Concerns from previous meeting:

Mr. Yeager refers to the previous meeting minutes & mentions the motion made by Jacob Gray:

Motion: Jacob Gray moves 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.

The applicant went over the meeting minutes & addressed the questions and concerns:

- Time restriction: Length of stay – 60 Day extended stay
- Comments from Tri-County on water supply: They will install 6 inch pipe, estimated to run 250 gallons/minute.
- Screening/privacy fencing on the south boundary line. Material has not been selected but will be 6 feet tall with trees & grass. A tree will be planted in between each RV space & a couple of trees at the entrance on each side. A flag pole with the United States flag & the Colorado State flag will be installed outside of the office. Flowers will be planted by the sign at the entrance along with flowers & grass planted outside of the office as well. Grass will be planted in the field as well.
- Enforcement Contracts: RV Park agreement & Campground Rules & Regulations: Copies were made & handed out.
- Fire Department: Spoke with Shannon & they said there is no code set for the County Regs. He said they would just bring a tanker up filled with water. This is in writing & will be handed to Kelly & signed by the fire chief. No additional fire hydrants are needed at this time. If at any time there are more than 24 RV spaces. The fire hydrants located at the intersection of Highway 92 & H75 Rd & at 2900 & H Rd. & the water that is carried on the Fire Truck will service the park at this time but if there is any expansion beyond the 24 spaces they will need to think about adding a hydrant to the property.
- Farm Land Conservation Plan: Approximately 8 acres will remain agriculture & planted to grass.

Kelly noted that a piece of property owned by Jim & Patricia Stewart is listed for sale. This property would allow modular & mobile homes. It is located in the SE corner of the plat handed out, very close to the property under consideration. Kelly named a list of neighbors that do not oppose the RV Park

Several pictures of other RV parks in the area along with pictures of surrounding roads & neighbor's properties were shown.

Applicant's proposal: Vicki has worked with the public in Delta County since 1987. She feels confident that she can get people into the park & that they will be nice, respectful people. She will not allow drugs on the property & she wants it to be respectful & nice. She has built websites & used social media advertising.

Opponents:

Jim Stewart: Trees are just sticking out in the road. It's not a planted grove, they are just volunteer elms, kosha & other weeds. The other side of the road is completely sprayed.

Patricia Stewart: I just want to mention we got signatures of 31 people opposing within ¾ of a mile.

Len Willey: signed the petition & states that you can put lipstick on a pig but it doesn't change anything. It will come with inherent problems & not congruent to the way of living. It's high density to an extreme in the middle of rural America. Zoning situation would be another thing. We depend on the PC to help make decisions. What about the fields & the beauty of the fields. I don't believe or care if they plant flowers. It's a ruse for a trailer park situation & don't find it to be appropriate with the way of life that we live out here.

Proponents:

Vicki – I spoke with Mel Frasier today & he said that he does not oppose the RV Park.

Questions from the Planning Commission:

Q: Did we sort out which regulation we are working under on all of this?

A: Kelly did touch base with the County Attorney & it falls under the Article 6 Specific Development Performance Standards. It does not meet the definition of a Mobile Home Park & it does not meet our mobile home park regulations which are designed for residential uses, not commercial uses. It is a commercial operation for RVs. Mobile home parks are designed for permanent living. These are temporary spaces. There is a distinction between permanent & temporary living spaces & the fact that it is commercial.

Q: State Law still applies with the Health Department & they have the requirement that there they are enforced & complied with.

A: Yes

Q: Is the definition in the regulations based on the type of housing or time?

A: It's based on construction. They define a mobile home as permanent occupancy & an RV or camper trailer are designed for temporary living. They do not meet the definition of permanent living. It is a commercial operation, so under the performance standards in Article 6.

Q: Does the County have the enforcement for the time of the stays?

A: What we do is create a Development Agreement with conditions & if they were to violate the conditions, the County would be able to enforce & the County is complaint driven

Q: So you have a maximum stay?

A: Yes, 60 Days max

Q: You don't have any intentions of changing that in the future?

A: No

Q: Have you considered changing the campsites positioning?

A: They will face our property. The back end of the RV's will be facing the neighbor's, they will be facing the Mesa.

Q: Each space will have a water, sewer & electric hook up?

A: Yes

Q: I would suggest or encourage you to inform the guests of the farming occurring on surrounding the properties.

A: We can do that

Q: & the 30 day limit is off the table?

A: yes

Q: Will it be taxed commercial?

A: Yes, the portion of the property used in the business.

Q: You are aware that the State can take this away from you if you violate any of the conditions?

A: Yes.

Q: Is there going to be ingress /egress lanes on the highway at the access?

A: No. If that area grows, 2050 Rd has been designated to have to expand. The location of the field access is temporary until there is more development in the area.

Q: So they will turn onto the highway with campers until then?

A: Yes

Q: Has it been approved by CDOT?

A: Skip Hudson is the one that did the traffic study & he said that he talked to Dan Roussin & it's been approved but it's going to take like 6 weeks before we receive our actual access permit.

Q: Are acceleration or deceleration lanes required on the highway?

A: No

Five minute recess held

Q: There is no other field access from H50 Rd?

A: No, we wanted to use Highway 92 & not bother our neighbors on H50 Rd.

Q: Does the ag workers go in & out on the highway?

A: Yes

Q: How many acres with the RV Park be?

A: 10 acres, we've got 18 acres.

Q: So you will continue to farm it?

A: I will, Jeff Wick will no longer farm it. I've done it for 20 years I can do it again.

Q: Was this agreement for the RV Park written up by your attorney?

A: No, I wrote it.

Q: Where is the part saying 60 Day limit?

A: I haven't added it, I will. Everyone will stay different amounts of time.

Q: That road can be an accessed for your house & the lots?

A: Yes

Q: So you can have like 18 idling trucks at once?

A: I wouldn't say it would happen all at one time.

Q: Why 60 day limit?

A: I just went & read other parks & that's what they said on theirs.

Q: Are these permanent or time restricted?

A: It didn't say. I don't know.

Q: How would you deal with hunting season & people bringing in game?

A: They would have to take them to the locker plant.

Q: Would you mind if I made that a condition?

A: No I wouldn't.

Q: Have you met with any of your neighbors?

A: I have

Q: With the ones opposing?

A: No

Q: To Mr. Glick – You insist on a barrier, would you be ok with it if they agreed to that?

A: We're getting closer, but what about the road standards?

Q: If they put a fence & limit the time, would you be opposed?

A: I'd like to see the final before I sign on.

Q: A screening landscaping plan was asked for, where is that?

A: It's there.

Q: I was looking for a landscaping plan showing trees, shrubs, but I haven't seen a written plan.

A: It's in the packet.

Q: These are words, not a landscape plan

A: Tate reads the words

Q: Are there trees?
A: There are a few bushes, it's been empty for over a year.
Q: Would you be open to a privacy fence on the west side of the?
A: Nobody is living there right now & it's been empty for over a year
Q: Can you understand why it might be his concern?
A: Yes
Q: If a fence eased the issue, would you be ok with that?
A: Yes
Q: Can you create a scaled drawing done, sort of like a blue print showing specifications?
A: We can do that
Q: Part of the performance standards in Article 6 section 2D – Financial cost of services... share cost of impact on public facilities... Have we done that?
A: No
Q: Can we do that?
A: Yes
Q: Impact Fees should be created
A: If a service need was generated by the service provider was brought up, but one has not been done.
Q: We don't have any ability to get an impact fee?
A: Not as an impact fee. Only if a new road needed to be built, for example.
Q: Why is it written into the regulations if we can't enforce it?
A: If, say the Fire department was to create something new because of this application & there was a cost associated with it, that would be the time for that.
Q: Are we unable to say to CDOT that there is an impact & it should be required?
A: That's reaching, that's what the engineers do.
Q: Was this study done by a professional engineering company? Not CDOT?
A: Yes
Q: Was the speed limit 65 at the time?
A: It was 55 at the time.
Q: Delta County has no authority to make a recommendation?
A: Yes, but it's up to them.
Q: How will the bathroom & office be done? Part 12.3 of State Requirements - Sanitary facilities -
A: We are putting the bathrooms where the office is
Q: & Showers too?
A: Yes, men's & women's
Q: The Master Plan states that it would like to see business growth? Or is it just in certain places? There are other businesses in that area. It also states tourism, which fits right in. It seems like a pretty good match. Is what I am saying true?
A: Yes

Final Comments from the Applicant:

Final Questions from the Planning Commission to the Applicant/Planning Staff:

Deliberations of the Planning Commission:

It is compatible with the Master Plan & nothing in the regulations that we can point to deny this aside from the neighborly concerns. If it's done right it can enhance the neighborhood.
Time limit sounds legitimate, 60 day sounds understandable as long as it is temporary.
It's difficult for the neighbor's concerns to be mitigated.
Highway 92 is a major concern - acceleration & deceleration lanes should be recommended.
Farming & Ranching notice & prohibit game meat during the season
Landscape plan with fencing to help neighbors concerns

Motion: Kim Shay motions to recommend approval of SD19-010 Mountain Valley View RV Park with staff recommendations & to include a site plan & landscaping plan to include fencing on the both the south side & the side of the Glick property. Limit the time to 60

days with no permanent residency allowed. RV access should be from Highway 92, require CDOT to reconsider highway access, no RV travel allowed on H50 Rd. Strongly suggest that CDOT require acceleration & deceleration lanes. Include a statement & park rules about farming & ranching operations in the area, to expect normal noise, dust, pesticides usage. Also prohibit game meat stored on the property during hunting season.

Mr. Schrock comments:

A landscaping plan should be draw up formally

With a detailed site plan with landscaping detail

A privacy fence at 6 foot wood, done nicely & professional

A PVC fence can be nice too – we shouldn't specify a wood fence

A site plan would specify the type of fence

Second: Layne Brones Seconds the motion

Mr. Schrock would like to require the BoCC that they contact CDOT about requiring acceleration/deceleration lanes.

Ms. LeValley suggests asking the County Commissioners to communicate with CDOT to review the safety on the portion of that section of the road.

Mr. Schrock wants it to say that the State requires that to happen as part of their permit.

Mr. Locke amends the motion to recommend that the BoCC advocate to the State for the safest possible traffic plan for CDOT to consider.

Seconds the amendment to the motion: Kim Shay

Angela makes a roll call vote:

Steve Schrock - Nay

Eli Wolcott - Aye

Tom Kay - Aye

Steve Shae - Aye

Angela Mackey - Aye

Kim Shay - Aye

Layne Brones - Aye

Tate Locke - Aye

Approved: 7-1 in favor to the amendment

Vote on the motion:

Mr. Schrock requests a roll call vote:

Steve Schrock – Aye

Eli Wolcott chose to abstain

Tom Kay - Nay

Steve Shae - Nay

Angela Mackey - Aye

Kim Shay - Aye

Layne Brones - Aye

Tate Locke - Aye

Approved: 5-2 in favor of recommending approval with conditions

To BoCC: October 1, 2019 @ 10:00 a.m.

Item #3: Other Agenda Business

Decorum & Civility in meetings

People talking out of turn

Yelling

Chairperson trying to bring information up

Discomfort at the meetings

Out of order

Starting conversations in the middle of a motion

Please read the By-Laws of Delta County Planning Commissioners

Added to next meeting's agenda for discussion

Meeting adjourned at: 8 pm

Respectfully submitted by:

Vivian Archuleta