

DELTA COUNTY PLANNING COMMISSION

**Delta County Board of County Commissioner's Room
560 Dodge St., Delta, CO 81416
Wednesday, June 22, 2022 @ 5:30 p.m.**

**Tom Kay, Chair
Tate Locke, Vice-Chair
Carl Holm, Director**

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Instructions for Public Participation via Zoom:

The public can join the meeting remotely by registering in advance of the meeting at:

<https://us02web.zoom.us/meeting/register/tZUpfuiugDgsEtDfRLf9jxoLnISzt9Y4S0IP>

After registering, you will receive a confirmation email containing information about joining the meeting.

REGULAR AGENDA

5:30 P.M. – CALL TO ORDER

ROLL CALL

DISTRICT 1

Cindy Watson
Steve Schrock
Steve Shea
Michelle Roberts, Associate

DISTRICT 2

Layne Brones
Tate Locke, Vice Chair
Hardy Hutto
Vacant, Associate

DISTRICT 3

Jacob Gray
Tom Kay, Chair
Kate Darlington
David Marek, Associate

A. PUBLIC HEARING ITEMS

Public Hearing Items are noticed and open for public comment.

1. PLN22-007/C. Brown Subdivision

Consider a Clustered Subdivision subdividing 19.5 acres in the A-5 zoning district into six (6) lots (Preliminary Plat) ranging in size from 2.3 to 5.3 acres. The property is located to the west of Chantelle Lane and north of LJ Road (Parcel #349323400010), Delta.

RECOMMENDATION: Staff recommends that the Planning Commission (PC) recommend the following action(s) to the Board of County Commissioners (BoCC):

- a. Find that PLN22-007/C. Brown is consistent with applicable policies of the 2018 Master Plan and complies with requirements of the 2021 Land Use Code (LUC) for a Preliminary Plat (clustered subdivision), including Chapters 3, 4, 5 & 6; and
- b. Conditionally Approve PLN22-007/C. Brown, Clustered Subdivision subdividing 19.5 acres in the A-5 zoning district into six (6) lots

CERTIFICATION OF POSTING

On June 16, 2022 at 4:00 PM, Kate Kelly did post the above AGENDA as public notice of the June 22, 2022 meeting. The official notice is placed on the front entrance of the Delta County Courthouse located at 501 Palmer, Delta, Colorado and a courtesy copy is sent to the Delta County website at www.deltacounty.com.

(Preliminary Plat) ranging in size from 2.3 to 5.3 acres located at the west end of Chantelle Lane and north of LJ Road, Delta (Parcel: 349323400010).

B. PUBLIC MEETING ITEMS

The public can attend and listen to the following Public Meeting Items, but will not be afforded the opportunity to speak on these items, unless the Commission, through the Chair, opens an item up for comment.

1. Meeting Minutes

- a. June 8, 2022

RECOMMENDATION: Approve the action minutes as presented.

2. Land Use Code Update – Work Session

Work Session to consider redline drafts of the following:

- a. Chapter 2, Section 1.A (Table 2.a) “Zoning Districts” (Continued from June 8th)
- b. Chapter 2, Section 2.A “Land Use by Zoning District”
- c. Chapter 2, Section 4.A “Permitted Use Standards”
- d. Chapter 2, Section 5.A “Limited Use Standards”
- e. Chapter 2, Section 6 “Conditional Use Standards”

RECOMMENDATIONS: Staff recommends that the Planning Commission continue a Work Session from June 8th on the LUC Update and:

- a. Consider draft redline edits to Chapter 2, Section 1.A (Table 2.a) “Zoning Districts”
- b. Consider draft redline edits to Chapter 2, Section 2.A “Land Use by Zoning District”
- c. Consider draft redline edits to Chapter 2, Section 4.A “Permitted Use Standards”
- d. Consider draft redline edits to Chapter 2, Section 5.A “Limited Use Standards”
- e. Consider draft redline edits to Chapter 2, Section 6 “Conditional Use Standards”
- f. Provide Direction on topic(s) and date for the next Work Session.

C. DEPARTMENT REPORT

This is time set aside for the Director to report on matters affecting the Department.

D. COMMISSIONER COMMENTS, REQUESTS AND REFERRALS

This is time set aside for the Commission to comment, request, or refer a matter that is not on the agenda for future consideration.

ADJOURNMENT

Next Meeting: Wednesday, July 13, 2022 at 5:30 pm in Delta, CO.

CERTIFICATION OF POSTING

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STAFF REPORT

Delta County Planning Commission

**Delta County Administrative Building
560 Dodge Street, Delta, CO 81416**

Wednesday, June 22, 2022 @ 5:30 p.m.

PLN22-007/C. Brown Subdivision

Consider a Clustered Subdivision subdividing 19.5 acres in the A-5 zoning district into six (6) lots (Preliminary Plat) ranging in size from 2.3 to 5.3 acres. The property is located to the west of Chantelle Lane and north of LJ Road (Parcel: 349323400010), Delta.

PROJECT INFORMATION:

Property Owner: Cody D Brown
Applicant: Cody D Brown
Site Address(s): TBD Chantelle/LJ Road, Delta
Parcel ID/Acct: 349323400010/R024589
Parcel Size: 19.498 Ac (19.500 Ac per Assessor records)
Zoning: A-5

RECOMMENDATION:

Staff recommends that the Planning Commission (PC) recommend the following action(s) to the Board of County Commissioners (BoCC):

- a) Find that PLN22-007/C. Brown is consistent with applicable policies of the 2018 Master Plan and complies with requirements of the 2021 Land Use Code (LUC) for a Preliminary Plat (clustered subdivision), including Chapters 3, 4, 5 & 6; and
- b) Conditionally Approve PLN22-007/C. Brown, a Clustered Subdivision subdividing 19.5 acres in the A-5 zoning district into six (6) lots (Preliminary Plat) ranging in



size from 2.3 to 5.3 acres located at the west end of Chantelle Lane and north of LJ Road, Delta (Parcel: 349323400010).

SUMMARY:

Mr. Cody Brown, applicant/owner, is seeking a 6-lot subdivision (Preliminary Plat) from an approximately 19.5-acre parcel with frontage on LJ Road and Chantelle Lane (private portion extended west of Chantelle Lane). Currently, the parcel is vacant and is being used for agricultural purposes.

The subject parcel was initially Phase II of the Mira La Vista Subdivision, which Mira La Vista a re-subdivision of Lot 7 from the Hilltop Major Subdivision. Phase II of the Mira La Vista Subdivision was vacated by the Board of County Commissioners on January 16, 2018 (Resolution 2018-R-003, attached). Part of that action included reference to future development of the subject parcel (Lot 7), including use of LJ Road.

The Land Use Code (LUC) was adopted in January 2021. Under the LUC, the subject parcel was zoned A-5, so the minimum acreage for subdividing this parcel is 5 acres per lot. As proposed, five (5) of the six (6) lots do not meet standards for minimum acreage set forth in the Land Use Code (LUC). The Director determined that it would be more appropriate to process this as a clustered subdivision, with the addition of Stewardship Areas, rather than considering lot size variances for five of the six lots.

Lot 5 is designed to take access from LJ Road. It should be noted that a prior Board restricted use of LJ Road as part of vacating Phase II as follows: *"The new owner or subsequent owner of the Lot 7 Hilltop Major Resource Preservation Subdivision will be allowed an access permit onto the LJ Road right-of-way that borders the southern portion of the parcel for farm access only"*. Staff finds that this restriction was based on use as a larger parcel, and that action by a prior Board is not binding on future Board's. With the proposed project, if approved, conditions have changed that warrant rescinding that restriction.

The subdivision is designed to create four lots of 2.3 - 2.6 acres similar to the abutting subdivision (Mira La Vista), while preserving agricultural areas within the proposed subdivision by including Stewardship Areas on Lots 5 & 6 (totaling approximately 7.8 acres) that would include a 1-acre building envelope on each lot. Lots 1 – 4 and Lot 6 are designed to access from Chantelle Lane that would be extended west from the existing terminus to a cul-de-sac. Chantelle Lane is a public road, privately maintained through the Mira La Vista Subdivision. Maintenance is governed through recorded covenants and restrictions (CC&Rs) applied to Mira La Vista until the roads are accepted for maintenance by the County. Covenants are not enforced by the County.

There is an existing Tri-County Water Tap (#4121) and the applicant has demonstrated the ability to obtain five (5) additional water taps for the proposed lots. UVWUA laterals run along the west and north boundary lines of the property. The plat includes easements for these laterals and utilities. An emergency access is included along the west boundary line of the property, abutting a 100-foot no spray/no build zone.



A Preliminary Plat is processed to the Planning Commission (PC) for recommendation to the Board of County Commissioners (BoCC). A Clustered Subdivision requires establishing Stewardship Area(s) where development would not occur (e.g., building envelopes). The main focus of a Stewardship Area would be the irrigated portions of Lots 5 & 6, which could exclude two (2) areas (building envelopes); one along the south side of the Chantelle Lane and one along the north side of LJ Road. The LUC does not specify a minimum Stewardship Area required in order to qualify as a Clustered Subdivision.

Staff has reviewed all documents submitted by the applicant and finds that they are sufficient. All required fees have been paid for this application. Staff finds that the Preliminary Plat is consistent with Master Plan policies that encourage thoughtful and beneficial development while also preserving the characteristics that form quality of life in Delta County. Staff further finds that the Preliminary Plat is consistent with the LUC standards in that adequate facilities can be obtained to serve the proposed development. As proposed, the project achieves the applicant's objective while minimizing impact to irrigated agricultural lands.

Staff is recommending approval of PLN22-007 for a 6-lot (clustered) subdivision, subject to conditions. County Engineer prepared a redline illustrating an alternative design for Chantelle Lane that eliminates a 90-degree turn in the road (**Attached**). A draft resolution for consideration by the Board of County Commissioners (BoCC) is attached for review by the Planning Commission (PC). Staff requests that the PC provide direction on any edits to findings and/or conditions to be presented to the BoCC, including the alternative design.

BACKGROUND:

Hilltop Major Subdivision (MJ03-013): Subdivision of 66.4 acres into eight (8) lots west of 1600 Road, north of the County border (Montrose County). Lots 1-6 were about 2.2-2.3 acres each, Lot 8 (1.63 acres, existing house) and Lot 7 retained about 45.2 acres. The Final Plat (recorded in 2005) dedicated 60 feet of right-of-way (LJ Road).

Mira La Vista (MJ06-006): Re-subdivision of Lot 7 of the Hilltop Major Resource Preservation Subdivision (MJ03-013). Started subdividing 45.2 acres into 21 lots ranging from 1.61 acres to 2.57 acres. The Sketch Plan was approved by the BoCC in 2007 as a 15-Lot subdivision, to be completed in two phases. The Final Plat for Phase I of the Mira La Vista Subdivision was recorded on October 5, 2009 under Reception #638133.

Vacate Mira La Vista Phase II: On January 10, 2018, the BoCC vacated Phase II of the Mira La Vista Subdivision. LJ Road (County Right-of-Way) west of Chantelle Lane had not been built to standards and was not currently being maintained by County Road & Bridge. Irrigation head gates and ditch(es) could be accessed from LJ Road as a public right-of-way.



A resolution was recorded (Resolution #2018-R-003, Rec. #700847, attached) noting that any future development on the future Phase II will be required to comply with the following conditions at the time that any development permits including address, access, and septic are applied for:

- Utility location should be completed before farming activities are commenced. There are utilities in the existing right-of-way of LJ Road.
- Chantelle Lane, where it ends to the west needs a hammerhead turnaround or cul-de-sac for emergency and utility vehicles to be constructed by the property owner of Lot 7 Hilltop Major Resource Preservation Subdivision. About half of a hammerhead is already completed past the existing pavement that meets Delta County Roadway Design Standards. A strip of hammerhead to the north along the west side of Lot 7 is needed. See Delta County Roadway and Design Construction Standards Appendix 5, Item 20, option C for details.
- The new owner or subsequent owner of the Lot 7 Hilltop Major Resource Preservation Subdivision will be allowed an access permit onto the LJ Road right-of-way that borders the southern portion of the parcel for farm access only.
- No access for farm equipment or heavy vehicles of any kind will be allowed from Chantelle Lane.
- An easement for future secondary emergency access is recommended.
- An agreement with neighbors on irrigation system and access is strongly recommended.

DISCUSSION:

A Land Use Application Form was submitted on January 24, 2022 for a 6-lot subdivision (Preliminary Plat) with frontage on LJ Road and frontage off of an extension of Chantelle Lane, which will remain a private road (PLN22-007/C. Brown). The subject property is located approximately 3.18 miles south of Delta. LJ Road is a County Road, maintained up until Chantelle Lane, with public Right-of-Way (ROW).

Assessor records show the parcel to be 19.50 acres, and the surveyor illustrates the parcel as 19.498 acres. The parcel has been zoned per the Delta County Land Use Code as A-5. The minimum acreage for subdividing this parcel is 5 acres per lot.

A Pre-Application conference was held between staff and the applicant on January 31, 2022. The concept presented was for a 3-lot subdivision resulting in two 5-acre lots and one 9 +/- acre lot (no variance required). At that meeting, representatives from multiple County departments were present to identify applicable regulations and address potential issues. The purpose of a pre-application conference (meeting) is to inform the applicant of pertinent regulations and identify any potential issues with the proposed development. This meeting included discussion of setbacks, Right-of-Way (ROW) dedication for LJ Road, maintenance of Chantelle Lane, utilities, access, and septic.

Subsequently, the applicant stated that their surveyor was not able to configure the subdivision with 5-acre lots that meets the applicant's objective. Mr. Brown presented a revised lot layout for a 6-lot subdivision where 5 lots would be less than the 5-acre minimum. It was confirmed through a revised Preliminary Plat that all buildings would



meet County required setbacks with the new lot configuration and that the septic for each proposed lot is well outside the setbacks.

Staff discussed processing variances with the Board of Adjustment (BOA). However, the Director indicated that staff was not in favor of multiple variances to circumvent zoning. After further discussion with the applicant, the Director determined that this could be processed as a clustered subdivision pursuant to LUC Chapter 4, Section 1.D. Clustered subdivisions can generally allow for smaller lot configurations and may allow for more lots than the minimum allowed by zoning in exchange for a layout designed to protect significant agricultural, natural, scenic, or archaeological resources on the subject property. Clustered subdivisions shall have a defined stewardship objective such as protecting irrigated agricultural lands with a mechanism that ensures irrigation will continue. Stewardship Areas shall be identified and mapped (e.g., building envelopes).

Planning Staff met with Mr. Brown numerous times to follow-up with him in regards to his proposed subdivision. Staff explained to Mr. Brown that with his proposal of preserving irrigated Ag lands while splitting off sites for six proposed homesteads, his application could be processed as a Clustered Subdivision. In that case, there would be no need for any variances unless a building was not able to meet the required setbacks. Lots 5 & 6 include building envelopes (approximately 1-acre each) with the remainder placed into a Stewardship Area to preserve irrigated Ag operations on 7.8 +/- acres.

- Lot 1 (2.329 Ac). Vacant Ag Field.
- Lot 2 (2.373 Ac). Vacant Ag Field.
- Lot 3 (2.638 Ac). Vacant Ag Field.
- Lot 4 (2.304 Ac). Vacant Ag Field.
- Lot 5 (5.359 Ac). Vacant Ag Field.
- Lot 6 (4.495 Ac). Vacant Ag Field.

Chantelle Lane and Shilo Court are fully developed roads constructed as part of Phase I of Mira La Vista. Right-of-way was dedicated to the County making it public right-of-way. Staff understands that there were conversations with a former County Engineer about accepting these roads, but there has been no formal action by the Board of County Commissioners to accept these roads for maintenance. Mira La Vista Subdivision covenants and restrictions (CC&Rs) were recorded with language that Mira La Vista will maintain these roads (privately maintained) until they are accepted by the County. CC&Rs are not enforced by the County. However, County Road and Bridge (District #1) has performed snow removal on these roads.

Chantelle Lane is classified as a Local Access Road with a 60-foot Right-of-Way (30-feet from the centerline). Chantelle Lane was planned to be extended for Phase II of Mira La Vista where it would loop south to LJ Road. As designed, Lots 1 – 4 and Lot 6 of the proposed subdivision would access from Chantelle Lane (private road, privately maintained) where it would transition from a public road to a private road. Chantelle Lane would be extended west from the existing terminus to a cul-de-sac.



The LUC requires a minimum lot frontage of 30-feet. As designed, the lots would not meet this standard. Staff has presented options to reconfigure lots to meet the minimum lot frontage.

County Engineering recommends an alternative to the proposed lot configuration where Chantelle ends in a cul-de-sac and redesign Lots 1 – 4 to access from Chantelle. A redline illustrating these recommendations is attached.

County Road Standards require access to be constructed to a local road standard when serving three (3) or more lots, which also requires a road name when serving 3+ units (Chantelle Lane). Access to the new lots requires extending Chantelle Lane approximately 440-feet ending in a cul-de-sac (constructed to Local Access Road standards). For the privately maintained roads, a Road Maintenance Agreement will be required. This agreement needs to address obligations between Mira La Vista Subdivision and the C. Brown Subdivision, including the existing length of Chantelle Lane and the extension of Chantelle Lane.

The LUC requires two points of connection to existing roads where a subdivision includes more than eight (8) lots. Staff recommended including an emergency access connection from LJ Road to Chantelle Lane. An easement is shown on the plat adjacent to ditch easements along the west property line. Staff has recommended that an easement would extend from the terminus of Chantelle Lane (cul-de-sac) to LJ Road for emergency access. This would not be required to be open to the public, but needs to be fully accessible in an emergency.

The applicant proposes to access Lot 5 using LJ Road. LJ Road is dedicated County Right-of-Way, but has only been improved from 1600 Road to just past Chantelle Lane. There are no current plans for the County to improve LJ Road further. Access to Lot 5 would require a Right-of-Way (access) Permit from the County, and the access needs to be constructed to County Standards. There's an existing (permitted) access that was constructed by the neighboring property (east), and could be used as part of Access to Lot 5 as well as for emergency access. These accesses might need to be revised if LJ Road is improved, but that is a separate issue for a later time and is not part of this consideration.

Staff requires a Plat to illustrate rights-of-way and the centerline of improved road surfaces for all roads encumbered within the development. Based on that, the County may request dedication to the centerline of the roadway, except any land already dedicated and depending on the conditions for that area (e.g., steep slopes). In this case, no ROW dedication is being requested for the development as the required ROW was dedicated previously with the prior subdivisions (LJ Road, Chantelle Lane, Shilo Court) and the proposed roads will be retained as private roads.

UVWUA's "FL" Lateral runs along the west boundary line of the property. Currently there is a 40-foot ditch easement and a 60-foot ditch easement for the water users' access (Rec. #589408 & Rec. #638133) that suffices the requirement of 37.5-feet from



centerline as required by UVWUA for the ditch. An Irrigation Plan will be required as part of the subdivision to describe how the shares are assigned (source and quantity) and also specify the operation of irrigation and how it will protect irrigated Ag lands (head gate location, pipe location, direction of flow, where/how irrigation water will be applied, etc.). Easements will be required where irrigation, utility and/or access cross property lines to serve another lot.

A subdivision requires proof of an adequate water supply for each new lot that is not already served by a domestic water source (e.g.; tap, domestic well). Proposed development would include: access (6), addresses (6), water taps (5), utilities and septic systems (6). The Plat will be required to include tap numbers and irrigation shares.

The Land Use Code (LUC) requires minimum setbacks (all structures, including septic) of 25-feet from the edge of ROW for all roads (public and private) and 15-feet from all interior property lines. In addition, a setback of 25-feet is required from the edge of any ditch, and 50-feet from the top of bank of a river, stream, or creek. Past practice included stating and illustrating setbacks on the plat. Current practice is to include a plat note referencing required setbacks (LUC) to allow flexibility if setback standards change. The only difference would be if a specific setback is required beyond standard setbacks to protect an area.

Chapter 4, Section 1.D LUC established clustered subdivision design standards. There are four parts to a clustered subdivision:

- 1) Stewardship Areas. Shall be identified and mapped – designated as tracts. Staff discussed applying this to Lots 5 & 6, as they are the bigger sized lots with the most valuable ag areas. The applicant's intent is to create smaller lots with smaller areas of irrigated fields while maintaining the larger Ag operations on Lots 5 & 6 while allowing for residential structures to be built.
- 2) Development Areas. Building Envelopes can be used to identify areas where development could occur. Lots 5 & 6 include building envelopes (approximately 1-acre each lot) to protect the majority of the irrigated Ag operations. Currently, the parcel is vacant, however, the applicant would like to make the lots residential lots while keeping Ag operations within the subdivision.
- 3) Road System. Existing access roads/driveways are located where there is minimal impact to the Stewardship Area.
- 4) Lot Lines. Staff has worked with the applicant on a plat lot design that meets the design objectives for a clustered subdivision.

The key objective is to protect an identified resource (e.g., irrigated Ag); however, there is no standard for the minimum amount of land to be preserved in order to receive the benefits of a clustered subdivision (policy question).

A LUC requires either a financial surety or some other mechanism to ensure long-term maintenance of the stewardship areas. Staff finds that irrigated Ag lands are less demanding for a financial surety since use of the land provides revenue to continue that operation. Staff recommends **condition(s)** that include requirements for designating



area(s) and/or including plat notes restricting use of the Stewardship Area. Changing configuration of the Stewardship Area(s) in the future would require a Replat with BoCC consent. Not complying with conditions, could result in code compliance action.

The County Fee resolution includes mitigation fees for fire (\$500/lot) and open space (\$300/lot). These fees are applied to each additional new lot (**Conditions**). A 6-lot subdivision would create five (5) additional lots.

PROCESS

Subdivisions consisting of three or more (3+) lots are subject to a Preliminary Plat presented to the Planning Commission (Public Hearing) for a recommendation to the Board of County Commissioners (BoCC). The BoCC is the final decision-making body for a Preliminary Plat. In addition, within 12 months, a Final Plat must be accepted by the BoCC once the conditions of approval are met (**Condition**).

With a Preliminary Plat, a Final Plat is scheduled at a noticed hearing before the BoCC. Prior to accepting/recording a Final Plat, conditions of the Preliminary Plat must be cleared to the satisfaction of the Planning Director. The BoCC will also consider acceptance of dedicated rights-of-way with the Final Plat. Staff requires deeds for each new lot to be recorded in order to effectuate the new lot description.

OTHER AGENCIES INVOLVED:

A subdivision is referred to referral agencies for a 21-day comment period. Planning Staff sent the Preliminary Plat along with a summary to the Review Agencies for comment on May 10, 2022. Adjoining Property Owners (APOs) (included all lots within the Mira La Vista Subdivision) were sent a Public Notice for this application, including the applicant. About a week before the hearing, staff was informed about covenants that could affect/include Hilltop residents. Subsequently, staff sent notices to those property owners as well.

Comments have been received from CDOT, Delta County Engineering Department, UVWUA, Tri-County Water, DMEA, and the City of Delta. Planning has also received two neighbor comments. No additional feedback from any other review agencies or adjoining property owners has been received.

CDOT: No Comment.

County Engineering:

- *January 30, 2022:* Chantelle Lane is classified as a Local Access Road (Public Use, Privately Maintained) with a 60-foot right-of-way. Chantelle Lane can be extended as a Local Access Road west approximately 440-feet with a point of terminus ending in a cul-de-sac. The cul-de-sac will need to be built to County Roadway Design and Construction Standards (Item 17 or Item 18, Appendix 5). A Road Maintenance Agreement between Mira La Vista Subdivision and proposed Brown Subdivision will be required.



There shall only be one residential access per parcel (lot) per 4.9.10, *Driveways* (Road Standards). No horseshoe driveways are allowed.

Existing and proposed utilities will require easements to be shown on the Final Plat. Adjoining Property Owners will also need to be shown on the Final Plat (**Condition**).

- *May 27, 2022*: Engineering recommends an alternative to the proposed lot configuration. Rather than have a 90-degree angle on the cul-de-sac for Lots 1 – 4, the applicant could rotate the cul-de-sac 90 degrees to the left and reconfigure lots. The cul-de-sac shall meet the minimum standard shown in Item 17 of Appendix 5 of the Delta County Roadway Design and Construction Standards. It is also recommended that the 30-foot emergency exit easement be moved from the west side of the proposed Lot 5 to the east side (between Lots 5 & 6). Please refer to the redline illustrating these recommendations (**Attached**). All lots, except for Lot 5, shall access from Chantelle Lane (**Condition**).

Road improvements shall be completed and accepted by the County Engineer prior to accepting the Final Plat, unless the BoCC approves a Subdivision Improvement Agreement with financial surety that the improvements are completed within a reasonable (agreeable) timeframe.

UVWUA: Irrigation water is delivered by the Uncompahgre Valley Water Users Association. No new water deliver structures will be constructed for the proposed subdivision. The irrigation water for this tract of land will be delivered through the existing headgate. The lot owners/sellers shall be responsible for any necessary easements or water delivery systems and for the removal of tail/wastewater back to the UVWUA water delivery system for each lot. We would ask that any easements be shown on the Final Plat.

The Water Users “FL” lateral flows along the west boundary of subject property. UVWUA requires a 75-foot wide (37.5-feet both sides of center) operation and maintenance right of way for the “FL” lateral. This easement is not correctly shown on the plat and will need to be corrected.

The Water Users “A” drain runs along the north boundary of subject property. UVWUA requires a 100-foot wide (50-feet both sides of center) operation and maintenance right of way for the “A” drain. This easement is not correctly shown on the plat and will need to be corrected.

The operation and maintenance easements are not to be used as access easement for any of the parcels shown on the Brown 6-lot subdivision PLN22-007 plat. These easements may not be used for any current or future residential development.

UVWUA cannot accept “street drainage” into the irrigation system operated by the Association.



We require an Irrigation Homeowners Association be formed for the proposed subdivision that provides for the collection and payment of Uncompahgre Valley Water Users Association assessments. UVWUA charges a fee of \$2,500.00 to offset the expense of updating the land and water records for a new subdivision or for the approval of an Irrigation HOA. **(Condition)**

Tri-County Water: There is currently one water service (TCW Acct #4121) that may serve Lot #1. Five additional water services will need to be purchased for the other lots for a guarantee of service. These may only be installed after the developer/contractor installs the main waterlines in the subdivision in accordance with Tri-County Water subdivision policies. All lines installed must be inspected by Tri-County Water and the inspection deposit must be paid prior to construction or service installation.

Water lines and taps/meters shall be installed prior to accepting the Final Plat **(Condition)**.

DMEA: Three phase power runs along the northern border of the subdivision to serve the 6 lots. Lot 4 has existing electric power. Contact DMEA to design electric service to the subdivision and to the individual lots. DMEA is not responsible for delays in construction due to labor shortages or supply chain issues.

City of Delta: No comment.

Prepared by: Kate Kelly
Planner I
970.874.2110
June 13, 2022

Attachment(s):

- Draft BoCC Resolution
 - o Recommended Conditions
- Mira La Vista (Preliminary Plat)
- Resolution #2018-R-003
- C. Brown Preliminary Plat (dated 4/20/22)
- Alternative Design (redline)
- Neighbor Comments

**RESOLUTION
OF THE
BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DELTA,
STATE OF COLORADO**

RESOLUTION NO. 2022-R-____

RESOLUTION CONDITIONALLY APPROVING A PRELIMINARY PLAT TO SUBDIVIDE 19.50 ACRES INTO SIX LOTS RANGING IN SIZE FROM 2.304 TO 5.259 ACRES GENERALLY LOCATED WEST OF CHANTELE LANE AND NORTH OF LJ ROAD, DELTA (PARCEL: 349323400010/CODY D BROWN).

RECITALS

WHEREAS, pursuant to County Assessor records, Cody D Brown is the property owner of record of the real property consisting of 19.50 acres located on the west end of Chantelle Lane and north of LJ Road, Delta (Parcel 349323400010, Account: R024589) the project surveyor shows this parcel to be 19.498 acres; and

WHEREAS, the parcel is part of Lot 7 of the Hilltop Major Subdivision (MJ03-013) that later became part of the Mira La Vista Subdivision (MJ06-006); and

WHEREAS, on January 5, 2021, Delta County Board of County Commissioners adopted the Delta County Land Use Code (LUC) where Resolution No 2021-R-001 repealed regulations regarding land use and subdivision and adopted a new land use code (including zoning maps); and

WHEREAS, the subject property is zoned per the Delta County Land Use Code as Agriculture (5-acre) or A-5, which requires a minimum acreage of 5.0 acres per lot; and

WHEREAS, on January 24, 2022, Mr. Cody Brown, owner/applicant, submitted a Land Use Application requesting a 3-Lot subdivision (PLN22-007); and

WHEREAS, Subdivisions consisting of three or more (3+) lots are subject to a Preliminary Plat presented to the Planning Commission (Public Hearing) for a recommendation to the Board of County Commissioners (Chapter 8, Section 4 LUC); and

WHEREAS, the Sketch provided with the pre-application illustrated dividing the irrigated parcel into three lots, two of which would be less than 5-acres and one of which would be kept at 9+/- acres, keeping most of the irrigated portion intact; and

WHEREAS, Chapter 3, Section 1.A.3 of the Delta County Land Use Code (LUC) provides criteria for variations to lot size, and Chapter 10, Section 2 includes findings required to grant a variance; and

WHEREAS, on January 31, 2022, a pre-application conference was held between the applicants and staff from Delta County to review preliminary materials to help identify potential issues and review applicable procedures; and

WHEREAS, on March 4, 2022, a letter was sent to the applicant summarizing the pre-application conference, an application form and checklists identifying materials required with the application, and summarizing the process with and without variances to lot size; and

WHEREAS, following multiple conversations between staff and the applicant, Mr. Brown submitted a plat for a 6-lot subdivision (Preliminary Plat) preserving irrigated Ag lands on Lots 5 & 6; and

WHEREAS, Chapter 4, Section 1.D of the Delta County Land Use Code provides Clustered Subdivision Design Standards that allows flexibility to the number and size of lots where there is protection of significant resources (e.g., agricultural lands); and

WHEREAS, applications for a Preliminary Plat are a discretionary action subject to consideration by the Planning Commission to make a recommendation to the Board of County Commissioners; and

WHEREAS, on April 21, 2022, the application package was determined to be complete by the Planning Department; and

WHEREAS, on May 10, 2022, County sent the Preliminary Plat along with a summary to applicable Review Agencies for comment; and

WHEREAS, the proposed Preliminary Plat has been reviewed to ensure proper access to utilities and services (water, electricity, septic, etc.), including easements where necessary; and

WHEREAS, the proposed Preliminary Plat is designed to meet applicable development standards relative to land use (setbacks, etc.), roads and bridges (access), water, and septic; and

WHEREAS, on June 8, 2022, a Public Notice was sent to Adjoining Property Owners (including all lot owners within the Mira La Vista Subdivision) and notice was posted on the property informing the public that on June 22, 2022 the Delta County Planning Commission would consider this matter; and

WHEREAS, on June 15, 2022, the Public Notice was sent to property owners within the Hilltop Subdivision based on new information relative to possible connection with the subject property through recorded covenants and restrictions (CC&Rs); and

WHEREAS, on June 22, 2022, the Planning Commission held a duly noticed public hearing and voted ____ to recommend Board of County Commissioners ____; and

WHEREAS, on ____, notice was sent to adjacent property owners and posted on the property informing the public of the date, time and place for the Board of County Commissioners would consider this matter; and

WHEREAS, on ____, the Board of County Commissioners held a duly noticed public hearing to consider PLN22-007/C. Brown.

DECISION

NOW, THEREFORE, BE IT RESOLVED, having considered all the written and documentary evidence, the administrative record, and other evidence presented, the Delta County Board of County Commissioners (BoCC) does hereby:

- A. FIND that the proposed Preliminary Plat (PLN22-007/C. Brown), as designed and conditioned, meets all applicable standards of the 2018 Master Plan and 2021 Delta County Land Use Code:
1. The Preliminary Plat is consistent with Master Plan policies that encourage thoughtful and beneficial development while also preserving the characteristics that form quality of life in Delta County.
 2. The property is zoned A-5, which requires a minimum of 5 acres per parcel, lot width of 200 feet, and lot frontage of 75 feet. Chapter 4, Section 1.D LUC establishes clustered subdivision design standards generally allowing for smaller lot configurations and may allow for more lots than the minimum allowed by zoning in exchange for a layout designed to protect significant agricultural, natural, scenic, or archaeological resources on the subject property. The key objective is to protect an identified resource (e.g., irrigated Ag). As designed, the project preserves 7.8+/- acres of irrigated Ag lands through Stewardship Area on Lots 5 & 6 while splitting off four lots that can be used as residential lots. Lots 5 & 6 would include building envelopes (approximately 1-acre each) where future development would be allowed. Existing access roads/driveways are located where there is no impact to the Stewardship Area.
 3. A subdivision requires proof of an adequate water supply for each new lot that is not already served by a domestic water source (e.g.; tap, domestic well). Proposed development includes access (6), addresses (6), water taps (5), utilities and septic systems (6). Improvements for access, domestic water and electricity must be installed and accepted prior to accepting a Final Plat.
 4. UVWUA's "FL" lateral runs along the west boundary line of the property. There is a 40-foot ditch easement and a 60-foot ditch easement for the water users' access that suffices the requirements of 37.5-feet from centerline as required by UVWUA for the ditch. An Irrigation Plan will be required as part of the subdivision to describe how the shares are assigned (source and quantity) and also specify the operation of irrigation and how it will protect irrigated Ag lands (head gate location, pipe location, direction of flow, where/how irrigation water will be applied, etc.). Easements will be required where irrigation, utility and/or access cross property lines to serve another lot.
 5. Chantelle Lane is classified as a Local Access Road with a 60-foot Right-of-Way dedicated to the public and privately maintained until accepted by Delta County. Chantelle Lane would be extended west from the existing terminus to a cul-de-sac. As designed, Lots 1 – 4 and Lot 6 of the proposed subdivision would access from Chantelle Lane (private road, privately maintained) where it would transition from a public road to a private road.
 6. The plat is designed with access to Lot 5 using LJ Road. LJ Road is dedicated County Right-of-Way, but has only been improved from 1600 Road to just past Chantelle Lane. There are no current plans for the County to improve LJ Road further. Access to Lot 5 would require a Right-of-Way (access) Permit from the County, and the access needs to be constructed to County Standards.
 7. The LUC requires two points of connection to existing roads where a subdivision includes more than eight (8) lots. Adding to the Mira La Vista Subdivision exceeds 8 lots total. An easement is shown on the plat for emergency access. This would not be

required to be open to the public, but needs to be fully accessible in an emergency.

8. The Land Use Code (LUC) requires minimum setbacks (all structures, including septic) of 25 feet from the edge of ROW for all roads (public and private) and 15 feet from all interior property lines. In addition, a setback of 25 feet is required from the edge of any ditch, and 50 feet from the top of bank of a river, stream, or creek. Staff is primarily looking at new property lines meeting the required setbacks. The Plat demonstrates that all existing structures meet the required setbacks from proposed property lines so no non-conforming condition is created as a result of this subdivision.
9. The project adequately mitigates impacts to fire and open space. The County Fee resolution includes mitigation fees for fire and open space. These fees are applied to each additional new lot. A 6-lot subdivision would create five (5) additional lots.

B. APPROVE PLN22-007/C. Brown located within NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 23, T.51N, R.11W, N.M.P.M. about 3.18 miles south of the City of Delta (Parcel: 349323400010, Account: R024589), a Preliminary Plat (clustered subdivision) creating six (6) parcels in the A-5 zoning designation located on the west end of Chantelle Lane and north of LJ Road, Delta, subject to conditions of approval attached hereto and incorporated herein by reference as Exhibit A.

ADOPTED AS SET FORTH ABOVE on this _____ day of _____, 2022.

BOARD OF COUNTY COMMISSIONERS
COUNTY OF DELTA
STATE OF COLORADO

ATTEST:

Don Suppes, Chair

Wendell Koontz, Vice Chair

Teri Stephenson
Delta County Clerk & Recorder

Mike Lane, Commissioner

EXHIBIT A

Conditions of Approval PLN22-007/C. Brown

1. PLN22-007 is approved as a Preliminary Plat (clustered subdivision) creating six (6) parcels in the A-5 zoning designation located on the west end of Chantelle Lane and north of LJ Road, Delta (Parcel: 349323400010). This approval shall expire and the plat is considered vacated if a Final Plat is not submitted within 12 months from the date of Preliminary Plat approval by the Board of County Commissioners. Written request to extend the approval timeline must be received by the Planning Department at least 30 days prior to the prescribed expiration.
2. The Final Plat shall illustrate Stewardship Areas and developable areas (e.g., building envelopes) to the satisfaction of the Planning Director. The Final Plat shall include a Plat Note that addresses changing the configuration of the Stewardship Area(s) in the future would require a Replat with BoCC Consent.
3. All existing and proposed easements and encumbrances, including, but not limited to: existing and proposed utility easements, shared access, and water delivery (including ditches) shall be shown on the Final Plat.
4. The applicant shall submit Access Easement and Maintenance Agreement(s) for shared access where applicable (Lots 1 – 4, and Lot 6 (Chantelle Lane), and Lot 5 (LJ Road)) to the satisfaction of the Planning Director.
5. The Final Plat shall include the parcel number of adjoining properties as well as existing road conditions for abutting roads (centerline) to the satisfaction of the County Engineer.
6. Label all water taps within the subject property on the Final Plat.
7. Prior to accepting a Final Plat, the applicant shall submit an Irrigation Plan assigning irrigation shares (source and quantity) to the proposed lots and how said irrigation is managed; specify the operation of irrigation and how it will protect irrigated Ag lands (head gate location, pipe location, direction of flow, where/how irrigation water will be applied, etc.). Also include a Plat note explaining rights to irrigation water.
8. An Irrigation Homeowners Association must be formed for the proposed subdivision that provides for the collection and payment of the Uncompahgre Valley Water Users Association assessments. UVWUA charges a fee of \$2,500.00 to offset the expense of updating the land and water records for a new subdivision or for the approval of an Irrigation HOW. (UVWUA)
9. Prior to accepting a Final Plat, provide Deeds with a legal description of each new lot with notarized signatures, to be recorded with the Plat.
10. The Final Plat shall include all Standard Plat notes required by the 2021 Land Use Code.
11. The applicant shall pay the Fire Impact/Mitigation Fee of \$500 per lot for an increase of five lots (total \$2,500) per Resolution No 2021-R-007 (LUC Chapter 6, Section 2).

12. The applicant shall pay the Public Sites/Open Space Fee of \$300 per lot for an increase of five lots (total \$1,500) per Resolution No 2021-R-007.

DRAFT

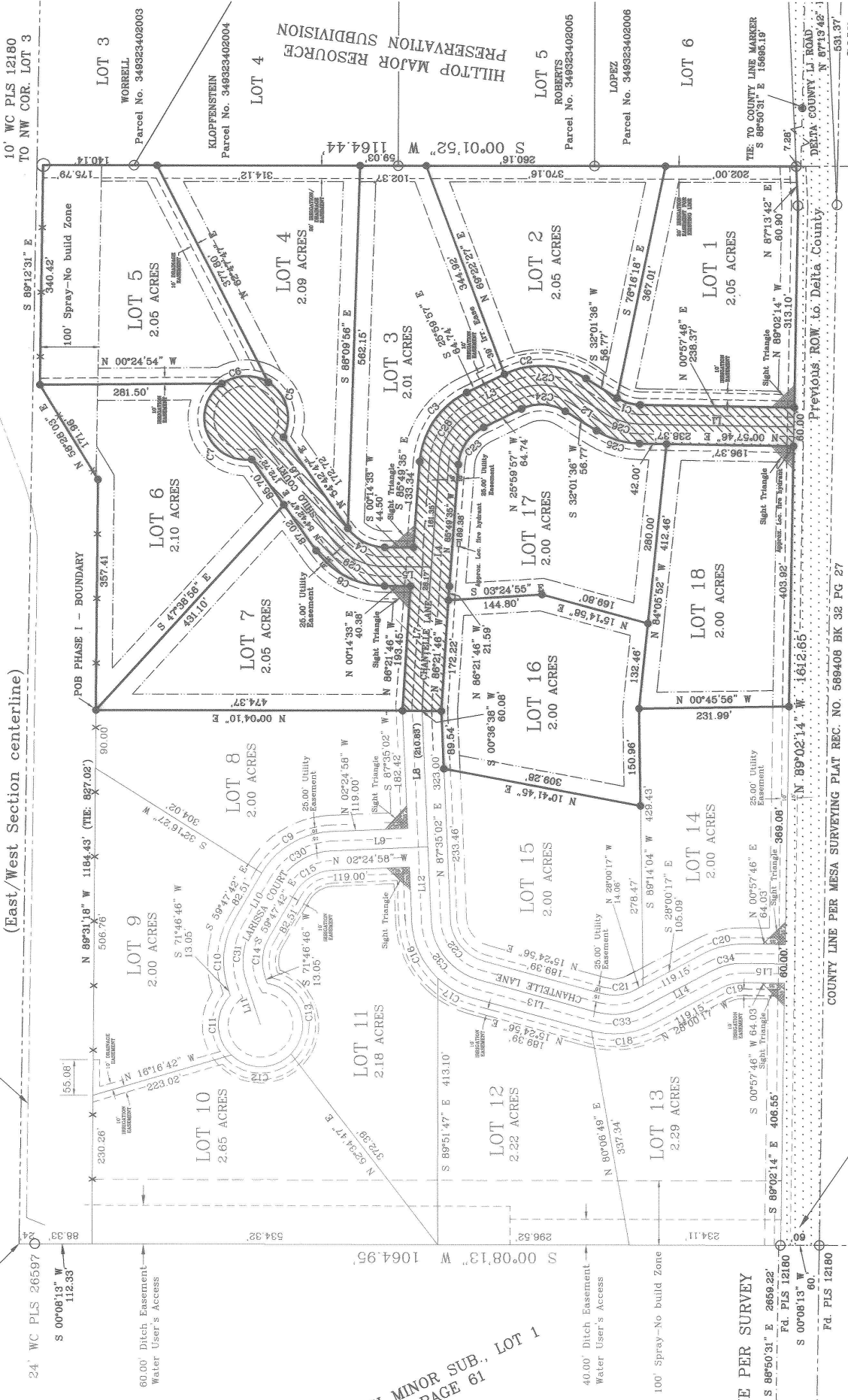
Willard J. and Dorothy A. Proctor Family Partnership, LLP
PARCEL A - PLAT RECORDED RECEPTION NO. 610558

(Point falls in ditch)
C1/4 S. 23

centerline concrete ditch

centerline ditch

(East/West Section centerline)



MOUNTAIN FRESH MINOR SUB., LOT 1
PLAT BK 25 PAGE 61

CURVE TABLE				
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	70.00'	37.95'	37.48'	N 67°28'41" E
C2	130.00'	131.68'	126.10'	S 03°00'50" W
C3	130.00'	135.74'	129.85'	S 55°54'46" E
C4	70.00'	66.55'	64.07'	N 77°28'40" E
C5	85.00'	97.01'	88.26'	N 74°28'12" E
C6	85.00'	76.01'	71.75'	N 67°47'13" W
C7	85.00'	173.02'	128.28'	N 09°27'23" E
C8	130.00'	123.59'	118.99'	S 31°08'20" E
C9	130.00'	80.11'	76.52'	S 89°52'47" E
C10	130.00'	80.11'	76.52'	S 89°52'47" E
C11	65.00'	102.48'	82.15'	N 01°03'55" E
C12	65.00'	102.28'	82.05'	N 01°03'55" E
C13	65.00'	141.34'	115.10'	S 71°53'37" E
C14	70.00'	59.16'	57.42'	S 84°00'28" E
C15	70.00'	70.10'	67.21'	S 31°06'20" E
C16	130.00'	99.87'	87.43'	N 65°34'35" E
C17	130.00'	63.88'	63.24'	N 89°29'32" E
C18	130.00'	98.52'	96.16'	N 09°17'40" W
C19	70.00'	35.39'	35.01'	S 13°31'16" E
C20	70.00'	55.73'	55.03'	S 07°42'48" E
C21	70.00'	63.17'	62.48'	S 57°23'49" E
C22	70.00'	63.17'	62.48'	S 57°23'49" E
C23	70.00'	73.09'	69.82'	S 57°23'49" E
C24	70.00'	70.69'	67.90'	S 03°00'50" W
C25	130.00'	70.48'	69.62'	N 16°29'41" E

CL ROAD CURVE TABLE

CL ROAD CURVE TABLE				
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C26	100.00'	54.22'	53.58'	N 16°29'41" E
C27	100.00'	101.27'	99.74'	S 05°54'46" E
C28	100.00'	104.42'	99.74'	S 55°54'46" E
C29	100.00'	96.07'	91.53'	N 27°28'40" E
C30	100.00'	100.15'	96.01'	S 31°08'20" E
C31	100.00'	84.52'	82.02'	S 84°00'28" E
C32	100.00'	125.96'	117.79'	N 51°29'56" E
C33	100.00'	76.78'	73.95'	N 09°17'40" W
C34	100.00'	50.56'	50.02'	S 13°31'16" E

CL ROAD LINE TABLE

CL ROAD LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 09°57'46" E	238.37'
L2	N 32°01'36" E	56.77'
L3	N 25°59'57" W	64.74'
L4	N 65°49'35" W	189.52'
L5	N 07°13'32" E	232.43'
L6	N 57°23'49" E	193.54'
L7	N 89°52'47" W	210.83'
L8	S 87°35'02" W	149.00'
L9	N 02°24'58" W	82.51'
L10	N 59°47'42" W	70.72'
L11	S 71°46'46" W	113.76'
L12	S 87°35'02" W	188.39'
L13	S 15°24'56" W	119.15'
L14	S 28°00'17" E	119.15'
L15	S 09°57'46" W	64.03'

TOTAL PHASE I AREA 22.51 ACRES
10 LOTS - 2.00 AC TO 2.10 AC.
20.40 ACRES IN LOTS
AREA WITHIN NEW ROAD 2.11 ACRES
NEW ROAD CL LENGTH 1402.79 FEET

DEVELOPER
DWAIN MCCARTY TRUST, DWAIN MCCARTY,
TRUSTEE
375-1600 ROAD
DELTA, CO 81416
PHONE 874-9892

MINERAL RIGHTS OWNERSHIP
SAME

RECEPTION#: 638133, 10/05/2009 at
03:02:39 PM, 1 OF 2, R \$21.00
ANN EDDINS, DELTA COUNTY, CO
CLERK AND RECORDER
PLAT BK 0 PG 0

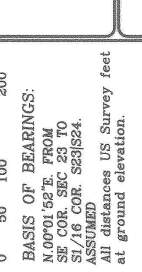
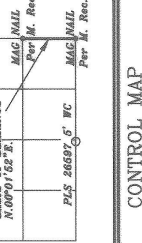
PHASE I-MIRA LA VISTA SUBDIVISION M06-006
A REVISION OF LOT 7 MOUNTAIN FRESH MINOR SUBDIVISION
WITHIN THE SEC 23 T.51N., R.11W., N.M.P.M.
DELTA COUNTY, COLORADO
MVS05092A 28 SEPTEMBER 2009 PAGE 1 OF 2

Desc.
Z.E.W.
Dwg.
Z.E.W.
Plat
Z.E.W.



SURVEYOR'S CERTIFICATION
I, Zane E. Wright, do hereby certify that the above
described parcel has been surveyed by me, or under
my direct supervision, and that such surveying was
accurately represented herein.
Date: 9/29/09 Signed: Zane E. Wright
COLORADO PROFESSIONAL LAND SURVEYOR #1789

COUNTY SURVEYOR CERTIFICATE
Approved for content and form only, not the accuracy
of the survey. The survey is in accordance with the
provisions of Section 38-51-106, Colorado Revised Statutes.
Date: 9/29/09
Jesse Williams, County Surveyor, Delta County, CO



SCALE 1"=100'
0 50 100 200
BASIS OF BEARINGS:
NAD 83 TO FROM
SI COR SEC 23 TO
SI 16 COR SEC 24
ASSUMED
All distances US Survey feet
at ground elevation.

RESOLUTION
OF THE
BOARD OF COUNTY COMMISSIONERS
OF THE
COUNTY OF DELTA, STATE OF COLORADO

RESOLUTION NO. 2018-R-~~002~~3

**RESOLUTION VACATING FUTURE PHASE II OF MIRA LA VISTA SUBDIVISION
CALEB JONES/TORI CHRISTMAN: APPLICANT/PROPERTY OWNER**

WHEREAS, pursuant to the Delta County Subdivision Regulations 2008 Amended, Caleb Jones and Tori Christman filed a request to vacate future Phase II of the Mira La Vista subdivision, for approximately 19.5 acres described as a portion of Lot 7 Hilltop Major Resource Preservation Subdivision located within the N ½ SE ¼ of Section 23, Township 51 North, Range 11 West, New Mexico Principle Meridian; and

WHEREAS, Planning Staff met with the property owners and adjacent property owners on December 28, 2017 to review the request. Staff has developed conditions of approval that would be enforced at the time of address/access/ septic permit application to address those issues and concerns raised by review agencies and neighbors to the extent feasible; and

WHEREAS, the Planning Department notified all adjacent property owners and nearby subdivisions and appropriate review agencies by mail the week of January 2, 2018th; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Delta County that the request to vacate the future Phase II of Mira La Vista Subdivision, as approved with MJ06-006 through preliminary plat is approved. Future Phase II shall be and hereby is vacated as required by Article II, Section 3.3 of the Delta County Subdivision Regulations 2008 Amended with the following conditions of approval to be enforced at the time current or future property owners apply for an access, address, or septic permit from Delta County:

1. Utility location should be completed before farming activities are commenced. There are utilities in the existing right of way for LJ Road.
2. Chantelle Lane, where it ends to the west needs a hammerhead turnaround or cul-de-sac for emergency and utility vehicles to be constructed by the property owner of Lot 7 Hilltop Major Resource Preservation Subdivision. About half of a hammerhead is already completed past the existing pavement that meets Delta County Roadway Design Standards. A strip of hammerhead to the north along the west side of Lot 7 is needed. See Delta County Roadway and Design Construction Standards Appendix 5, Item 20, Option C for details.

3. The new owner or subsequent owner of the Lot 7 Hilltop Major Resource Preservation Subdivision will be allowed an access permit onto the LJ Road right of way that borders the southern portion of the parcel for farm access only.
4. No access for farm equipment or heavy vehicles of any kind will be allowed from Chantelle Lane.
5. An easement for future secondary emergency access is recommended.
6. An agreement with neighbors on irrigation system and access is strongly recommended.

ADOPTED this 16th day of January, 2018.



BOARD OF COUNTY COMMISSIONERS
OF DELTA COUNTY, COLORADO

By: C. Doug Atchley
C. Doug Atchley, Chair

J. Mark Roeber
J. Mark Roeber, Vice-Chair

Don Suppes
Don Suppes, Commissioner

ATTEST:

Teri A. Stephenson
Teri Stephenson
Delta County Clerk and Recorder



DELTA COUNTY, COLORADO
PLANNING AND COMMUNITY DEVELOPMENT
COUNTY COURTHOUSE • 501 PALMER STREET • SUITE 115 • DELTA • COLORADO • 81416-1764
www.deltacounty.com planning@deltacounty.com
Phone: (970) 874-2110 Fax (970) 874-2500

January 10, 2018

TO: Board of County Commissioners

FM: Elyse Ackerman-Casselberry
Community & Economic Development Director

RE: Mira La Vista Phase 2 Plat Vacation: Report from neighbor meeting

Staff met with the new owners of Phase 2 of Mira La Vista and the neighbors in Mira La Vista Phase 1 to discuss issues and concerns raised at the December 20th meeting to vacate the future phase 2 of Mira La Vista. The neighbors raised a handful of questions and concerns, most of which are addressed through existing covenants in place. Some of the concerns are not necessarily in the County's purview to enforce, and most of the concerns raised are a matter of good neighbor relationships.

Neighbor concerns and responses:

- **Vacation of Phase 2 would remove covenants in place for Phase 2:** Covenants are private agreements. The vacation of future Phase 2 Mira La Vista has no bearing on covenants or other private party agreements associated with the property. Restrictive Covenants were placed on the property by the previous owner.
- **Responsibility for maintenance of LJ Road:** LJ Road is a County Right of Way, however; the portion of LJ Road located west of Chantelle Lane is not built to county standards. The County does not maintain this portion of LJ Road and does not have plans to do so in the future.
- **Access to irrigation head gates on LJ Road would be fenced off:** Access to the irrigation head gates has been occurring by utilizing LJ Road to access the ditch road that runs on the west and south of Phase 2. LJ Road is a public right of way and access can continue for irrigation maintenance purposes. Vacation of Phase 2 does not have any impact on access.
- **Access to irrigation valves on the north east corner of the new would be fenced or cut off, and a need for a diagram to communicate irrigation line location:** The new property owners of Phase 2 have committed to ensuring that the neighbors have access to the valves. Covenants entered into by the new owners obligate them to do so. The new property owners are relocating some of the lines across their property. The group discussed strategies for improved communication, and to better document the location of valves and lines moving into the future. In the event there is a conflict in the future, the parties will need to deal with it privately. The County has no enforcement over irrigation
- **Concerns that business or more intensive use would happen with no neighbor input:** The new property owners entered into restrictive covenants at the time of purchase that limit their ability to use the property for junk yards, auto salvage, commercial pig farms, chicken farms, egg-laying operations, or feedlots. These covenants are enforceable by the Hilltop

HOA. Additionally, under current county policy none of these uses would be allowed without some type of County review, which would include notification of neighbors.

Formal Action Requested:

The BOCC is asked to vacate the future Phase 2 of the Mira La Vista subdivision in accordance with Article II Section 3.3 of the Subdivision code which allows subdivisions to be completed in phases. Any phases must then be completed within three years, or be vacated. Further, if a phase is not completed, the residual parcel must have access to an approved domestic water supply. The subject property does have a Tri-County Water Tap available. There is no process identified for how to vacate a phase of a subdivision, other than requiring the Board of County Commissioners to take action.

Any future development on the future Phase 2 will be required to comply with the following conditions at the time that any development permits including address, access and septic are applied for:

1. Utility location should be completed before farming activities are commenced. There are utilities in the existing right of way for LJ Road.
2. Chantelle Lane, where it ends to the west needs a hammerhead turnaround or cul-de-sac for emergency and utility vehicles to be constructed by the property owner of Lot 7 Hilltop Major Resource Preservation Subdivision. About half of a hammerhead is already completed past the existing pavement that meets Delta County Roadway Design Standards. A strip of hammerhead to the north along the west side of Lot 7 is needed. See Delta County Roadway and Design Construction Standards Appendix 5, Item 20, Option C for details.
3. The new owner or subsequent owner of the Lot 7 Hilltop Major Resource Preservation Subdivision will be allowed an access permit onto the LJ Road right of way that borders the southern portion of the parcel for farm access only.
4. No access for farm equipment or heavy vehicles of any kind will be allowed from Chantelle Lane.
5. An easement for future secondary emergency access is recommended.
6. An agreement with neighbors on irrigation system and access is strongly recommended.

William R. & Anne L. Nelson
367 Violetta Road
Delta, CO 81416
970-874-1790

January 9, 2018

Elyse Casselberry
Delta County, Colorado
Planning and Community Development
501 Palmer Street, #115
Delta, CO 81416
Via e mail: ecasselberry@deltacounty.com

Re: Future Phase II of Mira La Vista Subdivision

Dear Ms Casselberry:

We are in receipt of your letter of January 2, 2018 and the enclosed map re this topic. This is the first communication we have had from anyone - thank you.

We have reviewed the Protective Covenants for Hilltop Major Resource Preservation Subdivision, (which excludes Lot 7) and for the Mira La Vista Major Subdivision, as well as the Restrictive Covenants for the tract of land in question.

As we own Lot 5 of Hilltop, and there is no Lot 7 identified on our plat map, we assume that both phases of Mira La Vista were originally considered Hilltop Lot 7. When Hilltop Lot 7 was subdivided into 18 Mira La Vista lots in 2009 it would seem that it replaced Hilltop Lot 7.

We do not understand how Phase II can be cast aside in the sale to Caleb Dirk Jones and Tori Elizabeth Christman. The Mira La Vista Protective Covenants were recorded as applying to Lots 1 - 18. What about the owners of lots in Phase I that suddenly border a property without the same Covenants as were presented at the time of their purchase?

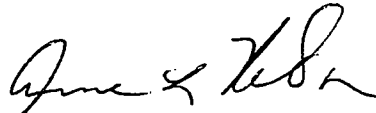
Another question is how will irrigation water shares be impacted if the 19.5 shares from Phase II are rezoned from residential usage to agricultural?

We do not oppose removing the lot lines and combining Lots 8 - 15 into one property, but would favor the same Protective Covenants apply to that property as to Lots 1 - 7 and 14 -16 of the Mira La Vista subdivision, Phase I.

Thank you for your time, we look forward to learning the facts.



William R. Nelson



Anne L. Nelson

PLAT REFERENCES:

"PHASE 1-MIRA LA VISTA SUBDIVISION M/06-006"-
-RECORDED OCTOBER 5, 2009 UNDER RECEPTION
NO. 638113

"MULTI-TRAIL MAJOR RESOURCE PRESERVATION SUBDIVISION"-
-RECORDED MARCH 28, 2005 UNDER RECEPTION
NO. 589408

"PROCTOR/MCCARTY BOUNDARY ADJUSTMENT PLAT"-
-RECORDED DECEMBER 15, 2006 UNDER RECEPTION
NO. 610558

1. Cady D. Brown, being the owner of land described as follows:

A. Parcel of land, being a portion of Lot 7 of the Hilltop Major Resource Preservation Subdivision, located within the NW¼ of the SE¼ of Section 23, Township 51 North, Range 11 West of the 6th P.M., having a description based upon a bearing of N.00°48'57"W. from the CS-1/16 PL-2346897 to the C1/A Corner of Section 23 (monumented by a witness corner bearing S.00°48'57"E. PL.250 feet from true corner position and being a 2-1/2" aluminum cap PL.2306859), with all other bearings relative thereto and with more particularly described as follows: the SE¼/A from thence along said north bearing N.00°48'57"W. 112.27 feet; thence leaving said west line N.89°30'45"E. 826.73 feet to the west line of Phase 1-Mira La Vista Subdivision; thence along said west line the following six (6) bearings and distances: (1) thence N.89°30'45"E. 150.90 feet; (2) thence S.08°49'38"W. 309.61 feet; (3) thence S.86°25'22"W. 89.30 feet; (4) thence S.08°49'38"W. 309.61 feet; (5) thence N.89°20'53"E. 150.90 feet; (6) thence S.00°48'09"E. 231.91 feet to the north right of way line of Delta County L Road; thence along said north right of way line S.89°59'17"W. 835.75 feet to the N.00°48'57"W. 1004.80 feet to the Point of Beginning, containing 19.499 acres, more or less.

in Delta County, Colorado, under the name of BROWN 6--LOT SUBDIVISION PLN22--007, have laid out, platted and/or subdivided the same as shown on this plat and do hereby dedicate to the public at large the streets, alleys, roads and other public areas as shown hereon and those portions of land labeled as easements for the installation and maintenance of public utilities as shown hereon.

By: Cody D. Brown

County of _____ ss. _____
The foregoing instrument was acknowledged before me this _____ day of _____, A.D. 20____, by Cody D. Brown

My address is _____

DELTA COUNTY PLANNING DEPARTMENT APPROVAL

Dated this _____ day of _____, A.D., 20 ____

BOARD OF COUNTY COMMISSIONERS APPROVAL

Dated this _____ day of _____, AD 20____.

Attest:

County Clerk of Delta County, Colorado

I, the undersigned, do hereby certify that the entire amount of taxes and assessments due and payable as of _____ upon all parcels of real estate described on this plat (Account No. R024589) are paid in full.

Dated this _____ day of _____, A.D. 20_____.

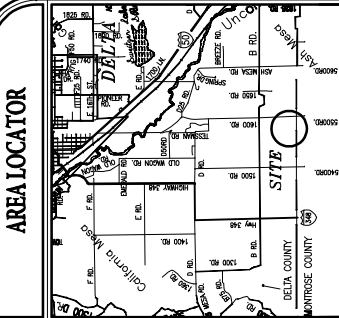
NOTE: According to Colorado law any legal action based upon a defect in this survey must be commenced within three years after such defect is discovered. In no event may any action based upon any defect in this survey be commenced more than ten years from the date shown on the certification herein.

finina *Boundaries*
EMAIL kris@wilmorelandsurveying.com[illegible]

COUNTY SURVEYOR'S CERTIFICATE:
Approved for content and form only and not as to the accuracy
of survey, computations or drafting, pursuant to CRS 38-51-106.

County Surveyor

GPS OBSERVATION



TYPICAL LEGEND

- Set Mag Nail in Asphalt
- Set 5/8" rebar 30" long with 2" aluminum cap PL38255
- Set 5/8" rebar 30" long with 2" aluminum cap as Winress corner or Insepin PL38255
- Found 3/4" rebar 30" long with 3-1/4" aluminum cap PL38255
- Found 5/8" rebar 30" long with 2" aluminum cap PL3825972
- Found 5/8" rebar with 1 1/2" aluminum cap RLS 1456 or as noted

BASIS OF BEARINGS:

N.00°48'57"W. FROM THE CS1/16
CORNER TO THE C1/4 CORNER
OF SECTION 23
GEODETC NORTH
GPS OBSERVATION

SCALE 1"=80 U.S. SURVEY FEET

Month	Number of people
January	40
February	60
March	80
April	100
May	120
June	140
July	160
August	140
September	120
October	100
November	80
December	60

Memo

From: Tim McCracken

CC: File / Planning

Date: May 27, 2022

Re: Engineering Comments for PLN22-007 Brown 3 Lot Subdivision Preliminary Plat

1. Proposed Lot 3 does not meet the minimum lot frontage (Ch. 3 Sec. 1. A. Table 3.a, page 54).
 - a. Rotate Cul-de-sac 90 degrees counterclockwise and reconfigure lots to meet minimum lot frontage.
 - b. The Cul-de-sac shall meet the minimum standard shown in Item 17 of Appendix 5 of the Delta County Roadway Design and Construction Standards.
2. Move the 30-foot emergency exit easement from the west side of proposed lot 5 to the east side.
3. Shared driveways are defined on page 1-5, Item 2, Appendix 1 of the Delta County Roadway Design and Construction Standards.
 - a. Shared Driveways (lot 5) shall meet the following standards; Items 13, 14, and 16 of Appendix 5 of the Delta County Roadway Design and Construction Standards.
 - i. Shared Driveway shall end in a Turnabout (see Item 20 of Appendix 5 of the Delta County Roadway Design and Construction Standards).
 - ii. Turnabout should be placed at the access point for lot 5.
 - b. Shared Driveways shall meet the standards listed in Section 2.3, page 62 of the Delta County Land Use Code.
4. All lots except for Lot 5 shall access from Chantelle Lane (***add as a plat note***).
5. One Residential access/driveway per parcel (lot) per 4.9.10 Driveways, paragraph 3, Page 32 of the Delta County Roadway Design and Construction Standards.
 - a. One residential access/driveway per parcel. Horseshoe Driveways are not allowed (***add as a plat note***).
6. The applicant shall revise and resubmit the application with appropriate changes based on staff comments and with responses to staff comments that did not result in changes to the application (Chapter 7, Section 2.D, *Recommended Revisions*).

PLN22-007/Brown Subdivision

3 messages

Smith Susan <susang.smith@yahoo.com>
To: "kkelly@deltacounty.com" <kkelly@deltacounty.com>

Mon, Jun 13, 2022 at 5:11 PM

Will roads need to have pavement or just gravel extending from Chantelle to 4 lots? Will that pavement or gravel need to extend also from North to South and connect to LJ for emergency exit? Will Cody need to have a maintenance plan on LJ extending off Chantelle from Watson's corner to the ditch bank? Since Cody is requesting access to lot 5 which he has stated to 3 neighbors, will he be required to have maintenance plan for that gravel from Watson's corner to his lot 5 by ditch?

With these building Envelopes, is it true that each one is for only one single family use and cannot subdivided into tiny lots of say 1 acre? What does the notice mean "...as a Clustered Subdivision where there is no minimum lot size required or maximum number of lots"?

LJ is already a maintained road regarding to Cody's application, but this is incorrect as County has strictly stated they do not maintain from Chantelle to ditch on LJ.

A bit misleading and then Carl mentions that currently there is a request for County to take over Chantelle which was stated by Bob Basher from County Engineering that both Chantelle and Shilo were already approved in County. On this application letter he only mentions Chantelle and not Shilo where 4 homes have Shilo as their access. What is the status of the roads Chantelle Lane, Shilo Court, and all of LJ Road?

This would be a good time to have Hilltop removed from oversight on lot 7 Covenants.

Thank you,
Susan Smith
15674 Chantelle Lane
970-874-6941

Ulrich Bischoff <ulibischoff@gmail.com>
To: Smith Susan <susang.smith@yahoo.com>
Cc: "kkelly@deltacounty.com" <kkelly@deltacounty.com>

Mon, Jun 13, 2022 at 6:52 PM

Good questions. Actually, those are exactly my questions as well. Will you attend the public input session?

Uli
[Quoted text hidden]

Kate Kelly <kkelly@deltacounty.com>
To: Ulrich Bischoff <ulibischoff@gmail.com>
Cc: Smith Susan <susang.smith@yahoo.com>

Tue, Jun 14, 2022 at 7:52 AM

Your comments have been received.

Thank you,
Kate
[Quoted text hidden]

--

case/name pln22-007/brown subdivision

1 message

Bonnie Shuck <61shuck@gmail.com>
To: planning@deltacounty.com

Thu, Jun 16, 2022 at 12:22 PM

Why would anyone expect the county to rezone for them when they just purchased it knowing full well the zoning does not support what they want? My understanding of the A-5 would be 3 lots max. out of 19.5 acres. Access through a subdivision when the property is bordered by a county road seems totally wrong.



**DELTA COUNTY PLANNING COMMISSION MEETING MINUTES
DELTA COUNTY BOARD OF COUNTY COMMISSIONER'S ROOM
560 Dodge St., Delta, CO 81416
June 8, 2022**

Chair Tom Kay called the meeting to order at 5:30 p.m. in the Delta County Board of County Commissioner's Room.

ROLL CALL

Planning Commission Members in Attendance:

Tom Kay	Michelle Roberts (Associate)
Tate Locke (via Zoom)	Kate Darlington
Steve Schrock	Cindy Watson
Layne Brones	David Marek (Associate)
Jacob Gray	Hardy Hutto

Absent Members:

Steve Shea

With member(s) absent from District 1, Michelle Roberts is a voting member.

With all member(s) present from District 3, David Marek can participate but is not able to vote.

Staff in Attendance:

Delta County Community Development & Natural Resource Director, Carl Holm
Delta County Community Development Planner I, Kate Kelly
Delta County Community Development Planner I, Angie Kemp
Delta County Community Development Administrative Assistant, Kim Henderson
Delta County Community Development Code Compliance Officer, Everett Neil

A. PUBLIC MEETING ITEMS

Item #1:

PLN22-048/Brentlee Subdivision

Consider a 4-lot Subdivision (Preliminary Plat) in the A-5 zoning designation (Parcel #345533101001/Mazurie's LLC)

RECOMMENDATION: The Planning Commission recommend that the Board of County Commissioners:

- Find that PLN22-048/Brentlee Subdivision is consistent with applicable policies of the 2018 Master Plan and complies with the 2021 Land Use Code for a Preliminary Plat; and
- Approve PLN22-048/Brentlee Subdivision to subdivide 26.60 acres creating four (4) lots in the A-5 zoning designation, subject to conditions.

Planner I, Angie Kemp presented the project, and answered Commissioner questions.

Ken Schaaf representing the applicant provided additional information about the project, and answered Commissioner questions.

There was public comment from two neighbors who attended the hearing in person.

Issues raised and addressed through the public hearing included: existing southern access (limited ditch access), proposed northern access (design, safety), shared road maintenance agreement, irrigation plan/operations, deed restriction for no further subdivision, building envelopes, and fire hydrant.

Following deliberation by the Commissioners, Jacob Gray moved to approve PLN22-048/Brentlee Subdivision with staff recommendations as well as three additional conditions: 1) Require a road/utility maintenance agreement; Require a plat note that there be no further subdivision; and 3) Request the County Engineer conduct a site visit to assess the proposed access safety. Steve Schrock seconded the motion.



Michelle Roberts requested amending the motion to include one more condition requiring building envelopes. This was discussed and defined further as a building corridor be created so no development can occur more than 150 feet from utility meters along the northern property line, in order to retain irrigated fields south of this line. The maker and seconder of the motion agreed to this as a friendly amendment.

Motion carried 8-0-1.

Ayes – Cindy Watson, Steve Shock, Michelle Roberts, Layne Brones, Hardy Hutto, Jacob Gray, Tom Kay, Kate Darlington.

Nays - 0

Abstain - Tate Locke (Felt that he missed some context not being present).

Chair Kay called for a 10-minute break.

B. PUBLIC MEETING ITEMS

Item #1

Meeting Minutes

- a. April 27, 2022
- b. May 11, 2022

RECOMMENDATION: Approve the action minutes as presented.

Jacob Gray moved to approve the action minutes as presented. Michelle Roberts seconded the motion.

Motion carried unanimously

Item #2

Land Use Code Update – Work Session

Discuss various sections of the Land Use Code and provide direction to staff for edits that will be presented at a public hearing.

RECOMMENDATION:

- a. Consider draft redline edits to Chapter 1, Section 5.B “Exemptions”
- b. Consider draft redline edits to Chapter 2, Section 1.A (Table 2.a) “Zoning Districts”
- c. Consider draft redline edits to Chapter 2, Section 2.A “Land Use by Zoning District”
- d. Consider draft redline edits to Chapter 2, Section 4.A “Permitted Use Standards”
- e. Consider draft redline edits to Chapter 2, Section 5.A “Limited Use Standards”
- f. Consider draft redline edits to Chapter 2, Section 6 “Conditional Use Standards”
- g. Provide Direction on topic(s) and date for next Work Session.

Planning Director, Carl Holm presented redline drafts of items a and b. Director Holm noted that edits being presented are to provide direction. The PC can vote to determine consensus, but changes may be made when viewed as part of the whole LUC. Nothing is final until the Commission holds a public hearing to consider certification of the entire LUC.

Following deliberation by the Commissioners:

- Chapter 1, Section 5.B: Delete subsection “b” relative to agriculture, since it is addressed elsewhere in the Code.
- The PC requested Chapter 2, Section 1.A be corrected/clarified, and return for consideration at the next meeting with the remaining items (c-f): 1) Retain A-5 (not R-5); 2) Define what “suitable” means in the R-2.5 and R-1 zoning designations; 3) Accept changing UGA from a zoning district to an overlay, but replace the word “farming” with “agriculture” in the UGA zoning overlay to keep consistent with verbiage in the LUC and define “intended”; and 4) Accept adding two residential designations (2.5 Ac and 1.0 Ac minimum), but revise the “R” in the zoning designation to clarify if it stands for “Residential” or “Rural”.

C. PUBLIC HEARING ITEMS



None

D. DEPARTMENT REPORT

None

E. COMMISSIONER COMMENTS, REQUESTS AND REFERRALS

None

ADJOURNMENT

The next meeting will be held on June 22, 2022 at 5:30pm, Delta County Administration Building 560 Dodge St, Delta, CO.

Meeting adjourned at 8:00 p.m.

Respectfully submitted by:
Administrative Assistant, Kim Henderson

DRAFT



STAFF REPORT

Delta County Planning Commission

**Delta County Administrative Building
560 Dodge Street, Delta, CO 81416**

Wednesday, June 22, 2022 @ 5:30 p.m.

Land Use Code Update

Work Session to consider redline drafts of the following:

- a. Chapter 2, Section 1.A (Table 2.a) “Zoning Districts”
(Continued from June 8th)**
 - b. Chapter 2, Section 2.A “Land Use by Zoning District”**
 - c. Chapter 2, Section 4.A “Permitted Use Standards”**
 - d. Chapter 2, Section 5.A “Limited Use Standards”**
 - e. Chapter 2, Section 6 “Conditional Use Standards”**
-

RECOMMENDATION:

Staff recommends that the Planning Commission continue a Work Session from June 8th on the LUC Update and:

- a. Consider draft redline edits to Chapter 2, Section 1.A (Table 2.a) “Zoning Districts”
- b. Consider draft redline edits to Chapter 2, Section 2.A “Land Use by Zoning District”
- c. Consider draft redline edits to Chapter 2, Section 4.A “Permitted Use Standards”
- d. Consider draft redline edits to Chapter 2, Section 5.A “Limited Use Standards”
- e. Consider draft redline edits to Chapter 2, Section 6 “Conditional Use Standards”
- f. Provide Direction on topic(s) and date for the next Work Session.

SUMMARY/DISCUSSION:

On June 8th, the Planning Commission considered redlines of Chapter 1, Section 5.B “Exemptions” and started discussion on Chapter 2, Section 1.A (Table 2.a) “Zoning



Districts". A copy of the June 8th staff report is attached for reference. Staff was asked to make some adjustments to Table 2.a for the next work session (attached).

Attached material: list, in order as attached/referenced

1. 6/8 PC Report (with attachments)
2. Chapter 2, Section 1.A (Table 2.a) "Zoning Districts" (revised)



STAFF REPORT

Delta County Planning Commission

**Delta County Administrative Building
560 Dodge Street, Delta, CO 81416**

Wednesday, June 8, 2022 @ 5:30 p.m.

Land Use Code Update

Work Session to consider redline drafts of the following:

- a. Chapter 1, Section 5.B “Exemptions”**
 - b. Chapter 2, Section 1.A (Table 2.a) “Zoning Districts”**
 - c. Chapter 2, Section 2.A “Land Use by Zoning District”**
 - d. Chapter 2, Section 4.A “Permitted Use Standards”**
 - e. Chapter 2, Section 5.A “Limited Use Standards”**
 - f. Chapter 2, Section 6 “Conditional Use Standards”**
-

RECOMMENDATION:

Staff recommends that the Planning Commission conduct a Work Session on the LUC Update and:

- a. Consider draft redline edits to Chapter 1, Section 5.B “Exemptions”
- b. Consider draft redline edits to Chapter 2, Section 1.A (Table 2.a) “Zoning Districts”
- c. Consider draft redline edits to Chapter 2, Section 2.A “Land Use by Zoning District”
- d. Consider draft redline edits to Chapter 2, Section 4.A “Permitted Use Standards”
- e. Consider draft redline edits to Chapter 2, Section 5.A “Limited Use Standards”
- f. Consider draft redline edits to Chapter 2, Section 6 “Conditional Use Standards”
- g. Provide Direction on topic(s) and date for the next Work Session.

SUMMARY/DISCUSSION:

Staff made some initial edits to the following Sections (excerpts) of the Land Use Code:



- a. Chapter 1, Section 5.B "Exemptions"
- b. Chapter 2, Section 1.A (Table 2.a) "Zoning Districts"
- c. Chapter 2, Section 2A "Land Use by Zoning District"
- d. Chapter 2, Section 4.A "Permitted Use Standards"
- e. Chapter 2, Section 5.A "Limited Use Standards"
- f. Chapter 2, Section 6 "Conditional Use Standards"

These sections are presented for consideration and direction by the Planning Commission as a Work Session. Staff recommends working through them in the order presented. When there is general consensus that the edits are acceptable, staff will present the next section for consideration. If the Commission completes all of these sections, staff has about seven additional sections to present at subsequent work sessions.

Once work sessions are completed on all of the edited sections, staff will provide notice for the Planning Commission to hold public hearing(s) on a Land Use Code that includes all of the recommended changes.

Attached material: list, in order as attached/referenced

- 1. LUC Chapter 1, Section 5.B (redline)
- 2. LUC Chapter 2, Section 1.A (redline)
- 3. LUC Chapter 2, Section 2.A (redline)
- 4. LUC Chapter 2, Section 4.A (redline)
- 5. LUC Chapter 2, Section 5.A (redline)
- 6. LUC Chapter 2, Section 6 (redline)

CHAPTER 1 (pp 19-20 LUC)

Section 5. Development Approvals Required

A. Development Approval Required

Unless specifically exempted by this Code, development approval is required for development and redevelopment activities. The required development approvals are set out in this Section.

B. Exemptions from Approval Requirement

1. **Generally.** The following are not subject to approval pursuant to this Code, but may be subject to other permitting processes (e.g., development application ordinance, access permits, well permits, septic permits, or federal or state permits or licenses):

- ~~a. The establishment, continuation, or modification of land uses that are listed as "allowed as-of-right" in Chapter 2, Section 2, *Land Use by Zoning District* in the zoning district in which the subject property is located.~~
- ~~b. The establishment, continuation, or modification of accessory business uses of the home.~~
- ~~a. The S~~ubdivision of land that is statutorily exempt from County Subdivision authority (See Chapter 12).
- ~~e-b. Agriculture and Agribusiness Uses, Operations and Activities (See Definition, Chapter 14)~~

Commented [CH1]: Where applicable, need reference to pertinent sections where there is more detail. Most, if not all, of these items are covered in other areas, consider IF Section 5.B should be deleted entirely. Maybe value for keeping to include Agriculture (overall policy) and Subdivision (exemptions by statute)?

Commented [CH2]: Recommend deleting because: Table 2.b lists what is Allowed in what zone as currently referenced.
Ch 2 Sect 2 provides a Legend describing what Allowed Use means.
Establishment of residential and commercial development is subject to the Development Application Ordinance, which was initially established in 2011, which is not what people tend to think as "exempt".
Listing here creates conflict/confusion.

Commented [CH3]: Recommend deleting because: Chapter 2, Section 3F speaks to it being an Allowed Use that falls under subsection "a" (above).
Also, there is a definition (Chapter 14) for "Accessory Business Use of a Home" that includes parameters about what this use entails for being exempt. Listing here creates conflict/confusion.

Commented [CH4]: Intend to create a new Subdivision Chapter where specific exempt tasks will be identified:
-35+ Acre Plat (Statute), except Street Plan (reso)
-Boundary Agreement (dispute)
-Record of Survey (verification)

CHAPTER 2, SECTION 1.A (p 26 LUC)

Section 1. Establishment of Zoning Districts

A. Purpose and Establishment of Zoning Districts

1. Purpose.

- a. *Relationship to Master Plan.* This Code ~~is designed to bring Delta County's establishes~~ land use regulations ~~into that are~~ consistent with the ~~2018~~ Delta County Master Plan. The ~~Master Plan identified a need intent is~~ to create a simple, clear, fair, and predictable set of regulations. ~~The Master Plan also, this Code is meant identified a need~~ to provide clarity and assurances for residents and property owners, and more predictability for commercial activities in the County.
- b. *Land Use in General.* This Code is designed to clarify where commercial, industrial, agricultural, and residential uses are most appropriately located around the County.
- c. *Commercial Land Uses.* This Code identifies the range of commercial uses that are anticipated in the County, and further identifies zoning districts in which each type of commercial use is appropriate or may be appropriate if certain conditions are met. Generally, commercial uses are most appropriately located in the RI/~~RC zoning district~~ and UGA ~~zoning district overlay~~. However, most of the other zoning districts allow for multiple land uses and sufficient flexibility such that a wide range of commercial land uses may be located almost anywhere where adequate services can be provided, and standards of this Code can be met.

Commented [CH1]: Remove specific date so don't have to amend LUC if amend MP.

2. **Zoning Districts Established.** In order to carry out the provisions of this Code, the County is divided into the following zoning districts:

TABLE 2.a ZONING DISTRICTS		
Abbreviation	Zoning District Name	Purposes
A-35	Agriculture (35-acre)	This zoning district is intended ~~for to reflect lands with significant natural resources, including prime agricultural lands, and rural residential uses. The intent is to retain irrigated lands~~ on larger parcels (generally, 35 acres or more). It allows for the broadest range of agricultural and supporting uses.
A-20	Agriculture (20-acre)	This zoning district is intended for ~~small-scale~~ agricultural rural residential uses on parcels of land that are generally 20 acres or more. It allows for a broad range of agricultural and supporting uses ~~as well as large-lot residential uses.~~
~~AR-5~~	~~Agriculture Residential~~ (5-acre)	This zoning district is intended for ~~small-scale agricultural and large-lot residential uses.~~

Formatted: Font color. Background 1

Commented [CH2]: If the intent is to protect prime ag lands and natural resources, then it should be reflected through zoning.

CHAPTER 2, SECTION 1.A (p 26 LUC)

<u>R-2.5</u>	<u>Residential (2.5-acre)</u>	<u>This zoning district is intended for rural residential uses in areas suitable for such density.</u>
<u>R-1</u>	<u>Residential (1-acre)</u>	<u>This zoning district is intended for residential uses in areas suitable for such density, including access to infrastructure and services (e.g., public water, fire hydrants, etc.).</u>
RI/C	Rural Industrial / Commercial	This zoning district is intended to provide for rural industries that support farming and resource-based industries, or that otherwise benefit from locating outside of municipal boundaries (e.g., minerals processing, oil and gas services, etc.). <u>In addition, the designation as well as can be used for a range of commercial uses in areas near municipalities where there are sufficient services and infrastructure to accommodate them.</u>
UGA	Urban Growth Area Overlay	This zoning ~~district overlay~~ <u>applies to areas near incorporated municipalities, and provides a way for where urban services (e.g., public water and sewer) are available, and have been identified as areas of potential growth by the municipality through an Intergovernmental Agreement (IGA) between the County and each City/Town. This overlay highlights areas where the County ~~to will~~ work with the municipalities to achieve ordered urban and suburban growth (e.g., higher residential densities and commercial/service uses). Areas around municipalities that are intended for new or continuing agricultural uses, or rural commercial/industrial development active farming operations should not be in the zoned UGA overlay.</u>
<u>P/QP</u>	<u>Public/Quasi-Public</u>	<u>This zoning designation reflects public lands and/or lands owned by governmental agencies (Federal, State, County lands).</u>

Commented [CH3]: As long as making changes,
 -Change A-5 to R-5; Residential (5-acre) to reflect residential class vs Ag, and
 -Change RDR to R1; Residential (1-acre) to mirror the established format.

Commented [CH4]: As long as making changes,
 -Change A-5 to R-5; Residential (5-acre) to reflect residential class vs Ag, and
 -Change RDR to R1; Residential (1-acre) to mirror the established format.

Commented [CH5]: Added this as clarification since there was a question if State and Federal lands was a designation or meant they were not zoned... Subsection C.5 below states that all lands are zoned. Designation also applies to County lands (e.g. fairgrounds)

CHAPTER 2, SECTION 2.A

Section 2. Land Use by Zoning District

A. Interpretation of Land Use by Zoning District Tables

1. **Generally.** Table 2.b, below, *Land Use by Zoning District* describes which land uses are an Allowed permitted Use as-of-right without review, Ppermitted Uses as-of-right after review, Limited Use permitted if certain conditions are met, or Conditional Use permitted after public hearing if certain conditions are met, and not allowed in each zoning district.
2. **Legend.** The following symbols are used in the tables in this Section. The following identifies symbols reflecting the different levels of review and a general overview of the processes as applicable [See Chapter 7 for more detail about the processes]:
 - a. "A" means "Aallowed as-of-right Use." These uses must are allowed by-right if they comply with applicable standards of this Code, but do not require review for compliance before they are established. However, they may require A Development Application (ministerial) is required prior to establishment of the use to demonstrate compliance with applicable standards in the Land Use Code (proof of water, setbacks, etc.), other types of permits (e.g., well permits, septic permits, or access permits) and applicable encumbrances (e.g., easements, Plat notes, etc.).
 - b. "P" means "allowed Permitted Use, with a Zzoning Ppermit." These uses Following Site Plan Review through the Development Application, Permitted Uses require a Zzoning Ppermit (ministerial) prior to establishment of the use. Zoning permits are Approval of a Site Plan shall be issued by the Director after administrative review for-if the application is determined to be in compliance with the general requirements of this Code prior to establishment of the use. See Chapter 9, Section 1, Approvals and Denials. Other types of permits (e.g., well permits, septic permits, or access permits) may also be required.
 - c. "L" means "Llimited Use, with a Zoning Permit." Following Site Plan Review through the Development Application, Limited Uses require a Zzoning Ppermit and sketch or site plan approval. Zoning permits are issued that may be approved, conditionally approved, or denied by the Director aAfter administrative review for compliance with specific standards that pertain to the use, as well as the general requirements of this Code (discretionary). Applications for Llimited Uses may be referred to specific referral agencies. If there is an "n" next to the L, then public notice of the application is required pursuant to Chapter 7, Section 4, Public Notice. See Chapter 9, Section 1, Approvals and Denials. Other types of permits (e.g., well permits, septic permits, or access permits) may also be required before the action is taken. The Planning Department monitors compliance with conditions of approval.
 - d. "C" means "Ceonditional Use, subject to a Conditional Use Permit." Following Site Plan Review through the Development Application, Conditional Uses are subject to public hearing review for compliance with specific standards that pertain to the use, the general standards for all Ceonditional Uses, and the general requirements of this Code (discretionary). Applications for Ceonditional Use Permits will be

Commented [CH1]: Don't need a separate description for what is provided in the next section.

Commented [CH2]: This section provides a general idea what each symbol means. Process is provided in Chapter 7.

Commented [CH3]: Introducing Dev App Ord requirements here. Allowed uses are still subject to DA-Site Plan Review in order to verify proof of water, access, septic, etc.

CHAPTER 2, SECTION 2.A

referred to referral agencies. Public notices of hearings on the application are required pursuant to Chapter 7, Section 4, *Public Notice before an action is taken*. Conditional use permits are issued by the Planning Department County after public hearing review and approval by the Board of County Commissioners. The Planning Commission makes recommendations to approve, conditionally approve, or deny an application. The Planning Commission recommendation is forwarded to the Board of County Commissioners for final action. The Planning Department monitors compliance with conditions of approval. See Chapter 9, Section 2, *Continuances and Withdrawal*. Other types of permits (e.g., well permits, septic permits, or access permits) may also be required.

e. “—” means that the use is not allowed in the specified zoning district.

3. Multiple Uses. In instances where a proposed development will combine more than one listed use, each ~~listed use~~ shall be evaluated independently for compliance with applicable standards.

4. Other Permits. ~~Whether or not land use permits are require by this Code, other types of permits or approvals may be required in order to establish the use (e.g., right-of-way use permit, address, septic permits, and/or well permits, mobile home, electrical, plumbing permits through the State).~~

CHAPTER 2, Section 4.A

Section 4. **Allowed and** Permitted Uses Approval Standards & Process Requirements

A. Applicability of **Allowed and** Permitted Use Development Standards

Commented [CH1]: Reflects Development Application Ordinance

1. **Generally.** ~~An application for a permitted use requires issuance of a zoning permit and review of a sketch plan to certify compliance with this Code. The zoning permit and sketch plan shall be approved if the application demonstrates compliance with **Allowed or Permitted** uses are subject to a ministerial process that requires review to demonstrate compliance with applicable permits/approvals and this Code:~~

- a. Chapter 3, Lots, Buildings, and Structures
- b. Chapter 4, Site Design and Environmental Stewardship
- c. Chapter 5, Public Facilities, Infrastructure, and Services

2. **Application & Process:**

- ~~a. Applications for **Allowed or Permitted Uses** zoning permit and sketch plan approval shall submit an application in compliance with Chapter 7 *Standardized Application Review Process* require completion of a Development Application that includes:~~
 - ~~i. Site Plan Review to demonstrate compliance with this Code; and~~
 - ~~ii. A checklist to verify compliance with applicable permits/approvals such as site plan review, right-of-way use permits, address assigned, septic permits, and applicable State permits (well, mobile home, electrical, plumbing).~~
- ~~a.b. All applications will be reviewed administratively in accordance with Chapter 8 *Standardized Application Review Process*.~~
- ~~c. The Director shall approve the Site plan and issue a Development Application checklist once verified that the proposed **Allowed Use** will be in compliance with applicable Codes.~~
- ~~b.d. **Conditions of Approval.** The Director shall issue a zoning permit for **Permitted Uses** once verified that the proposed **permitted** use will be in compliance with the requirements of this applicable Codes.~~

CHAPTER 2, Section 5.A

Section 5. Limited Use Approval Standards

A. Applicability of Limited Use Development Standards

1. **Generally.** ~~An application for a limited use~~ Limited Uses are subject to a discretionary process (administrative) that requires approval of a zoning permit ~~and sketch plan. The Director may require submission of, including~~ a site plan ~~if it is determined that additional~~ with information ~~or detail is~~ necessary to review compliance with the requirements of this Code. The zoning permit and ~~sketch or~~ site plan may be approved or conditionally approved if the application demonstrates compliance with:
 - a. Chapter 2, Section ~~5##, Limited Use~~ Specific Approval Standards, if applicable.
 - b. Chapter 3, Lots, Buildings, and Structures
 - c. Chapter 4, Site Design and Environmental Stewardship
 - d. Chapter 5, Public Facilities, Infrastructure, and Services
2. **Application & Process.**
 - a. ~~Applications for limited use~~ zoning permit and sketch plan approval shall submit an application for a Zoning Permit and Site Plan Review in compliance with Chapter 7 Standardized Application Review Process.
 - b. All applications will be reviewed administratively in accordance with Chapter 8 Standardized Application Review Processes.
 - c. ~~Conditions of Approval. Limited Use may require a public notice of the proposed action. The Director may approve, conditionally approve or deny a Limited Use application. with Conditions may be applied to mitigate its impacts in order to and/or ensure continuing compliance with the review applicable standards of this Code.~~
 - d. The Director shall issue a Development Application checklist once verified that the proposed Limited Use will be in compliance with applicable Codes and conditions.
3. **Conversion to a Conditional Use.**
 - a. In the event that a use-specific standard for a Limited Use Permit cannot be met, the use may be processed (at the applicant's option or upon referral by the Director, subject to the exceptions of subsection (B), below) as a Conditional Use. Upon such election, the proposed use shall be processed in accordance with the Conditional Use standards in Chapter 2, Section 6, Conditional Use Approval Standards, and Chapter 8 Standardized Application Review Processes. The applicable use-specific standards from this chapter shall be met to the extent practicable, and the Conditional Use Standards in Chapter 2, Section 6, shall be applied to offset the impacts that may result from the inability to fully comply with applicable use-

CHAPTER 2, Section 5.A

specific standards. Flexibility in reducing setbacks and other standards with conditions of approval is limited for certain uses by subsection (B), below.

CHAPTER 2, Section 6

Section 6. Conditional Use Approval Standards

A. Applicable Standards.

1. **Generally.** An application for conditional use requires approval of a conditional use permit and a site plan. The conditional use permit and site plan may be approved if the application demonstrates compliance with:
 - a. Chapter 2, Section ~~5(B)~~ *Use Specific Standards*;
 - b. Chapter 3, Lots, Buildings, and Structures;
 - c. Chapter 4, Site Design and Environmental Stewardship;
 - d. Chapter 5, Public Facilities, Infrastructure, and Services;
 - e. That the proposed conditional use in its proposed location will not tend to frustrate the implementation of:
 - 1) The Master Plan;
 - 2) Any special area plans adopted by the County; or
 - 3) ~~If the subject property is located within the UGA zoning district, Intergovernmental Agreement, the Master/Comprehensive Plan,~~ or any special area plan adopted by the impacted municipality;
 - f. The location, size, design and operating characteristics of the proposed conditional use are such that the use will not create significant impacts on irrigation facilities, sensitive lands, or nearby agricultural operations;
 - g. The design, operation, location, and buffering of the use appropriately mitigates its impacts with regard to:
 - 1) Risks associated with the use and storage of hazardous materials; or
 - 2) Potentially hazardous conditions, such as projectiles leaving the subject property; and
 - 3) Odors, dust, lighting, vibration, and noise.

Commented [CH1]: UGA is County zoning, not adopted by municipality...and might change. Revised to reflect what is adopted by municipality only

B. Application & Process

1. ~~Applications. A site plan and development agreement plan approval Conditional Uses~~ shall submit an application in compliance with Chapter 7 *Standardized Application Review Process*.
2. All applications will be reviewed in accordance with Chapter 8 *Review Processes*.
- 1.3. ~~Public hearings shall be held before the Planning Commission and Board of County Commissioners. The Planning Commission may recommend that the Board of County Commissioners approve, conditionally approve or deny a Conditional Use application.~~

Commented [CH2]: Remove detail here since in Ch 7 & 8 explain the process, avoid conflict. Simple summary (#3) to illustrate difference from Limited use.

CHAPTER 2, Section 6

Conditions may be applied to mitigate impacts and/or ensure continuing compliance with the applicable standards of this Code.

a. An application for a conditional use permit may be approved if it demonstrates compliance with the standards of this Code.

2.a. Conditions of approval. The BOCC may approve a conditional use with conditions to mitigate its impacts, and/or in order to ensure continuing compliance with the review standards identified in subdivision (A), above.

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CHAPTER 2, SECTION 1.A

Section 1. Establishment of Zoning Districts

A. Purpose and Establishment of Zoning Districts

1. Purpose.

- Relationship to Master Plan.* This Code establishes land use regulations that are consistent with the Delta County Master Plan. This Code is meant to provide clarity and fairness for residents and property owners, and more predictability for commercial activities in the County.
- Land Use in General.* This Code is designed to clarify where commercial, industrial, agricultural, and residential uses are most appropriately located around the County.
- Commercial Land Uses.* This Code identifies the range of commercial uses that are anticipated in the County, and further identifies zoning districts in which each type of commercial use is appropriate or may be appropriate if certain conditions are met. Generally, commercial uses are most appropriately located in the RI/C zoning district and UGA overlay. However, most of the other zoning districts allow for multiple land uses and sufficient flexibility such that a wide range of commercial land uses may be located almost anywhere where adequate services can be provided, and standards of this Code can be met.

- Zoning Districts Established.** In order to carry out the provisions of this Code, the County is divided into the following zoning districts:

TABLE 2.a ZONING DISTRICTS		
Abbreviation	Zoning District Name	Purposes
A-35	Agriculture (35-acre)	This zoning district is intended <u>to reflect lands with significant natural resources, including prime agricultural lands. The intent is to retain irrigated lands</u> on larger parcels (generally, 35 acres or more). It allows for the broadest range of agricultural and supporting uses.
A-20	Agriculture (20-acre)	This zoning district is intended for <u>small-scale</u> agricultural rural residential uses on parcels of land that are generally 20 acres or more. It allows for a broad range of agricultural and supporting uses <u>as well as large-lot residential uses</u> .
A-5	Agriculture (5-acre)	This zoning district is intended for large-lot residential uses.
RES-2.5	Residential (2.5-acre)	<u>This zoning district is intended for rural residential uses in areas that will not impact irrigated lands and there is an adequate water supply and access available.</u>
RES-1	Residential (1-acre)	<u>This zoning district is intended for residential uses in areas suitable for such density, including potential access to</u>

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Commented [CH3]: If the intent is to protect prime ag lands and natural resources, then it should be reflected through zoning.

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Commented [CH4]: Retain as A-5. Borders between Ag and Residential, depending largely on water.

Deleted: small-scale agricultural and

Commented [CH5]: Change from R-2.5 and R-1 to RES-2.5 and RES-1, to distinguish Residential vs Rural. Deleted "suitable for such density" and added criteria that defines what is "suitable". "Suitable" is defined in RES-1 as access to infrastructure and services...

CHAPTER 2, SECTION 1.A

		infrastructure and services (e.g., public water, sewer, fire hydrants, etc.).
RI/C	Rural Industrial / Commercial	This zoning district is intended to provide for rural industries that support farming and resource-based industries, or that otherwise benefit from locating outside of municipal boundaries (e.g., minerals processing, oil and gas services, etc.). In addition, the designation can be used for a range of commercial uses in areas near municipalities where there are sufficient services and infrastructure to accommodate them.
UGA	Urban Growth Area Overlay	This zoning overlay applies to areas near incorporated municipalities where urban services (e.g., public water and sewer) are available, and have been identified as areas of potential growth by the municipality through an Intergovernmental Agreement (IGA) between the County and each City/Town. This overlay highlights areas where the County will work with the municipalities to achieve ordered urban and suburban growth (e.g., higher residential densities and commercial/service uses). Areas around municipalities that include active agricultural operations should not be in the UGA overlay.
P/QP	Public/Quasi-Public	This zoning designation reflects public lands (e.g., Forest, BLM, Park), public safety facilities (fire, medical, law), public schools, and utilities (water, wastewater, electricity, etc.).

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Commented [CH6]: Separate Rural Industry (Ag Support) and Commercial?

Commented [CH7]: Concern expressed UGA can be interpreted as implying part of a municipality or confusing with Urban Growth Boundary (called Growth Management Area in IGAs). Ouray County uses UGMA (Urban Growth Management Area). DOLA Model uses UGA Overlay. Another option could be something like "Urban Reserve"

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Commented [CH8]: Replace UGA zoning with RES-1 because UGA allowed 7500 sf lots, but held to 1 acre if no sewer so LDR is most similar.

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Commented [CH10]: Added clarification. While State and Federal agencies will do what they want with their land, Subsection C.5 LUC states that all lands are zoned. This designation can also apply to County or City/Town lands (e.g. fairgrounds, wastewater treatment facility, airport, etc.)

Zoning Designations (8)	Density	Minimum Lot Size
Alpine	1 DU per 35ac	1 acre
Colona	7 DU per 1ac	6,000 sf
High Mesa	1 DU per 35ac	1 acre
North Mesa	1 DU per 6ac <i>that the max is listed for a Planned Unit Development</i>	Note 1 acre
Public Lands	N/A	1 acre
South Mesa	1 DU per 6ac	1 acre
South Slope	1 DU per 6ac	1 acre
Valley	1 DU per 35ac	1 acre
Urban Growth Management Area (UGMA) Ridgway & Ouray Overlays	Joint Review between the Municipality and the County would determine density and minimum developable lot siz.	
Area of Influence (AOI) Ridgway & Ouray Overlays	Joint Review between the Municipality and the County would determine density and minimum developable lot size	

Zone	Zoning Designations (10)	Density	Minimum Lot Size
A	General Agricultural	1 SFR, Multi-family OK	1 acre
R	General Residential	Up to 1 duplex or manufactured home per lot. OR 1 SFR and 1 ADU	1 acre
R-MPH	Manufactured Home Park	N/A	3 acres
R-MF	Multi-Family Residential	3+ DU per building	10,000sf per DU or 1 acre, whichever is less
B	General Business	SFR as an "Accessory Use" NOT By-Right	1 acre
C	General Commercial	SFR as an "Accessory Use" ONLY for caretaker purposes, NOT By-Right	1 acre unless central water and sewer are available the 10,000 sf
I-L	Light Industrial	SFR as an "Accessory Use" ONLY for caretaker purposes, NOT By-Right	3 acres unless central water and sewer are available the 10,000 sf
I-H	Heavy Industrial	SFR as an "Accessory Use" ONLY for caretaker purposes, NOT By-Right	Minimum three (3) acres unless central water and sewer are available the 10,000 sf
PD	Planned Development	N/A	Minimum for proposal of PUD is 35 acre parcel
P-L	Public Lands	N/A	

MESA COUNTY

Zone	Zoning Designations (23)	Density	Minimum Lot Size
AF-35	Agricultural and Forest	1 DU/35ac	Minimum lot size of 35 acres
AFT	Agricultural and Forest Transitional Ag and very low density residential		
RSF-R	Residential Single Family Rural	1 DU per 5ac	5 acres
RSF-E	Residential Single Family Estate	1 DU per acre	1 acre
RSF-1	Residential Single Family 1	1 DU per acre	30,000sf
RSF-2	Residential Single Family 2	2 DU per acre	15,000 sf
RSF-4	Residential Single Family 4	4 DU per acre	7,000 sf
RSF-5	Residential Single Family 5	5 max 3 min per acre	4,000 sf
RMF-8	Residential Multi- Family 8	8 max 5 min per acre	3,000 sf
RMF-12	Residential Multi- Family 12	12 max 8 min per acre	N/A
RMF-16	Residential Multi- Family 16	16 max 12 min per acre	N/A
RMF-24	Residential Multi- Family 24	24 max 16 min per acre	N/A
MU-R	Mixed Use Residential	12 max per acre	
URR	Urban Residential Reserve	1 DU per 2 acres	N/A
R-O	Residential Office	8 max per acre	N/A
B-1	Limited Business	8 max per acre	N/A
B-2	Concentrated Business	24 max per acre	N/A
C-1	Limited Commercial	24 max per acre	1 acre
C-2	General Commercial	16 max per acre	1 acre
I-1	Limited Industrial	8 max per acre	1 acre
I-2	General Industrial	8 max per acre	1 acre
MU-C	Mixed Use Commercial	12 max per acre	
MU-OTC	Mixed Use Old Town Clifton	12 max 8 min per acre	

DELTA COUNTY

Zone	Zoning Designations (5)	Minimum Lot Size
A35	Ag 35-acre	35 acres
A20	Ag 20-acre	20 acres
A5	Ag 5-acre	5 acres
RI/C	Rural Industrial/ Commercial	2 acres
UGA	Urban Growth Area	7,500 sf

DOLA MODEL LAND USE (2008)

Zone	Zoning Designations (10)	Density	Minimum Lot Size
R	Resource	1DU per 35ac	
RR	Rural Residential	1DU per lot	10 acres
ER	Estate Residential	1DU per lot	1 acre
SR	Suburban Residential	1DU per lot	7,500sf
MFR	Multi-Family Residential	N/A	7,500sf
MHP	Manufactured Home Park	N/A	
CL	Commercial, Limited High-density residential and convenience-type commercial uses.	N/A	
CG	Commercial, General High-density residential and commercial uses.	N/A	
I	Industrial	N/A	
AH	Airport and Heliport	N/A	
UGA	UGA Overlay	Overlay	
Rural Community	Rural Community Overlay	Overlay	
Floodplain	Floodplain Overlay	Overlay	
View	View Protection Overlay	Overlay	
Watershed	Watershed Protection Overlay	Overlay	
Airport Heliport IA	Airport Heliport Influence Area Overlay	Overlay	

Zone	Zoning Designations (21)	Density	Minimum Lot Size
HD	High Density	80 max and 40 min. per acre	
MD	Medium Density		
LD	Low Density		
AH PUD	Affordable Housing Planned Unit Development		
R	Single-family Residential	1 DU per 9,375 sf	
F	Forestry, Ag. and Open Space	1 home and caretaker unit per lot	35 acres
HC	Heavy Commercial	1 roof covering all operations	1/2 acre (single) 2 acre (multi)
I	Low Density Industrial		35 acres
PR	Placerville Residential		18,750 sf
PC	Placerville Commercial	N/A	
MH	Mobile Home	N/A	
P	Park	No DU	
OS	Open Space	1 DU/35ac on private land	
PUB	Public Lands	Employee Housing	
SFO	Scenic Foreground Overlay		
SVP	Scenic View Plane		
PUDR	Planned Unit Development Reserve		
RG	Rangeland Grazing	1 DU/35 acres	
WM	Wright's Mesa	1 DU/parcel or lot	
WE	West End	1 DU/3 acres	
HCA	High Country Area		
LDR	Low Density Residential	1 DU/ 6-8 acres	

Zoning Map

-Entire County-

Zone Districts



A-5



A-20



A-35



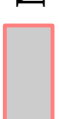
RI/C



UGA



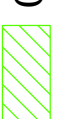
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Municipal Boundaries



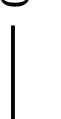
Federal and State Lands



Conservation Easements



Highways



County Roads



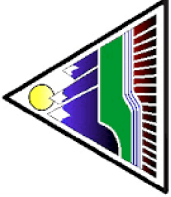
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Rivers



Water Bodies



Delta County, Colorado

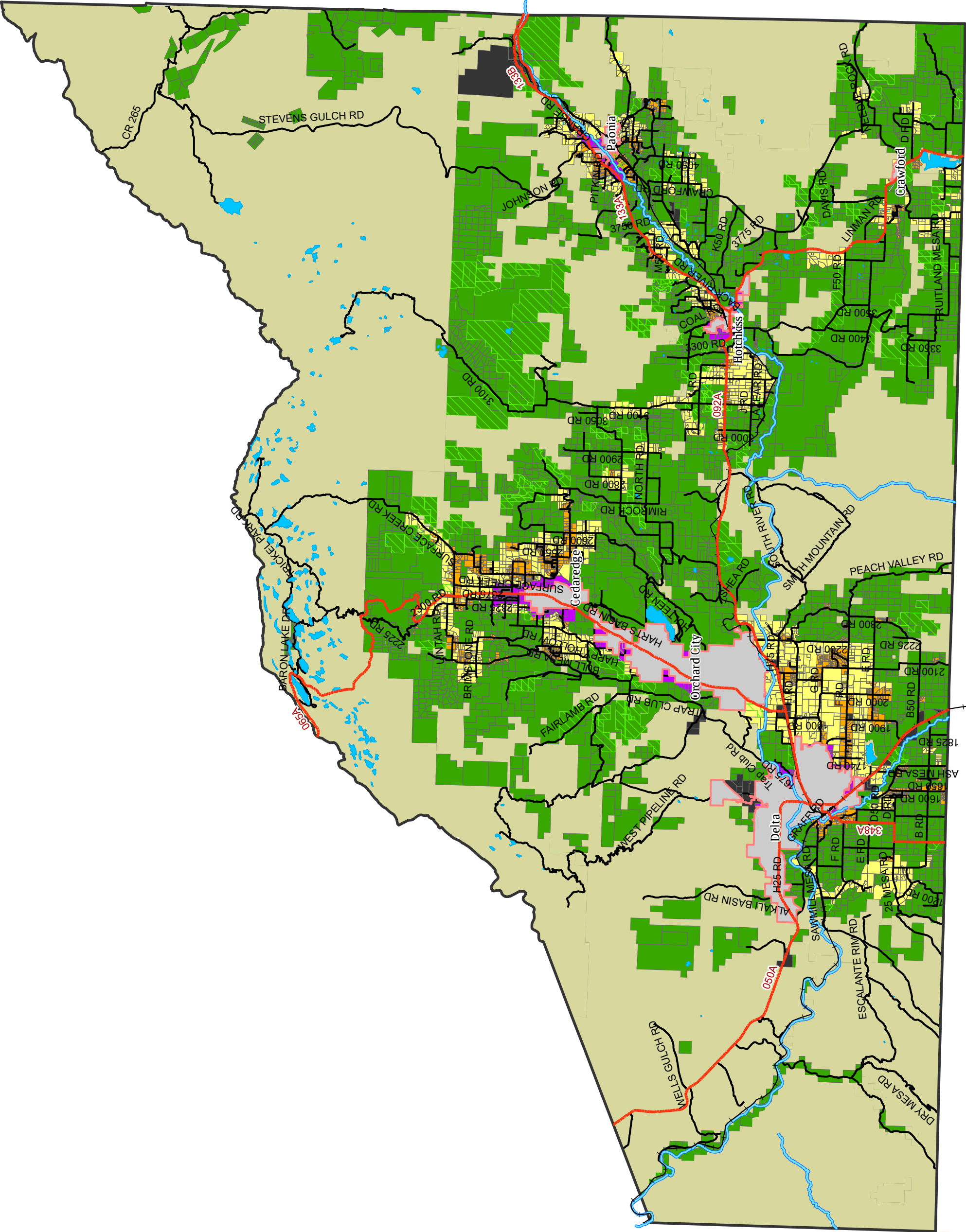
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Miles

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Zoning Map

-Delta Area-

Zone Districts

- A-5
- A-20
- A-35
- RI/C
- UGA

Parcels

- Municipal Boundaries
- Federal and State Lands
- Conservation Easements

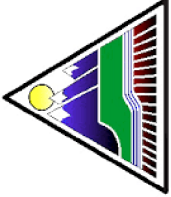
Highways

County Roads

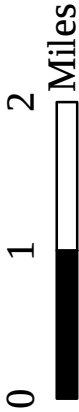
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Rivers

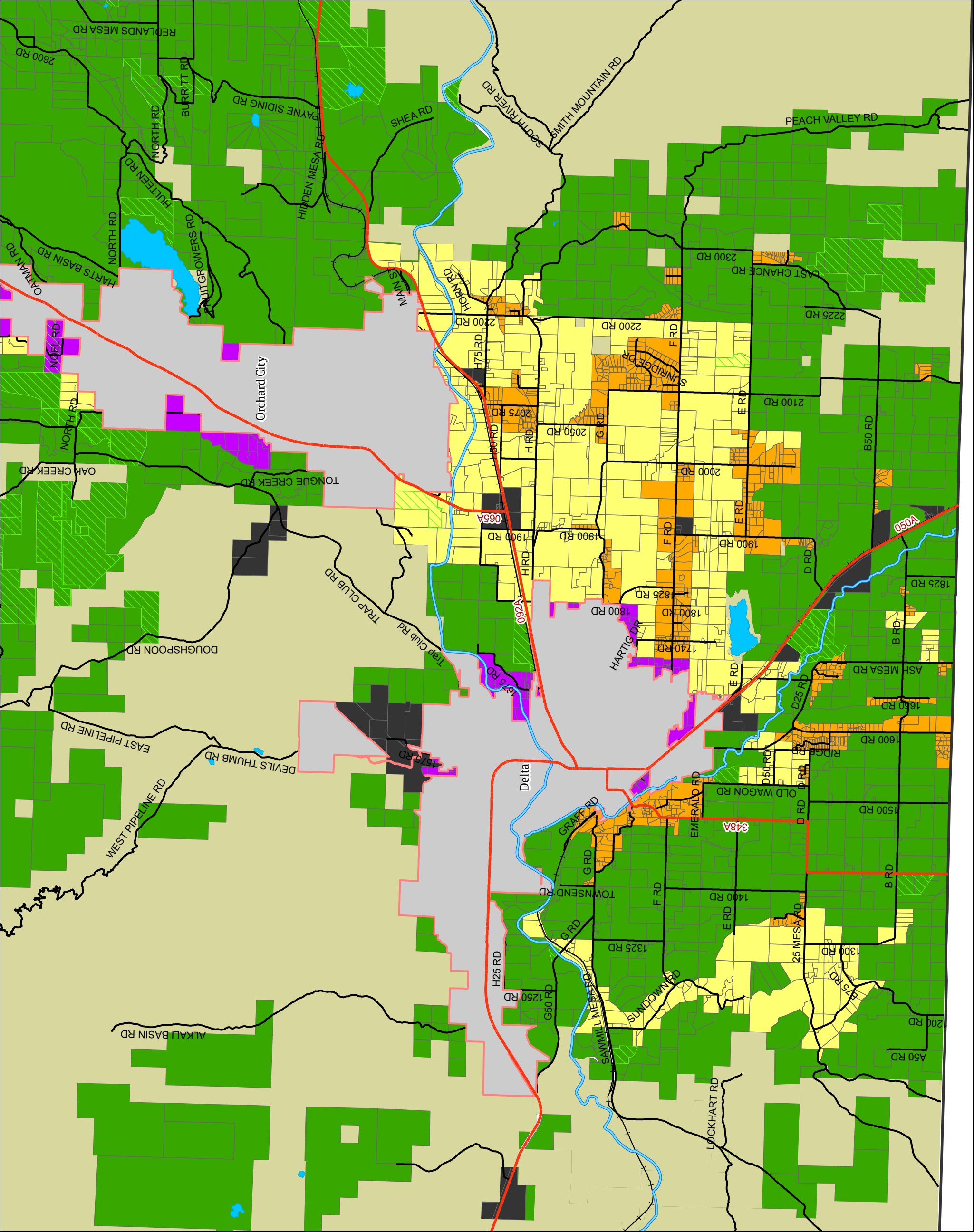
Water Bodies



Delta County, Colorado



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Zoning Map -Cedaredge and Orchard City Area-

Zone Districts

- A-5
- A-20
- A-35
- RI/C
- UGA

Parcels

- Municipal Boundaries
- Federal and State Lands
- Conservation Easements

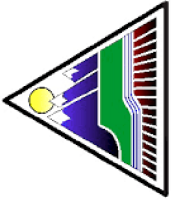
Highways

County Roads

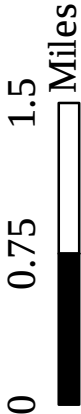
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Rivers

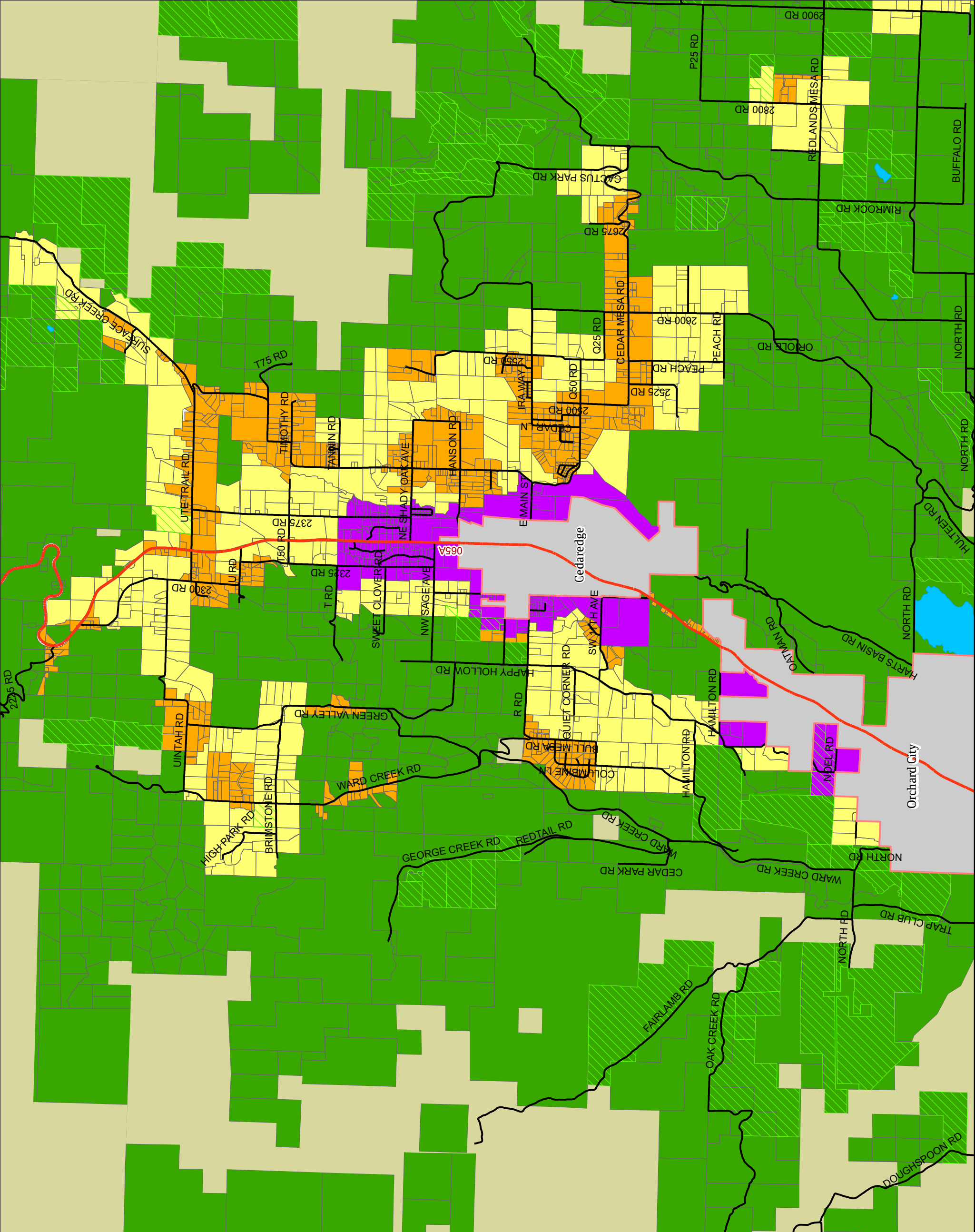
Water Bodies



Delta County, Colorado



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Zoning Map

Zone Districts

A-5

A-20

A-35

RI/C



Parcels

Municipal Boundaries

Federal and State Lands

Conservation Easements

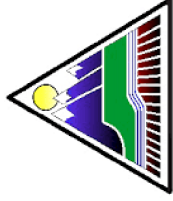
Highways

County Roads

Rail Lines

Rivers

Water Bodies



Delta County, Colorado

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Zoning Map -Paonia Area-

Zone Districts

- A-5
- A-20
- A-35
- RI/C
- UGA

Parcels

Municipal Boundaries

Federal and State Lands

Conservation Easements

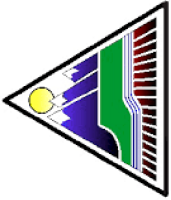
Highways

County Roads

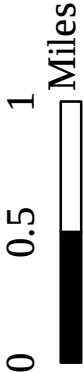
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Rivers

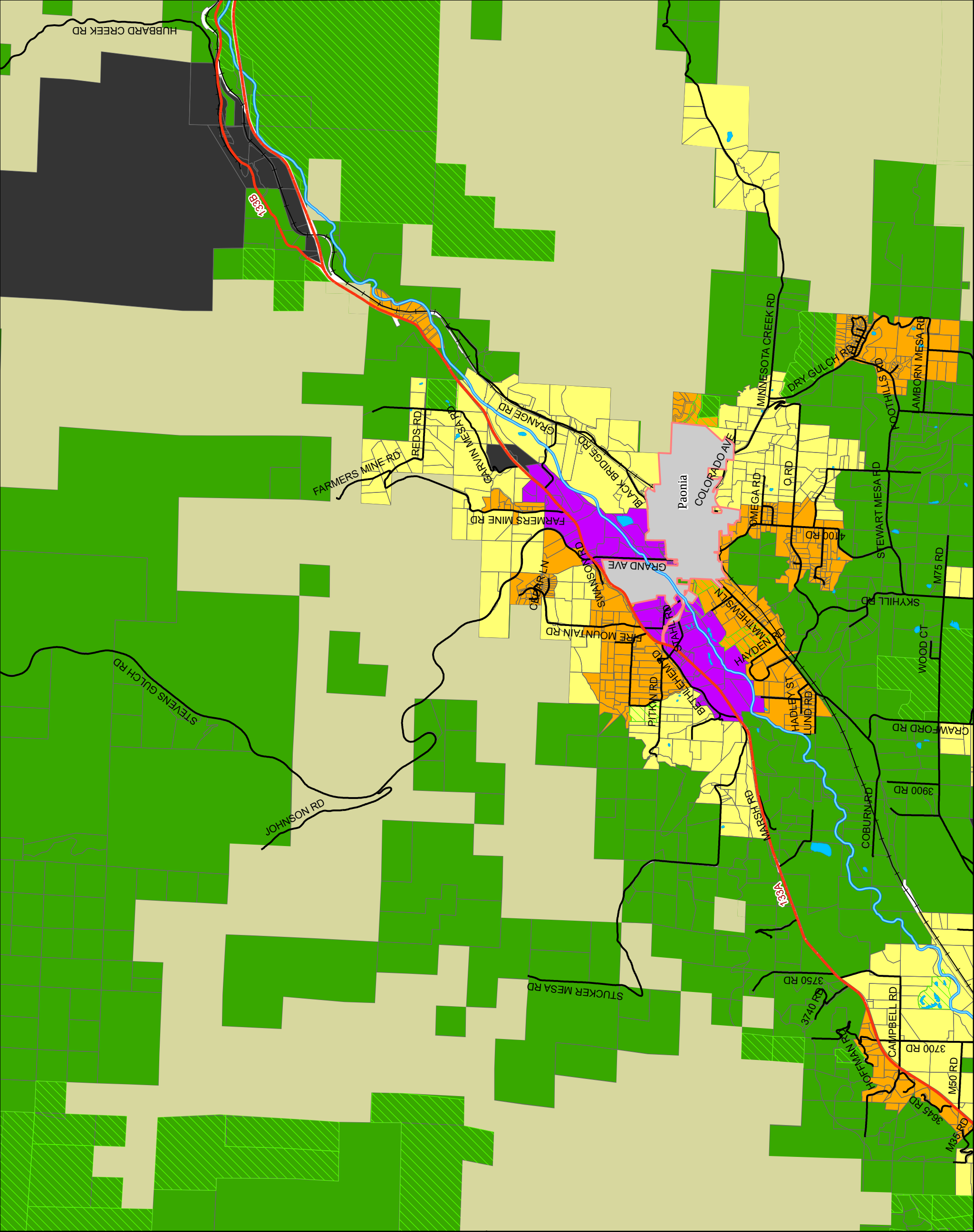
Water Bodies



Delta County, Colorado



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Zoning Map

-Crawford Area-

Zone Districts

- A-5
- A-20
- A-35
- RI/C
- UGA

Parcels

Municipal Boundaries

Federal and State Lands

Conservation Easements

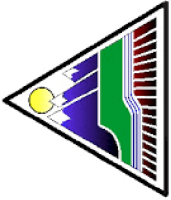
Highways

County Roads

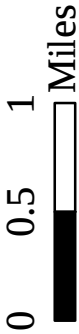
Rail Lines

Rivers

Water Bodies



Delta County, Colorado



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