



DELTA COUNTY PLANNING COMMISSION MEETING MINUTES
DELTA COUNTY ROUBIDEAU ROOM
320 W. 5th Street., Delta, CO 81416
August 24, 2022

Chair Tom Kay called the meeting to order at 5:30 p.m. in the Delta County Roubideau Room.

ROLL CALL

Planning Commission Members in Attendance:

Tom Kay	Hardy Hutto
Steve Schrock	Tate Locke
Jacob Gray	Layne Brones
Michelle Roberts (Associate)	David Marek (Associate)
Steve Shea	

Absent Members:

Kate Darlington
Cindy Watson

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

With member(s) absent from District 3, David Marek is a voting member.

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 Code Compliance Officer, Everett Neil
Delta County Attorney, John Baier

A. MEETING MINUTES

1. Meeting Minutes
 - a. July 27, 2022
 - b. August 10, 2022

RECOMMENDATION: Approve the action minutes as presented.

Steve Shea moved to approved the meeting minutes as presented. Layne Brones seconded the motion.

Motion carried unanimously

B. PUBLIC HEARING ITEMS

1. PLN21-080/Delta Paving Gravel Pit

Continued from August 10, 2022.

Consider a Conditional Use Permit (CUP) to expand an existing gravel mining operation and allow temporary use of a mobile asphalt mixing facility. The project is located at 8020 State Highway 65, Delta (Parcels: 345510202002, 345503400053, and 345510100028).

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

- a. Find that PLN21-080 complies with the Delta County Master Plan and the Land Use Code (LUC) for a Conditional Use Permit (CUP) for a Mineral Extraction/Quarry that includes temporary use of a mobile asphalt mixing facility in the A-20 zone; and
- b. Vacate Resolution No. 99-R-009 (Reception #524802), approving the Delta Paving Gravel Pit Agreement for a sand and gravel mine (pit) located at 8020 State Highway 65, subject to 9 conditions; and
- c. Approve PLN21-080/Delta Paving Gravel Pit CUP to:



- 1.) Operate a sand and gravel mine (pit) at 8020 State Highway 65, Delta on three parcels totaling 170.771 acres: 345510202002 (41.62 Ac, new), 345503400053 (39.13 Ac, existing), and 345510100028 (92.021 Ac, existing); and
- 2.) Operate an asphalt plant at 8020 State Highway 65, Delta (Parcel: 345503400053) subject to 21 conditions.

Chair Kay announced that the public hearing, held on August 10th, was closed so there will be no public testimony accepted unless a Commissioner wishes to ask a specific question directed to an individual in response to comments submitted previously.

Planning Director, Carl Holm presented an overview of the project and summary of staff communications with outside agencies since the hearing on August 10th. Mr. Holm and Planner I, Kate Kelly, answered Commissioner questions.

Mr Ben Langenfeld with Lewicki & Associates, representing the applicant, presented information in rebuttal to public comments.

Mr Langenfeld and Ms Sydney Connor, also with Lewicki & Associates representing the applicant, as well as John Mueller and Jim Doody with Elam Construction answered Commissioner questions.

Following Commissioner deliberation, Tate Locke moved to deny the asphalt portion of the application. Steve Schrock seconded the motion.

Motion carried by a unanimous vote (9-0)

Jacob Gray moved to approve the expansion of the gravel pit, including all of staff's other recommendations. Hardy Hutto seconded the motion.

Tom Kay requested the motion be amended to include the condition that Pits 3 & 4 be mined from the south to the north. The applicant stated they had no objection.

Jacob Gray and Hardy Hutto accepted the amendment as part of their motion.

Motion carried by a unanimous vote (9-0)

Chair Kay called for a five (5) minute break. Jacob Gray left the meeting during this break.

C. WORK SESSION

Work Session to consider redline drafts of various sections/topics of the Delta County Land Use Code.

RECOMMENDATIONS: Staff recommends that the Planning Commission continue Work Sessions on the LUC Update and provide direction to staff on:

- a. Chapter 2; Section 1 "Zoning Districts" (including Tables 2.a and 2.b), Section 3.A "Temporary Uses", and Section 5.B "Use Specific Standards" (including standards for wireless communications and renewable energy)
- b. Chapter 3 "Lot Dimensions" (including subdivision of lots that do not meet the minimum lot size)
- c. Chapter 12 "Subdivision Regulations"

Due to the time, this action was not considered.

D. DEPARTMENT REPORT

Planning Director, Carl Holm informed the Planning Commission of the following:

1. September and October meeting schedule. Given staff schedules along with timing for the Land Use Code, the Planning Commission agreed to meet on 9/14/22 (Special Meeting) and 9/21/22 to review the Land Use Code Update redlines. Director Holm informed the Planning Commission that the goal is to have the Land Use Code Update completed by the end of the Calendar year.



2. On 8/22, the Board held a Work Session on the Land Use Code, which was continued to 8/29 (10:00 am). The Board was provided a complete redline of the whole LUC and will be discussing big picture items (land use matrix, lot variations, temporary/specific use standards, manufactured homes, etc.) concurrent with the Planning Commission.
3. Housing Options Workgroup (HOW) is a three-part series that discusses affordable housing in Delta County. Angie Kemp provided some additional information. Director Holm clarified that this will not impact the LUC Update process. It was requested that staff send out information to the Commissioners.
4. The Board approved the Garnet Mesa Solar project 3-0. On September 6, 2022, the Board of County Commissioners will consider establishing a Moratorium for commercial-scale renewable energy applications until the Land Use Code has been updated or for a 12-month period.
5. An amendment to the Junk/Rubbish Ordinance had first reading before the Board of County Commissioners on August 16th. The amendment would authorize staff to issue citations, and that language will create a foundation for other codes.

E. COMMISSIONER COMMENTS, REQUESTS AND REFERRALS

None

ADJOURNMENT

The next meeting will be held on September 14, 2022 at 5:30pm in Delta, CO.

Meeting adjourned at 8:36 p.m.

Respectfully submitted by:
Administrative Assistant, Kim Henderson