



**DELTA COUNTY PLANNING COMMISSION MEETING MINUTES
DELTA COUNTY BOARD OF COUNTY COMMISSIONER'S ROOM
560 Dodge Street., Delta, CO 81416
September 14, 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	Hardy Hutto
Steve Schrock	Tate Locke
Jacob Gray	Layne Brones
Michelle Roberts (Associate)	David Marek (Associate)
Kate Darlington	Cindy Watson

Absent Members:

Steve Shea

With member(s) absent from District 1, Michelle Roberts 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 Administrator, Robbie LeValley

A. MEETING MINUTES

1. Meeting Minutes

a. August 24, 2022

RECOMMENDATION: Approve the action minutes as presented.

Jacob Gray moved to approved the meeting minutes as presented. Kate Darlington seconded the motion.

Motion carried unanimously (8-0, Commissioner Locke had not yet arrived)

Commissioner Locke arrived at 5:32pm

B. PUBLIC HEARING ITEMS

None

C. WORK SESSION

Continued from August 24, 2022.

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:

- 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)
- Chapter 3 "Lot Dimensions" (including subdivision of lots that do not meet the minimum lot size)
- Chapter 12 "Subdivision Regulations"
- LUC Update Process/Schedule



Planning Director, Carl Holm presented an overview of the schedule and then began review of Chapter 2. Director Holm noted that edits being presented are to provide staff direction for what will become the public draft, to be released 9/21.

The PC discussed the difference between Allowed and Permitted use. There was a general consensus to retain Allowed “by-right” meaning can go do without any review as long as it meets standards and does not impact encumbrances. The Allowed uses should be related to agricultural uses so the matrix may need to be amended where uses that include plumbing specifically require some level of review (e.g., Permitted).

Following discussion, there was a general consensus for the following changes to Table 2.b “Land Use by Zoning District”:

1. Agriculture, Agribusiness, Silviculture, Viticulture remains an Allowed Use in all Zoning Districts.
2. Single Family Detached change from Allowed to Permitted Use in all Zoning Districts.
3. Accessory Dwelling Unit (ADU) change from Allowed to Permitted Use in all Zoning Districts.
4. Accept proposed change that Duplex or Triplex be a Permitted Use in all Zoning Districts
5. Manufactured Home Park require a Conditional Use Permit in the A-35, A-20 and A-5 Zoning Districts and a Limited Use with Public Notice in the RI/C and RES Zoning Districts.
6. Multifamily be a Limited Use with Public Notice in all Zoning Districts.
7. Farm Supply / Feed and Seed change from Allowed to a Limited Use in the RES Zoning.
8. Farmworker Housing be a Permitted use in the A-35, A-20 and A-5 Zoning Districts and Limited Use in the RI/C and RES Zoning District. Remove the unit/density be removed so only one line item.
9. Kennel change from Allowed to Permitted Use in all Zoning Districts.
10. Rural Light Industry remain a Permitted Use in all Zoning Districts. Delete “with Retail” and “without Retail” so it is just one category.
11. Veterinary Hospital or Clinic change from Allowed to Permitted Use in the A-35, A-20, A-5 and RI/C Zoning Districts and change to a Limited Use in the RES Zoning District.
12. Place of Assembly change from Allowed to Permitted Use in the A-35 and A-20 Zoning District and change to Limited with Public Notice in the A-5, RI/C and RES Zoning District.
13. There was discussion around Schools and Childcare Centers. Staff has been in contact with the State on their process to get more information on this topic.
14. Automobile Fueling or Service Station remain as not allowed in A-35, A-20, A-5 and the RES Zoning District and change from Allowed to Permitted Use in the RI/C Zoning District.
15. Parks and Passive Recreation be a Permitted Use in all Zoning Districts. The Planning Commission recommended the “Open Space” and “Golf Course” be removed from the title of this category.
16. Make Golf Course its own category subject to a Conditional Use Permit in all zoning districts
17. Change from “Other Active” to “Commercial” Outdoor Recreation and retain as a Permitted Use in all Zoning Districts.
18. Theater change from not allowed to a Conditional Use in the A-35 Zoning District, and change from Allowed to Permitted Use in the RES Zoning District. Rest remains the same.
19. Renewable Energy Facility (Commercial Scale) be a Conditional Use in the A-35, A-20 and A-5 Zoning District, Limited Use with Public Notice in the RI/C Zoning District and not allowed in the RES Zoning District. There was discussion about Community Solar Gardens.
20. Wireless Communication Facilities – New Facilities, Public Property be a Limited Use with Public Notice in all Zoning Districts. Rest remains as proposed.

The Planning Commission recommended the 90-day temporary use for living in an RV be increased to 12-months to better reflect timeframe for construction. In addition, there needs to be an active electrical and/or plumbing permit from the State.

There was discussion about the number of units that create a mobile home park. DOLA established a threshold of 5 units when it is subject to State review/permits. After discussion there was consensus to retain as proposed that 3+ constitutes a manufactured home park, based on regulations prior to the LUC and input from the Code Compliance Officer.

There was discussion to clarify differences between the different types of events as proposed. Staff shared experiences from code enforcement. The Planning Commission recommended the second sentence in Events be removed.



D. DEPARTMENT REPORT

Director Holm announced that this workshop is being continued to Monday 9/19 at 5:30 pm. He noted that he would send out a redline of the complete LUC for the PC to review everything together before the public draft is released.

E. COMMISSIONER COMMENTS, REQUESTS AND REFERRALS

Chair Kay stated that Commissioners can send minor changes (e.g., typos, non-substantive changes) directly to Director Holm.

ADJOURNMENT

The next meeting will be held on September 19, 2022 at 5:30pm in Delta, CO.

Meeting adjourned at 8:29 p.m.

Respectfully submitted by:
Administrative Assistant, Kim Henderson