



**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	Kate Darlington
Steve Schrock	Tate Locke
Jacob Gray	Layne Brones
David Marek (Associate)	Cindy Watson

Absent Members:

Steve Shea
Michelle Roberts (Associate)
Hardy Hutto

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. WORK SESSION

Continued from September 14, 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 noted that edits being presented are to provide staff direction for what will become the public draft, to be released 9/21.

Following discussion, there was a general consensus for the following changes:

- Chapter 2, Section 4.B.1.b Density; Remove the word "Allowed" and replace with "Permitted" and remove "minimum acreage allowed by the applicable zone district". There was related discussion with how this works together with Additional Residences or Communal Living (subsection 5) and Farmworker Housing (Section C.1)
- Chapter 2, Section 4.B.2: Manufactured Housing Units; Insert an introduction such as: "Upon installation/placement of a new unit:" to reflect when these standards are reviewed.
- Chapter 2, Section 4.C.1: Farmworker Housing; remove "The parcel is zoned A35 or A20".
- Chapter 2, Section 4.C.2: Rural Medium/Heavy Industry; Insert "Neighboring property" to the Residential Use: 1,000 feet.
- Chapter 2.G.1.a: Renewable Energy Facilities (Applicability); Insert "that a Power Purchase Agreement" is in place for selling the power generated by that facility, and remove "that contracts are or will be" from the paragraph.
- Chapter 2, Section 4.G.1.c(1): Renewable Energy Facilities; Insert "Protection of Agricultural Lands" as a section title. Provide some definition to what is required in an Ag Management Plan.
- Chapter 2, Section 4, G.1.c(3): Renewable Energy Facilities; Remove "Commercial scale renewable energy facilities shall be located more than one (1) mile from: Any defined municipal boundary, or Existing or permitted facilities."



- h. Chapter 2, Section 4, G.1.c(4): Renewable Energy Facilities (Power Lines); revise to make intention clear that undergrounding power lines does not mean transmission lines regulated by the PUC.
- i. Chapter 8, Section 2.B.1: Conditional Use Approval Standards; Avoid language relative to peace, morals, comfort, general welfare as it makes the finding over-broad. Remove "The establishment, maintenance or operation of the use or structure applied for, will not, under the circumstances of the particular case, be detrimental to health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use; or be detrimental or injurious to property and improvement in the neighborhood; or to the general welfare of the County;" The health and safety aspect is addressed more specifically in finding "d".
- j. Chapter 8, Section 5.A.2: Variance (Findings); Remove "The requested variance would not create substantial detriment to the public good or substantially impair the intent and purpose of this Code" (from 2021 LUC). In subsection a.3. Retain the (new) second sentence
- k. Chapter 12, Section 3.C.3.a: Clustered Subdivision Design (Lots); Amend Building Envelopes to keep a 1 acre maximum, delete the 25%. Add a new criterion that the Stewardship Areas shall make up a significant portion of the total parcel area.

The PC noted that this is good for now, but there are things they will want to follow up on separate from this LUC Update, so as to not hold up that process such as: Legacy Lot Split - include consideration for larger parcels (100+ acres), Density, Clustered Subdivision-Stewardship Area.

B. DEPARTMENT REPORT

None.

C. COMMISSIONER COMMENTS, REQUESTS AND REFERRALS

None.

ADJOURNMENT

The next meeting will be held on October 12, 2022 at 5:30pm in Delta, CO.

Meeting adjourned at 8:49 p.m.

Respectfully submitted by:
Administrative Assistant, Kim Henderson