

DELTA COUNTY PLANNING COMMISSION MEETING MINUTES
Board of County Commissioners Meeting Room
560 Dodge Street
December 11, 2024
Regular Scheduled Planning Commission Meeting

Chair Darlington called the meeting to order at 5:30 p.m. in the BoCC Meeting Room.

A. ROLL CALL

District 1

Todd Queen

District 2

Layne Brones

Hardy Hutto

Victoria Hope Turner

District 3

Kate Darlington, Chair

David Marek

Absent Members:

Cindy Watson, Vice Chair

Jacob Gray

Joseph "Matt" Clark

Anthony "Tony" Mautz (Associate)

Staff in Attendance:

Delta County Planner II, Kate Kirk

Delta County Planner I, Brittany Haining

Delta County Community Development Director, Shawn Gardner

B. AGENDA ADDITIONS, DELETIONS, AND CORRECTIONS

NONE

C. MEETING MINUTES

NONE

D. PUBLIC HEARING ITEMS

1. PLN23-016/Esparza: Consider Conditional Use Permit (CUP) for a salvage yard and close Code Compliance Case (Case #2021-011) open on the subject property. The approximate 9.58-acre parcel (20463 F Road) is located on the north side of F Road, approximately 3.39 miles east of the City of Delta (Parcel #345523304001).

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

- a. Find that PLN23-016/Esparza complies with the 2021 Land Use Code for a Salvage Yard, requiring a Conditional Use Permit (CUP); and
- b. Conditionally approve PLN23-016/Esparza, a Conditional Use Permit (CUP) for a Salvage Yard, located at 20463 F Road, Delta (Parcel #345523304001), subject to conditions (attached).

Kate Kirk, Planner II, presented the project to the Planning Commission, including an explanation of the Application and the Code Compliance case, a Vicinity Map, Zoning Map, relevant Land Use Codes (Regulatory), and Staff Recommendations.

Chair Darlington opened the floor to questions from the Planning Commission for Planning Staff. The questions and discussion included the following topics: Screening/fencing, containing hazardous fluids,

Chair Darlington opened the floor to questions of the Applicant/Owner from the Planning Commission. Questions and discussions included the following: gravelling the access, containing hazardous fluids from vehicles, the size of the salvage yard operation, the transport of vehicles to/from the property, and the deliberation over the appropriateness of the recommended conditions to resolve the code compliance case and satisfy zoning and state requirements.

Chair Darlington closed public comment and opened the floor for Board discussion, a Motion, or suggested conditions on the project.

Commissioner Marek made a Motion to approve the project with staff conditions.

Commissioner Brones seconded the Motion.

Chair Darlington asked for a vote.

Commissioner Queen asked if there could be a further discussion of the project.

After the discussion, Chair Darlington asked if there was a Motion with new conditions or if Commissioner Marek would like to amend his earlier motion.

Commissioner Marek did not want to amend his earlier Motion.

Chair Darlington asked for a vote on Commissioner Marek's Motion to approve the project with staff conditions.

The vote was three yes and three no.

Chair Darlington asked if another Commissioner would present a Motion to approve the project with amended conditions.

Commissioner Queen made a Motion to approve only number one of the staff conditions and strike conditions two through five.

Commissioner Hutto seconds the Motion.

Chair Darlington asked if there's any further discussion needed before the board votes.

Commissioner Marek states that condition number two has to be one of the conditions because the statute requires it. He further states that the noise and traffic volume conditions presented by staff are either state statute or pursuant to the Land Use Code.

Chair Darlington asked for a vote on Commissioner Queen's Motion to approve the project with only condition number one from the staff recommendations.

Motion carries (4-2)

E. DEPARTMENT REPORT

Planning Director, Shawn Gardner, requested to schedule time with the Planning Commission to begin working on a list and priorities for Land Use Code revisions. Chair Darlington agreed to the request.

F. COMMISSIONER COMMENTS, REQUESTS AND REFERRALS

Chair Darlington requested a work session with the Board of County Commissioners to understand the Planning Commission's role and approach to providing Land Use Code edits. Requests were also made for instructions for re-applying to the Planning Commission to be sent to members whose terms are ending in January.

ADJOURNMENT

Chair Darlington adjourned the meeting at 6:36 p.m.

The next meeting is scheduled for January 8, 2024, at 5:30 p.m. in Delta, CO.

Respectfully submitted by: Shawn Gardner, Community Development Director.