

SAN MIGUEL COUNTY PLANNING COMMISSION

MINUTES – REGULAR MEETING

March 14, 2024

**Online & 1110 Summit Street, Norwood, Colorado (AM)
Online & 333 W. Colorado Ave, Telluride, Colorado (PM)**

9:00 A.M. Site Visit: 40485 Highway 145, Norwood

Present: Lee Taylor, Chair
Josselin Lifton-Zoline, Vice-Chair
M.J. Schillaci, Secretary
Ian Bald, Member
Matthew Bayma, Member
Galena Gleason, Alternate

Planning Staff Present: Kaye Simonson, Planning Director
John Huebner, Senior Planner

Commissioners Present:

County Staff Present: Amy Markwell, County Attorney
Rachel Allen, Assistant County Attorney (P.M. Session)
Matt Gonzales, Building Official
Jarrid Biggs, Special Projects Manager
Nancy Willis, Paralegal

9:44 a.m. Chair called the meeting to order.

APPROVAL OF MINUTES

MOTION by MJ Schillaci to approve the February 8, 2024 minutes

SECONDED by Josselin Lifton-Zoline motion **PASSED 6-0**

Lee Taylor	<u>Ave</u>	Nay	Abstain	Absent
Ian Bald	<u>Ave</u>	Nay	Abstain	Absent
M.J. Schillaci	<u>Ave</u>	Nay	Abstain	Absent
Josselin Lifton-Zoline	<u>Ave</u>	Nay	Abstain	Absent
Matthew Bayma	<u>Ave</u>	Nay	Abstain	Absent
Galena Gleason	<u>Ave</u>	Nay	Abstain	Absent

PLANNING COMMISSION AND STAFF COMMENTS

Kaye Simonson, Planning Director updated the commission.

- Dual worksession in both Telluride and Norwood for Solar Regulation drafts on March 27, 2024.
- Solar regulation draft expected to be on the May BOCC agenda.
- The consultants for the Natural Resources/Mining regulations should have drafts ready in April.
- A Mining Moratorium was discussed with the BOCC, which was turned down as we are not the primary permitters for such regulations. BLM, DRMS primarily handle all mining permits.

9:45 A.M. LAND USE APPLICATION

Applicant: Peter Lundeen, on behalf of Demian Brooks
 Proposal: A. Rezone from WM to WMRA - Wright's Mesa Rural Agriculture Zone District; and
 B. RV Park
 Location: 40485 State Highway 145, east of Town of Norwood
 Size: 39-acre parcel
 Zone: Wright's Mesa (WM)

John Huebner, Senior Planner presented the proposal.

The commission discussed lighting under the Dark Sky regulations and potential noise impacts.

It was clarified that there will be a Phase I & II to the project. Phase II could be limited if needed. The Clubhouse, a part of a future phase, would require approval as an amendment to the SUP. Connection for wastewater in Phase II will require an expansion of or additional OTWS. The Special Use Permit (SUP) allows for 3 years to commence work, with a potential for an extension. Phase II of this project would have a 5-year completion window.

There was a discussion of road access and CDOT's rules. CDOT has issued the permit but it is expired and will have to be resubmitted. The applicant completed a Level II Assessment which would require widening the turn-in and paving requirements. There will be no changes to the highway.

The commission asked about the use of the proposed parking area by the cabins, which is not to be long-term but rather for patrons to utilize if they were towing a smaller car, OHV, or boat. There was a discussion of a weed mitigation plan in addition to the landscaping. It was recommended that the applicant try to keep the pond full and if there were any safeguards to retain the pond water. The applicant, Demian Brooks, elaborated that the pond is natural water runoff and supplemented with Gurley ditch water and the goal is to keep it filled.

Mr. Brooks stated he feels the project fills a need for the area and will create a positive economic impact. Water service has been secured with the town. The CDOT permit was granted but has expired and will need to be resubmitted. He agreed that quiet hours and operating rules would be posted and any lighting would be shielded according to the Dark Sky regulations. The berm has been planted with sunflowers, and trees will be added to provide a screen from the road and for

the neighboring property. He further elaborated that he has had friendly discussions with the neighbors and they and the town have been supportive.

The commission discussed concerns about being on the highway and having dogs on a leash to protect the neighboring livestock. They suggested ‘live like a local’ visitor education, especially concerning wildlife, OHV, and Dark Sky regulations.

10:54 a.m. Open to Public Comment

Leslie Sherlock- Concerns about the impact on the town, more notice of meetings for greater public input. Wants to know who will oversee the operation, pond water viability, and guarantee the landscaping. Would like commission to delay a decision, feels public needs more notice.

Karen Marloff- Neighbor. Concerns with dogs running loose, impacts of the size of the project & making visitors follow the rules.

Bobby Starks- Neighbor. Concerns of dogs hassling cows would like fencing. Pond and potential drought conditions.

11:07 a.m. Closed Public Comment

MOTION A. Rezone by Josselin Lifton-Zoline to recommend the San Miguel County Board of Commissioners approve the rezoning of the Demian Brook’s property, Parcel Identification Number 429526200003, aka 40485 Highway 145, to Wrights Mesa Rural Agricultural, WMRA, and to adopt Planning Commission Resolution No. 2024-03, based on the following findings:

1. The proposed rezoning complies with the standards of Land Use Code Section 5-1803, Rezoning;
2. The proposed project is consistent with the Purpose of Land Use Code Section 5-319 D. I., Wright’s Mesa Rural Agricultural, WMRA;
3. The Applicant has demonstrated that the Property can be developed in a way that protects the public health, safety and welfare, including the provision of water and wastewater treatment; traffic; mitigation of geohazards; and mitigation of impacts on the environment;
4. The proposed rezoning implements Land Use Code Article 2, Land Use Policies;
5. The proposed rezoning is consistent with Land Use Code Section 1-4, Purposes of the Land Use Code;
6. The proposed rezoning is consistent with and implements the Wright’s Mesa Master Plan, an element of the San Miguel County Comprehensive Development Plan.

SECONDED by Ian Bald VOTE PASSED 5-0

Lee Taylor	<u>Aye</u>	Nay	Abstain	Absent
Ian Bald	<u>Aye</u>	Nay	Abstain	Absent
M.J. Schillaci	<u>Aye</u>	Nay	Abstain	Absent
Josselin Lifton-Zoline	<u>Aye</u>	Nay	Abstain	Absent
Matthew Bayma	<u>Aye</u>	Nay	Abstain	Absent
Galena Gleason	<u>Aye</u>	Nay	Abstain	Absent

MOTION B. Recreational Vehicle / Travel Trailer Park by Josselin Lifton-Zoline to recommend the San Miguel County Board of Commissioners approve the Recreation Vehicle/Travel Trailer Park (R.V. Park) Special Use Permit for Demian Brooks, based on the findings that the proposed use is consistent with the San Miguel County Comprehensive Development Plan, and the relevant Land Use Policies as set forth in Article 2, and complies with the Land Use Code review standards in Land Use Code Section 5-319 D. I. and IV. New Wright's Mesa Rural Agricultural District Purpose; Section 5-319 H. IV. f. Use Specific Standards for Recreational Vehicle Park, Travel Trailer Park or Campground; Section 5-407 Wildlife Habitat Areas; and Section 5-10 Special Uses with the following specific terms and conditions ***and the corrections made after the packet was sent:***

1. The applicant shall address all relevant Referral Agency comments in the application for Recreational Vehicle/Travel Trailer Park Special Use Permit. 26
2. The Applicant is required to meet all county and state regulations regarding the provision of maintenance, sanitation, occupancy, and use of R.V. Park at the property.
3. This SUP Approval for RV Park is for:
 - Phase 1 improvements:
 - (26) Pull-through spaces
 - (10) sites C27-C36 with full hookups (water, power and septic)
 - (16) sites with water and power
 - (5) pull-in van sites D46-D50 no hookups
 - (1) Bath house to include male/female restrooms that include (2) sinks, toilets and showers
 - (1) Bear proof, enclosed and covered trash and recycling area; and, Phase 2 improvements, if started, must be completed within five
 - (5) years of SUP approval
 - (14) Pull-through spaces with water and power
 - (5) cabin sites D41-D45
4. The RV Park shall only operate from April 15 through November 30 unless applicant can provide written approval from the Colorado Parks and Wildlife of a site-specific wildlife protection plan. There shall be no winter use of the site.
5. The use of the property shall be limited to the areas shown on the site plan. There shall be no further development and use without County Planning approval.
6. Prior to commencing the approved use of the R.V. Park the Applicant must submit a Development Permit application with a complete set of plans and be issued a

Development Permit by the Planning Department; and must submit a Building Permit application with a complete set of plans to the Building Department, and be issued a Building Permit and complete all proposed improvements; and must submit an Onsite Wastewater Treatment System (OWTS) Permit application, and be issued an OWTS Permit by the Public Health Department, and complete installation of the system.

7. The OWTS as designed is for phase 1 only. Prior to commencing phase 2, a new permit for OWTS must be submitted and approved. 8. Prior to commencing the approved use of the R.V. Park the Applicant
8. Prior to commencing the approved use of the R.V. Park the Applicant 27 must submit a new Access Permit application with a level two traffic assessment to the Colorado Department of Transportation, and be issued a new Access Permit and complete all proposed driveway improvements.
9. Prior to commencing the approved use of the R.V. Park the Applicant shall plant the trees for screening as indicated on the project site plan, with the addition of trees planted on the existing earthen berm. Status of trees should be checked three years after planting.
10. The use of bear-proof trash cans and dumpsters shall be utilized at the RV Park.
11. Duration of Stay: No R.V. Park space shall be used for long-term housing (i.e., stays of longer than thirty (30) consecutive days or a total of thirty (30) days within any one hundred twenty-day (120-day period); except for five spaces that may be used for up to 180 consecutive days.
12. Use of the RV sewage dump station is limited to only those persons staying at the RV Park.
13. There shall be an annual review one (1) year after the date of approval of this SUP (May 2025). The BOCC may make a determination in its discretion if there is a need for additional on-going annual reviews, or periodic reviews of the terms and conditions of the SUP in the future. There shall be a review prior to the commencement of phase 2.
14. Driveway shall be maintained in a dust-free condition.
15. Trees shall be planted as indicated on the project site plan. After three years trees shall be evaluated for condition, and if in unsatisfactory condition will need to be re-planted.
16. This SUP Approval is subject to all written representations of the applicant, in the original submittal and all supplements including emails, and are deemed to be conditions of approval except to the extent modified by this Motion.
17. ***Provide a Lighting Plan that is Dark Sky compliant.***
18. ***Provide a Weed Management Plan and a VegetationPlan.***

19. *Cap the number of people in the extended stay spaces to be no more than 5 people per space*

20. *Provide the draft rules for RV Park rules for review prior to the BOCC hearing.*

21. *Update the site plan to show the location of the fenced-in dog run.*

SECONDED by MJ Schillaci

FRIENDLY AMENDMENT by Lee Taylor to cap the extended stay at 25 persons.
Amendment not accepted .

FRIENDLY AMENDMENT By Ian Bald at buildout, the total occupancy shall not exceed 200 guests. Occupancy for Phase I to be 125 people.

SECOND FRIENDLY AMENDMENT by Matt Bayma to include the dog run shown on plan.

AMENDMENTS by Ian Bald & Matt Bayma accepted by Josselin Lifton-Zoline & MJ Schillaci
VOTE 5-0 PASSED

Lee Taylor	<u>Aye</u>	Nay	Abstain	Absent
Ian Bald	<u>Aye</u>	Nay	Abstain	Absent
M.J. Schillaci	<u>Aye</u>	Nay	Abstain	Absent
Josselin Lifton-Zoline	<u>Aye</u>	Nay	Abstain	Absent
Matthew Bayma	<u>Aye</u>	Nay	Abstain	Absent
Galena Gleason	Aye	Nay	Abstain	Absent

11:52 a.m. BREAK

Planning Commission will drive to Telluride for following EEMP Work Session

1:34 p.m. RECONVENE IN TELLURIDE FOR WORK SESSION

1:30 PM EAST END MASTER PLAN WORK SESSION

Discussion regarding the Draft East End Master Plan

- Staff provided an update on housing needs and what is currently being built or planned.
- Plan should acknowledge cumulative impacts and be part of review criteria.
- A lot of the feedback received has been incorporated into the plan.
- Commissioner Taylor noted that he and Commissioner Brown had met with the Elk Run and Raspberry patch residents.
- The CPC members stated that there needs to be a commitment to more frequent plan updates.

2:54 p.m. Open to Public Comment

Those who addressed the Commission

Fran Berg
Todd Creel
Pam Bennett
Emily Masson
Harvey Roisman
Jennifer Barker
Shellie Duplan
Jolanda Vanek
Scott Bennett
Catherine Winchester

3:29 p.m. Closed Public Comment

There was discussion with the Commission regarding Diamond Ridge, Community Housing (CH) Zone, Affordable Housing Planned Unit Development (AHPUD) process with its five steps giving due diligence for any development. It was noted that the AHPUD zone is old and should be reviewed and updated in the future.

The Planning Commission directed staff to change the Future Land Use classification Diamond Ridge to Low Density. The draft Plan, with all amendments discussed to this point, will now be sent to Design Workshop so they can compile the final draft plan.

3:56 p.m. Adjourned

Respectfully Submitted,

Nancy Willis
Nancy Willis (Apr 5, 2024 13:04 MDT)
Nancy Willis, Paralegal

Approved on _____, 2024.

SAN MIGUEL COUNTY PLANNING COMMISSION

Mary Jo Schillaci
Mary Jo Schillaci (Apr 5, 2024 13:50 MDT)
M.J. Schillaci, Secretary