



360 Main St • Delta, Colorado 81416 • Phone (970) 874-7903 • Fax (970) 874-6931 • Website: www.cityofdelta.net

A G E N D A

**Planning Commission
Regular Meeting**

**June 4, 2018
6:30 p.m.**

A. Changes to the Agenda

B. Minutes of the March 5, 2018 Planning Commission meeting.

C. Citizen Comments

- Citizens who have comments on items that do not appear on the agenda are asked to make their comments at this time. Comments on an agenda item will be taken at the time that item is under discussion.

D. Public Hearing – Conditional Use Request at 695 Highway 50 to allow Mobile Home Sales in the B-2 Zone.

- Open the Public Hearing
- Staff Report and Recommendations
- Applicant Presentation
- Public Comment
- Close Public Hearing
- Planning Commission Recommendation

E. Commissioner Comments

F. Staff Comments



A regular meeting of the City of Delta Planning Commission was held on Monday, March 5, 2018 at 6:30 p.m. in the City Council Chambers of City Hall at 360 Main Street, Delta, Colorado. Said meeting was posted in accordance with the Sunshine Law.

PRESENT: Mary Cooper, Chairman; Jay Stooksberry, Vice-Chairman; Carl Jahn, Commissioner; Richard Simmons, Commissioner; Mark Lee, Commissioner; Arla Nelson, Commissioner; Glen Black, Director of Community Development; Sharleen Walker, Planning Technician.

ABSENT: None – One vacancy.

GUESTS: Jim Renfrow, Russ French, Ken Lentz.

CHANGES TO THE AGENDA

There were no changes to the agenda.

MINUTES

A motion was made by Richard Simmons, seconded by Carl Jahn to approve the minutes of the Planning Commission held on Monday, February 5, 2018 as amended. All voted yes. Motion passed.

CITIZEN COMMENTS

None

PUBLIC HEARING ZONING AMENDMENT (REZONE) FOR A PORTION OF LOT 2 MTN SUBDIVISION

Chairman Cooper introduced the agenda item and opened the public hearing. Glen Black, Community Development Director, reviewed the staff report with the Planning Commission. Mr. Black stated that the property is going through a boundary adjustment, which is an administrative process. The new parcel would have two different zoning designations; normally the City does not allow a parcel to have two different zoning designations. The applicant owns both parcels and has a potential buyer for the parcel off of H Rd that is anticipating putting a church on the parcel and the R-1A zoning designation does not allow for churches. The request is to make the new parcel all A-1, which does allow for churches.

Additionally, Mr. Black stated that this zoning amendment will be on the tomorrow night's City Council work session as an ordinance on first reading on the regular Council agenda.

Chairman Cooper closed public hearing.

A motion was made by Jay Stooksberry, seconded by Carl Jahn to recommend the zoning amendment for a portion of the MTN Subdivision from R1-A to A-1, contingent on recording of the Boundary Adjustment Plat. All voted yes. Motion passed.



3-MILE PLAN / SB 45 PLAN

Chairman Cooper introduced the agenda item. Glen Black, Community Development Director stated that the Three-Mile Plan/SB 45 Plan has not changed from last year. This is a once a year review of the three-mile plan per Colorado Revised State Statute.

The Planning Commission discussed the annexation and disconnection process and the need for the three-mile plan.

A motion was made by Richard Simmons, seconded by Arla Nelson to recommend approval of the Three-Mile Plan/SB 45 Plan to the City Council as presented. All voted yes. Motion passed.

COMMISSIONER COMMENTS

None.

STAFF COMMENTS

Glen Black, Community Development Director, answered questions regarding the ballot question for taxing marijuana in the City of Delta. Additionally, Mr. Black informed the Planning Commission that the marijuana zoning ordinance has been tabled indefinitely, but that a greenhouse zoning ordinance will be on the City Council agenda tomorrow night to allow greenhouses in the A-1, B-2, B-3 and Industrial zones.

ADJOURNMENT

A motion was made by Jay Stooksberry, seconded by Richard Simmons to adjourn the regular Planning Commission meeting. All voted yes. Motion passed. The meeting was adjourned at 6:56 p.m. with no further action taken.

Sharleen R. Walker, Planning Technician



695 Highway 50 Conditional Use Request

Staff:	Glen L. Black	Date:	June 4, 2018
Owner:	Mazuries, LLC	Representative:	Jeff Waldbauer
Location:	695 Highway 50	Parcel #:	3457-131-00-052
Zone District:	B-2	Parcel Size:	2.68 acres

Request:

The applicant is requesting a conditional use to have a mobile home sales lot.

Criteria for Approval for a Conditional Use:

According to section 17.04.250 of the Delta Municipal Code:

A. No conditional use or change in a non-conforming use will be allowed unless the Planning Commission determines the following criteria are substantially met with respect to the type of use and its dimensional features:

1. The use will not be adverse to the public health, safety or welfare.
2. The use is not inconsistent with the City's Master Plan.
3. Streets, pedestrian facilities, water, sewer and other public improvements in the area are adequate.
4. The use is compatible with existing uses in the area and other allowed uses in the district and the type, bulk, height and location of any buildings or structures is compatible with other buildings, structures and the character of the area.
5. The use will not have an adverse effect upon other property values.
6. Adequate off-street parking will be provided for the use.
7. The location of curb-cuts and access to the premises will not create traffic hazards.
8. The use will not generate light, noise, odor, vibration, or other effects which would unreasonably interfere with the reasonable enjoyment of other property.
9. Landscaping of the grounds and architecture of any buildings will be reasonably compatible with that existing in the neighborhood.
10. Any other criteria specified by other City ordinances or regulations are met.

B. The burden shall be upon the applicant to prove that these requirements are met.



C. The Planning Commission may impose conditions as necessary to insure that the above criteria are met.

D. A use approved as a "use subject to review" under prior ordinances shall be treated as a previously approved "conditional use" for purposes of this Chapter. (Ord. 4, §1, 1999)

17.04.150 B-2 District

A. INTENT: The B-2 District is intended for a large variety of uses to conveniently serve customers. (It shall include all areas previously classified before November of 2011 as being within the B-4 District.)

B. USES BY RIGHT:

1. Those listed in the B-1 District as "uses by right."
2. Laundromats.
3. Bowling alleys.
4. Car washes.
5. Rental storage units with a maximum rental unit size of three hundred (300) square feet.
6. Veterinary clinics or hospitals for small animals.
7. Nursing homes, sanatoriums, and hospitals.
8. Retail building material supply businesses.
9. Gas stations and vehicle repair businesses.
10. Farm implement and vehicle sales and service establishments.
11. Wholesale distribution.

C. CONDITIONAL USES:

1. Those "conditional uses" listed for the B-1 District not listed as a use by right in (B) above, except small manufacturing specified in Subsection 17.04.140(C)(1).
2. Travel home parks.
3. Small manufacturing operations which meet the following criteria in addition to the criteria of Section 17.04.250:
 - a. The manufacturing activities shall be totally enclosed within building.
 - b. All storage of equipment, supplies, materials and inventory shall be within an enclosed building. No exterior storage is allowed.
 - c. Trucks, trailers and other vehicles shall not be parked on the public street.
 - d. The activity shall not result in any public or private nuisance.
 - e. Off street parking is required.
4. Mobile home sales establishments.

D. The following uses are not to be construed as a "use by right" or "conditional use" in the B-2 District:



1. Bulk Feed and storage and sales establishments.
2. Veterinary clinics or hospitals for large animals.
3. Construction and contractor's equipment storage facilities.
4. Machine and welding shops.
7. Aboveground storage facilities for hazardous fuels.
8. Manufacturing and industrial uses except as specifically allowed above.
9. Storage facilities (small rental storage units are allowed).

E. PERFORMANCE STANDARDS:

5. Mobile home sales establishments:

- a. Lot size must be adequate for the proposed use.
- b. Display units may not encroach on, into or above the setbacks.
- c. All storage of equipment, supplies, and materials shall be within an enclosed building. No exterior storage is allowed, except the inventory of display models to be sold. No used modular, or mobile homes may be stored on the lot, except those in like new condition and ready for sale. Steel frames may be stored no longer than seven (7) days after removed from a modular or mobile home that has been placed at another location.
- d. Trucks, trailers and other vehicles shall not be parked on the public streets.
- e. Display units shall not be lived in. A display unit may be used for an office if a building permit is obtained for setting up the unit and a Certificate of Occupancy has been issued for use as an office. No more than one unit may be set up as an office.
- f. Off street parking is required.
- g. Backing onto arterials is not allowed; either by the public or maneuvering of the modular or mobile home. Site must be large enough to accommodate maneuvering of units for display on site.

Discussion

1. There were seven petitions mailed to surrounding property owners and there has not been any petitions turned in.
2. The applicant came to Planning Commission on January 8, 2018 to request a Municipal Code change to allow Mobile Home Sales in the B-2 zone. The Planning Commission recommended approval of the proposed change to the City Council.

The City Council adopted Ordinance 1, 2018 on March 6, 2018. The Ordinance was published and is in effect.

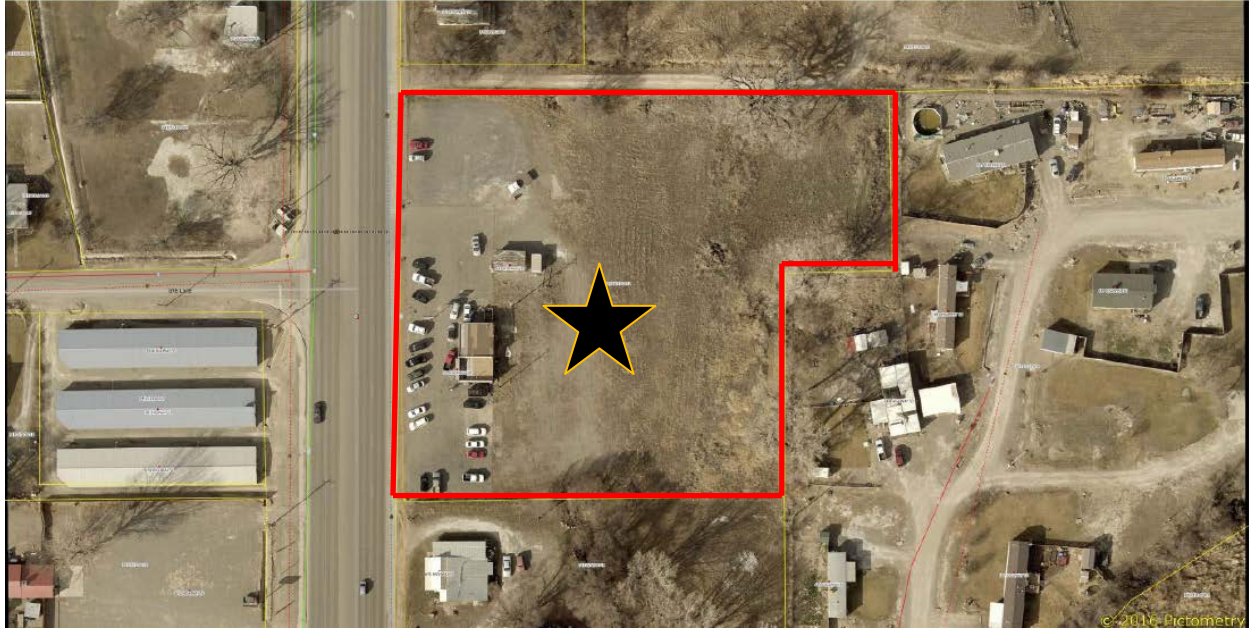
Staff Recommendations:

Staff is recommending approval of the conditional use request.

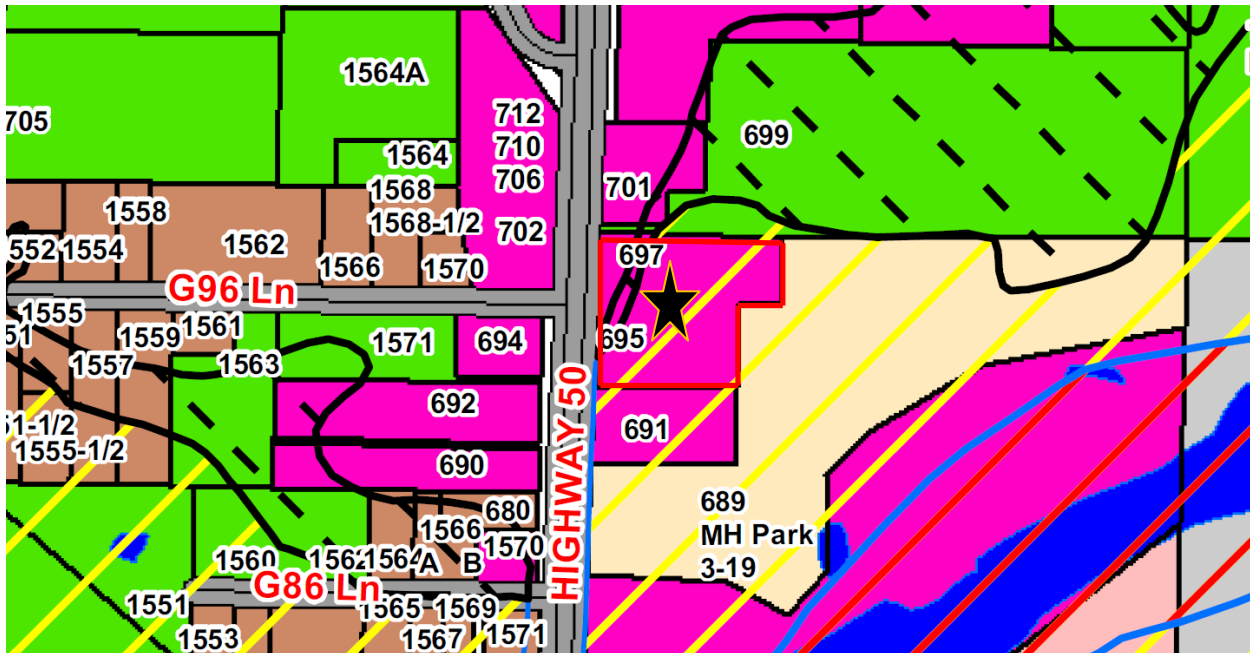
Example Motion:

I move that Planning Commission **approve/deny** the applicant's request for a conditional use for a mobile home sales lot in the B-2 zone, located at 695 Highway 50 for the following reasons:

Aerial Photo



Zoning Map



HWY 50

334 FEET

334'

685 HWY 50
DELTA, CO. 81416
WAZUAKES LLC
DBA. BRAVUTEE HOMES
2.68 ACRES

33'
2'
5'

OVER 300'

SEL

2350 NE Hopkins Court • Pullman, WA 99163 • Tel: +1.509.332.1890 • Fax: +1.509.332.7990 • info@selinc.com • www.selinc.com

30'x76'
I.R.C. SHOW
HOME

40'

25'

73'

PARKING

EXISTING
STORAGE

EXISTING
BUILDING

44'

PARKING

EXISTING
OFFICE
BUILDING
& STORAGE

50'

216'

30'x70'
I.R.C. MOD
SHOW HOME

210'

90'
PARKING

96'

15'

220'

Making Electric Power Safer, More Reliable, and More Economical