

**FREMONT COUNTY
PLANNING COMMISSION MEETING MINUTES
APRIL 5, 2011**

CHAIRMAN DEAN SANDOVAL BROUGHT THE APRIL 5, 2011 MEETING OF THE PLANNING COMMISSION TO ORDER AT 4:02 P.M.

MEMBERS PRESENT

Dean Sandoval, Chairman
Byron Alsup
Mike Krauth
Joe Lamanna
Joe Caruso

STAFF PRESENT

Bill Giordano, Planning Director
Brenda Jackson, County Attorney
Donna Monroe, Planning Assistant
Marshall Butler, Planning Coordinator

MEMBERS ABSENT

Daryl Robinson

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF AGENDA

4. APPROVAL OF THE MARCH 1, 2011 PLANNING COMMISSION MEETING MINUTES

5. REQUEST: SRU 09-004 FREMONT OFF ROAD RECREATION AREA

The application was tabled at the December 7, 2010 in order to allow the applicant time to work with the County Engineer. Request approval of a **Special Review Use Permit, Department file #SRU 09-004 Fremont Off Road Recreation Area, by Stephen M. Harris & Lynette Harris, to allow for the operation of a Rural Recreation Facility to consist of an off road motorized recreation area that includes a free style training area, a peewee track, an intermediate track, and an ATV track** on property owned by Stephen M. Harris and Lynette Harris which is located at the *northwest corner of the intersection of Fremont County Roads #67 (aka Phantom Canyon Road) and #123, north of the Fremont County Airport.* **The Special Review Use Permit is intended to allow only “family members and friends” and it will not allow events which are open to the public. Any event will require the issuance of a temporary use permit.** The SRU property consists of one-hundred and twenty (120) acres and is located in the Agricultural Forestry Zone District.

REPRESENTATIVE: Matt Koch, Cornerstone Land Surveying, LLC

6. MASTER PLAN WORKSHOPS

Discussion regarding future Master Plan workshops.

7. DISCUSSION ITEMS

Discussion of any items or concerns of the Planning Commission members.

8. ADJOURNMENT

1. **CALL TO ORDER**

Chairman Dean Sandoval called the meeting to order at 4:02 pm.

2. **PLEDGE OF ALLEGIANCE**

Pledge of Allegiance was recited.

3. **APPROVAL OF AGENDA**

MOTION

Mr. Joe Caruso moved to accept the April 5, 2011 Fremont County Planning Commission Meeting agenda.

SECOND

Mr. Byron Alsup seconded the motion.

Chairman Sandoval called for a roll call vote, and the motion passed unanimously. (5 of 5)

4. **APPROVAL OF THE OCTOBER 5, 2010 PLANNING COMMISSION MEETING MINUTES**

Chairman Sandoval asked if there were any changes, additions or corrections to the March 1, 2011 Fremont County Planning Commission Meeting Minutes.

MOTION

Mr. Joe Lamanna moved to accept the March 1, 2011 Fremont County Planning Commission Meeting Minutes as written.

SECOND

Mr. Joe Caruso seconded the motion.

Chairman Sandoval called for a roll call vote, and the motion passed unanimously. (5 of 5)

5. **REQUEST: SRU 09-004 FREMONT OFF ROAD RECREATION AREA**

Request approval of a **Special Review Use Permit, Department file #SRU 09-004 Fremont Off Road Recreation Area, by Stephen M. Harris & Lynette Harris, to allow for the operation of a Rural Recreation Facility to consist of an off road motorized recreation area that includes a free style training area, a peewee track, an intermediate track, an ATV track and a special event track** on property owned by Stephen M. Harris and Lynette Harris which is located at the *northwest corner of the intersection of Fremont County Roads #67 (aka Phantom Canyon Road) and #123, north of the Fremont County Airport.* **The Special Review Use Permit is intended to allow only “family members and friends” and it will not allow events which are open to the public. Any event will require the issuance of a temporary use permit.** The SRU property consists of one-hundred and twenty (120) acres and is located in the Agricultural Forestry Zone District.

Mr. Mike Krauth stated that he felt it would be appropriate for him to disclose that he had spoken to Mr. Steve Harris prior to his appointment on the commission. Mr. Krauth has known Mr. Harris for some time but that it won't influence his opinion of this project.

Mr. Matt Koch, of Cornerstone Land Surveying representing the applicants, stated that he is aware that this project was tabled at the Planning Commission meeting in December of 2010 mainly due to the drainage issues. On February 15, 2011, County Engineer, Mr. Don Moore

wrote a letter that stated that everything had been satisfied for the drainage and erosion concerns. Mr. Koch stated in reference to Condition item J of the Department's review, which is the requirement for the liability insurance, he noted that this project is for family and friends only; it's not a commercial enterprise and will not be making money on the use so they would request that the liability insurance be dropped. Several of the other conditions mention that if it is going to be used for an event then it is required that Mr. Harris will have to apply for a Temporary Use Permit (TUP). In applying for a TUP the insurance issue would be taken care of at that time. Insurance is for when you have people you don't know coming onto the site. Mr. Harris has no other concerns with the requirements.

Mr. Koch stated that Mr. Bill Giordano, Planning Director, had spoken to him earlier about adding a contingency item number six (6) regarding the drainage; which assures that Mr. Harris completes the erosion measures he agreed too at the February 15, 2011 meeting with Mr. Giordano, Mr. Moore and Mr. Harris. He noted that they are also in agreement with that requirement.

Mr. Giordano showed a video of the proposed site giving a general idea of the site location and neighboring areas. He briefly discussed the conditions, contingencies, waivers and additional notifications as per the Departments review.

Chairman Sandoval inquired if Condition J is eliminated, should it be mentioned in Condition M.

Mr. Giordano stated that insurance is a requirement under the TUP already so it won't need to be added to Condition M.

Mr. Byron Alsup inquired if the Department is still requesting that the applicant only use the western two thousand (2,000) feet of the property or if that has been removed.

Mr. Giordano stated that requirement has been removed.

Mr. Joe Caruso inquired if the Special Review Use (SRU) Permit is for the entire property.

Mr. Giordano confirmed that the application is for the entire property.

Mr. Caruso noted that there is a track on the very southeast corner, basically the corner on County Road 123 and County Road 67 that is within 50 feet of the property boundary. Would that track have to be abandoned and re-vegetated? Is that what the County would require?

Mr. Giordano stated that the Department hasn't asked for re-vegetation but the track would have to be removed.

Ms. Brenda Jackson, Fremont County Attorney, stated that the County can't ask for re-vegetation.

Mr. Harris stated they had abandoned that track last weekend.

Mr. Giordano stated that there has to be some kind of a buffer due to the fact that the fences are very close to the tracks. The Department is concerned about people crashing into the fences; fifty (50) feet might not even be enough to prevent it anyway.

Mr. Caruso stated that just the dust was bad enough when he was coming through there on his way to the meeting. Someone was out there riding and there was dust getting spilled up on the west end. Right there next to County Road 123 and County Road 67 if we get the wind like we normally do every other day around here it could become a hazard as far as traffic goes.

Mr. Joe Lamanna inquired about using a dust suppressant. Has Mr. Harris thought about what type of dust suppressant he will apply?

Mr. Harris stated that they will be using water.

Mr. Lamanna stated that when you are riding bikes and things like that typically the dirt gets churned up pretty good, then we get these wind storms which makes for a bigger issue as he sees it. The dust is really hard to control. Is there some other kind of suppressant that could be used?

Mr. Harris stated that he is working toward a permanent water solution so it can be watered as necessary. He stated that he has started purchasing equipment to allow for disking and tilling most of the areas that are turned up. Hopefully that will create a better way to retain water.

Mr. Lamanna inquired if there are any neighbors nearby.

Mr. Giordano stated that the closest neighbor is up on top of the hill.

Mr. Harris stated that the track is below the hillside so you can't see directly from the track to the neighbors.

Mr. Lamanna inquired if there is a fence all the way around the property.

Mr. Harris confirmed that the entire property is fenced.

Mr. Lamanna stated that where he stands on this is that the dust is the biggest issue. He can see some kind of a condition where, if there is high wind and there are visible plumes of dust leaving the property. Under these conditions it would not be a good idea to operate under those conditions.

Mr. Harris agreed and said that this sport is really a fair weather sport.

Mr. Lamanna stated that it really could become a safety issue with big dust plumes in the area.

Mr. Harris stated that within two (2) miles of the house there is a feedlot that is over grazed so he is very conscious of the dust and trying to minimize it as much as possible.

Mr. Lamanna stated that he's not sure if water is going to be sufficient in that kind of condition. Mr. Harris might have to consider something a little bit more permanent than water. Particularly when there is no riding the dust is going to get turned up; the wind is going to kick it up even when you aren't out there. He asked Mr. Harris if he had thought about it at all.

Mr. Harris stated that no, he hadn't considered anything that isn't natural. Generally all of the (*other*) tracks that they use just use water for the suppressant. Hopefully the disking and tilling will help retain more water and get through the initial layers of the very expansive soil.

Mr. Lamanna stated that he thinks they are still going to need something other than water on the tracks.

Mr. Caruso asked Mr. Harris how many feet of track he has.

Mr. Harris stated that he's not sure, it changes all the time.

Mr. Caruso inquired if it is half a mile, or maybe one (1) mile.

Mr. Harris stated that it is probably a mile or more.

Mr. Caruso stated that it is going to take a fairly large amount of water to cover a mile of road.

Mr. Koch stated it would be a lot of water and there are other suppressants that can be considered. As part of the conditions this issue can be reviewed when the Department is doing the annual review to see what the impact is from the dust. Imodium oxide is what the County uses for the county roads; they spray it on and it does a pretty decent job. This is something that can be looked at and see what needs to be done, it might not need to be the whole track. There might only be some high points at the tops of ridges that really need to be hit. So after the first year we will really know what we are dealing with depending on the use and the winds.

Mr. Lamanna stated that he doesn't feel that water is going to be sufficient with the exposed areas. The applicant is going to need some type of actual dust suppressant particular to that kind of surface area. A condition that he would recommend to be added would be that during high wind events or visible dust plumes leaving the property then activity ceases. His concern is that when you look out across that part of the county, particularly here lately, you can see the high winds that we have and how dry it is. The dust is really a problem across that part of the county; we need to do anything we can to minimize it as much as possible.

Mr. Koch stated that there could be something added to condition P regarding Mr. Lamanna's concerns.

Mr. Lamanna stated that he would like to have it to where the applicant has to replace the dust suppressant routinely on the specific areas of the property to keep the dust down. Something like magnesium chloride or some other type of tack applicator would take care of it. In the long run it will save time and effort rather than trying to keep it watered down.

Mr. Harris stated that they have been out there for three (3) years, it's his home and it's a big dust bowl and that is obviously a big problem. He has been very conscious and generally they don't have a dust bowl. He stated I will do whatever it takes to keep the dust down.

Mr. Lamanna stated that he would also like to have it in the condition that if the wind is high and the dust is blowing that all riding would have to cease until the wind conditions were lower.

Mr. Harris restated that it is a fair weather activity and generally there really is no routine. They might not ride for three (3) or (4) months because of weather so it would be hard to comply with some other routine. The choice of words needed would be: “when necessary” or “when plumes of dust occur”.

Mr. Krauth stated that he heard someone state that this project will come up for review in a year.

Mr. Giordano stated that is correct and if the Department receives complaints then obviously they will check things out at the time of the complaint and yearly.

Mr. Harris stated again that this property is his home and they will work very hard to keep it hospitable.

Mr. Krauth inquired if the Department receives complaints then will the complaints be documented and subject to review at the annual review date?

Mr. Giordano stated that the Department will investigate it immediately and then take the information into consideration at the end of each year’s period of time. If we’ve had a number of complaints that we’ve acted on and the dust is the problem the Department can take it to the County Commissioners who have the authority to change conditions (*to try and mitigate the issue*) or suspend the permit due to the ongoing violations. In most cases when we get a complaint we talk to the applicant and see if the problem can be resolved at that time.

Mr. Krauth stated that if we set some conditions for the high wind, leave the suppressant as water, because it is going to fall on the applicant if the water is not sufficient and he starts to get complaints then he will have to address it with the County.

Mr. Lamanna stated that a condition regarding the wind would cover the problem.

Mr. Alsop suggested that since they are recommending eliminating Condition J, that J could be replaced with the information regarding the wind.

Mr. Caruso stated that Mr. Giordano had mentioned that he would also like to add a number six (6) to the Contingencies regarding compliance with the drainage and erosion plan. Mr. Caruso would also like it to be noted about the abandonment of the course on the southeast corner from the driveway east to County Road 67.

Mr. Koch stated that it will be taken care of with the fifty (50) foot setback. If anything is in the fifty (50) foot setback then it can’t be used.

Mr. Giordano confirmed that it would be addressed by fifty (50) foot setback.

Chairman Sandoval called for a motion.

MOTION

Mr. Lamanna moved to recommend approval of SRU 09-004 Fremont Off Road Recreation Area to the Board of County Commissioners with the following:

Recommended Conditions:

A. Special Review Use Permit shall be issued for life of the use. (*99 years requested*)

- B. The Department shall review the permit annually to determine compliance with the conditions of the permit and forward it to the Board for their review as required by regulations. It shall be the responsibility of the permit holder to provide the Department with copies of other permits, licenses, or other documentation showing compliance with the requirements of any other governmental agency (*to include items such as changes to the documents, updates, renewals, revisions, annual reports*). Further it shall be the responsibility of the permit holder to provide the Department with copies of any documents that would affect the use of the subject property, such as but not limited to updated or renewed leases for use of or access to the subject property. Copies of these documents shall be submitted to the Department prior to the anniversary date of the approval of the use permit each year. If the Department has to notify the permit holder that the anniversary date has passed and / or request said documentation, then a penalty fee shall be charged to the permit holder. If the required documentation and penalty fee are not submitted to the Department within twenty (20) days following notification to the permit holder, then violation procedures may be commenced, which could result in termination, revocation, rescission or suspension of the use permit.
- C. The Applicant shall conform to all plans, drawings and representations submitted with or contained within the application except as may be inconsistent with the other provisions of the permit.
- D. The Applicant shall comply with all laws and regulations of the County of Fremont, its agencies or departments, the State of Colorado, its agencies or departments and the United States of America, its agencies or departments, as now in force and effect or as the same may be hereafter amended.
- E. Applicants shall obtain, prior to operation, and keep in effect, throughout operation, all other permits, licenses or the like, including renewals, required by any other governmental agency and as otherwise may be required by Fremont County and shall provide copies of such to the Department. Revocation, suspension or expiration of any such other permits shall revoke, suspend or terminate the permit authorized hereunder, as the case may be.
- F. If a Special Review Use is abandoned, discontinued or terminated for a period of six (6) months, the approval thereof shall be deemed withdrawn, and the use may not be resumed without approval of a new application. Provided, however, if the holder of the permit intends to or does temporarily cease the use for six (6) months or more without intending to abandon, discontinue or terminate the use, the holder shall file a notice thereof with the Department of Planning and Zoning prior to the expiration of the six-month period stating the reasons thereof and the plan for the resumption of the use. The requirement of a notice of temporary cessation shall not apply to applicants who have included in their permit applications a statement that the use would continue for less than six (6) months in each year and such fact is noted on the permit. In no case, however, shall temporary cessation of use be continued for more than two (2) years without approval by the Board of County Commissioners.
- G. If a Special Review Use Permit is to be transferred it shall comply with all applicable Federal, State and County regulations regarding such transfer.
- H. Days of operation shall not be limited.
- I. Hours of operation shall be limited to from sunrise to sunset.

~~J. The permit holder shall obtain and maintain, at a minimum, a one-million dollar (\$1,000,000) liability insurance policy for all recreational use of the property.~~

The Planning Commission recommendation included elimination of the existing wording for Condition J and replacing the wording for Condition J, with the following:

- J. **The permit holder will cease operation during high wind events that cause visible dust plumes to leave the property.**
- K. One of the property owners (*applicants*), or their designated representative, shall be on premise at all times during the time the recreational use is taking place.
- L. The recreational use on the property shall be limited to no more than fifteen (15) off road vehicles, at any given time period.
- M. Any recreational uses or events which are to be open to the public (*not just “family members and friends”*) or **that are in any way operated commercially** shall be required to obtain a Temporary Use Permit, prior to the event.
- N. No recreational use track or off-road vehicle use shall be permitted within fifty (50) feet of the property’s boundary.
- O. All access to the property in association with the Rural Recreational Facility use shall be limited to one driveway on Fremont County Road #123.
- P. A dust suppressant shall be applied to the track areas, when necessary.
- Q. The applicant shall comply with the requirements of the Fremont County Environmental Health Office as per memo dated November 3, 2010. (Prior to Operation)
- R. Applicant shall provide to the Department, documentation from the Fremont County Weed Coordinator that the applicant has in place an acceptable weed control plan, further the applicant shall implement and maintain the plan. (Prior to Operation)
- S. The County shall retain the right to modify any condition of the permit, if the actual use demonstrates that a condition of the permit is inadequate to serve the intended purpose of the condition. Such modification shall not be imposed without notice and a public hearing being provided to the Applicant at which time applicant and members of the public may appear and provide input concerning the proposed modifications to the conditions of the permit.
- T. Only the named party on the permit shall be allowed to operate this Special Review Use Permit. Board approval shall be required prior to allowing any other person or entity to operate at the site under the conditions of this permit. All persons, entities or others requesting Board approval to operate under this Special Review Use Permit must agree to abide by all terms and conditions of this Special Review Use Permit and shall be required to be named on this Special Review Use Permit as additional parties who are bound by the terms and conditions of this Special Review Use Permit.
- U. A Special Review Use Permit shall not be modified in any way without Department approval for Minor Modifications or approval of Major Modifications by the Board in accordance with Section 8.2 of the Fremont County Zoning Resolution (complete reapplication).

Recommended Contingencies:

The Commission recommended the following contingencies of approval for this application, at a minimum, be provided to the Department, by the applicant, within six (6) months (*no extensions except through regulatory process*) after approval of the application by the Board of County Commissioners:

1. A Fremont County Driveway Access permit is required for driveway off County Road 123.
2. The drawing shall contain a line, with a distinct line symbol, that marks the boundary of the “No Recreational Use” buffer area fifty (50) feet from the property lines. Further the drawing shall contain a label and or note that states “All recreational use of the property will not be allowed within fifty (50) feet of the property lines”.
3. The parking detail shall note a turnaround at the north end showing the turning radius.
4. In addition to the existing label on the east side of the property, label County Road #123 on the west side of the property.
5. Applicant shall provide to the Department, documentation from the Fremont County Weed Coordinator that the applicant has in place an acceptable weed control plan or that one is not required.

The Planning Commission recommended adding the following contingency:

- 6. The applicant shall comply with the erosion control and drainage diversion work outlined in the February 15, 2011 edition of the drainage plan.**

The Planning Commission recommended the following:

Additional Notification Requirements:

In addition to the required regulatory notifications of property owners within 500 feet of the subject property, the Commission, due to the size of properties in the area would require notification of all property owners within **1,500 feet** of the proposed Special Review Use Permit boundary and the following entities shall also be notified in accordance with requirements stipulated in the regulations:

1. Colorado State Historic Preservation Office
2. Fremont County Department of Transportation
3. Fremont County Sheriffs Office
4. Fremont/Custer Historical Society
5. Colorado Division of Wildlife
6. Bureau of Land Management
7. Natural Resource Conservation Service
8. City of Cañon City, Planning Department

The Planning Commission recommended waiving the following:

Waiver Requests:

- 1. 5.2.6 Buffering & Landscaping Requirements:**

In conjunction with the issuance of a building permit or approval of a zone change to a Manufactured Home Park, Travel Trailer Park & Campground, Neighborhood Business, Rural Highway Business, Business, Industrial Park, Airport, or Industrial Zone Districts, and

if the property is adjacent to any Agricultural Estates, Agricultural Suburban, Low Density Residence, Medium Density Residence or High Density Residence Zone District, the applicant shall be required to provide screening or a buffering strip, which will act as an opaque visual barrier, **unless waived by the Board** (of County Commissioners). Where in these regulations, any such screening or buffering strip is required to be provided and maintained, such buffering strip shall consist of a row of trees or continuous un-pierced hedge row of evergreens or shrubs of such species as will produce within three (3) years a screen height of at least six (6) feet and shall be of the following minimum sizes at time of installation:

Deciduous shrubs	4' height
Spreading evergreens	30" spread
Tall evergreens	3' height
Screen planting (<i>evergreen</i>)	4' height
Trees	2 and ½" caliper
Ground cover	2 and ½" pot

The entire buffer strip shall be immediately adjacent to the lot line or portion thereof, with consideration given to utility or drainage easements. The remainder of the strip shall be used for no other purpose than the planting of shrubs, flower beds, grass, or a combination thereof. The buffer strip shall be at least eight (8) feet in width and shall be graded and planted with grass seed or sod and such other shrubbery or trees. The entire area shall be attractively maintained and kept clean of all debris and rubbish.

In required buffer strips where a natural buffer strip is considered to be impractical or inappropriate, an opaque fence may be substituted in whole or in part for a natural buffer provided its specifications are approved by the Board.

The applicant is requesting a waiver of the buffering and landscaping with the following justification: The natural existing terrain provides adequate buffering for proposed site. Section 5.2.6 requires that buffer height of 6 feet be established within 3 years. While a natural screen height of 6 feet is not universal on the property we would estimate that due to elevation change and hills 90% of the track area is buffered from sight of County Road #123 and highway 67 (Phantom Canyon Road), sites for the proposed riding areas are buffered by hills and/or dry creeks, on all sides except to the south and the entire south side of the property is bordered by County Road #123 with no neighbors on the south side of 123. In addition all areas of track and parking areas are at minimum 50 feet from roadways and again we estimate over 95% of track area is over 50 feet from roadways and naturally buffered by natural terrain. In light of these circumstances and in the interest of having the land maintain its natural treeless desert and dry wash appearance we would respectfully ask for a waiver of the buffering requirements of FCZR 5.2.6.

2. **Surfacing:** Surfacing for all business, commercial or industrial off-street parking areas shall be graded and surfaced to control dust and provide proper drainage. Spaces shall be asphalt or concrete surface **unless waived by the Board**. If asphalt or concrete, spaces shall be clearly marked. Curbs or barriers shall be installed to prevent parking vehicles from extending over any lot lines.

The applicant is requesting a waiver of hard surfacing with the following justification: In keeping with the plan of preserving the natural terrain except for the creation of the plowed dirt track there would be no desire to pave. Additionally cost of paving for such a small project would effectively end the project. However, all entry ways will have 8 inches of road base for the first 50 feet and parking area entrances and exits will have 8 inches of road base for 50 feet. The roadways within the property leading to the parking areas will be plowed from natural terrain and will comply with all applicable standards as to grading, etc. Additionally the track will ABSOLUTELY not be open when conditions of the roadways and/or track are in a wet or muddy condition. In light of these circumstances we would respectfully ask for a waiver of the hard surfacing requirements of FCZR 5.3.4.

3. **Lighting:** All off-street business, commercial or industrial parking spaces may be required to be adequately lighted to protect the safety of the individual using the area. Said lighting shall not cast any glare on the surrounding properties.

The applicant has requested a waiver of lighting with the following justification: The facility will close at sundown and if deemed necessary it could close one hour before sundown. Cost of lighting would be prohibitive for such a small project. Finally off road recreation would only be safe during daylight hours. In light of the circumstances we would respectfully request a waiver of FCZR 5.3.3.

4. **Landscaping:** All parking spaces (areas) used for business, commercial or industrial uses may be required to provide appropriate vegetation designed to break up the expanse of the parking area.

The applicant has requested a waiver of landscaping of the parking areas with the following justification: Parking areas will be small taking up less than 1% of the total acreage therefore the necessity to break up the expanse of the parking areas will not be necessary. Buffering and screening will be provided by the natural terrain and by the parking area distances from the roadways meaning off site impacts will be minimal or non-existent. In light of these circumstances we would respectfully request a waiver of FCZR 5.3.3.

SECOND

Mr. Caruso seconded the motion.

Chairman Sandoval called for a roll call vote, and the motion passed unanimously. (5 of 5)

6. MASTER PLAN WORKSHOP

Chairman Sandoval stated that he had spoken to Board of County Commissioner Chairman Norden, Commissioner Stiehl, and Mr. Marshall Butler, Planning Coordinator, from the Department of Planning and Zoning, about the fact that we need to move on with the Master Plan update. The number one concern during the financial crisis that most communities are experiencing is the budget. For 2011 the Commissioner's have allowed twelve-thousand-five-hundred (12,500.00) dollars. Of course that is not enough funding to hire professional consultants to complete the whole project but that amount is just for 2011. Assuming that the re-visitation of the Master Plan extends for another year or two, we may see more money provided. It will take thousands of dollars more to have professional help in terms of presenting this to the public, to have facilitators, and to get publishing completed.

Chairman Sandoval asked Mr. Butler to provide the Commission with a little update on what has happened with the Master Plan project since he last spoke with the Commission.

Mr. Butler stated that he has been in email contact with Dr. Clark (*Dr. Thomas A. Clark, Professor of Urban Planning and Policy Development, University of Colorado Denver*) from CU-Denver who may be interested in conducting a review of the current Master Plan Document to determine its adequacies and inadequacies. Then dependent on the results of such a review, Dr. Clark and possibly some of his students may be interested in working on the project. The students as well as Dr. Clark would have to familiarize themselves with the area and there would be a fee for their assistance. The fee amount is undetermined at this point.

Mr. Butler stated that he's not sure what it would cost for a 3rd party to do a review but to have a complete re-write would probably cost seventy-five (75,000.00) to eighty thousand (80,000.00) dollars. Just for a review it will probably be billed out at fifty (50.00) to one-hundred (100.00) dollars per hour.

Chairman Sandoval stated regarding the twelve thousand five hundred (12,500.00) dollars, he recommends that the Planning Commission put in a formal request to the Commissioners to carry that amount over to 2012, to be combined with any monies allocated for 2012.

Chairman Sandoval stated that it is up to the Planning Commission to determine what is necessary to have reviewed by a 3rd party. He also stated that it is the duty of the Planning Commission to do as much work to prepare a scope of work for the project to be presented to the Department, the Commissioners, and any professionals.

There were questions about the demographics of the entire County. Mr. Butler stated that the Department has started today (April 5, 2010) to compile information from the 2010 Census for the tables that are in the existing Master Plan and will provide that information to the Commission at the next meeting at which the Master Plan project is to be discussed. Further he stated that he is uncertain exactly what information is currently available from the Federal Bureau of the Census or from the Colorado Division of Local Government, since 2010 Census results just started becoming available, as he understood on April 1st of this year.

Chairman Sandoval outlined a suggested plan which would result in the formation of sub-groups consisting of two (2) Commission members in each. Each sub-group would review an assigned portion of the current Master Plan, which would help in determining adequacies and inadequacies of the document. The sub-groups could possibly work in private secessions, and then report back to the Commission as a whole. In the meantime, each member would need to determine which section of the Master Plan they would like to review. The sub-groups could meet anywhere they desire and when they wish to meet. The Commission Member can discuss issues with citizens in order to gain input concerning the plan. The sections that should first be reviewed are chapters 4 and 5. Chapter 4 has twelve subtopics, (4 topics per group) and chapter 5 has six subtopics (2 topics per group). He stated that once the information is compiled it will be shared with the Department and other members of the Planning Commission for their comments.

After discussion it was agreed that the Commission wouldn't form committees until the May 3, 2011 meeting at which time Mr. Daryl Robinson should be back and the new Commission member should be on board.

Chairman Sandoval acknowledged Mr. Paul Maye from the audience whom wanted to speak.

Mr. Maye stated that he was present to represent the Eastern Fremont Alliance (EFA). He stated that he would like to offer some suggestions. What he thinks the Commission needs to be looking for is a facilitator more than somebody to do a re-write job. With the dynamics, the additional vigor, and expertise of the Planning Commission, they can handle this project.

The EFA worked every Saturday and re-wrote the Master Plan which they have submitted to the County Commissioners. They created a sub-plan for the Penrose/Beaver Park area. The EFA is willing to take on re-writing the Master Plan for the Penrose/Beaver Park area under the Planning Commissions guidance. The EFA has discussed setting up a special district for the Penrose/Beaver Park area and have been working with the State's Special District Association on doing such.

After further discussion the Planning Commission members agreed to the following general outline of how things are theoretically to progress:

1. Department of Planning and Zoning will provide updated demographics based on available information at the May 3, 2011 Planning Commission meeting.
2. Designated groups will each meet informally to discuss their chosen topics; they will document findings regarding the topics and prepare the information for the final scope.
3. Planning Commission Members may discuss with County citizens issues regarding a Master Plan update to gain input if they desire.
4. The Planning Commission will meet in a workshop setting and compile the information from each group and create a scope of work and or define issues that may need addressing with the current document.
5. Present the scope to the Department, County Commissioners, and or any prospective 3rd party reviewers/consultants as may be appropriate.

7. DISCUSSION ITEMS

Chairman Sandoval called for any other items for discussion.

MOTION

Mr. Caruso moved to adjourn the April 5, 2011 meeting.

8. ADJOURNMENT

With no other items for discussion, Chairman Sandoval adjourned the meeting at 5:50 p.m.

CHAIRMAN, FREMONT COUNTY PLANNING COMMISSION

DATE