

**FREMONT COUNTY
PLANNING COMMISSION MEETING MINUTES
JUNE 4, 2013**

MEMBERS PRESENT

Byron Alsup, Chairman
Daryl Robinson, Vice Chairman
Larry Baker
Michael Pullen
Larry Brown

STAFF PRESENT

Bill Giordano, Planning Director
Vicki Alley, Planning Assistant

MEMBERS ABSENT

Mike Krauth, Jr., Secretary
Joe Lamanna

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF AGENDA

4. APPROVAL OF MINUTES

- a. May 7, 2013 Planning Commission Meeting

5. UNFINISHED BUSINESS

NONE

6. NEW BUSINESS

a. **DISCUSSION REGARDING THE PROPOSED AMENDMENT TO THE
FREMONT COUNTY ZONING RESOLUTION**

Request approval of a proposed amendment to the Fremont County Zoning Resolution which would amend the Travel Trailer Park and Campground Zone District by adding uses, change size of structures and spaces.

REPRESENTATIVE: Department of Planning and Zoning

7. ADJOURNMENT

1. CALL TO ORDER

Chairman Byron Alsup called the meeting to order at 4:07 pm.

2. PLEDGE OF ALLEGIANCE

Pledge of Allegiance was recited.

3. APPROVAL OF AGENDA

Chairman Alsup asked if there were any changes, additions or corrections to the June 4, 2013 Fremont County Planning Commission Meeting Agenda.

MOTION

Mr. Larry Brown moved to accept the June 4, 2013 Fremont County Planning Commission Meeting agenda as written.

SECOND

Mr. Daryl Robinson seconded the motion.

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

4. APPROVAL OF THE MAY 7, 2013 PLANNING COMMISSION MEETING MINUTES

Chairman Alsup asked if there were any changes, additions or corrections to the May 7, 2013 Fremont County Planning Commission Meeting Minutes.

MOTION

Mr. Michael Pullen moved to accept the May 7, 2013 Fremont County Planning Commission Meeting Minutes as written.

SECOND

Mr. Larry Baker seconded the motion.

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

5. UNFINISHED BUSINESS

The Planning Commission had no unfinished business.

6. NEW BUSINESS

a. DISCUSSION REGARDING THE PROPOSED AMENDMENT TO THE FREMONT COUNTY ZONING RESOLUTION

Mr. Bill Giordano, Fremont County Planning Director, requested approval of a proposed amendment to the Fremont County Zoning Resolution which would amend the Travel Trailer Park and Campground (TTP&CG) Zone District by adding uses, change size of structures and spaces.

Mr. Giordano summarized the origins of the proposed amendment and the intent of the changes. He discussed some of the proposed changes specifically:

- **1.5.58.8 Cabin** – The definition of Cabin has been modified in the amendment to clarify the fact that a Cabin was only ever allowed in the Agricultural Forestry Zone District. This type of cabin was for people who owned larger rural parcels for seasonal recreational uses. A Cabin was not intended as a year-around dwelling. Agricultural Forestry is the main zone district for the larger parcels in the west end which is considered the recreational area of the County. The next zone district down is Agricultural Farming & Ranching (AF&R), with a twenty (20) acre minimum, but most of that zone district is located around more residential areas. If the cabin is only for recreational purposes, then we should allow it only where recreation takes place.

Chairman Alsup commented that he thought this was a change to the regulations.

Mr. Giordano responded that this is just a clarification, instead of having to look at the allowed uses in every zone district to see if Cabin is allowed.

Chairman Alsup stated that he is not sure why we need to be that restrictive. I don't see a problem with allowing small cabins on property in other zone districts, such as Agricultural Rural.

Mr. Giordano answered that he understands the desire for affordable housing, but the 750 square foot minimum for a dwelling is already small. If you are trying to set a standard of housing that you would like to see, do you want to see 400 square foot houses in major subdivisions? Do you want to lower single family residences to less than 750 square feet? That sets a standard of size, cost, and property values.

Chairman Alsup mentioned that he has seen people build those kinds of places in rural areas, just a small cabin to spend some time for a month or two, and I don't have a problem with that.

Mr. Giordano pointed out if you allow cabins in too many areas, you could end up with subdivisions that have all 400 square foot houses. Is that the kind of housing you want to see develop in the residential areas of the County? Our intention was that the Cabin is more recreation-oriented versus a single-family residence at 750 square feet for residential living.

Chairman Alsup asked about the Agricultural Rural Zone District, which is a minimum 4½ acres. So we are saying you have to build a bigger house on a 4½ acre lot than on a 35 acre lot. That seems counterintuitive to me.

Mr. Robinson stated he doesn't think it is proportion that matters. I think it is the intent of the type of housing that we expect in certain zone districts. There are distinctions between a cabin and a single family dwelling that we should maintain.

Mr. Giordano explained that we are trying to make a distinction between urban and rural. If you are more rural, then you can have a cabin because it is recreation-oriented, for weekends or the summer use. That was the main intent of a cabin.

Chairman Alsup said we are too elitist. We have young families out there who are looking to buy property to build something small to live in a sustainable way. Why should we restrict them? I have an issue with that philosophically.

Mr. Brown agreed with Mr. Giordano. Otherwise, you could get a subdivision with a 400 square foot house next to a 1500 or 2000 square foot house. That is my concern.

Mr. Robinson stated that he understands Chairman Alsup's point, but it is a dangerous precedent.

- **1.5.58.5 Factory Built Home** – Mr. Giordano noted that the only restriction is that a factory built home has to be twenty-four (24) feet in width. He requested that the phrase at the end of the definition, “and thirty-six (36) feet in length” be removed.
- **UBC Standards** – Mr. Robinson stated that UBC standards are no longer in effect. UBC standards should be changed to IBC standards or the building code in effect.
- **1.5.179 Travel Trailer Parking Area** – Mr. Robinson asked why the Travel Trailer Parking Area definition is struck through in the amendment.

Mr. Giordano answered there is no real need to define a travel trailer parking area because it is covered in the TTP&CG Zone District section.

- **1.5.191 Watchman's Quarters** – Chairman Alsup asked why a Watchman's Quarters is restricted to be constructed within the principal use building, and not allowed to be separate.

Mr. Giordano answered that a Watchman's Quarters as a separate building from the principal use has caused problems in the past. For example, if the residence is vacant and the business is not, then the owners may want to sell them separately.

Chairman Alsup asked, if both buildings are on one property, how could they be sold separately without subdividing?

Mr. Giordano responded that is the problem as usually there is not enough acreage to create two legal sized lots. In addition the regulations only allow one primary use or building per parcel. This is the same reason we don't allow a mother-in-law house or Accessory Dwelling Unit (ADU). We allowed them at one time, but people started selling them off illegally, and we started having illegal subdivisions. That is why we now require one primary use and / or one primary building per parcel.

Mr. Robinson stated that he likes the ADU concept in the city because you can't subdivide. There are minimum size restrictions. I think it is a good thing in an urban setting.

Mr. Giordano asked what the city does if they are sold separately. The recourse in the County is if you create an illegal subdivision, you can't get a building permit.

Mr. Giordano moved on to the proposed additions to Allowed Uses in the TTP&CG Zone District:

- **4.11.2.9 Recreation Activity Tour Office** – We need to define what a Recreation Activity Tour Office is. He recommended defining it as including ticket office, booking office, staging and loading, to include ATVs, rafting, bike tours, zip lines or similar uses or impacts.

Mr. Pullen asked about horse trails.

Mr. Giordano noted that Stable and Riding Academy are Special Review Uses in the TTP&CG Zone District.

Mr. Robinson recommended striking the word "Tour" and calling this use Recreation Activity Office.

- **4.11.2.10 Rental Store** – This is for non-motorized recreational equipment only. Maybe this could be considered an accessory use.

Mr. Brown asked why we would want to restrict this to non-motorized recreational equipment.

Mr. Giordano answered there would be more impact from motorized equipment which could have a big effect on neighbors. We allow that as a special review.

Mr. Robinson recommended including rentals under Recreation Activity Office, and deleting Rental Store as a separate use.

- **4.11.2.16 Watchman’s Quarters** – Mr. Giordano recommended removing the phrase “only in conjunction with a travel trailer park and campground” since this limitation is already included in paragraph 4.11.2 for all allowed uses.
- **4.11.5.3, 4.11.5.4, 4.11.5.5** – Mr. Giordano noted that the size of trailer spaces or tent sites changed from 25 units per acre to 2,000 square feet for trailer sites, 1,500 square feet for recreational cabins and park models, and 1,000 square feet for tents. This is an increase in size for travel trailer sites because a new law went into effect that the individual lots could be subdivided and sold or leased, or used for time shares. State regulations require 25 tent sites per acre and 20 trailer sites per acre maximum.
- **4.11.5.6.4 & 4.11.5.6.5** – Mr. Giordano recommended combining paragraphs 4.11.5.6.4 and 4.11.5.6.5. The language is almost identical except for the addition of recreational cabins.
- **4.11.6.1.1** – Mr. Giordano stated that in the State regulations, there are four classifications of travel trailer parks: primitive, semi-primitive, semi-developed, and developed. This amendment eliminates the primitive and semi-primitive classifications because neither one requires water and sewer. I don’t think we should allow campgrounds without water and sewer of some kind. A lot of counties do not allow primitive and semi-primitive for the same reason.
- **4.11.6.4 Water supply & 4.11.6.5 Sewage disposal** – Mr. Giordano noted that the Colorado Department of Public Health and Environment does not review water supply and sewage disposal systems. The review is done by Fremont County Environmental Health.
- **4.11.6.6.4** – Mr. Giordano stated that a requirement has been added to display a site map identifying each site and space, and each site and space shall be marked with an identification marker for emergency services purposes.

Chairman Alsup commented that the fire department has had to go to campgrounds before, and it is sometimes very difficult to find the site unless there is someone flagging us in.

Mr. Giordano asked the Planning Commission members if there were any questions or comments.

Chairman Alsup asked if the campground owners have been contacted to let them know this amendment is coming and to get their input.

Mr. Giordano answered no. This proposed amendment is on the County website, and will be posted in the newspaper for the Public Hearing.

Chairman Alsup said he thinks it might be appropriate. This could affect someone’s business, and they might not be aware of it happening.

Mr. Giordano noted that it may be a problem getting a complete list. We wouldn’t want to leave anyone out.

Mr. Robinson stated that he doesn’t have a concern about notification because this amendment doesn’t really apply to existing businesses. This is for someone coming in planning a new campground.

Mr. Giordano added that existing campgrounds will be affected if they want to expand. Then they would be subject to the new regulations.

MOTION

Mr. Robinson made a motion to approve the proposed amendment to the Fremont County Zoning Resolution with the following changes:

- Paragraph 1.5.58.5 – Delete the phrase “and thirty-six (36) feet in length”
- Change “UBC” to “IBC” throughout
- Paragraph 4.11.2.9 – Remove the word “Tour” from Recreation Activity Tour Office
- Paragraph 4.11.2.10 – Delete the use Rental Store (*non-motorized recreational equipment only*)
- Add a definition in Section 1.5 Definitions for Recreation Activity Office, to include ticket office, booking office, staging and loading, to include ATVs, rafting, bike tours, zip lines or similar uses or impacts.
- Paragraph 4.11.2.16 – Delete the phrase “only in conjunction with a travel trailer park and campground, and”
- Combine paragraphs 4.11.5.6.4 and 4.11.5.6.5

SECOND

Mr. Brown seconded the motion.

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

Chairman Alsup explained that his issues are not really with this amendment. They are actually with existing parts of the regulations. That is why I voted for the amendment, even though I have reservations.

Mr. Robinson announced that he will be departing this wonderful community. I have taken a job in Iowa and I will be leaving at the end of this month. This will be my last Planning Commission meeting, and I will not attend the workshop next week.

Chairman Alsup stated I am really sorry to see Mr. Robinson go. He has been a great member of the board and I have learned a lot sitting next to him.

Chairman Alsup reminded the members that there will be a Master Plan Workshop next Wednesday, June 12, 2013 at 4:00 pm in Room 208.

7. ADJOURNMENT

Chairman Alsup adjourned the meeting at 5:30 p.m.

CHAIRMAN, FREMONT COUNTY PLANNING COMMISSION

DATE