

**FREMONT COUNTY
PLANNING COMMISSION MEETING MINUTES
February 2, 2021 AT 3:00 P.M.**

MEMBERS PRESENT

Byron Alsup (Chairman)
Mark Masar
Larry Brown
Michael Pullen
Larry Baker
Gardner Fey

STAFF PRESENT

Brenda Jackson, County Attorney
Sean Garrett, Planning Director
Alicia Stone, Office Manager

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **APPROVAL OF AGENDA**
4. **APPROVAL OF MINUTES**

January 5, 2021 Planning Commission Meeting

5. **UNFINISHED BUSINESS**
6. **NEW BUSINESS**

A: Request: MS 20-007 Lazy J Ranch

Requesting approval for minor subdivision that will create a total of 2 lots. The subject property is located on 7th Street between Grant & Illinois in Penrose CO and is zoned Agricultural Suburban.

Representative: Leland Jenkins

B. Request: CDP 20-001 Yard Crafters

Requesting approval of a Commercial Development Plan, Department File # CDP 20-001 Yard Crafters for a Contractor's yard for a lawncare and landscaping business. The site is located at the corner of Red Canyon Road and High Street and is zoned Industrial.

Representative: Matt Koch

C. Request: SRU 20-011 Howard Creek Farm

Requesting approval of a Special Review Use, Department File # SRU 20-011 for a Rural Recreational Facility to host wedding events. The property is located at 356 County Road 4 in Howard Colorado and is zoned Agricultural Rural.

Representative: Orlin & Alyson Camerlo

D. SRU 20-010 Desert Reef Hot Spring Modification

Requesting approval of a major modification to an existing CUP 90-012 to include conversion of the existing CUP to a Special Review Use. The original approval of the CUP occurred prior to regulation changes. The current use and proposed modification are uses that fall within the SRU category. Due to this the Department has converted it to an SRU. The property is zoned Agricultural Forestry.

Representative: Chris McLaughlin

7. ADJOURNMENT

1. CALL TO ORDER

Chairman Byron Alsup called the meeting to order at 2:59 p.m.

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 February 2, 2021 Fremont County Planning Commission Agenda.

MOTION

Mr. Larry Brown motioned to accept the February 2, 2021 Fremont County Planning Commission Meeting agenda.

SECOND

Mr. Gardner Fey seconded the motion.

Chairman Alsup called for a roll call vote, and the motion passed unanimously. (6 of 6)

4. APPROVAL OF THE JANUARY 5, 2021 PLANNING COMMISSION MEETING MINUTES

Chairman Alsup asked if there were any changes, additions or corrections to the January 5, 2021 Fremont County Planning Commission Meeting Minutes.

MOTION

Mr. Mark Masar motioned for approval of the January 5, 2021 minutes.

SECOND

Mr. Michael Pullen seconded the motion.

Chairman Alsup called for a roll call vote and the motion passed unanimously. (6 of 6)

5. UNFINISHED BUSINESS

6. NEW BUSINESS

A. MS 20-007 Lazy J Ranch

Chairman Alsup called Director Sean Garrett to give a staff report.

Director Garrett stated that the department has reviewed the application and found it to be complete and a true representation of the request as stated herein. The department finds that all minimal requirements per the Fremont County Subdivision Regulations will be satisfied by the application. Director Garrett noted that there are two contingency items: Changes to the plat, replacement of any nonconforming structures for any reason shall be in compliance with the development requirements of the zone district at time of construction and access to lot 2 will be limited to Grant street.

Chairman Alsup called Leland Jenkins to present.

Mr. Jenkins stated that this is currently a 12-acre lot with a residence, barns, and garages. He stated his parents lived there and have passed away and left the property to him. He stated they don't need the residence, so they are splitting off the hay field and keeping it.

Mr. Larry Brown asked what their intentions were for the vacant house were.

Mr. Jenkins stated that they intend to sell the house.

Chairman Alsup inquired about the hay field if that would stay agricultural.

Mr. Jenkins stated it will stay agricultural.

Chairman Alsup asked if they planned to build on it.

Mr. Jenkins stated they do not plan to build on it.

Mr. Gardner Fey asked if they will retain a couple of water shares for the residence.

Mr. Jenkins stated they have three shares to go with the residence and will keep ten shares for the irrigating the hay field. There is a little hayfield on the South side and a grass pasture on the East side of the residence, so they will still have enough water for that with the three shares. He noted that his son has been taking care of the hay fields for several years.

Mr. Fey stated that the residence would make a nice place for someone.

Mr. Jenkins stated it will and that they didn't need another house as they all have places in Penrose, so they decided to subdivide and sell off the residence, rather than having renters.

Chairman Alsup asked if there were any questions or comments, and stated he was open to a motion.

MOTION

Mr. Larry Brown motioned to approve MS 20-007 Lazy J Ranch with the deferral of the drainage report and driveway access and contingencies as stated.

Mr. Jenkins stated that the driveway access will be off of Grant Street on the West side.

Director Garrett noted that the contingency is two statement changes to the plat. The first one is replacement of any nonconforming structures for any reason shall be in compliance with the development requirements of the zone district at time of construction and the other is that access to lot 2 will be limited to Grant street.

County Attorney Brenda Jackson stated that the access permit won't be necessary until time of development and the access will need to be off of Grant Street.

Mr. Jenkins noted that they don't plan on building any time soon, so they will just leave that open if someone plans to build.

County Attorney, Brenda Jackson stated that the plat will be recorded and if someone plans to build, they will then be required to pull a permit for the access.

Mr. Jenkins noted that there is currently a gate with access from Grant Street.

SECOND

Mr. Fey seconded the motion.

Chairman Alsup called for a roll call vote and the motion passed unanimously (6 of 6)

B. CDP 20-001 Yard Crafters

Chairman Alsup called Director Garrett to give a staff report.

Director Garrett stated that the Department finds that all minimal requirements per the Fremont County Zoning Resolution will be satisfied by this application with the following waiver requests, contingencies and conditions:

Waiver Requests:

1. Hard Surfacing of the Parking Area
2. Landscaping of the Parking Area
3. Buffering

Contingencies:

1. Approved FCDOT access permit.
2. Revisions to and approval of the drainage plan.

Recommended Conditions: Standard SRU conditions and the following:

1. Installation of a hydrant as requested by the Canon City Fire District.

2. The fencing be installed at an angle at the intersection of Red Canyon Road & High Street to not interfere with visual aspects for traffic.
3. An easement be established for the drainage channel located along the eastern boundary.

Chairman Alsup called Matt Koch to present.

Mr. Koch stated that they are asking for waivers, as this is a landscaping company, they will have piles of aggregate and landscaping material throughout the parking area, so hard surfacing doesn't seem appropriate. Landscaping of the parking area is typically meant for larger parking areas to break up the parking areas, in this case it's a small parking area. As far as buffering goes, there is a residence to the South and there is already a six-foot privacy fence and the building is set to that side as well and all activity will be to the North. To the East and North is Industrial and this business matches with other business nearby. The City of Cañon City owns the property to the West, and their intentions are to put a storm water detention facility there in the future.

Mr. Fey asked is this is for commercial storage, not retail.

Mr. Koch stated that there will not be customers going there, this will be the offices for Yard Crafters. He stated that the staff will park there, load up and go to their jobs where they are working.

Mr. Mark Masar asked for clarification on the waiver request for buffering, not the fencing.

Mr. Koch stated that their intention is to fence it for security purposes, they just don't want to have to buffer. He stated that typically you need to buffer between commercial use and residence, and in this case that privacy fence is already there.

Chairman Alsup stated that he didn't see a fence on the South part of the property.

Mr. Koch stated that it is shorter chain link fencing up front and turns to privacy fence.

Mr. Michael Pullen noted that the hydrology report is extensive and inquired if there will be adequate retention on the South side since the property is quite a bit higher than the resident next door.

Mr. Koch stated that there is already somewhat of a swale going down that side that is already catching a lot of the storm water and it actually sits below the adjacent grade to the South, so there shouldn't be any issues. He noted that most of their drainage now is being taken across the center of the property to the South East corner of their property, so there will be very little storm water impacting that existing swale.

Mr. Pullen asked if that is where the future retention facility will be located.

Mr. Koch stated it is.

Mr. Pullen asked what their time frame is for the project.

Mr. Koch stated as fast as possible.

Mr. Fey asked if they know what all is in that piece of ground, as it looks like a dumping ground.

Mr. Koch stated there is a lot of concrete and looks like people just dumped what ever they dug up there. He stated that they are going to clean that all up, remove what needs to be removed, and maybe utilize some of it for some embankment and said it will look nice.

Mr. Fey asked for clarification on the comment on the fire hydrant to be installed.

Director Garrett noted that it is a recommended condition and it is a request from the from the Cañon City Fire Protection District.

Mr. Fey asked who is responsible for installing the hydrant.

Mr. Koch noted that the applicant is responsible and they are working with the Park Center Water District to allow them to use the existing trench from their service.

Chairman Alsup asked if that would be a problem for them.

Mr. Koch stated that it will not be a problem.

Chairman Alsup asked the commissioners how they felt about the land scaping and parking waiver requests.

Mr. Pullen noted that the hard surfacing of the parking lot waiver request and asked what kind of parking surface they will have around the area, and asked if they would use gravel.

Mr. Koch stated that the ADA spot will be hard surfaced and there will be hard/compacted gravel all the way around it so there won't be any runoff.

Mr. Fey stated that as dry as it is in that area and being a commercial enterprise, he doesn't see a problem with the hard surfacing waiver request. He also noted that what they are proposing will look better than it currently does.

Chairman Alsup asked if there were any questions or comments and stated he was open to a motion.

MOTION

Mr. Pullen motioned to approve CDP 20-001 Yard Crafters with all conditions for approval being met and with the recommended conditions, contingencies and waiver requests as stated.

SECOND

Mr. Larry Baker seconded the motion.

Chairman Alsup called for a roll call vote and the motion passed unanimously (6 of 6)

C. SRU 20-011 Howard Creek Farm

Chairman Alsup called Director Garrett to give a staff report.

Director Garrett stated that this one is a little different, as they have had an approved TUP for the last three years. They have been in operation for three years to see if their operation was going to be viable before applying for an SRU and there haven't been any violations, issues or complaints. He noted that the Department finds that all minimal requirements per the Fremont County Zoning Resolution will be satisfied by this application with the following waiver requests, contingencies and conditions:

Waiver Requests:

1. Hard Surfacing of the Parking Area.

Contingencies:

1. Approval of the drainage plan.

Recommended Conditions: Standard SRU conditions and the following.

1. Applicants provide proof of proper disposal/pumping of restroom facilities.
2. Cessation will be allowed beginning in November and ending in May.
3. Parking along the roadway is prohibited.

Chairman Alsup called Orlin and Alyson Camerlo to present.

Mr. Camerlo stated that they have been at it for three years and they have 11.17 acres in Howard that they purchased seven years ago. Two of the last three years they spent on construction, they brought in a barn from Indiana. Mr. Camerlo stated that his wife has been doing wedding planning for fifteen years and their location is the ideal setting for weddings. He stated that they typically do 20 weddings/year, last year they only had seven weddings due to COVID-19. The Camerlo's noted that they bring their guests in on busses, they can park a few vehicles there, so there is minimal impact. The idea is to not let them drive the river canyon after socializing.

Chairman Alsup asked where they are picked up.

Mr. Camerlo noted that they have a few different spots, but mostly in Salida and they are picked up mostly in school busses, but sometimes in 20 person vans.

Mr. Fey asked if they own all the busses.

Mr. Camerlo stated that they use a third-party vendor to take care of the transportation.

Chairman Alsup noted that the barn is beautiful and so is the setting.

Mr. Pullen asked about the waiver request for hard surfacing of the parking area and asked how many vehicles typically come to an event.

Mr. Camerlo noted that they had a ton of Tezak gravel put in. He stated that they have six spots for their guests, which is typically the bride, groom and maybe some relatives. He noted that they do have some vendors there, usually in the afternoon. Mr. Camerlo stated that there are usually around 10-12 vehicles there per event, with about 6 in the morning and the vendors in the afternoon, and then the shuttles arriving with the guests.

Mr. Pullen asked if the shuttles are part of the service they provide.

Mr. Camerlo stated that they make the vendors acquire a contract with the shuttle company. Mrs. Camerlo stated that it's through a third-party, but they are required to have third-party shuttles, as they are only allowed 6 parking spots.

Mr. Pullen asked if that's a condition of their services.

Mr. and Mrs. Camerlo said it is a contract that the couple sign as part of getting married there.

Mr. Fey asked if the potable water was being hauled in from Poncha Springs.

Mr. Camerlo stated that the water is hauled in from Poncha Springs and explained that they use a fancy restroom trailer, instead of dealing with an OWTS in the field. He noted that it has air conditioning and lighting. He stated that it holds 300 gallons, but they typically use 100 gallons per wedding for washing and everything.

Mr. Pullen asked if they bring them in for each event.

Mr. Camerlo stated that they own the restroom trailer, it stays there.

Mr. Pullen asked where the pumping company was located.

Mrs. Camerlo stated that they are out of Salida, CP Portables, and they will come and pump it out the next day after an event.

Mr. Pullen asked if they service that area.

Mr. Camerlo stated that they do service the portables in the area. He also stated that they also bring in a handy-capped portable that is sitting on a slab, which is also cleaned by the same company.

Mr. Fey asked if bands perform at night and if there have been any complaints about noise.

Mr. Camerlo stated that there are bands and there have been no noise complaints. At 10:00 pm, they can contractually turn the volume down. Mrs. Camerlo noted that its in the contract that they cannot go over a certain decibel level and all events end at 11:00 pm, with guests being gone by 11:05 pm.

Mr. Pullen inquired about the neighbors having any issues.

Mr. Camerlo stated that they spoke with all of the neighbors before they submitted their SRU application, and said the neighbors have been nothing but supportive and courteous with no complaints.

Mr. Masar asked if the ADA parking spot is paved, or if they get out at the drop off location and somebody else parks the car for them.

Mr. Camerlo stated that to the North side of the barn is all graveled up, allowing them to pull all the way in, and then they will come up to a 6 ft by 55 inches and sloped to the bathrooms, ADA compliant, so they can get them right there. He noted that they drive them to the ceremony site by the river in a Kawasaki Mule.

Chairman Alsup asked the commissioners if they had any questions or comments and asked Director Garrett if the drainage plan was ok.

Director Garrett stated that there were some items that needed to be buttoned up.

Chairman Alsup commented on the big pond on the property, he doesn't see the need to build another one.

Mr. Masar asked if they use tents for their events.

Mr. Camerlo stated there is no need for tents, as their venue can hold 200 people.

Mr. Fey asked if the barn came from Indiana.

Mr. Camerlo said it did.

Chairman Alsup stated that he was open to a motion.

MOTION

Mr. Fey motioned to approve SRU 20-011 Howard Creek Farm with all conditions for approval being met and with the contingencies and waiver requests as stated.

Director Garrett also clarified that the cessation is part of the application, so that doesn't need to be a condition.

SECOND

Mr. Masar seconded the motion.

Chairman Alsup called for a roll call vote and the motion passed unanimously (6 of 6)

Chairman Alsup noted that they should have approved all of the criteria for the SRU, but said they already passed it.

County Attorney, Brenda Jackson noted that they can add findings.

Chairman Alsup stated that he would note the finding that all of the approval criteria for a Special Review Use have been met.

D. SRU 20-010 Desert Reef Hot Spring Modification

Chairman Alsup called Director Garrett to give a staff report.

Director Garrett stated that the original approval was a CUP, 90-012 and since that time, both the use of the pool and proposed modification are both under the SRU category, so that is why it is being submitted as an SRU. He stated that the Department finds that all minimal requirements per the Fremont County Zoning Resolution will be satisfied by this application with the following waiver requests, contingencies and conditions:

Waiver Requests:

1. Hard Surfacing of the Parking Area

Contingencies:

1. Provide comments and documents from Evraz that the additional traffic over the bridge that spans the Minnequa Canal, that they find that acceptable and don't have any concerns with the additional traffic over the bridge.

Recommended Conditions: Those set forth in the original resolution, and the following:

1. Requirements as submitted and agreed upon by FCDOT regarding the roadway, posting signs limiting speed limits are being adhered to.
2. Provide proof of approval of additional well or conversion when that is to happen.
3. Proof that 5CCR100-35 from the Colorado Department of Public Health regulations is adhered to and submit any inspections upon request.
4. Signs must be posted at the bridge indicating the weight restrictions.

Mr. Fey asked if Evraz owns the bridge.

Director Garrett stated that they do own the bridge and clarified that many of the documents say CF&I, but it is now owned by Evraz.

Mr. Masar asked for clarification on the signs posted at the bridge and asked if that mean they still need to fix the bridge and post signs at 20 tons or let them leave it the way it is and post signs at 10 tons.

Director Garrett noted that they need to be posted at the bridge for weight standards.

Chairman Alsop stated that the correct weight standard is listed as 10 tons.

Chairman Alsop called Chris McLaughlin to present.

Mr. McLaughlin stated that the bridge is a 20-ton rated bridge and he has been working with 3Rocks Engineering and that with a few updates can be brought up. He noted that Evraz is technically responsible for updating the bridge, but they are ok with taking care of it.

Chairman Alsop asked how long it would take to get the bridge updated.

Mr. McLaughlin stated that it wouldn't take long as the structural I-Beams underneath are in great shape, they would just need to re-work the top to ensure the wheels are going over the I-Beams.

Mr. Fey asked what kind of loads the construction trucks will be upgrading and asked if they are under that weight limit.

Mr. McLaughlin stated that there are actually three different routes to get to the property, they can go around Siloam Road and go through the Phillips property. All concrete trucks and semi's can enter through their property if they are over 60,000 lbs. If they are under 60,000 lbs., there is a loop around they can use.

Mr. Fey inquired about the proposed road on the site plan.

Mr. McLaughlin stated that the Phillips, who own the adjoining 40-acres, are willing to lease the property in order to make the road. He noted that they are looking at what the cost of that would be.

Mr. Fey asked what the capacity of the well is now and what will they need to go to if they complete this plan.

Mr. McLaughlin asked for clarification on which well.

Mr. Fey stated he assumed it was for the fresh water well.

Mr. McLaughlin noted that currently with the hot water well they only use 9-10% of their allotment, so even if they quadruple their use, they would still be under that allotment.

Mr. Fey asked about the freshwater well and what the capacity is now.

Mr. McLaughlin stated that they are in the process of seeing about getting a fresh water well system.

Mr. Fey asked if they would need to get a new well permit to do that.

Mr. McLaughlin stated they will need a new permit and they are in the process right now.

Chairman Alsup noted that there was a comment in the packet that the well may require a designation as a public water system and asked if that was going to be any problem.

Director Garrett noted that is not a requirement and that is based on the usage and individual piping to each site, but that's not what is happening in this case, so it's not a requirement.

Chairman Alsup asked about them expecting 200 cars daily, if that was accurate.

Mr. McLaughlin stated that is expected trip counts over the next ten years, and they really don't expect to see that any time soon. He stated that they are looking to phase out the approach. He noted that will start in phase one of their model and grow from there.

Mr. Pullen asked if the structural engineer listed on the plan is working for them.

Mr. McLaughlin stated that they did hire them.

Mr. Pullen asked about the 40,000 lb. weight capacity that they noted on the bridge and referenced a note about two-three concrete trucks going over the bridge each day.

Mr. McLaughlin stated that he wasn't sure what he was referencing, but he hasn't had any concrete trucks in there he noted that back in 1993 all concrete trucks would use the back entrance on through the Phillips property.

Mr. Pullen asked for clarification that they do not use the bridge as it is not signed.

Mr. McLaughlin stated that they have actually ordered the sign for the bridge, but to the best of his knowledge there hasn't been a single concrete truck over the bridge.

Mr. Masar pointed out that the comment to the structural engineer being referenced on the concrete trucks was made in 1984.

Chairman Alsup noted that was from the original application.

Mr. Pullen stated that was a concern to him, as a concrete truck would weigh more than 40,000 lbs.

Mr. McLaughlin stated that he has no intention of bringing a concrete truck over the bridge and reiterated that they have alternate routes.

Mr. Pullen stated that his concern is the sign and that there is no way to enforce signage. He noted that signage is important as well as the county recommended speed limit signs are equally as important. He noted that it makes him nervous. Mr. Pullen stated that he took three trips out there and if he were pulling a rig out there, he would be really nervous.

Mr. McLaughlin asked for clarification on what he was referring to as a rig.

Mr. Pullen stated it would be a travel trailer and the way the road is now going to a potential campground is not going to be a spot to turn around, you would need to bypass the facility and go around.

Mr. McLaughlin asked if he was referring to the new road or the current road and then pointed out which roads were which on the site plan.

Mr. Pullen asked if the proposed road has been finalized yet.

Mr. McLaughlin noted that it hasn't yet, but they will get a favorable lease from the Phillips.

Mr. Pullen stated that it's hard to distinguish a turning radius and line of site and how you will get into the proposed campground facility.

Mr. McLaughlin stated that the roads today are proposed and said they will put turn-arounds in. He noted that all roads will be widened, and reiterated that they are not staying with the current roads.

Mr. Pullen stated that he was more concerned about access and how people will get there safely. He also asked about the potential longevity of the bridge.

Mr. McLaughlin stated that the bridge is in excellent shape and they plan to re-surface the top area and install cross lateral support underneath and weld them in, which would significantly increase the longevity.

Mr. Pullen asked who will be taking care of that.

Mr. McLaughlin stated that he will do the repairs prior to development, and he plans to do all bridge work top and bottom at the same time, probably within the next 6 months.

Chairman Alsup stated that there is a need to get the signs up.

Mr. McLaughlin stated that he has them ordered and they will be lit up as well.

Chairman Alsup suggested they add a no turn-around sign.

Mr. Pullen noted that he agrees with that.

Mr. McLaughlin stated that there is a turn around prior to the bridge where the dumpster is and that is where the garbage trucks turn around.

Chairman Alsup suggested placing a turn around sign at that point then.

Mr. Masar asked Director Garrett if the bridge repairs would need to be a contingency or condition.

Director Garrett stated that it would need to be a condition to make sure it gets done and noted that it can be added as a condition.

Mr. Masar said if a fire truck needed to drive over that bridge, that would be a problem, so he thinks that it should be made a condition.

Mr. McLaughlin stated he has no problem with that.

Mr. Fey noted that he thinks this is a good project.

Mr. Pullen asked what the time frame of this project looks like.

Mr. McLaughlin stated once he has all of his permits with planning and zoning and the building department it would take six to nine months and he needs to figure out how long they need to shut down for. Potentially they will shut down completely for three months for development and then they will open for day-use only for 3-6 months to finish development.

Chairman Alsup stated that was a pretty quick time-line.

Mr. McLaughlin stated that the majority of the time will be spent building bathrooms, he said there would be a lot of bathrooms.

Mr. Fey asked if they would need to run power lines.

Mr. McLaughlin stated that there are power lines running along the road and went through the plans with San Isabel Electric and they said he has more than enough for what he needs.

Chairman Alsup stated that the SRU approval criteria needs to be met and as far as he sees, there is no problem with meeting the criteria.

Mr. Masar asked if the airstreams noted on the site plan to the South, if they were purchasing them and they would be placed. He also asked about the outdoor showers.

Mr. McLaughlin stated they will have different levels of sites. They will have class b rv and tent/dome in level 1, Level 2 is an airstream without an outdoor shower, and level 3 is the airstream with outdoor shower. He stated that they in all likelihood will not be doing the outdoor showers, but it is included in their OWTS.

Mr. Masar asked if they would need a trench for the water supply.

Mr. McLaughlin stated he will trench in water and septic.

Mr. Masar asked about their glamping tents noted on site plan and asked if those are just camp spots.

Mr. McLaughlin noted that they will be starting with four different types of sites but they are not doing everything that they will be doing in 10 years up front, they are slowly phasing that out.

Mr. Masar noted that it is more of a come and stay campground, rather than bring your own rig type of campground.

Mr. McLaughlin stated that is correct.

Chairman Alsup asked what the water temperature is.

Mr. McLaughlin stated that it is between 117-120 degrees.

Mr. Pullen asked Director Garrett if the major modification is to include the conversion of the existing CUP to be rolled together.

Director Garrett stated that it does include the conversion but it is switching over to an SRU and noted that they just completed the transfer of ownership. He stated that since both the travel trailer park and campground and the pool fall under the SRU category, they would move it over as an SRU. He noted that CUP's have more conditions and have a shorter time of approval. Director Garrett also noted that this was recently approved as a life of use permit also.

Mr. Pullen asked if that would need to come back to the Planning Commission.

Director Garrett stated that they do not.

Brenda Jackson, County Attorney, noted that when the County did Regulation changes in 1995 there is the option to change to an SRU from a CUP and since this is an old CUP, it fits better under zoning as an SRU.

Chairman Alsup stated that he was open to a motion.

MOTION

Mr. Fey motioned to approve SRU 20-010 Desert Reef Hot Spring with all conditions for approval being met and with the conditions, contingencies, and waiver requests as stated.

Mr. Fey asked if the condition would need to be added for the bridge.

Director Garrett noted that it will be added along with the four other conditions.

Chairman Alsup also noted the waiver request be approved in the motion, and document the approval of criteria.

Mr., Pullen asked about the note on the application that if dust were to occur, they will apply calcium chloride if needed.

Mr. McLaughlin stated that if there is dust and there are complaints, they would need to control it.

Chairman Alsup stated that is covered under condition number one.

Mr. Pullen stated he just wanted to make sure that was addressed.

SECOND

Mr. Masar seconded the motion.

Chairman Alsup called for a roll call vote and the motion passed unanimously (6 of 6)

7. **ADJOURNMENT**

Chairman Alsup adjourned the meeting at 3:56 p.m.

Byron Alsup
CHAIRMAN, FREMONT COUNTY PLANNING COMMISSION

3-2-21
DATE