

MORGAN COUNTY PLANNING COMMISSION
September 9, 2024

The Morgan County Planning Commission met on Monday, September 9, 2024, at 6:00 P.M. in the Assembly Room of the Morgan County Administration Building. The meeting was called to order by Chairman Nathan Troudt.

Chairman, Nathan Troudt, Vice Chairman, Erik Mohrlang, Robert Pennington, Rob Chilson and Dave Musgrave were present. Pete Mercer was absent. Cheryl Brindisi, Planning and Zoning Administrative Assistant, Jenafer Santos, Planning and Zoning Technician, Liliana Lopez, Planning Clerk attended. Kathryn Sellars, Morgan County Attorney, Karol Kopetzky, IT Specialist attended via Zoom.

APPROVAL OF AGENDA:

It was moved by **Erik Mohrlang** and seconded by **Dave Musgrave** to approve the Agenda as presented. Motion passed 5-0.

APPROVAL OF MINUTES: It was moved by **Robert Pennington** and seconded by **Dave Musgrave** to approve the August 12, 2024 Minutes, however, only 3 Planning Commission members were eligible to vote. This did not result in the Quorum needed to approve these Minutes, therefore, the Minutes from the August 12, 2024 Planning Commission meeting will be voted for on October 21, 2024.

OLD BUSINESS: Amendments to the Morgan County Zoning Regulations for the Use Chart and Definitions continued from the August 12, 2024 Planning Commission meeting.

NEW BUSINESS:

PROCEDURAL: **Chairman Nathan Troudt** read the hearing process for the Land Use application portion of the meeting.

Morgan County Attorney, Kathryn Sellars, read the file summary as follows:

APPLICANT and LANDOWNER: Reed Covelli and Kelly Covelli

This application is for a conditional use permit to allow outdoor public storage of recreational vehicles and boats on a 21.13-acre parcel of land. The property is in the SE¹/₄SE¹/₄ of Section 1, Township 4 North, Range 59 West of the 6th P.M., Morgan County, Colorado, otherwise known as 11839 Hwy 144 Weldon, CO 80653. The property is zoned Agriculture Production and is in the Fort Morgan Fire District.

The request is to allow public outdoor storage of possibly 60 RV's and boats. The initial storage will be minimal and only increase to 60 if the demand increases. Permanent structures or fencing are not planned and the area has an electronic alert system in place.

Access to the property is off of State Highway 144. Colorado Department of Transportation is aware of the request and has issued an access permit using the existing access. The applicant is required to keep a log of daily visitors and provide it to CDOT one year after the facility opens to ensure the traffic counts permitted are not surpassed in practice.

An email from the Weldon Valley Ditch Company states they have no objection to the proposed use provided there is no incursion into the company's setback easement for operation and maintenance of the ditch.

In reviewing this application, the Planning Commission and Board of County Commissioners are required to make a finding that the criteria for granting a conditional use permit in Section 2-425 of the Morgan County zoning regulations have been met. Those criteria are as follows:

Section 2-425 Conditional Use Permit Criteria:

- A. The application documents are complete and present a clear picture of how the use is to be arranged on the site.
- B. The site plan conforms to the design standards of these Regulations.
The requirement of a site plan was waived by the Planning Administrator. The site plan provided included sufficient information for the proposed use.
- C. There are no off-site impacts imposed by the conditional use proposed that require additional infrastructure (utilities, drainage, and roads) or upgrades by the County of special districts.
There is access to public infrastructure. There is an existing access to the property from State Highway 144.
- D. The use proposed is compatible with the surrounding uses and adequately buffered as necessary.
All adjacent properties are in the Agricultural Production District. To the northeast across the Weldon Valley Ditch is a large parcel with a single family residence, Tomky Fish Farms, and Trace Tire shop. To the southeast there are minor subdivisions with larger parcels used as single family home sites, and pasture ground to the south and west. Buffer is created by the road and/or distance.

The following conditions are recommended if the conditional use permit is granted:

1. A copy of Colorado Department of Transportation's determination letter after the traffic count has been supplied.

Nicole Hay,
Morgan County Planning Administrator

APPLICANTS: Reed Covelli presented this application to the Planning Commission. He noted that he did not plan to build all 60 pads at once.

PLANNING COMMISSION DISCUSSION:

Rob Chilson asked the applicant if there were plans to build pads for the stored RV's and boats, and what size would the pads be?

Reed Covelli explained that he was unsure if his sandy soil would require a base for the pads and he had no plans to pour any pads. He mentioned that they would be roughly 10' x 50'.

Rob Chilson expressed concern of the ditch breaking out on the property during a heavy rain as it has in the past.

Reed Covelli explained that he has no knowledge of the ditch breaking out in the past and does not feel that it would cause issues.

Rob Chilson asked Reed if he had plans to build a security or privacy fence?

Reed Covelli said no. Reed explained that not all storage businesses have a privacy fence.

Reed stated that the complaints on his project appear to be made only to cost his project more money and deter the permitting.

Rob Chilson mentioned that he was more worried about the security of the facility and the appearance of the neighborhood.

Reed Covelli noted that a 6' privacy fence will not conceal a 10'-12' tall RV.

Nathan Troudt asked Reed Covelli to explain the system of security if there will be no fence.

Reed Covelli explained that in order to get to the back lot, a person would have to go past his residence and he would then know if someone was there. Reed explained that he has sensors on the property to alert him of someone's presence. He feels that if a customer wants to place their RV on a storage lot with no security fencing that should be on the customer for responsibility.

Dave Musgrave asked if in the future people would be living in their RV's on the parcel?

Reed Covelli said, no.

Robert Pennington asked Reed to explain the access log for CDOT and traffic counts.

Erik Mohrlang asked Reed how does he intend to meet that request?

Reed Covelli said that he would have to purchase some type of a traffic counter.

Rob Chilson asked Kathryn Sellars why drainage runoff and control plans were not required?

Kathryn Sellars doubted that it would trigger a requirement.

Robert Pennington stated that it would require drainage runoff and control plans due to the square footage needed.

Kathryn Sellars noted that the requirement of the study would be at the discretion of the Planning Administrator.

PUBLIC COMMENT OPEN FOR: None.

PUBLIC COMMENT OPEN AGAINST:

Julie Castor, 25450 Co Rd 10, Weldona, CO. 80653, adjacent neighboring landowner, expressed concern about the agricultural ground changing to residential and then having a commercial business taking place on that same parcel. Julie raised concern over the increased traffic on Highway 144 and would like to see a traffic study done. Also, she does not want to have the view of a parking lot of RV's and boats in her surrounding area and is asking for a privacy fence and landscaping to be done if this were to be approved. Julie is concerned about the safety and security of the neighborhood if this facility were brought in and the type of people this would draw to the area. She would like to see the application denied and if not denied, be limited to 10 spaces. She noted that the ditch has broke out in the past and ran across the area. **Sabrina Tomky**, 12190 Co Rd X.5, Weldona, CO. 80653, pointed out that the flood took place in 2013, Reed Covelli moved all of his cars to the Tomky property so they wouldn't be washed away. Sabrina stated that she agrees with everything that Mrs. Castor has said concerning this proposed project.

PUBLIC COMMENT CLOSED

PLANNING COMMISSION DISCUSSION:

Reed Covelli stated that the Tomky's are illegally using the Palmers driveway for their businesses. He states that he has never seen the ditch break out on his property in his lifetime and it is the ditch company's responsibility to maintain the ditch. He also explained the culvert and drainage on his property.

Nathan Troudt asked Reed if he had any input on the Morgan County Conservation District letter suggesting a tree windbreak and control of noxious weeds?

Reed Covelli stated that the letter is a standard suggestion letter that MCD sends to the majority of applicants. He noted that he has his parcel well maintained and that it does have rows of trees and the noxious weeds are controlled.

Robert Pennington asked Reed how much area has he set aside for this proposed project?

Reed Covelli stated that he had not measured out any designated pads yet. He has enough room.

Erik Mohrlang mentioned that he was held up with not having a drainage plan shown with this proposed project. He expressed that with that many RV pads, if they were poured concrete or crushed asphalt, etc. it would result in more than 5,000 square feet. Some type of road base would need to be installed in order to access the area and not get stuck in the mud. Erik is concerned with the possibility of water running onto the neighbor's property if a drainage study is not completed to show the impermeable area and how water would drain.

Kathryn Sellars said that building which results in 5,000 square feet or more of impermeable surface is what can potentially trigger a required drainage plan in Morgan County.

Robert Pennington would like to see a plan of how big and how far apart each pad would be.

It was moved by **Erik Mohrlang** and seconded by **Rob Chilson** to postpone the application to October 21st, 2024, until a more comprehensive detailed drainage plan and site plan would be available for review from the Covelli's.

Motion passed 5-0.

This application will be continued to October 21st, 2024 at 6:00 P.M. at a Special Planning Commission Hearing with public comment open.

OLD BUSINESS: Amendments to the Morgan County Zoning Regulations for the Use Chart and Definitions continued from the August 12, 2024 Planning Commission meeting.

PROCEDURAL: **Chairman Nathan Troudt** read the hearing process for the Regulation Amendment application portion of the meeting.

AMENDMENTS MORGAN COUNTY ZONING REGULATIONS

Morgan County Attorney, Kathryn Sellars presented the following regulation amendments to the Planning Commission.

USE CHART AND DEFINITIONS

The proposed zoning amendments are regarding the reorganization of land uses in each zone district except the Jackson Lake Village (JLV) zone into a use chart, making necessary and associated amendments to use descriptions and terminology, and revisions, modifications and deletions to definitions.

Use Chart

The main purpose behind the creation of the chart is to have a more user-friendly version of the County's zone districts and available uses. In doing so, it was realized that certain uses were similar in their terminology but not quite the same in each zone district where they were addressed. In an effort to create uniformity in uses and definitions, many uses have been combined or rephrased. The chart is redlined and annotated to note the basis for some changes. These annotations will be removed in the final version. The chart is intended to be used in conjunction with the revised definitions (separate document). The use chart has not been reordered to alphabetical order but will be alphabetized prior to final approval. However, uses that are accessory or temporary have been moved to those areas of the chart. The redlines represent proposed changes; however, the review does not need to be limited to only those changes.

The chart also designates certain uses as prohibited. Throughout the current zoning regulations, there are prohibited uses. These are now captured in the chart.

Definitions

The changes to the definitions fall into three categories: new, not used, and relocated. Certain definitions have been unchanged and relocated to the flood plain regulations. Currently, use specific definitions (oil and gas; solar, etc.) are within the specific regulations and not in the definitions. These floodplain definitions are being moved for consistency.

Included in your packets is a copy of the proposed land use chart, redlined definitions and pages from the current zoning regulations with the redlined changes.

Nicole Hay
Morgan County Planning Director

PLANNING COMMISSION DISCUSSION:

Erik Mohrlang suggested changing the Livestock Training, Breeding and Boarding Facilities section to limit it to horses and pack animals in order to separate out CAFO's from this definition.

PUBLIC COMMENT OPEN FOR AND AGAINST: None.

It was moved by **Erik Mohrlang** and seconded by **Robert Chilson** to approve the Amendments to the Morgan County Zoning Regulations for the Use Chart and Definitions. Motion passed 5-0.

These proposed zoning amendments will move on to the Board of County Commissioners meeting on September 17, 2024 at 9:00 A.M.

Erik Mohrlang motioned to adjourn the meeting. **Dave Musgrave** seconded that motion. Motion passed 5-0.
Meeting was adjourned at 7:35 P.M.

Respectfully Submitted,
Cheryl Brindisi
Planning and Zoning Administrative Assistant