

MORGAN COUNTY PLANNING COMMISSION
March 9, 2020 MINUTES

The Morgan County Planning Commission met on Monday, March 9, 2020 at 7:00 p.m. in the Assembly Room of the Morgan County Administration Building. Answering roll call was: Mike Erker, Nathan Troutd, Robert Pennington, Allyn Wind, Mike Bailey and Clay Miller. Also present were Pam Cherry, Planning Administrator, Jody Meyer, Planning Assistant; and Shannon Shields, Planning Clerk.

The meeting was called to order by Chairman Nathan Troutd.

Approval of Minutes:

January 13, 2020:

A motion was made by Robert Pennington and seconded by Clay Miller to approve January 13, 2020 minutes as presented. Motion carried 5-0. Allyn Wind recused himself from voting as he was not present at the January meeting.

February 10, 2020:

A motion was made by Clayton Miller and seconded by Robert Pennington to approve the February 10, 2020 minutes. Discussion was had on the motion made in the Rice Special Use Application. Allyn Wind was concerned the wording did not match with what he thought it should say. **A motion was then made to table approving the February 10, 2020 minutes so staff can go back and listen to the tape and get more clarification regarding the motion on the Rice Application. Motion carried 6-0.**

Approval of Agenda:

It was moved by Robert Pennington and seconded by Mike Erker to approve the Agenda as presented. Motion carried 7-0.

Nathan read the review process of hearing for tonight's meeting.

NEW BUSINESS:

Applicant: Greg & Elizabeth Wagers

Landowner: Greg & Elizabeth Wagers

Legal Description: A parcel located in the SW1/4 of Section 8, Township 4 North, Range 58 West of the 6th PM, Morgan County, Colorado, lying south and west of Co Rd W.5 and ½ mile east of Co Rd 13, Fort Morgan, Colorado.

Reason: Minor Subdivision to create 2(two) vacant lots of 9.5 acres each for residential uses which are located in the SW1/4 of Section 8, Township 4 North, Range 58 West of the 6th p.m., Morgan County, Colorado, lying south and west of Co Rd W.5 and ½ mile east of Co Rd 13, Fort Morgan, Colorado.

Greg and Elizabeth were present to represent this application.

Pam Cherry read her file summary as follows:

This application is for the Wagers Minor Subdivision in the SW¼ of Section 8, T4N, R58W of the 6th P.M. Morgan County, Colorado. The property is located on County Road W.5 approximately .5 miles north of the intersection of County Road W and County Road W.5. The property is currently undeveloped and the lots will become residential lots in the Agriculture Production zone district.

Greg and Elizabeth Wagers, as applicants, are requesting approval of a minor subdivision that will plat 19 acres into two lots, each 9.5 acres. The lots are being subdivided from an existing parcel of 59.25 acres and identified as

parcel #1041-080-00-005. There are no existing structures on the property subject to subdivision, nor any structures within the Agriculture Production setbacks.

In reviewing an application for a minor subdivision the Planning Commission and the Board of County Commissioners shall apply the following criteria as listed from Section 8-195 of the Morgan County Subdivision Regulations:

- (A) Whether the application documents are complete and present a clear picture of how the subdivision is to be laid out including all infrastructure, easements, and access.
The application documents are complete

	Lot 1	Lot 2
Water	Quality Water Tap	Quality Water Tap
Septic	NE Colo Health – no objection – new septic	NE Colo Health – no objection – new septic
Access (2)	Road and Bridge – ok new	Road and Bridge – ok new
Fire	Fort Morgan	Fort Morgan
Soil map	Provided	Provided
Ext Svc	Animal units – none proposed	Animal units – none proposed
Minerals	Lease – Notification complete	Lease – Notification complete
R-T-F	Complete	Complete

- (B) Whether the proposed subdivision is consistent with the Morgan County Comprehensive Plan.
The subdivision is located in the northwest planning area.
Chapter 2.II.C. 1., County Wide
Goals: Encourage the development where the proposed development is compatible with existing land uses – other exempted properties and small acreage properties are in the area.
There is access to existing infrastructure, Quality Water and County Road.
- (C) Whether the proposed subdivision is compatible with surrounding land uses and is adequately buffered as needed.
There are other exempted properties in the area and distance creates a buffer - buffering is not necessary.

All appropriate notice requirements have been completed with no comments received as of February 28, 2020. Fourteen property owners within 1,320 feet were notified of the application; there have not been comments, either in favor or opposed.

Pam Cherry said she would like Planning Commission to make a motion on this application to be referred to the County Commissioners for final determination.

Greg Wagers, W.5, Fort Morgan, CO 80701, told the Planning Commission that the land has been used for wildlife and they have leased some for grazing. They want to be able to give some land to their children. The water issue was motivation to get this done now.

PUBLIC COMMENT OPEN:

Favor: No one was present to speak in favor of this application.

Opposed: No one spoke in opposition of this application.

PUBLIC COMMENT CLOSED

It was moved by Mike Bailey and seconded by Mike Erker to approve this application from Gregory and Elizabeth Wagers for a Minor Subdivision to create 2(two) vacant lots of 9.5 acres each for

residential uses which are located in the SW1/4 of Section 8, Township 4 North, Range 58 West of the 6th p.m., Morgan County, Colorado, lying south and west of Co Rd W.5 and 1/2 mile east of Co Rd 13, Fort Morgan, Colorado.

OTHER BUSINESS:

**PROPOSED CHANGES TO USES IN THE
COMMERCIAL, LIGHT INDUSTRIAL AND HEAVY INDUSTRIAL ZONE DISTRICTS**

Pam Cherry read the following Use Summary:

The county commissioners have requested that the uses in the zone districts be reviewed for possible change in classification. There are three classifications:

- 1.) Use by Right or Permitted Uses – Land use applications and review by the planning department is not required.
- 2.) Conditional Use – Land use applications are required. A conditional use permit (CUP) allows a landowner to use their land in a way not permitted by the Morgan County Zoning Regulations. Planning department review is required; the application is sent to other agencies and property owners within 1,320 feet (1/4 mile) for comment. Conditional uses are either approved administratively or through the public hearing process.
- 3.) Use by Special Review – Land use applications are required for any uses listed in the regulations and also for uses that may not be included within any of the use categories. Planning department review is required; the application is sent to other agencies and property owners within 1,320 feet (1/4 mile) for comment. Upon completion of the review period the project is scheduled for public hearings before the Planning Commission and the Board of County Commissioners.

Please review the attached spreadsheet and the uses listed for each category in the Morgan County Zoning Regulations, Chapter 3, for proposed changes to the use categories in the commercial and heavy and light industrial zone districts. On the spreadsheet is a column for you to make notes. Do you think there are additional categories that should be added? Do you think there are uses listed that should be a different category? Please review the proposed changes and add any others that you think should be included and be prepared to discuss at the Planning Commission meeting on January 13.

Other zone district uses are also being reviewed and will be discussed at a future meeting.

The Board went through the list that Pam Cherry prepared, see attached. The list contains uses as shown in the regulations and the proposed changes by Pam Cherry. Pam Cherry wanted the Planning Commission's thoughts on the list so they went through the list one by one. The Planning Commission suggestions are also shown on this list. Robert Pennington commented that he would like to see permitted uses (use by right) to make the process easier for the public and others agreed.

Meeting was adjourned.

Jody Meyer
Planning Assistant