



**PLANNING & ZONING COMMISSION
REGULAR MEETING**

Tuesday, February 7, 2023, 6 p.m.

Attend in person:

Cedaredge Civic Center, Grand Mesa Room 140 NW 2nd St.

Attend virtually:

On Your Computer: <https://bit.ly/3HSn0gB> | Password: 090925

On Your Phone: 253-215-8782 | Webinar ID: 860 6960 7864 | Password: 090925

AGENDA

[A] denotes an action item; [D] denotes discussion item [I] denotes information item

1. Call to Order & Pledge of Allegiance
2. Roll Call
3. Reading of the Mission Statement: *To retain the community character with its natural mesa openness and create positive economic and living opportunities for current and future residents.*
4. Constituent Time
Constituents may address the Planning Commission about any issue. Please state your name and address for the record. You have three (3) minutes to address the Commission. Please keep your comments cordial.
5. Minutes: May 17, 2022, Regular Meeting **[A]**
July 26, 2022, Special Meeting **[A]**
October 18, 2022, Special Meeting **[A]**
6. 2023 Meeting Schedule **[I]**
7. 2023 Projects **[D]**

Commission Members & Terms

2/2/2023 2:57 PM

Chairman Skip Bethurum (April 2025)

Vice Chairman Terry Jarbo (June 2023)

Bob Michael (May 2023)

Trustee Jim Atkinson (Ex-Officio)

Marcy Peterson (May 2025)

Ardon Barnes (May 2025)

Town of Cedaredge Planning & Zoning Commission
Record of Proceedings
Special Meeting
July 26, 2022

The Cedaredge Planning & Zoning Commission met for a Special Meeting on July 26, 2022 at the Cedaredge Civic Center, 140 NW 2nd Street, Cedaredge. The meeting notice was posted in the designated area at Cedaredge Town Hall at least 24 hours prior to the meeting in accordance with the Sunshine Law. All documents included in these minutes by reference are available for review at Cedaredge Town Hall.

Call to Order: Chairman Skip Bethurum called the meeting to order at 5:06 pm.

Roll Call: In attendance were Chairman Skip Bethurum; Vice Chairman Terry Jarbo; Commissioners Ardon Barnes, Bob Michael and Marcy Peterson; Trustee Dick Cartin; Town Planner Davis Farrar; and Town Administrator Kami Collins. Absent and excused was Trustee Jim Atkinson.

Title 16 Land Use Code Update: Mr. Farrar began by announcing his retirement effective July 31. He said he would continue to assist the Town with the Title 16 project until a new contract planner is engaged.

Mr. Farrar presented a memo that addressed the additional public comment received. Ms. Collins noted the Board of Trustees was looking for the Commission's recommendation on several pieces of public comment. Mr. Farrar noted he needs to update the zoning map, which will be included with the final draft. He reiterated there will be no changes to zoning, the map will be updated to conform to GIS formatting. Chairman Bethurum asked Mr. Farrar to address each piece of public comment individually.

Staff Comments:

Attorney Carol Viner: Ms. Viner noted the Town has a moratorium on sexually oriented businesses which will be discussed at a future date when the Commission and Board also consider where an industrial zone should be located. The Commission agreed with this recommendation.

Building Inspector Bruce Stanley: Mr. Stanley requested that the official place where building records are kept be changed to "Town Hall" instead of "in the office of the Building Inspector;" the Commission agreed with this recommendation. Mr. Stanley noted that "Home Occupation" was listed twice in Table 16-1; the Commission agreed to remove the first instance in the table. Mr. Stanley requested the setback on rivers and streams include the language "measured from the centerline of the stream or river;" the Commission agreed with this recommendation. Mr. Stanley asked for clarification in the section 16.04.180 Accessory Dwellings. Mr. Stanley noted the Town currently has regulations that a primary residence cannot be less than 600 square feet and the current draft language allows for an accessory dwelling units larger than that. Mr. Farrar suggested that primary dwelling units that are 600-1500 square feet should have a maximum

ADU of 495 square feet, and primary dwelling units larger than 1500 square feet have an ADU that is no larger than 33 percent of the total floor area but not larger than 850 square feet. Any ADU would be between 495 and 850 square feet. The Commission agreed with this recommendation. Mr. Stanley noted in 16.04.190 Cottage Industry, the language implied that someone could not work at their home business before 8 am or after 8 pm. Mr. Farrar proposed the change be that the business open to the public for on-site services be limited between 8 am and 8 pm; the Commission agreed with this recommendation. Mr. Stanley noted there was no definition of “adjacent grade” in 16.05.090 Fences, Walls and Berms. Mr. Farrar proposed language that the adjacent “original undisturbed grade measured five feet from the base of the supporting post location.” The Commission agreed with this recommendation. Mr. Stanley noted it was confusing for the public to change terminology from “mobile home” to “manufactured home” and requested language be changed back to mobile home. Mr. Farrar noted the change came at the state level, and the language was also a challenge for the Title 16 Steering Committee. He explained the regulations themselves weren’t changed, only the word “mobile” changed to “manufactured.” The Commission agreed to keep the word mobile throughout the code instead of manufactured to be consistent with state regulations. Mr. Stanley noted in manufactured park regulations there was conflicting language between a manufactured home park and a manufactured home subdivision. Mr. Farrar proposed to add language to say “manufactured home subdivision and not manufacture home park;” the Commission agreed with this recommendation.

Trustee Hawbaker: Trustee Hawbaker submitted public comment that the elimination of domestic fowl, honeybees and livestock on larger lots was not appropriate. Katie Greenwood, the FFA Advisor and Agriculture teacher at Cedaredge High School submitted a letter that outlined similar concerns. Mr. Farrar noted that the Steering Committee debated this issue for some time. The Commission debated the recommendation, and made the following recommended changes for the Board’s consideration:

- Take the language related to fowl and livestock from Title 6 and move it into Title 16 in the zoning section;
- For domestic fowl and honeybees, the recommendation is:
 - Zones R1, R2 and R3: Permitted use
 - Zone MU-R: Conditional Use
 - Zones B1, MUC-D-2 and MUC-D-1: Prohibited use
 - Zone I: Permitted
- For livestock, the recommendation is:
 - Zones R1 and R2: Permitted Use
 - Zones R3 and MU-R: Conditional Use
 - Zones B1, MUC-D-2 and MUC-D-1: Prohibited use
 - Zone I: Permitted

The Commission additionally recommended that additional language be added to this section that further explains that those properties currently with fowl or livestock are grandfathered in and they can replace stock but cannot add to stock.

Trustee Kathy Hirschboeck: Trustee Hirschboeck questioned if the code should address VRBO’s. Mr. Farrar noted that Cedaredge does not currently regulate short term rentals. The

Steering Committee did briefly discuss the issue, but agreed the issue should be discussed in the future after the completion of the code update.

Public Comment:

Tate Locke submitted several comments. He suggested in 16.01.060 Fees more clarity should be added. Mr. Farrar suggested adding “fees established by the Cedaredge Board of Trustees;” the Commission agreed with this recommendation. Mr. Locke made several comments on impact fee calculation. Mr. Farrar explained to the Commission that those fees were established through a specific, detailed technical analysis, and changing those arbitrarily could set the Town up for possible litigation. In the same comments, Mr. Locke suggested those fees be paid at time of CO. In discussion, the Commission recommended to keep impact fees due at the time of building permit, and that no changes to the impact fee schedule should be made at this time. Mr. Locke commented that there was no minimum lot size listed for the R1 multi-family designation; Mr. Farrar noted that was an oversight in the draft. The updated draft reflects R1 9000 square feet for a single family residence and 6000 for a duplex; R2 is 7000 square feet for a single family residence and 4500 square feet for a duplex. The Commission agreed with Mr. Farrar’s suggested changes. Mr. Locke submitted comments about the timing of applications turned in during code revisions. Mr. Farrar explained this is common language within the Cedaredge code and in other municipal codes. The Commission recommended to keep the language as originally submitted. Mr. Locke submitted comment that the section on berms was too restrictive. Mr. Farrar noted that the previous code had no regulation on berms and the new code simply provides standards. The Commission agreed and recommended no change to the section on berms. Mr. Locke submitted comments on landscaping, access and parking, junk vehicles, operational performance standards, duration of application approval and phased projects that the new code was more restrictive or unnecessary. Mr. Farrar noted that those specific codes had not changed from the existing Title 16. The Commission did not recommend any changes to those sections. Mr. Locke submitted comment that requiring landscaping before CO seemed punitive. Mr. Farrar noted the code allows for exceptions to be made due to weather. In discussion, the Commission recommended to keep the existing language and make no change to that section.

Chairman Bethurum adjourned the meeting at 7:44 pm.

Respectfully Submitted,

Kami Collins
Town Administrator

Town of Cedaredge Planning & Zoning Commission
Record of Proceedings
Special Meeting
October 18, 2022

The Cedaredge Planning & Zoning Commission met for a Special Meeting on October 18, 2022 at the Cedaredge Civic Center, 140 NW 2nd Street, Cedaredge. The meeting notice was posted in the designated area at Cedaredge Town Hall at least 24 hours prior to the meeting in accordance with the Sunshine Law. All documents included in these minutes by reference are available for review at Cedaredge Town Hall.

Call to Order: Chairman Skip Bethurum called the meeting to order at 3 pm.

Roll Call: In attendance were Chairman Skip Bethurum; Vice Chairman Terry Jarbo; Commissioners Ardon Barnes, Bob Michael and Marcy Peterson; and Town Administrator Kami Collins. Absent and excused was Mayor Pro Tem Jim Atkinson.

Affordable Housing: Chairman Bethurum explained he and Ms. Collins had been attending the County's recent housing meetings, at which attainable, affordable and workforce housing was the primary topic, and area of concern for Delta County. He polled the Commissioners to gauge their perception of the problem and to gauge their interest in having the Commission work on addressing the issue in Cedaredge. All Commissioners responded that attainable housing is necessary in Cedaredge, and agreed to work on the issue. In discussion, the Commission agreed to send a letter to the Board of Trustees asking the Board to also identify and prioritize attainable housing, and allow the Commission to work on the issue. The letter will be included in the Board's October meeting packet. In further discussion, the Commission agreed to look at a three-tiered approach to the problem, by addressing provisions in the land use code that discourage attainable development; drafting incentives to encourage developers to build attainable housing, including incentives for infill development; and seeking federal and state grants earmarked for affordable housing to offset the cost to the Town and to developers. Those suggestions will be included in the letter to the Board. Chairman Bethurum will present the letter to the Board and will report back to the Commission as to the direction from the Board to the Commission on the work.

Respectfully Submitted,

Kami Collins
Town Administrator

Town of Cedaredge Planning & Zoning Commission
Record of Proceedings
Regular Meeting
May 17, 2022

The Cedaredge Planning & Zoning Commission met for a Regular Meeting on May 17, 2022 at the Cedaredge Civic Center, 140 NW 2nd Street, Cedaredge. The meeting notice was posted in the designated area at Cedaredge Town Hall at least 24 hours prior to the meeting in accordance with the Sunshine Law. All documents included in these minutes by reference are available for review at Cedaredge Town Hall.

Call to Order: Chairman Skip Bethurum called the meeting to order at 6:03 pm.

Roll Call: In attendance were Chairman Skip Bethurum; Vice Chairman Terry Jarbo; Trustee Jim Atkinson; Trustee Dick Cartin; and Town Administrator Kami Collins. Absent and excused was Commissioner Bob Michael.

Reading of the Mission Statement: Chairman Bethurum read the mission statement.

Constituent Time: No member of the Public addressed the Commission.

Minutes: May 3, 2022 Regular Meeting: Vice Chairman Jarbo moved and Trustee Cartin seconded to accept the minutes as presented. Motion passed unanimously.

Letter of Interest: Ardon Barnes: Chairman Bethurum read the letter for the record. Vice Chairman Jarbo moved and Chairman Bethurum seconded to recommend to the Board of Trustees that Mr. Barnes be seated on the Commission. Motion passed unanimously.

Title 16 Project Update: Ms. Collins gave a status update on the Title 16 Land Use Development Code project. The draft will be available in mid-June with a public hearing in early July. The Board of Trustees is expected to vote on the updated code at its July 21st Regular Meeting.

Discussion Items:

- **Code Enforcement:** Chairman Bethurum wanted to address code enforcement in Town. Ms. Collins explained that the duties are currently held by an officer of the Cedaredge Police Department. Code enforcement is complaint driven. If the Board wants to see more aggressive code enforcement, funds will need to be allocated to hire a dedicated code enforcement officer. Chairman Bethurum suggested the Commission could work to address code enforcement issues by educating the public.
- **Storm Water Management for New Development:** Trustee Atkinson noted that CDPHE requires permits for storm water management. Ms. Collins noted that the issue is addressed in the Public Works manual. When a new development is proposed, the Town Engineer must approve the storm water management plan.

- **Infill Development:** The Commission spoke about encouraging infill instead of new developments in town. Less expensive homes could be built on smaller lots, Chairman Bethurum noted.
- **Incentivizing Xeriscaping:** Chairman Bethurum asked if the Commission should work towards incentivizing xeriscaping. Ms. Collins noted that in the Title 16 code update, xeriscaping is addressed. After discussion, the Commission decided to revisit the issue in the future.
- **Future Title 16 Amendments:** Ms. Collins noted some work that will need to be done to Title 16 after the code update is completed, including crafting regulations for sexually oriented businesses; updating the sign code; and updating the Title 16 forms.

Ms. Marcy Peterson was in the audience. At the conclusion of the discussion items, Chairman Bethurum asked Ms. Peterson to address the Commission. Ms. Peterson indicated interest in serving on the Commission. Chairman Bethurum moved and Trustee Cartin seconded to recommend to the Board of Trustees that Ms. Peterson be seated on the Commission. Motion passed unanimously.

Trustee Atkinson moved to adjourn the meeting; Chairman Bethurum adjourned the meeting at 7:46 pm.

Respectfully Submitted,

Kami Collins
Town Administrator

Town of Cedaredge - Planning & Zoning Commission
Meeting Dates for:
January through December – 2023
Cedaredge Civic Center - Grand Mesa Room

February 7, 2023 Regular Meeting

March 7, 2023 Regular Meeting

April 4, 2023 Regular Meeting

May 2, 2023 Regular Meeting

June 6, 2023 Regular Meeting

August 1, 2023 Regular Meeting

September 5, 2023 Regular Meeting

October 3, 2023 Regular Meeting

November 7, 2023 Regular Meeting

December 5, 2023 Regular Meeting

The Town of Cedaredge Board of Trustees may attend these meetings.