

Planning Commission Minutes
For March 15, 2016

Members Present: Vice -Chairman Leonard Brown, Grover Hathorn, Gene Glover, Wesley O'Rourke and Dixe Diltz - Secretary.

Members Absent with notification: Chair Dwight Freeman, Mike Mitchell

Members Absent without notification:

Others Present: John Yoder, John Troyer, Lester Yoder, Ab Yoder, Levi (No surname provided)

Vice-Chairman Leonard Brown called the meeting to order at 1:33pm.

Vice-Chairman Leonard Brown recommends revising the agenda by moving "Old Business" – Adoption of the Rio Grande County Joint Master Plan to the end of agenda since there was no public in attendance at 1:30 PM to comment.

Gene Glover made the motion to accept the Agenda as revised, Grover Hathorn seconded, motion carried unanimously; The February 16, 2016 Minutes were approved, motion was made by Grover Hathorn and seconded by Gene Glover; motion carried unanimously.

First Item of Business: Conditional Use Application – Chico Flats School/Hurbert Marquez. John Troyer present to represent the Amish Church in the request for a Amish School house to be built on the parcel of land located in Wildlife Estates subdivision Lot 2.

Wesley O'Rourke asks Mr. Troyer to explain to the Commission why the Amish Community is in need of an additional School Building when there are currently two other Amish schools in the area. Mr. Troyer stated that the other buildings are at a maximum number of students. If the schools have more than 25 students they would be required to follow Federal Water Law regulations and the community does not wish to be regulated by these Laws.

Leonard Brown asks if the buildings are built to current building codes. Gene Glover added to the question by asking about A.D.A. Codes. Mr. Troyer states that they do build to Rio Grande County Building codes and must meet the A.D.A. codes. Grover Hathorn asked what State Regulations the school has to meet. Mr. Troyer says they meet the required number of school days and contact hours per the State. Their teachers do not have to have the same certifications as those teaching in public schools.

Wesley O'Rourke says the area looks clustered due to all the surrounding conditional uses; however, he does not feel there are any problems with it. He asks if they have any plans for the rest of the property. Mr. Troyer says at this time they have no plans for further development on the Lot.

Gene Glover makes a motion to recommend approval of the conditional use for a Amish School Building to be located on Lot 2, Wildlife Estates. This Conditional Use shall apply to the entire 35 +/- acres and any expansion or subsequent development will need to come back before the Planning Commission. Wesley O'Rourke Seconds. Motion passed unanimously.

Second Item of Business: Conditional Use Application - 10,000 Hen Organic Free Range Egg Production Facility. John Yoder is present to represent application.

Grover Hathorn questions if there are any State inspectors that inspect this type of operation. Mr. Yoder is not aware of one.

Levi recommends we try contacting Mike Singer and provides a phone number. Levi states Mike Singer is the State Inspector for Organic potatoes and such, he is not sure if he would be the one to inspect an egg facility or not.

Secretary Dixie Diltz read aloud an email received from Janet and Doug Poore in opposition to the requested Conditional Use.

Leonard Brown asks for clarification on the location of proposed yard area for the hens as it is not shown on the site plan provided in application. If the site plan provided is correct, the yard would have to be located on the north side of building in order to still meet setbacks. Mr. Yoder says he was intending to place the yard on the south side of the building with possible extra yard area on the north. Discussion was held about locating the building further to the north to allow for enough room for the yard on south side of building. Mr. Yoder will provide Land Use Administrator with a corrected site plan prior to the meeting with the Board of County Commissioners.

Gene Glover moves to recommend approval of Conditional Use Application for 10,000 Hen Organic Egg Production Facility to be located at 5475 E. County Rd 8S, Monte Vista, CO with the following stipulations

- 1.) Final Site permit showing proposed location and arrangement of "outdoor" pasture area, (yard) maintaining the 250' setback requirement
- 2.) All building codes will need to be met. Building will not qualify for the "Agricultural Exemptions" due to the overall size of structure, the area of egg collection and storage and the Commercial/Industrial nature of the business.
- 3.) Building permits will not be issued until after the Rio Grande County Board of County Commissioners has approved the application.
- 4.) The operation cannot commence until the Resolution has been signed and recorded and all required Building Permits have been completed and "closed".
- 5.) Conditional use will apply to entire parcel approx. 67.28 acres, any future expansions

or changes to operation will require new conditional use application. This Conditional Use approval based on current ownership and is non-transferable.

Grover Hathorn seconds the motion, motion passes unanimously.

Third Item of Business: Fritz Allen had cancelled his request to speak with the Board regarding Tiny Houses. “Levi” was in attendance and wished to discuss his ideas and concerns regarding a project he wished to do in the future. Discussion covered broad subjects of Land Use Codes and Building Codes. “Levi” thanked the Board for the time.

PUBLIC HEARING: Vice Chairman Leonard Brown opened the Public Hearing at 2:55PM for the purpose of hearing any public comments on the Adoption of the Rio Grande County Joint Master Plan.

Being no public comments and being that the Planning Commission is satisfied with the final Draft of the Master Plan:

Grover Harthorn moves to Adopt the Rio Grande County Master Plan as amended March 2016. Gene Glover seconds motion, motion passes with a vote of 4 ayes, 0 nos.

Public Hearing closed at 3:05 PM

Wesley O’Rourke commented he felt the Planning Commission needed to continue discussion s on the “Tiny House” movement and the Land Use Codes referencing the square footage requirements for secondary dwelling units. Members of the Planning Commission agreed that this discussion should be added to the next scheduled meeting.

With no further business meeting adjourned at 3:10.

Respectfully submitted,

Dixie Diltz
Secretary of the Board