

MORGAN COUNTY PLANNING COMMISSION
March 11, 2019 MINUTES

The Morgan County Planning Commission met on Monday, March 11, 2019 at 7:00 p.m. in the Assembly Room of the Morgan County Administration Building. Answering roll call was: Robert Pennington, Pete Mercer, Terry Rutenbeck, Nathan Troudt, Dave Musgrave, 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 Troudt.

January 14, 2019 MINUTES:

Robert Pennington questioned that Nathan Troudt was the one to make the motions in the Minutes, Agenda, and Adjournment as he was the Chairman. Jody Meyer said she could listen to the tape and make corrections accordingly. **It was then moved by Mike Bailey and seconded by Robert Pennington to approve the January 14, 2019 minutes subject to making corrections on who made the actual motions in the minutes, agenda, and adjournment, after listening to the tape. Motion carried 7-0.**

Agenda: **It was moved by Robert Pennington and seconded by Clay Miller to approve the agenda as presented. Motion carried 7-0.**

NEW BUSINESS:

APPLICANTS AND LANDOWNERS:

Robert F. Christensen
Debora K. Christensen

Deb and Robert Christensen were present to represent this application.

Planning Member, Dave Musgrave, recused himself from hearing this application because of conflict of interest.

Pam Cherry, Planning Administrator, read her file summary, recommending approval with conditions as follows:

The application of Robert F. Christensen and Debora K. Christensen is for a Planned Development to be known as Turkey Ridge, a 16.18 acre parcel located in the SW¹/₄ of the SE¹/₄ of Section 19, Township 4 N, Range 57W of the 6th P.M., Morgan County Colorado. The proposed development at build out will be six lots to be developed in four phases; Pam Cherry stated it is now down to three (3) phases as follows:

- Phase 1 – 2 lots – 1.97 acres and 5.44 acres
- Phase 2 – 2 lots – 2.21 acres each
- Phase 3 – 2 lots – 2.33 acres and 2.0 acres

The property is 16.18 acres in size with an address of 20138 Highway 52, Fort Morgan, Colorado, about 1.8 miles north of Interstate 76. There is an existing home and shed on the property that is part of Phase 1 of the Planned Development. The remainder of the property is undeveloped.

Pursuant to Chapter 6, Section 3-425 of the Morgan County subdivision regulations Planned Developments are permitted in all zones without the necessity of demonstrating the criteria of Section 2-355 (C), (D) and (F) of the Morgan County Zoning Regulations normally required for a zone change.

In reviewing an application for a Planned Development the Planning Commission and the Board of County Commissioners shall apply the following criteria as listed from Section 2-365 of the Morgan County Zoning Regulations:

- (A) Conformance to specific review criteria by amendment or permit type.
 - (1) 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.
 - (2) Whether the proposed subdivision is consistent with the Morgan County Comprehensive Plan.
Chapter 2, C.1. Land Use
Goal: To encourage development where: 1) it is in proximity to the activity centers; 2) the proposed development is compatible with existing land uses; 3) there is access to established public infrastructure (primarily road and utilities); 4) where in outlying area of the county there is access to utilities and there is little additional burden on rural services.
 - (3) Whether the proposed subdivision is compatible with surrounding land uses and is adequately buffered as needed.
This subdivision is located in the Agricultural Production District and buffering is not required, uses are compatible, there are many subdivisions in this area.
- (B) Completeness of the submittal package.
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.
- (E) The degree of contiguity of similar and adjacent zone districts.
There are numerous developments in the North Central Planning area that are adjacent to agriculture uses. This development is consistent with the Comprehensive Plan.

North Central Planning Area

In this area, north of Fort Morgan, there are areas of residential zoning with small pockets of commercial and industrial. There are many residential developments.

Goal: Coordinate development north of Fort Morgan with the City of Fort Morgan. The City was a referral agency on this application. No comments were received.

Additional criteria from Chapter 6, Section 3-425 have also been considered in this analysis. The intent of the Planned Development Zone to allow for greater flexibility in density and other land use controls while still providing for the general welfare of Morgan County citizens. All uses and structures must conform to the approved Final PD Plan and any change must be granted by amending the Planned Development, not by variance.

(A) Constitutes a unique and truly innovative project which is represented by the developer to be constructed within a reasonable period of time in relation the projects' size and scope and which will be of economic benefit to Morgan County thereby qualifying the project under this and other criteria for review under these PD regulations.

This proposed development offers a range in lot sizes from 1.97 acres to 5.0 acres. Planned Developments with smaller lot sizes are selling quite rapidly in Morgan County. Additional development of this sort are necessary in order provide citizens location options and to encourage economic growth in the County.

(C) Ensures that the provisions of the zoning laws which direct the uniform treatment of dwelling type, bulk, density and open space within other zones will not be applied in a manner which would distort the objectives of the Morgan County Zoning Regulations.

Turkey Ridge proposes that the underlying zone for the property will be Rural Residential and will maintain the setbacks required in that zone district.

(E) Allows an efficient use of land and of public and private services to reflect changes in the technology of land development so that resulting economies may benefit the community as a whole.

This development is located adjacent to Morgan County Quality Water lines that will be the water supply for these lots.

All appropriate notice requirements have been completed with no comments received in favor and no comments in opposition as of March 4, 2019. The site of the Planned Development is not located within the 100-year floodplain. Subject property is located within the Fort Morgan Rural Fire District. Taxes are current.

Pam Cherry recommended approval of Turkey Ridge Planned Development subject to the following: Notes shall be added to the Planned Development Plan Drawing that reflects the intent of the Planned Development pursuant to Planned Development Design Standards Subdivision Regulations Chapter 6, Sections 3-510 through 3-590:

- (A) Turkey Ridge is subject to the "Master Declaration of Covenants, Conditions and Restriction of Turkey Ridge PD" as recorded with the Morgan County Clerk and Recorder.
- (B) 3-515 – Overall density proposed for the PD is .37 residential units per acre; six lots are proposed.
- (C) 3-525 – This Planned Development consists of 16.18 acres.
- (D) 3-530 – Open Space – Each lot is permitted one residential structure and one accessory structure, the remaining area to be vegetated.
- (E) 3-555 – Maintenance of the private, interior access and utility easements are the responsibility of all owners of Turkey Ridge. Easements are not maintained by Morgan County.
- (F) 3-570 – Building height is subject to the Rural Residential Zoning District.
Setbacks required: Front 30', Side 25', Rear 20' (not consistent with Rural Residential setbacks).
- (G) 3-585 – Drainage is the responsibility of individual lot owners and shall be retained on the property.

1) This development will be built in three phases. Prior to opening a new phase the owner will be required to provide documentation that the appropriate number of water taps has been purchased.

2) County has no jurisdiction over the enforcement of any covenants.

3) Prior to development of future phases the appropriate number of permits for an OWTS will be obtained from the Northeast Colorado Health Department.

Chairman, Nathan Troudt, read the opening hearing process guideline for this application.

Deb Christensen told the Planning Commission that she hopes the application is complete and asked for questions from the Board.

Terry Rutenbeck asked if the grain bins go with the property. Deb said no. Terry also asked about the proposed storage units indicated in the application. Deb Christensen said she was not planning on having storage units developed.

Fire Hydrants: Deb Christensen said a hydrant was not needed per Morgan County Quality Water.

Water: A water tap has been purchased for the existing old farm house.

Roads: Deb Christensen said interior roads will be graveled and will be maintained by the lots owners. There was a lot of discussion regarding the completion of this project and time frame that it will be finalized. Bob Christensen said they are about three quarters of the way done. Deb said there would be a road agreement.

Water Well: Pete Mercer asked about the on-site well. Deb Christensen said the existing well will be abandoned.

Access: Deb Christensen noted there is only one access off of Hwy 52, Fort Morgan, Colorado. Pam Cherry told the applicants that that a new access needed to be re-permitted according to CDOT.

Drainage / Roads: Robert Pennington was very concerned about drainage on this parcel. Bob Christensen said the drainage will run southwest and it will eventually run to the road. Mike Bailey thought the roads should be done before any lots are sold. Mike Bailey just wanted to make sure the road would be done properly so there were no concerns later on. There was discussion of comparison between Blue Sky PD and this PD – paved roads and gravel roads. Deb Christensen said the excavator will do the plans. Deb Christensen talked about the road agreement between the lot owners and Bob Christensen said they will grade and maintain the roads. Mike Bailey 's concern of drainage is to protect everybody and pointed out the Covenants are not governed by the County. Robert Pennington wondered about culverts and designs for the drainage plan. Discussion on the cul-de-sac and whether it meets with County Standards. Pam Cherry said it is called a hammer head and Deb Christensen said she got that from the fire department.

Deb Christensen said they have not had concerns from neighbors.

Deb Christensen said they were planning on building on Lot 2 of the PD.

Terry Rudenbeck asked about their time frame for phasing. Deb Christensen said 3 years.

OPEN PUBLIC COMMENT:

There was no one present to speak in favor to this application

There was no one present to speak in opposition to this application.

CLOSE PUBLIC COMMENT:

Robert Pennington asked about an HOA. Deb Christensen said there would be none.

It was moved by Mike Bailey and seconded by Pete Mercer to accept this application for a Planned Development for Robert and Deb Christensen known as Turkey Ridge PD and located in the SW1/4SE1/4 of Section 19, Township 4 North, Range 57W of the 6th P.M., Morgan County, Colorado, following County Regulations and State Regulations and subject to the conditions presented by Pam Cherry as follows:

Notes shall be added to the Planned Development Plan Drawing that reflects the intent of the Planned Development pursuant to Planned Development Design Standards Subdivision Regulations Chapter 6, Sections 3-510 through 3-590:

- (A) Turkey Ridge is subject to the “Master Declaration of Covenants, Conditions and Restriction of Turkey Ridge PD” as recorded with the Morgan County Clerk and Recorder.
- (B) 3-515 – Overall density proposed for the PD is .37 residential units per acre; six lots are proposed.
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1) This development will be built in three (3) phases. Prior to opening a new phase the owner will be required to provide documentation that the appropriate number of water taps has been purchased.

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3) Prior to development of future phases the appropriate number of permits for an OWTS will be obtained from the Northeast Colorado Health Department.

Under discussion Robert Pennington asked about addressing potential drainage problems. Deb and Bob Christensen talked about the drainage ditch along the highway which has handled the water for 100 years. Pam Cherry said developments can’t drain to State right-of-ways. Pam Cherry told the Planning Commission that they could make it a condition to have the drainage looked at. Robert Pennington said it definitely needs to be looked at; as drainage moves to the southwest and with houses and sheds being built, the runoff will only increase. Robert Pennington asked Mike Bailey to amend his motion to add that the drainage concern be looked at.

Mike Bailey amended his motion to add that the drainage is a concern and should be looked at and Pete Mercer seconded the amendment. Motion carried 6-0 with Dave Musgrave having recused himself from hearing this application.

OTHER MATTERS:

Pam reminded the Planning Commission about the training that was coming up on April 18, 2019 on the process of Code of Conduct for City and County commission boards.

There being no further business, the meeting was adjourned. Motion by Mike Bailey and seconded by Dave Musgrave.

Respectfully submitted,

Jody Meyer, Planning Assistant