



01/31/2024

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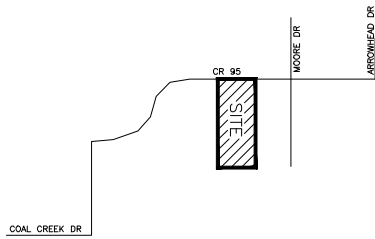


01/31/2024

Home

HILGREN SUBDIVISION

A PORTION OF THE SW 1/4, SECTION 28, TOWNSHIP 19 SOUTH, RANGE 69 WEST
OF THE 6TH P.M., FREMONT COUNTY, COLORADO



VICINITY MAP
NOT TO SCALE

KNOW ALL MEN BY THESE PRESENTS that KIRK HILGREN, is the owner of the following described land:

TO WIT

SURFACE ONLY OF A TRACT OF LAND LOCATED IN THE SW1/4 OF SECTION 28, TOWNSHIP 19 SOUTH, RANGE 69 WEST OF THE 6TH P.M., DESCRIBED AS FOLLOWS: COMMENCING AT A POINT 825' EAST OF THE SW CORNER OF THE SW1/4 OF SECTION 28, THE SAME BEING THE SW CORNER OF THE PREMISES KNOWN AS THE TURKEY FARM; THENCE NORTH ALONG THE WEST LINE OF SAID TURKEY FARM 1980; THENCE WEST 638'; THENCE S. 1980'; THENCE EAST 638' TO THE POINT OF BEGINNING. EXCLUDING THE GRANTORS ENTIRE INTEREST IN AND TO THE RESERVOIR LOCATED IN THE E. 30 RODS OF THE SE1/4 OF THE NW1/4 OF THE SW1/4, OF SAID SECTION 28, WHICH IS RESERVED BY GRANTOR.

CONTAINING 29 ACRES MORE OR LESS.
Fremont County, Colorado.

DEDICATION

I, Kirk Hilgren, being the owner of the above described lands being platted and/or subdivided in Fremont County, Colorado, under the name of HILGREN SUBDIVISION, have laid out, platted and/or subdivided the same as shown on this plat and do hereby dedicate to the public at large the streets, alleys, roads and other public areas as shown hereon and hereby dedicate those portions of land labeled as easements for the installation and maintenance of public utilities as shown hereon. The sole right to assign use or vacate is vested with the Board of County Commissioners.

IN WITNESS WHEREOF

The said KIRK HILGREN, has subscribed his name this _____ day of _____ A.D. 2024.

By _____
KIRK HILGREN

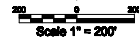
NOTARY STATEMENT

The foregoing instrument was acknowledged before me this _____ day of _____ A.D. 20____, by KIRK HILGREN.

My commission expires _____
My address is _____
Witness my hand and official seal _____

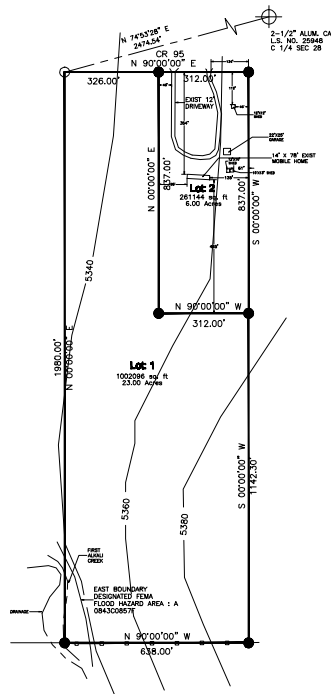
Notary Public

ACCORDING TO C.R.S. 13-90-106, YOUR MENT COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BE BROUGHT ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF COMPLETION.



LEGEND

- FOUND STEEL AXLE
- SET 1/2" X 1/4" REBAR W SURVEYORS CAP L.S. NO. 37907
- ⊕ SECTION CORNER AS SHOWN



NOTES:

- 1) BEARINGS SHOWN ARE BASED UPON THE LINE BETWEEN THE FOUND AXLE AT THE NORTHWEST CORNER OF PROPERTY AND THE FOUND 3/4\"/>
- 2) RECORDED AND APPARENT RIGHTS-OF-WAY ARE SHOWN AS PER TITLE COMMITMENT NO. 080994, BY EMPIRE TITLE OF CANON CITY, COLORADO.
- 3) ALL DIMENSIONS SHOWN IN US SURVEY FEET.
- 4) A DRAINAGE PLAN AND REPORT WILL BE REQUIRED AT THE TIME OF DEVELOPMENT OF LOT 1.

ACKNOWLEDGMENT AND ACCEPTANCE OF PLAT

The undersigned Chairman of the Board of County Commissioners of Fremont County, Colorado, hereby certifies that the plat was approved and all roads, streets and easements are hereby accepted provided, however, that such acceptance shall not in any way be considered as an acceptance for maintenance purposes. Maintenance of, or snow removal from said road or streets shall be only upon separate resolution of the Board of County Commissioners.

Chairman, Fremont County Board of County Commissioners _____ Date

EASEMENT STATEMENT

Easements for public purposes, including utilities, are as indicated on the plat, with the sole responsibility for maintenance being vested with the adjacent property owners, except as otherwise noted, all interior lot lines are subject to a five (5) foot utility easement on both sides of lot lines. Exterior subdivision boundary is subject to a ten (10) foot utility easement.

REGISTERED LAND SURVEYOR'S CERTIFICATE

I, MATTHEW J. KOCH, a registered land surveyor in the State of Colorado do hereby certify that this plat has been prepared under my direction in accordance with the Colorado Revised Statutes, as amended, and that this plat does accurately show the described tract of land and the subdivision thereof, to the best of my knowledge and belief. I further certify that any portion(s) of this property which do lie within the designated flood hazard area as shown on the F.E.M.A. F.I.R.M. maps are accurately shown hereon.

MATTHEW J. KOCH L.S. No. 37907 _____ DATE

COUNTY CLERK AND RECORDERS STATEMENT

STATE OF COLORADO)
COUNTY OF FREMONT)

This plat was filed for record in the office of the County Clerk and Recorder of Fremont County, Colorado, at _____ M., on the _____ day of _____, 20____ A.D. under reception number _____.

Fremont County Clerk & Recorder

CORNERSTONE
LAND SURVEYING

1022 PHAY AVE
CANON CITY, COLORADO 81212
719-276-8881

11-12-23 REV. 11-24-24 JOB # DRKFL

Home

**FREMONT COUNTY
PLANNING COMMISSION MEETING MINUTES
March 5, 2024, AT 3:00 P.M.**

MEMBERS PRESENT

John Hamrick
Gardner Fey
Rudi Mergelman
Larry Brown
Travis Payne
Dale McCullough
John Carper

STAFF PRESENT

Dan Victoria, Planning Director
Joanne Kohl, Office Manager

1. CALL TO ORDER

Chairman Hamrick Called the meeting to order at 3:00 pm.

2. PLEDGE OF ALLEGIANCE

Pledge of Allegiance was recited.

3. APPROVAL OF THE March 5, 2024, PLANNING COMMISSION AGENDA

Chairman Hamrick asked if there were any changes, additions or corrections to the March 5, 2024, Fremont County Planning Commission Agenda.

MOTION

Mr. Fey motioned to accept the March 5, 2024, Fremont County Planning Commission Meeting agenda.

SECOND

Mr. Payne second the motion.

Chairman Hamrick called for a roll call vote, and the motion passed unanimously. (7 of 7)

4. APPROVAL OF THE February 6, 2024, PLANNING COMMISSION MEETING MINUTES

Chairman Hamrick asked if there were any changes, additions or corrections to the February 6, 2024, Fremont County Planning Commission Meeting Minutes.

MOTION

Mr. Carper motioned for approval of the February 6, 2024, minutes.

SECOND

Mr. Fey second the motion.

Chairman Hamrick called for a roll call vote, and the motion passed unanimously. (7 of 7)

5. UNFINISHED BUSINESS

None

6. NEW BUSINESS

A. MS 24-001 HILGREN

Requesting approval for minor subdivision that will create a total of 2 lots.

Lot 1: 23 Acres 1,002,095 square feet

Lot 2: 6.00 Acres 261,114 square feet

The subject property is located in the Agricultural Rural Zone District, on County Road 95, in Florence

Chairman Hamrick asks Consultant Matt Koch to speak about this project.

Mr. Koch states that they are asking approval for a 2 lot subdivision located on CR 95, southwest of Florence. Right now it is 29 acres, there is one residence and a mobile home located on the property that will remain on the smaller lot which will be 6 acres and the remaining 23 acres will be vacant at this time. It is serviced by the city of Florence for water, CR 95 is paved and maintained by the county. There will be a septic system when and if they ever build on that property. All utilities are adjacent.

Chairman Hamrick asks Director Victoria for a staff report.

Director Victoria states that the applicant is requesting approval for minor subdivision that will create a total of 2 lots. Lot 1: 23 Acres 1,002,095 square feet. Lot 2: 6.00 Acres 261,114 square feet. The subject property is located in the Agricultural Rural Zone District, on County Road 95, in Florence
Utility Companies that will service this minor subdivision:

Zoning District Development Requirements:

**Meets requirements*

Improvements:

Lot 2:

- Dwelling
- Garage
- Sheds x 2

Applicants Waiver/Variance Requests:

1. Fremont County Subdivision Regulations, Appendix 1, I. Design Standards, A. Wherever possible, the depth of lots should not be greater than twice its width.
 - The lot currently does not meet the FCSR design standards., “Whenever possible, the depth of lots should not be greater than twice its width”, this can not be met. The layout allows for positive use and larger sizes for possible ag use. Please allow us to discuss with the Planning Commission. The layout is the agreed upon layout by the owner and the future purchaser of Lot 1.

Applicants Deferral Requests:

1. The applicant is requesting a deferral from the Perc test until development on Lot 2.
2. The applicant is requesting a deferral from the Drainage Plan & Report until the development of Lot 1.

Applicants Contingency Requests:

1. The applicant is requesting the access permits for Lot 2 be a contingency item.

Comments Received:

County Engineer: I have reviewed the subject application and recommend approval of the drainage plan deferment
Fremont County Building Official: Due to the size of the lot being created (23.00 Acres) it appears it will be able to accommodate an OWTS. Therefore, there are no objections to the requested deferral.

Fremont County Department of Transportation: The applicant will be required to submit a driveway access permit for the new lot. In viewing the map of the existing home, it is clear there are two access points from CR 95, so the lot with the existing home will be required to submit 2 access permits for that lot, one for each point of access from CR 95.

Planning & Zoning Department Recommendations:

Variance Requests:

Planning and Zoning does not recommend this variance.

As per Fremont County Subdivision Regulations, Appendix 1, I. Design Standards, A. Wherever possible, the depth of lots should not be greater than twice its width.

Deferment Requests:

Planning and Zoning does recommend all three deferments.

1. *Per Subdivision Regulations of Fremont County, Colorado Section XIII D General Information #8.*
 - DRAINAGE PLAN AND REPORT. Department recommends that a note be on the plat stating “at time of development, drainage plan and report is required.”
2. *Per Subdivision Regulations of Fremont County, Colorado Section XIII E ADDITIONAL REQUIREMENTS #1.*
 - Address Issuance application applied for at time of development on Lot 1.
3. *Per Subdivision Regulations of Fremont County, Colorado Section XIII E ADDITIONAL REQUIREMENTS #3.*
 - Driveway access applied for and approved at time of development of Lot 1.

Contingency Requests:

Planning and Zoning does recommend this contingency.

1. *Per Subdivision Regulations of Fremont County, Colorado Section XIII E ADDITIONAL REQUIREMENTS #3.*
 - Driveway access permits (for both access points) applied for and approved for Lot 2 before recording the mylar.

MOTION:

Mr. Carper motioned to approve MS 24-001 Hilgren Subdivision as presented with the variance requests and 3 deferments and 1 contingency.

SECOND:

Mr. Fey second the motion

Chairman Hamrick calls for a roll call and the motion is passed unanimously. (7 of 7)

Chairman Hamrick calls for the next item on the agenda.

B. ZC 23-001 T-K PROCESSING

The applicant consultant, George Hall with Crown Point Land Services, on behalf of T-K Processing, is requesting to rezone 2.27 acres from Agricultural Estates to industrial. The application also includes a Final Development Plan and Special Review Use Permit to allow for a slaughterhouse (meat process-slaughtering operation) located at 1906 and 1910 North Street. The proposed development would include a slaughterhouse operation to be contained within an existing 2,619.7 square foot building on the eastern portion of the property. A holding pen is proposed in the southeast corner of the property outside of a proposed drainage easement but within the 10-foot utility easement along the eastern boundary. Animals are to be held for a maximum of four (4) hours in the holding pen. The plans identify a 900 square foot future cooler that may or may not be constructed. The applicant has indicated that it is included as to the future possibilities as business may or may not require it. Additionally, a 1,159.2 square foot manufactured trailer is proposed to be used as office space and the 831.6 square foot manufactured trailer would be dedicated for watchmen's quarters. Two (2) storage sheds are proposed to be located south of the watchmen's quarters and behind the processing facility. There are (2) septic tanks, a leach field, and a 1500-gallon holding tank. A total of eleven (11) parking spaces are proposed with delivery, pick up, unloading, and trailer backing areas to be surfaced with 6-inch gravel.

Director Victoria gives the staff report stating that the applicant consultant, George Hall with Crown Point Land Services, on behalf of T-K Processing, is requesting to rezone 2.27 acres from Agricultural Estates to industrial. The application also includes a Final Development Plan and Special Review Use Permit to allow for a slaughterhouse (meat process-slaughtering operation) located at 1906 and 1910 North Street.

The proposed development would include a slaughterhouse operation to be contained within an existing 2,619.7 square foot building on the eastern portion of the property. A holding pen is proposed in the southeast corner of the property outside of a proposed drainage easement but within the 10-foot utility easement along the eastern boundary. Animals are to be held for a maximum of four (4) hours in the holding pen. The plans identify a 900 square foot future cooler that may or may not be constructed. The applicant has indicated that it is included as to the future possibilities as business may or may not require it. Additionally, a 1,159.2 square foot manufactured trailer is proposed to be used as office space and the 831.6 square foot manufactured trailer would be dedicated for watchmen's quarters. Two (2) storage sheds are proposed to be located south of the watchmen's quarters and behind the processing facility. There are two (2) septic tanks, a leach field, and a 1500-gallon holding tank. A total of eleven (11) parking spaces are proposed with delivery, pick up, unloading, and trailer backing areas to be surfaced with 6-inch gravel.

The west side of the property contains a manufactured home double-wide and accessory structures that are proposed to be removed within eighteen (18) months of the zone change approval to accommodate eighteen (18) parking spaces (including employee parking), the existing septic tank, leach field, and new detention pond and drainage easement. Due to the proximity of proposed parking, drive aisles, existing leach fields, holding pens, trailer backing, and unloading areas, the applicant proposed to install a state statute legal agricultural fencing placed for the safety of the easement not to be driven into.

The eastern and western portions of the property are separated by an existing 6-foot wood privacy fence with a 4-foot employee walkway to provide employees pedestrian access from the employee parking area to the slaughterhouse operation. Screening of the proposed use is provided by a combination of the existing 6-foot high wood privacy fence and installation of new 6-foot high wood privacy fencing along the eastern, southern, and a portion of the western property boundaries.

Animal by-products are produced as waste during the slaughtering and processing of domestic and wild animals. This includes (not limited to) animal hides/ hair, fats, internal organs, bone, inedible meats, and blood. The applicant submitted an Operation and Waste Plan that states the above-referenced animal byproducts will be retained in bags and marked with a green denatured ink prior to being disposed of in a waste receptacle that is rated and approved for such products (Receptacle is provided by Twin Environmental Services). All bags will be marked NOT FOR HUMAN CONSUMPTION prior to being placed in the waste receptacle. Twin Environmental will then retrieve this waste and it will be disposed of in the appropriate location of the landfill. Additionally, there will be a 1500-gallon holding tank located on the facility to handle the by-products of the slaughtering process. Pumping and cleaning of tanks would be done every 10 to 20 days, dependent on usage, and no by-products would be placed in a typical leach field. Additionally, there would be around 25 gallons per day in the holding tank from the daily cleanup of rags, aprons, and other clothes and for the cleaning and sanitation of the tools and tables. The applicant is proposing to have the holding tank equipped with a float with an alarm on it at 80% capacity and has noted the tank will be pumped at that time, and processing would be halted until pumped below the 80% mark.

T-K Processing is proposed to be open 300 days per year, 5.5 days per week. The hours of operation are between 6:00 am to 7 pm, Monday through Friday, 6:00 am to 1:00 pm on Saturday and are closed on Sunday. Additionally, the operation would be open during the wild game season after hours, on-call for animal drop-off only. A maximum of ten (10) animals per day would be processed by appointment only. There is a maximum of ten (10) customers per day that would come to the operation for delivery and 10 customers per day for pickups. A maximum of ten (10) employees will work in the operation. The watchmen's quarters' occupancy is limited to a person(s) who either owns the primary use or is employed as a manager, maintenance person, or similar function.

Zone Change #2 and Final Development Plan

Compliance with the intent and purpose of the Fremont County Zoning Resolution (FCZR). The industrial zone district is established to provide for general industrial and manufacturing activities. The proposed slaughterhouse use is subject to the issuance of a special review use permit and must demonstrate compliance with the Fremont County Zoning Resolution, special review approval criteria, application and development requirements, parking and loading requirements, and performance standards of the Industrial zone district. The narrative below provides an analysis of compliance with the development requirements of the Industrial Zone District:

Minimum Lot Size. The subject property consists of two lots. The applicant has submitted a request for a Vacation of the Interior Lot Line to combine the two lots into a single 2.27-acre lot. Staff finds that upon approval of the Vacation of Interior Lot Line, the property would comply with the minimum lot size requirements.

Lot Size. As noted above, the subject property consists of two lots. The applicant has submitted a request for a Vacation of the Interior Lot Line to combine the two lots into a single 2.27-acre lot. Staff finds that upon approval of the Vacation of Interior Lot Line, the property would comply with the minimum lot size requirements of the industrial zone district as the lot would be comprised of a lot that is more than two (2) acres but less than four and one-half (4 ½) acres and serviced by public water. Staff has set forth a recommended contingency that the Vacation of Interior Lot Line must be approved and recorded by Fremont County prior to final approval of this Zone Change #2 application.

Maximum Building Height. All structures are below the 50-foot building height limitation as set forth in Section 4.17.5.2 of the FCZR.

Maximum Lot Coverage. The proposed lot coverage is 5.67 percent.

Lot Width. Both lots exceed the minimum lot width of one hundred (100) feet of the Industrial zone district. Upon approval of the Vacation of Interior Lot Line, the property would be 301.65 feet in width.

Minimum Setback Requirements. Staff finds all buildings and structures comply with the minimum setback requirements of the Industrial zone district with the exception of the following:

- **Front Setback.** The 831.6 square foot manufactured home is proposed to be utilized as a watchmen's quarters. It has a front setback of 26.4 feet, which complies with the 25-foot setback requirement of the AE zone district. Since the request is to rezone the property to Industrial, the site must comply with the industrial zone district setback requirement, which is forty (40) feet.

Through the development review process, the applicant asked staff to make the front 13.6-foot setback encroachment a waiver due to the fact it complies with the AE zoning setback as a pre-existing condition. Staff informed the applicant that there is not a waiver process for setback encroachment. The request would be a variance wherein the Board of Zoning Adjustment (B.O.Z.A.) is the decision-making body on variance applications. Alternatively, an application for a Non-Conforming Use Status might be a preferred path to provide relief. The application procedure is an administrative process through the Planning and Zoning Department. A non-conforming use is a land use that was valid or lawful when brought into existence but, as of the effective date of the Fremont County Zoning Resolution or subsequent amendments, is prohibited by or inconsistent with the requirements of the Zoning Resolution or its subsequent amendments. A Non-Conforming Use Status application form was provided to the applicant.

The applicant has indicated that when the rezoning is completed and approved then they will submit a Non-Conforming Use Status application. Staff recommends that approval of either a variance from B.O.Z.A. or a non-conforming use status application be an approval contingency of Zone Change #2. A recommended contingency is provided for the Commission's consideration.

Performance Standard. The Final Development Plan depicts a freestanding sign located along the North Street frontage near the customer and watchman's quarters access. In the written response to review comments, the applicant stated that the sign will be 32 square feet (4'x 8') on a post no higher than 6 feet tall and will not be illuminated other than a solar ground light to identify the location of the driveway.

Off Street Parking and Loading. The Final Development Plan depicts the minimum required parking spaces by use in compliance with the FCZR.

Per Section 5.3.2 of the FCZR, surfacing for all industrial off-street parking areas shall be graded and surfaced to control dust. The driveway and parking spaces shall be asphalt or concrete unless waived by the Board. The Final Development Plan depicts the driveways, customer and employee access areas, delivery and unloading spaces, and parking spaces to be surfaced with six (6) inch gravel as the applicant is requesting a waiver from the surfacing requirements.

The Project Engineer suggested requiring curb sections on portions of the drive aisles to keep vehicles off the leach field. For example, one continuous curb around the leach field by the employee parking and an L-shaped curb on the north and east of the large leach field.

Water, Sewer, and Utility Services. The proposed development has demonstrated it has access to adequate, dependable, and cost-effective water sources and sewage disposal for the proposed use.

The applicant notes that supply and great demand currently exists, as most county residents are going out of town for services. It would provide up to ten (10) jobs for the community. Although no evidence was provided, the applicant asserts that there will not be any detrimental effects on property values with the approval of the zone change and all of T-K Processing values align with the Fremont County Master Plan.

Staff finds additional land is needed in the proposed industrial zone district to accommodate meat processing, while the special review use permit approval process will ensure objectionable influences typically associated with these types of operations are appropriately mitigated and the site is brought into compliance with the Fremont County Zoning Resolution (FCZR).

Evidence that the proposed zone change and proposed use will be in harmony and compatible with the surrounding land uses and development in the area.

The subject property is surrounded by single-family residential to the east and west as those parcels are zoned Agricultural Estates. The property to the north is the Gun Club and is currently vacant. The properties to the south and southwest are substantially industrial in nature and include contractor yards, Fremont County DOT, County Road and Bridge, and self-storage facilities.

The proposed zone change to industrial would be in harmony and compatible with adjacent industrial zoning to the south and southwest. The proposed slaughterhouse use may be found to be compatible with the surrounding land uses.

The applicant maintains that the proposed slaughterhouse use will not have a detrimental effect on property values.

Sanitation. Due to the proposed business being a meat processing facility, the Building Official required information on an Onsite Wastewater Treatment System (OWTS) sanitation disposal method, and water usage.

The Building Official found the water usage that is summarized in the processing might be questionable but believes through strict conservation of water, from the kill to package process, the water usage numbers the applicant has provided can be acceptable. The Building Official indicated that the application will need to change the high-water alarm warning to sound off at 75% of the vault, per Section 12.C.9 of the Fremont County OWTS Regulations. The use of any vault will need the approval of the Fremont County Board of Health. A recommended contingency is provided for the Commission's consideration.

Water Supply. The Park Center Water District submitted a will-serve letter subject to the developer installation and testing of a Park Center Water District-approved backflow prevention device.

Fire Protection. The subject property is in the Cañon City Fire District. The only comment provided from the District was for the operator to add a multi-purpose fire extinguisher to each business building.

Drainage. The Fremont County Project Engineer reviewed the Drainage Report and found the Report, dated December 10, 2023, addressed all comments and concerns.

The applicant proposes to dedicate a drainage easement on the Vacation of Interior Lot Line plat to accommodate the required detention pond. The applicant has revised the Final Development Plan to include a note stating the drainage easement shall have a state statute legal agricultural fencing placed for the safety of the easement. Said fence would be a 4-strand wire fence. The Project Engineer found the proposed fencing would adequately protect the integrity of the detention pond and easement.

Utilities. The applicant has depicted all utilities on the Final Development Plan. The holding pens are proposed to be located within said utility easement. Planning and Zoning Department staff raised concerns about the potential animal conflicts with the easement in the event utility providers would need to access or work within the 10-foot easement. If anyone needed access to it, they could arrange for access, but it is unlikely. If objections related to the encroachment of the holding pens on the utility easement, the holding pens would need to be relocated outside said easement.

Environmental Influences. The Operation and Waste Plan was reviewed by the Fremont County Building and Environmental Health Department. All animal by-products will be disposed of by Twin Environmental.

Fremont County Weed Management issued an Integrated Weed Management Plan to address various weed species that are in the vicinity of the planning area.

Staff finds that all potential public health, welfare, prosperity, and safety impacts have been minimized and mitigated subject to conformance with recommended contingencies.

The subject property gains access via two driveways off of North Street, which is classified as a local roadway. North Street is gravel and maintained by the County. The Roadway Impact Analysis estimates the business will generate a total of 22-40 vehicle trips per day.

Fremont County Department of Transportation (DOT) reviewed the rezoning request and determined the applicant will need to pay annual roadway impact fees.

The site is 2.27 acres and is sufficient size to accommodate the proposed use together as required by the Zoning Resolution, subject to completion of recommended contingencies.

1. The proposed use, if it complies with all conditions on which approval is made contingent, will not adversely affect other property in the vicinity or the general health, safety, and welfare of the inhabitants of the County, and will not cause significant air, water, noise, or other pollution.

Air. The applicant indicated that odor aligns with the Fremont County Master Plan by garbage pickup two times weekly by Twin Environmental Services, with extra pickup available as needed to minimize odor. All other odor-causing agents will be handled with sanitary plans in place.

The FCZR sets forth the requirement to surface all industrial off-street parking areas with asphalt or concrete to control dust. The Project Engineer supports the waiver from surfacing requirements increase in impervious areas.

Water. Public water is supplied by Park Center Water District, wherein no concerns were raised about adverse effects on water supply.

Noise and Vibration. The applicant indicated that the slaughtering and processing will not create noise or vibration.

Lighting and Glare. The applicant's response to review comments indicated that lighting would be placed for security reasons on buildings. The purpose of the watchmen's quarters is to supply on-site security with motion sensors for additional security. The lighting of the proposed sign is proposed to be illuminated with solar ground light directed at the sign.

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SUMMARY OF STAFF ANALYSIS AND RECOMMENDATION

Based on the application, compliance with the regulatory requirements of the Fremont County Zoning Resolution, and Special Review Use Permit approval criteria, staff recommends **approval** of these requests (Zone Change #2, Final Development Plan and Special Review Use Permit) with the following contingencies:

1. The associated Vacation of Interior Lot Line must be approved and recorded by Fremont County prior to final approval of this Zone Change #2 application.
2. The applicant shall secure approval of a 13.6-foot front setback variance or a non-conforming use status application prior to final approval of this Zone Change #2 application.
3. The applicant shall relocate the 98 square foot shed in conformance with the ten (10) foot side setback requirement prior to the operation of the slaughterhouse facility.
4. Revise the Final Development Plan to include the dimensional specifications of the free-standing sign identified.
5. by label or note in accordance with Section 8.13.3.19 of the Fremont County Zoning Resolution.
6. Revise the Final Development Plan to depict curb sections on portions of the drive aisles to keep vehicles off the leach field with one continuous curb around the leach field by the employee parking and an L-shaped curb on the north and east of the large leach field.
7. Revise the Final Development Plan notes to change the high-water alarm warning to sound off at 75% capacity of the vault per Section 12.C.9 of the Fremont County OWTS Regulations.
7. Revise the Final Development to surface the accessible parking space with asphalt or concrete and depict an ADA ramp connecting the accessible parking space to the entrance of the building in compliance with ADA requirements.

RECOMMENDED FINDINGS OF FACT

Based on the analysis included in this staff report and upon compliance with all contingencies, staff finds the following:

1. The applications will comply with the intent and purpose of the Fremont County Zoning Resolution and the Fremont County Master Plan.
2. A public need for the zone change exists.
3. The Zone Change #2 will be a county benefit.
4. The location and proposed use is compatible with the surrounding land uses and development in the area.
5. The proposed site and uses would not impair public health, welfare, prosperity, and safety by creating undesirable sanitary conditions, overburdening of utilities, or adverse environmental influences.
6. The site is served by a road of sufficient capacity to carry the traffic generated by the proposed use and the use will not result in undue traffic congestion or traffic hazards.
7. The site is sufficient size to accommodate the proposed uses in conformance with the provisions required by the Zoning Resolution.
8. The proposed use, upon compliance with all contingencies, will not adversely affect property in the vicinity or the general health, safety, and welfare of inhabitants of the County and will not cause significant air, water, noise, or other pollution.

Mr. Hall states that they are pretty much in agreement with all the contingencies. He states that instead of there being a curb around the leech field, they were going to present a rock type of landscaping to keep people from driving on it. He states that the holding pens inside the utility right of way are being done because of the Boundary Line Vacation, and you have to give that utility easement around the property.

Chairman Hamrick states that the applicant has agreed that if an easement access was requested that the pens would be moved.

Chairman Hamrick asks for people from the audience who have requested to speak.

Jessi Daman states that she is from a residence standpoint, her parents, who live at 1900 North Street since 1990, her mom went through the operation of the previous slaughterhouse and states that it places a huge heartache and headache on the residents surrounding them. Her parents are in the agricultural zoned and they have horses and animals on their property. When the last slaughterhouse took place, traffic was insane and caused a lot of dust, constant trucks moving up and down that road. She just asks for your empathy from a resident standpoint of what this is going to cause on these people who have lived in these homes since the 1990's. The sounds of animal's screaming and crying while they are getting slaughtered, the blood smells, the increase of insects and rodents, flies that will come from the blood and carcass laying around and the depreciation of homes.

Mr. Fey asks the applicant if the kill floor will be inside or out, and the applicant stated it will be inside.

Chairman Hamrick states that next they have Lindsey Camper to speak.

Mrs. Camper states that she is for the butcher shop, she is a local rancher and her husband and her sell between 15-20 head of beef a year to local and surrounding areas. Unfortunately, over the last few years, she says, they have had to take their business out of town, they spend roughly \$20,000-\$25,000 a year on butcher fees and they would like to keep that local and support a local family, town, and community. She states that it seems like a lot of traffic for residents, but it would be minimal, and they are one customer who would be bringing in 5-10 head of steers a day and the limit is 10 a day, that is one truck and trailer.

Chairman Hamrick asks if there are any questions or comments from the Board.

Mr. Tracy (applicant) states that they won't kill every day, they have minimal capacity in their coolers there that is all indoors. There will be no sounds of screaming from the animals, the animals are quickly and humanely put down. There will be livestock sounds while they are being held outdoors for a minimal amount of time. There is agriculture on that as well, across the street there are cattle frequently grazing so the sounds to be heard will not be abnormal as to what sounds already exist as far as livestock is concerned.

Mr. Fey asks if they are already operating or experienced in the game animal processing business.

Mr. Tracy (applicant) states that he and his business partner, Mr. Kessler, are both experienced in this process and will have experienced people working for them. He states that wild game and domestic game can process domestic first, then you can process wild game. Each have to be held in separate coolers per USDA regulations.

Mr. Mergelman states that what bothers him is that once that meat comes on the floor the hoses come on and a lot of water is consumed in a processing plant. He asks about the water going into a septic tank.

Mr. Kessler (applicant) states that when they slaughter, USDA standards state that they do not have to wash those carcasses. They prefer you do not wash the carcasses due to the potential of getting a virus. They spray the carcasses down a little bit, then it will just be cleaned up.

Director Victoria states that the leech field and septic system is for human waste and the vault is for water consumption used during the animal processing. Everything from the kill to the package and all the cleanup, all goes to the 1500-gallon vault and is all hauled off by Twin Enviro about 2 times a week.

Chairman Hamrick asks if there is a minimum distance required between a processing plant and the nearest resident in the regulations.

Director Victoria states there is not.

Chairman Hamrick states to staff that there should be a note made about that. It may be something they might want to address. Also, when finishing up the Zoning Rewrites, staff will take a look at the lighting requirements of signage to where the light would be facing downward (Night Sky effect suggestion) instead of upward. Also, when would T-K Processing anticipate being able to process their 1st animal if this is approved.

Mr. Kessler (applicant) states they are looking at probably the end of May. They also will agree to the lighting of the signage to be pointing downward.

Chairman Hamrick states he does have a question on the property value issue, one of the things they require is evidence that the Zone Change will be a county or neighborhood benefit in that it will tend to preserve and promote property values in the neighborhood. Has staff sought an opinion from the county Assessor on property values, perhaps that is something staff ca discuss with the county Attorney, that when the Board is deciding on an evaluation of properties, and he would be interested I that opinion.

Director Victoria states that the assessor was not asked but that is an interesting question to raise.

Chairman Hamrick states he is open to a motion.

MOTION:

Mr. Fey motioned to approve ZC 23-003 T-K Processing with all 7 contingencies, hard surfacing on the ADA area and the ramp and lowering the alarm from 75% to 80%.

SECOND:

Mr. McCullough second the motion.

Chairman Hamrick called for a roll call vote, and the motion passed. (6 of 7)

7. ADJOURNMENT

Chairman Hamrick adjourned the meeting at 4:43 p.m.