

**FREMONT COUNTY
PLANNING COMMISSION MEETING MINUTES
May 2, 2023, AT 3:00 P.M.**

MEMBERS PRESENT

John Hamrick (Vice-Chairman)
Gardner Fey
Rudl Mergelman
Larry Brown
Travis Payne
Dale McCullough

STAFF PRESENT

Dan Victoria, Planning Director
Joanne Kohl, Office Manager

1. CALL TO ORDER

Vice Chairman Hamrick called the meeting to order at 3:00 p.m.

2. PLEDGE OF ALLEGIANCE

Pledge of Allegiance was recited.

3. APPROVAL OF AGENDA

Vice Chairman Hamrick asked if there were any changes, additions or corrections to the May 2, 2023, Fremont County Planning Commission Agenda.

Vice Chairman Hamrick states they have one item to add under new business, that is a report from Director Victoria on the results of the last Board of County Commissioners meeting where they discussed items of concern to this planning commission.

MOTION

Mr. Brown motioned to accept the May 2, 2023, as adjusted, Fremont County Planning Commission Meeting agenda.

SECOND

Mr. Fey second the motion.

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

4. APPROVAL OF THE April 4, 2023, PLANNING COMMISSION MEETING MINUTES

Vice Chairman Hamrick asked if there were any changes, additions or corrections to the April 4, 2023, Fremont County Planning Commission Meeting Minutes.

MOTION

Mr. Fey motioned for approval of the April 4, 2023, minutes.

SECOND

Mr. McCullough second the motion.

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

5. UNFINISHED BUSINESS

None

6. NEW BUSINESS

Vice Chairman Hamrick states that they will start with New Business and asks Director Victoria to address this.

Director Victoria states that he will give a brief update from the last BOCC meeting. They had the 2 Minor Subdivisions that had waivers for drainage. This Board had voted to approve the Minor Subdivisions with the drainage being done at the time of development. During the last BOCC meeting, after the time of the Planning Commission meeting, until the BOCC meeting they had him do research on the history of drainage waivers kind of percentages of approval and any issues that have come up. This has revealed that there was inconsistencies within the department of drainage waivers that should have been deferred until time of development, stuff not making it to the Mylars or Plat Notes. They realized that it was creating a lot of inconsistencies. With that knowledge, the BOCC made the decision to have both of those subdivisions have the drainage contingent upon approval of the subdivision. They did not move to approve the waiver until time of development.

Vice Chairman Hamrick adds that although he did not attend that meeting, he thought that was information that was interesting. He states that the BOCC Commissioner's stated that it is not their intention going into the future to apply waivers to drainage plans.

Mr. Fey asks Director Victoria if that is a directive to the Planning Commissioner's to not let any more go by.

Director Victoria states, not at all, they are not telling anyone what to do, the applicants have the right to request waivers. The Planning Commission Board can still make whatever decision they choose.

Vice Chairman Hamrick calls for the first item on the agenda to be addressed.

A. PLAN TOOLS

Director Victoria states that the county had applied for grant money to try to see how our regulations can have an ease of use and how they can make more decisions for affordability across various spectrums of housing and see where some of the flaws are that are prohibiting people.

The representative for this project is Martin Landers.

Mr. Landers opens by stating he has a firm called Plan Tools based in Northern Colorado, they specialize in the preparation of Master Plans, Land Development Codes and Special Studies. He is here today to talk about the affordable housing audit and zoning code revisions project.

Slide Presentation:

Mr. Landers states that the county received a grant from the Colorado Department of local affairs in 2022. The idea was to take a look at the county's zoning regulations, master plan, subdivision regulations and any other development policies, regulations in place to find out if there's barriers within those regulations to the development of housing in particular affordable housing.

What is affordable housing. There was also a study done here in Fremont County called the Fremont County Needs Assessment which was done in 2019. It talks about housing that is affordable to a given household, less than 30% of income is spent on housing costs. If you are paying more than 30% of your income, it's not considered affordable. As a part of the housing needs assessment, they determine that since 2012, the cost of housing has increased 75% in the county, while wages have only gone up 10% during that time.

We have a project approach here that is basically broken down into 3 phases. Policy diagnosis Phase is what we are in right now and are reviewing a lot of different documents including the housing needs assessments, zoning resolution and subdivision regulations and the county's master plan.

The next step is what they call a Code Update Phase, and they will make some recommendations based on what they have reviewed. Basically, come up with ways to refine the codes and policies to encourage more housing development. The 3rd phase of the project is providing the resolutions and going through that process of adoption with the county.

The time frame for the project is about a year and a half. Needs to be done by April 2024.

Sample Master Plan Strategies

G1.5 Adopt regulations for "Manufactured home park" developments to address functionality of the development and compatibility with neighborhood uses.

G1.7 Consider innovative construction styles and techniques such as tiny homes and barn conversions.

G3.1 Encourage multifamily housing developments to locate in urban areas of the county.

In addition to the counties Master Plan there is Department Local Affairs and there was a bill passed called HB21-1271 back in 2021 that came up with a number of potential strategies for communities to adopt and they had 16 of them listed and when the county filed it's grant application to DOLA and they actually got funding as a part of this HB21-1271 grant program through their planning grant program to do this project. The county identified seven different possible DOLA related strategies that you may want to consider:

1. Allowing development of small square footage residential unit sizes.
2. To authorize Accessory Dwelling as a use by right on parcels in single-family zone districts.
3. The creation of a program to subsidize or otherwise reduce government review or fees including building permit fees, planning waivers and other types of fees or approaches.

Representative Todd Vanadilok to speak about some of the community engagement approaches they are using. They have started outreach activities to interface with different people in the community to get their thoughts on housing development and zoning regulations in the county. The graphic shown shows the different pieces of their outreach. There is a project linked to the county website as well to visit. There is an interactive google map and one can leave comments also. They have two open houses with a public plan for this process. The first one will be in June. Media outreach is one way they can continue to promote the project process and project through the local radio station and local newspaper. Community events will be a great way for them to interface with the community. Stakeholder interviews and flyers and exhibits to get the word out in a very visual form. The project is mostly focused on Unincorporated Fremont County.

Mr. Landers asks the planning Commission if they have any questions or comments.

Mr. Fey asks if this is going on in all counties in the state or just Fremont County.

Mr. Landers states that the state is working with a number of different communities and counties.

Mr. Mergelman states that the question he has goes back to the 75% increase in materials and the 10% in salaries, he would like to see a pie chart of how much the Dwelling cost, land, utilities, water tap and how much the city costs to get a dwelling. That would show exactly how much the city can do to help.

Mr. Landers says he doesn't think that the housing needs assessment has the ability to break down the data that way.

Mr. Payne states that just going back to the whole waiver thing going through the code audit and see if they can address those via policy rather than getting these same waivers over and over. Drainage being one, they have heard the case made that it would be a much lower cost to be taken care of at time of build rather than time of planning.

Mr. Landers states that if they are getting a lot of waivers or variances or need to change one particular thing, that means your code really isn't working right.

Vice-Chairman Hamrick states that Canon City went through a similar process and said the process needs to be simple, well defined and with a guaranteed outcome if you check all the boxes. Another observation he states is that he and his wife have a recreational vehicle and they do a lot of traveling during the summers and what they are seeing in multiple jurisdictions and in multiple states is that RV trailer parks are dedicating more and more of their spaces to monthly rentals rather than daily rentals. They will be installing power meters so they can bill the customer directly. The other comment he has is that because of the way grants are funded, this puts blinders on you where your vision is restricted because there is another way that you increase housing costs and that's by increasing regulatory burdens. Now that's not within your scope, but he would like to note that when they have people in Denver that continually move to increase the cost of housing via electrification requirements via solarization requirements, all those things add to cost and in a way, some of the root cause, that if they did a root cause chart or study on what is the root causes of increased housing costs that they are seeing, one of the answers to that he's sure would be a regulatory burden from states and the federal government.

Vice Chairman Hamrick thanks Mr. Landers for the presentation and he looks forward to hearing from him in the future.

Vice Chairman now calls next item on the agenda.

B. ZC 23-001 YODER STORAGE SHEDS.

Representative: Matt Koch

Mr. Koch states that they are requesting approval for a zone change from Agricultural Rural to Industrial and this is in Penrose on K Street and HWY 50, right at the corner of the Northwest corner. The property is vacant at this time, the proposal is for a 100ft. x 70ft. metal building to be built on site for use and sale of storage

sheds. The plan is for a storage unit construction. This is on Penrose Water; it will have a septic system. They have gone through all the drainage and have approval from the county engineer for the drainage plan. They are requesting waivers of buffering, landscaping, and hard surfacing. There will be a handicap spot that will be hard surfaced that will meet code.

Vice Chairman asks Director Victoria for the staff report.

Director Victoria states that project name: ZC 23-001 Yoder Storage Sheds

Applicant(s): Cliff Yoder

Consultant: Matt Koch- Cornerstone Land Surveying

Requesting approval for a Zone Change #2 with Final Development Plan that will change the zoning from Agricultural Rural to Industrial. Development includes a 100'x70' building to accommodate the construction of storage sheds and sales of sheds.

Lot size: 4.51 acres

The subject property is located in the Agricultural Rural Zone District, on K Street & Highway 50, in Penrose.

Utility Companies that will service this Zone Change:

Florence Fire District

Penrose Water District

Onsite Wastewater

Black Hills Energy

Zoning District Development Requirements:

4.17.5 DEVELOPMENT REQUIREMENTS:

Minimum lot area:

1 Acre – Public water and sewer.

2 Acres – Public water and individual sewage disposal system.

4 ½ Acres – Individual well and individual sewage disposal system.

**Meets requirements*

Adjoining Properties:

North: Agricultural Rural

South: Industrial

East: Business/ Agricultural Rural

West: Agricultural Rural

Improvements:

Applicant requests permitting to construct a 100'x70' building to use for constructing storage sheds. The applicant will place finished storage sheds along the south boundary for sales and storage purposes.

Applicants Waiver Requests:

Landscaping, Buffering & Screening

Comments Received:

County Engineer:

Fremont County Department of Transportation: No issues at this time.

Fremont County Building and Environmental Health: "Although there was no soil analysis submitted to determine if the property can accommodate an OWTS, it appears that the property would, just by reviewing past systems of the area".

Penrose Water District: “Board approved commercial/Business tap”.

CDOT: No direct access will be allowed to US Hwy 50 from lot 2, Miller/Yoder lot line adjustment. Access shall be gained from the local road (K Street).

Planning Commission Recommendation:

On May 2, 2023, the Planning Commission recommended approval of this application with the following waivers: landscaping, buffering & screening.

Planning & Zoning Department Recommendations:

The Planning & Zoning Department recommends approval for this Zone Change #2 with a Final Designation as surrounding lots in this area are a mix of Business, Industrial and Agricultural Rural.

Vice Chairman Hamrick asks the Board if they have any questions or comments.

Mr. Fey asks if this is a new business or just moving from another site.

Mr. Koch states they are just moving from down the road.

Mr. Payne states that one of the comments was identifying a 50,000-gallon cistern for fire protection, did that make it on the site plan?

Mr. Koch states that was changed, the fire department re-reviewed that and they are changing that through the building permit process. They do not need to put the cistern in. There will be an electronic fire call system that ties them to the fire department.

Vice Chairman Hamrick states that if there are no more questions or comments, he is open to a motion.

MOTION

Mr. Payne motions to approve ZC 23-001 Yoder Storage Sheds with the requested waivers.

SECOND

Mr. McCullough second the motion.

Vice Chairman Hamrick called for a roll call vote and the motion to approve ZC 23-001 Yoder Storage Sheds passed unanimously (6 of 6)

Vice Chairman Hamrick calls for the next item on the agenda.

C. MS 23-002 J&S HALL MINOR SUBDIVISION

Representative: George Hall

Mr. Halls opens by stating this is a typical Minor Subdivision in Penrose. He feels they kind of got caught in a quandary so to speak that it's been historically for the last three of four years they have asked for waivers for drainage plans to be diverted to the building permit time and they are kind of caught up in this argument. It would be his point that indirectly with how they have been waiving them over the last several years, it indirectly changed that regulation. He just wanted to bring that up to the Board.

Vice Chairman states that before they get to any questions, they will hear the staff report from Director Victoria.

Director Victoria states the project name: MS 23-002 J & S Hall Minor Subdivision

Applicant(s): Jason & Stacy Hall

Consultant: Crown Point Land Services

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

Lot 1: 4.77 acres 207,851.43 square feet

Lot 2: 4.77 acres 207,790.00 square feet

The subject property is located in the Agricultural Rural Zone District, located at 569 E Street, in Penrose.

Utility Companies that will service this minor subdivision:

Black Hills Energy

Atmos Gas

CenturyLink Telephone

Spectrum Cable

Florence Fire Protection District

Penrose Park Recreation District

Penrose Water District

Beaver Park Water.INC

Zoning District Development Requirements:

4.7.5 DEVELOPMENT REQUIREMENTS:

4.7.5.1 Minimum lot area:

4 ½ Acres

**Meets requirements*

Improvements- Lot 2 has a dwelling and 2 outbuildings.

Applicants Waiver Requests:

Drainage Plan Map & Report

Individual Wastewater Treatment System Report

Detailed Utility Plan

Comments Received:

Fremont County Engineer:

Waiver request not recommended.

Fremont County Department of Transportation:

Driveway access permits will be required at the time of building.

Penrose Water district:

Lot 1 has an approved water contract and appears to have a tap; Lot 2 already has service.

Fremont County Building Department: This department has had the opportunity to review the application for MS 23-002. After my review of the submittal documents, the Engineer Soil Analysis references two bore holes were drilled in the northwest corner on the property. Because of the refusal encountered at two to three feet, these test holes revealed, it is going to be difficult to install a normal

OWTS. Although it is not required to dig profile hole on the property, it might be beneficial to determining the best possible location for the OWTS prior to determining a location for a new dwelling.

Planning & Zoning Department Recommendations:

The Planning and Zoning Department recommends approval of this minor subdivision with the drainage plan being a contingency item prior to recording.

The Department would also ask the address issuance and driveway access be a condition of approval at the time of development.

Per Subdivision Regulations of Fremont County, Colorado Section XIII D General Information #8.

- DRAINAGE PLAN AND REPORT- Department does not recommend waiving this requirement on residential properties.

Per Subdivision Regulations of Fremont County, Colorado Section XIII E ADDITIONAL REQUIREMENTS #1.

- Address Issuance application applied for at time of development for lot 1.

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.

Director also states that just to clarify, for the last year during the departments transition period with staff, many waivers were approved. Before that, one of the Planning Director's that was there a few years, they had a 50% approval rate at that time. The department is now navigating it's way through that and sorting out the waivers.

Director Victoria states that yes, the drainage plan and report would be a requirement for approval.

Vice Chairman Hamrick asks for any questions from the panel.

Vice Chairman Hamrick asks, is there an existing house on the property.

Mr. Hall states there is one dwelling on the property on lot 2. His big argument is that they never know what size the house will be, how long the driveway will be, so depending on the driveway length and size of the house, that modifies your drainage plan.

Director Victoria states that the main goal of the drainage plan is to make whatever occurs on the lot to not increase the amount of runoff that will be leaving that lot. That is a statutory requirement. The topographic report can show which way the flow will go, the drainage plan dives in deeper, it involves the topographic, where the waterways are going to be, and where there could be potential issues. This has been an item in the regulations since they have had them.

Mr. Hall suggests they modify the name and have a drainage plan and have a drainage study. The drainage plan would be more detailed.

Vice Chairman Hamrick asks for any questions from the panel. If not, he is open to a motion.

MOTION

Mr. Fey motioned to approve MS 23-002 J&S Hall Minor Subdivision with the drainage waiver, trusting the department will pick it up at the time of building and waiver of the utility plan.

Vice Chairman Hamrick also adds that includes the waiver of the onsite water treatment plan.

SECOND

Mr. McCullough second the motion.

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

D. PP 22-001 MISTRY SUBDIVISION

Representative: Dr. Angela Bellantoni

Vice Chairman Hamrick says they are going to hear from staff first, then the applicant.

Director Victoria states that:

The subject property was originally 40.16 acres and subdivided into two single family residential lots known as Mistry Subdivision in May of 1997, wherein Lot 1 is 33.65 acres and Lot 2 is 5 acres. Lot 2 of the Mistry Subdivision was developed as a single family and is not a part of the proposed Preliminary Plan. At that time, 25 feet of right-of-way was dedicated to 3rd Street and L Street as road right-of-way and currently forms the southern and western boundaries of the property. The zoning of the property is Agricultural Rural (AR), wherein the surrounding properties are zoned AR as well. The property owner, Hoshi Mistry, resides at 1245 3rd Street and is provided access from an existing driveway from 3rd Street. The request includes the resub division of Lot 1 of the Mistry Subdivision, which has a 3,470 square foot single family dwelling (north and south wings) with seven (7) accessory structures and livestock pens. The remainder of the property is either open field or slightly wooded. An open ditch (Kelley ditch) runs through the proposed Lot 4 to irrigate Lots 1, 2, and 3. Additionally, there is a buried irrigation line that goes to Apple Valley that runs east of west, generally below proposed lots 4 through 7. The applicant has indicated that mineral interests have not been severed.

REFERRAL RESPONSES

Pursuant to Section V., B of the Subdivision Regulations, the following referral agencies were notified of the application. Responding with Concerns or Comments:

Fremont County Department of Transportation

Fremont County Environmental Health Department

Fremont County Engineer

Florence Fire Protection District

Penrose Water District

Beaver Park Water, Inc.

Fremont School District RE-2

State Engineer's Office (SEO) at the Colorado Division of Water Resources (CDWR)

Fremont Conservation District

Responding without Concerns:

None

Notified but not Responding / Considered a Favorable Response:

FCDOT Building Department

Fremont County Code Enforcement
Fremont County Weed Management
Fremont Heritage Commission
Colorado Department of Public Health and Environment
USDA

PRELIMINARY PLAN:

Per Section V, A of the Fremont County Subdivision Regulations, a Preliminary Plan application is required if the total number of lots created by a previous division of the parent tract by exemption, minor or major subdivision, plus the total number of proposed lots results in the creation of four (4) or more lots. The applicant is proposing the subdivide Lot 1 of the Mistry Subdivision into seven (7) lots and as such has been reviewed for conformance with the Fremont County Master Plan, Zoning Resolution (FCZR) and other resolutions and regulations in effect in Fremont County as required Per Section I, F (2) of the County's Subdivision Regulations.

Conformance with the Master Plan. The subject property is located in the Penrose/Beaver Park District of the Fremont County Master Plan, wherein the objective of the district is to maintain the rural atmosphere. The Preliminary Plan proposes a density of 0.21 dwelling units per acre which is an appropriate density to maintain the district's rural atmosphere. Additionally, the subdivision will be served by a public water supply to implement Strategy B1.5, which discourages further subdivision of properties without access to a public water supply. The proposed subdivision has lot sizes large enough to address sewage-disposal needs without impact on the neighborhood or the environment per Strategy B3.1.

Through the development process, staff raised concerns with Master Plan conformance related to transportation. Although the property's western boundary is L Street, the applicant has set forth a lot configuration to have all lots access onto 3rd Street and not improve L Street. For new County Roads in undeveloped areas, the transportation chapter of the Master Plan states that residential developers should be prepared to address, construction, funding, and maintenance of roadway improvements (both on and off-site) needed to serve their development. A constant opinion expressed by the citizenry is that new development should pay its own way and not add to the tax burden of the current residents.

Per Strategy A6.5, staff requested input from the Florence Fire Protection District as the proposal includes no improvements on L Street and the vacation of the existing 25-foot road easement along the northern boundary of the property (2nd Street extension). 2nd Street to the west maintains a 50-foot right-of-way. Zoning of adjacent properties indicates that the 25-foot dedicated for roadway to Fremont County as road easement on the Mistry Subdivision was planned to provide connectivity serving future development to the east. The applicant stated that 2nd Street is not only undeveloped and unmaintained; lengths of the easement have been vacated by the county in recent years. In addition, the applicant asserts lengths of the alleged easement are incorporated into parcels without any reference to an easement.

Community safety concerns were raised by the Fire District as a large structure fire to west of this proposed development at 2nd Street and K Street occurred on October 16, 2022. The Fire Chief noted that their apparatus was limited on access to the fire due to L Street and 2nd Street not being completed to Fremont County standards. As such, the Fire Chief feels that having roads completed to Fremont County standards are vital to our community's safety. Considering the road right-of-way exists along L Street and a roadway easement exists along the northern boundary of the property, improvements should be made to achieve the overarching transportation goal to create and maintain a safe, functional, aesthetically pleasing, low maintenance, cost effective, and environmentally sound County-wide transportation system.

Conformance with the Zoning Resolution. The subject property is zoned AR - Agricultural Rural, wherein single-family dwellings and accessory building and uses are an allowed use by right. The proposed lot configuration includes seven (7) lots with four of the lots being wedge shaped (lots 4-7). The narrative below provides an analysis of compliance with the Development Requirements of the AR Zone District:

1. **Minimum Lot Area.** All proposed lots exceed the minimum lot area of four and one-half (4 ½) acres.

2. **Maximum Lot Coverage.** All the proposed lots are vacant except for proposed Lot 2. The applicant stated that Lot 2 contains one 3,470 square foot single-family dwelling with a north wing and a south wing and seven (7) accessory structures totaling 4,162 square feet. The accessory structures include four (4) livestock barns/utility/storage uses, one (1) hay barn, and one (1) storage shed equating to a lot coverage of 3.2 percent, which is well under the maximum lot coverage limitation of fifteen (15) percent of the AR Zone District. There is also one (1) livestock shade shelter that will be removed due to the encroachment into the required 25-foot setback.

3. **Maximum Building Height.** All future structures will be constructed in accordance with the maximum building height limitation of thirty-five feet (35') at the time of building permit. It appears the existing single-family dwelling and accessory structures are below the 35-foot building height limitation.

4. **Minimum Lot Width.** Per Section 1.5 Definitions of the Fremont County Zoning Resolution (FCZR), lot width is defined as the distance parallel to the front lot line, measured between side lot lines at the front building setback line which is 50 feet in the AR zone district. In the case of wedge-shaped lots, no lot width shall be less than the permitted width of the zone district and in this case, is 300 feet. The building setback line shall be located, by dimension, at a point where the minimum lot width complies with the required lot width and required setback as per the AR zone district. The setback shall be from the closest property line. The applicant has delineated building setback lines on Lots 3 through 7 at the point where the lots achieve a lot width of 300 feet and has delineated no build areas on Lots 3 and 7 based on the County staff's interpretation of the definition of lot width and longstanding Department implementation of such. Proposed Lots 1, 2, and 3 are at least 300-feet wide in conformance with the lot width requirements set forth in the FCZR.

5. **Minimum Setback Requirements.** Proposed lots 1, 3, and 4 through 7 are adequate size for future homeowners to construct single-family homes in accordance with the minimum setback requirements. Lot 2 setbacks are dimensioned wherein all structures meet the minimum setbacks with the exception of a livestock shade structure that is within the required 25-foot side setback. The applicant has noted the structure will be removed. Staff recommends the removal of the livestock shade structure prior to recordation of the final plat to ensure compliance with the side setback requirements. A recommended contingency is provided for the Commission's consideration.

6. **Parking.** The proposed lots are of adequate size to accommodate two parking spaces per dwelling unit. Lot 2 has a garage for the parking of vehicles along with ample land area to accommodate two parking spaces. Staff finds the proposed Preliminary Plan is in general conformance with the Fremont County Zoning Resolution.

Conformance with the Design Standards. The proposed Preliminary Plan has been reviewed by County staff or consistency with the County's Design Standards set forth in Appendix 1 of the Subdivision Regulations as follows.

Lot Standards. The proposed lot configuration is in general conformance with the lot standards with the exception of the following:

- **Front on Public Street.** The subject property is vacant with the exception of the existing single family dwelling and associated accessory buildings and uses on the proposed Lot 2. The first Preliminary Plan submittal included a lot configuration with seven (7) substantially rectangular lots with four (4) lots that had frontage on L Street and Margarita Way located off of L Street. The Department of Transportation Director informed the applicant that L Street would be required to be brought up to County standards as designated for a local road from 3rd Street to 2nd Street. Several iterations of the lot configurations have been proposed throughout the development review process. The March 17, 2023, resubmittal proposes lots that would have access limited to 3rd Street with Lot 3 having access to 3rd Street directly. Lots 4 through 7 and possibly Lot 1 would access 3rd Street from the gated and private roadway, Margarita Way. The applicant has stated that no lots will access onto L Street. This is Notation 8 on the preliminary plan

and the applicant has stated there will be a deed restriction for Lot 3. Per the Subdivision Design Standards – Appendix 1(B)4, all residential lots in subdivisions shall front on a public street. Additionally, Appendix 1(B)8 requires each lot to have access to a public dedicated street in the continuous integrated network of County roadways. As such, the applicant has requested a waiver from the Subdivision Design Standards to exempt Lots 3 and 4 from the requirement to front on a public street which in this case is L Street. No waiver has been requested to exempt lots from the requirement that each lot shall have access to a public dedicated street in the continuous integrated network of County roadways. While the current configuration of Margarita Way was set forth to avoid the costs of required improvements along L Street, access could be permitted along L Street. Thus, Planning and Zoning staff continue to recommend the build-out of L Street to County Standards. The right-of-way for L Street was dedicated for the future build-out of the road when the Mistry subdivision was approved in 1997. It is understandable that it was not required to be built out because the density (2 lots) did not warrant it at that time. Staff finds the public right-of-way exists for L Street providing the owner with the ability to configure the lots to have lot frontage along public roadways in compliance with the Subdivision Design Standards. Additionally, the Department of Transportation does not support the lot frontage waiver and adjacent roadway’s that have the potential as an access point to any of the lots will need to be brought up to County. The criteria for driveway access permits are that the access needs to connect to an existing road right-of-way and/or have an easement agreement to cross a property.

• **Lot Depths.** Per Appendix 1(B)10, wherever possible, the depth of lots should not be greater than twice its width. Lot width is the distance parallel to the front lot line measured between side lot lines at the front setback line per Section 1.5 Definitions of the FCZR. In the November 8, 2022, D&C Letter, staff requested the reconfiguration of the lot layout to demonstrate conformance with the lot depth standards and to provide rationale if conformance is not possible. Typically, the rationale for deviations from lot depth requirements stems from exceptional topographic conditions or floodplain encumbrances. Considering the size of the property and the fact that no exceptional site conditions exist, it appears the lots could be designed to be no greater than twice their width. The applicant has yet to provide any rationale but indicated that in the case of wedge-shaped lots, the width can be established at any point along the angular sides such that this standard is met.” Planning and Zoning staff has not been able to locate anywhere in the Subdivision Regulations where that alternative establishment of lot width is defined. Typically, rationale for deviations from lot depth requirements stems from steep topography or to preserve natural vegetation. No lots are in conformance with the lot depth standard except Lot 1 as noted in the table below.

Lots	Lot Depth	Lot Width	Maximum Allowed Lot Depth
Lot 1	520 Feet	370 Feet	740 Feet
Lot 2	730 Feet	300 Feet	600 Feet
Lot 3	750 Feet	300 Feet	600 Feet
Lot 4	850 Feet	300 Feet	600 Feet
Lot 5	610 Feet	300 Feet	600 Feet
Lot 6	940 Feet	300 Feet	600 Feet
Lot 7	720 Feet	300 Feet	600 Feet

Access Standards. The subject property is bounded by L Street on the west, 3rd Street to the south and a 25-foot road easement dedicated to Fremont County for roadway along the northern boundary of the property. L Street is designated as a local gravel roadway with a 50-foot non-maintained right-of-way. 3rd Street is also a local roadway with a 50-foot right-of-way and has asphalt paving. The 25-foot road easement (2nd Street) is undeveloped and unmaintained. The Department of Transportation indicated that there are three (3) access permits on file for this subdivision that access from 3rd Street. If the subdivision is granted approval, an access permit for Margarita Way for Lots 4, 5, 6, and 7 will need to be submitted, along with the fees for each lot. Per Appendix 1 C (1) of the Design Standards, all lots created by a subdivision shall have lot frontage along a public roadway unless exempted by conditions set forth in the Design Criteria for private roads. The entire western boundary of the subject property is bounded by L Street, which is a public roadway. The County access standards include requirements for street improvements wherein Appendix 1 C (3) states, "any lots which are created by subdivision, which are accessed from a previously platted right-of-way or propose platted right-of-way, shall be required to have a roadway located in such right-of-way built to current Fremont County specifications unless access to be gained from an existing County maintained roadway. If construction is required, it shall be along the entire frontage from which the property is accessed." The applicant proposes to have all lots access either onto 3rd Street or Margarita Way and no improvements to L Street and has requested a waiver from lot frontage requirements. Margarita Way is proposed as a 50-foot-wide cul-de-sac to be constructed to the standard of a county gravel road and would be a private and gated road with maintenance and access in accordance with Mistry Subdivision Filing No. 2 Access Easement and Servitudes. Margarita Way shows a 50-foot-wide private access, utility, and emergency easement, while the Access Easement and Servitudes state that Margarita Way will be maintained and repaired by the lot owners within the subdivision (Benefited Parties). The Fire District has accepted the roadway construction and maintenance of Margarita Way. Lot 3 would access 3rd Street directly. Lot 1 may access 3rd Street directly. Lots 4 through 7 and possibly Lot 1 would access 3rd Street from Margarita Way. The applicant proposes to limit access to L Street from any lot within the proposed subdivision via Preliminary Plan Note 8, which states, "No access is permitted from L Street to any lot within this subdivision." The applicant has also indicated that there will be a deed restriction for Lot 3. The Fire District has accepted the property access denied from L Street. Through the development review process, Planning and Zoning, the Department of Transportation and the Fire District has raised concern with the impacts of not constructing L Street to County Standards. The proposed density generated from this subdivision along with the AR zoning of surrounding properties, will have an impact on the County's roadway network. If L Street is not built out to County standards now, there are no other triggers available to the County to ensure that the street is constructed to serve not only this development but residents and visitors to the area or provide efficient emergency response to the level of service required. The result would be that L Street remains in its current state, and if/when surrounding properties are developed as 4.5-acre lots as allowed by the AR zoning, the County will incur the costs to bring L Street up to County standards. As such, County staff continues not to support the lot frontage waiver request.

Street Design Standards. The only new constructed roadway within the proposed subdivision is the Margarita Way cul-de-sac. The cul-de-sac is 687.62 feet in length in conformance with the maximum length of 750-feet in rural areas and has a radius of right-of-way that exceeds 50 feet. The Fire District and Department of Transportation have raised concerns about how Margarita Way private drive crosses Beaver Park Water, Inc.'s buried irrigation lateral that services Lot 2. The Fire District noted that the crossing would need to be able to support the weight of the District's emergency vehicles, 37.5 tons and the DOT Director noted it would need to have adequate cover to support the vehicle traffic at Margarita Way. The applicant provided an engineered drawing addressing the Fire Districts' concerns about the irrigation ditch crossing and the DOT Director found the private drive will have adequate cover to support the vehicle traffic on Margarita Way.

Other Design Standards. Per Appendix I H (1), all streets shall be aligned to join with planned or existing streets. As referenced above, the property is bounded by dedicated county roads on the south and west and a 25-foot road easement for roadway along the northern boundary. As such, L Street should be built out to County standards and the road easement be maintained to align with 2nd Street and be available for utility provisions.

Utilities. Public water will be supplied by and extended from the Penrose Water District. The property owner's current residence is situated upon proposed Lot 2. It's "proof-of-water" is that it has service via an installed water tap. The property owner has entered into a Water Availability Contract with Penrose Water District for 6 additional taps to serve the additional lots under the conditions of the Contract.

The District has noted that the proposed subdivision required considerable distribution system improvements to their existing system. The Preliminary Site Development Plan (Schematic Design Sheet C1/2) shows the installation of a 6-inch water line up Margarita Way to serve water to Lots 1 and Lots 4-7 and also along 3rd Street from Margarita Way to L Street to serve the fire hydrant at L Street and 3rd Street. Since the proposal is to install a water line in a private road (Margarita Way), the District needed an easement agreement for the water line installation and meters as well as to protect the District's ability to maintain and/or repair the water line. The applicants have presented a concept easement wherein the restoration language was negotiated with the District. The District Board approved the easement at their February 13, 2023, meeting; however, that easement needs to be properly executed, recorded, and provided to the District. Staff recommends the easement be properly executed and recorded prior to the submittal of the final plat. A recommended contingency is provided for the Commission's consideration. The Water Resource Engineer with the Division of Water Resources reviewed the Water Supply information and found the proposed water supply for residential use can be provided without causing injury to decreed water rights, and the supply is expected to be adequate. The Division also noted that the application documents refer to irrigation water that is delivered from Beaver Park Water, Inc., to the property via an open ditch called the Kelly Ditch. It is not clear if or how this water will be used in the proposed subdivision. The Division continues to require the review of information about how the owner is proposing to use the Beaver Park water shares. Specifically, will they be splitting the shares between individual lots, or will they be keeping the shares and decreasing the irrigated area. As such, the Division referred the applicant to the previous comment letter dated April 7, 2022, to be addressed. Staff recommends the applicant address the Division of Water Resources comments from the April 7, 2022, comment letter. A recommended contingency is provided for the Commission's consideration.

Beaver Park Water, Inc. (BPWI), is a Colorado Mutual Ditch Company that provides irrigation water from Beaver Creek to its approximately 500 stockholders in the Penrose area. BPWI provides irrigation water for the subject property to the Developer, who is a BPWi stockholder. The irrigation water is delivered to the property via an open ditch (Kelley Ditch) that runs through proposed Lot 4 to irrigate proposed Lots 1, 2 and 3. Kelley Ditch is maintained by the property owner. BPWI owns a pre-existing easement for its irrigation water pipelines along L Street (the L Street Lateral) located with the County right-of-way. There is also a buried line that goes to Apple Valley that runs across the subject property from east to west within a 40-foot easement. Through the development review process, BPWI required that all existing BPWI easements be shown on the Preliminary Plan and noted concerns about the buried irrigation pipe for Apple Valley because a portion of the proposed Margarita Way is proposed to be constructed over said buried line. The March 17, 2023, resubmittal included a revised Preliminary Plan to accurately depict said easements. Additionally, an Irrigation Pipe Protection Detail to protect the Apple Valley Line to BPWI was provided along with plan notes have been negotiated with BPWI's attorney to protect BPWI's easements and its ability to provide water to its stockholders. BPWI's Superintendent approved the Preliminary Plan revisions via email on March 16, 2023; however, final approval is scheduled on the BPWI Board agenda on April 11, 2023. If approved, the Superintendent has requested the Irrigation Pipe Protection Detail be included within the Preliminary Plan set. As such, a recommended contingency is

provided for the Commission's consideration. The subject property is within the Florence Fire Protection District. The Fire District initially recommended that fire hydrant locations must be spaced no further than 500 feet apart for fire flow of 1750 gmp based on the proposed spacing of the lots and conformance with International Fire Code appendi C. The Preliminary Site Development Plan (Schematic Design Sheet C1/2) proposes the installation of a fire hydrant at the end of the Margarita Way cul-de-sac and one at the intersection of L Street and 3rd Street. Due to the spacing of the lots, the Fire Chief felt that the hydrant locations were adequate and waived the requirement for hydrants every 500 feet. Wastewater treatment is proposed by onsite septic systems. The existing home is on proposed Lot 2 has two leach fields. The Fremont County Environmental Health Department reviewed the Preliminary Plan application and found with each lot being 4.5 acres or larger, the proposed subdivision lots will be able to accommodate the required of-site Wasterwater Treatment System (OWTS) for any future dwellings. The Department recommends approval of the sanitation portion of the proposed subdivision. In terms of public utility easements, the Preliminary Plan includes an easement statement that easements for public purposes, including utilities are 5 feet on all interior lot lines and 10 feet along the exterior subdivision boundary. The applicant has indicated that utility provider notices were sent on September 13, 2022. The utility notices need to be resent based on the most recent submittal dated March 17, 2023.

Drainage. The subject property is located within the Willow Spring Creek Watershed, which drains into the Arkansas River. The property is outside of any FEMA designated flood hazard areas. Because of the large size of the subdivision, number of lots, and orientation of the driveway, the Fremont County Engineer required the submittal of Drainage Report. As such, the applicant included a Drainage Plan in the January 2023 resubmittal. Upon review, the County Engineer has approved the Drainage Plan. The County Engineer also reviewed the March 17, 2023 resubmittal and had no further comments.

Traffic Generation. The Roadway Impact Analysis is utilized by County Staff to ensure the traffic generated by the proposed use will not result in undue traffic congestion or traffic hazards. The applicant submitted a Roadway Impact Analysis that estimated the average daily traffic to be generated at 28 trips per day. Through the development review process, the DOT Director raised concerns that this would be the very minimum amount that would be generated from the subdivision and that number could possibly be 2 to 2 ½ times higher. The applicant submitted a revised Roadway Impact Analysis on March 17, 2023, that was signed and sealed by Jeff Hodsdon of LSC Transportation Consultants, Inc., wherein the estimated average daily traffic to be generated by the subdivision is 66 trips per day. The DOT Director found that the increased number of trips per day reflects a more accurate traffic count.

The Fire District raised concerns with roadways proposed and noted a private driveway for multiple residents will have a greater traffic flow than single occupancy driveway. This will increase wear and tear on the roadway and will need to be maintained. In response, the applicant has set forth an Access Easement and Servitudes that places maintenance and repair responsibilities on the lot owners in the subdivision with no mechanism for funding of needed maintenance costs. It is important to note that the County does not enforce covenants or servitudes. Planning and Zoning staff shares the Fire District concerns and is also concerned about the potential traffic impacts to existing residents along 3rd Street as all traffic generated from the subdivision would be loaded on 3rd Street, thereby increasing maintenance costs to the County.

25-Foot Road Easement Vacation (2nd Street Extension). The Preliminary Plan proposes to vacate the existing 25-foot road easement dedicated to the County for roadway along the property's northern boundary. The Subdivision Regulations define "easement" as an interest in land owned by another person, consisting in the right to use or control the land, or area above or below it, for a specific limited purpose, such as utilities, drainage, or access. The County has entered into an Agreement with the Penrose Water District that allows the installation of utilities in all County public rights-of-way and road easements.

The Penrose Water District reviewed the Preliminary Plan application during the referral process. Based on the information contained in the submittal documents and previous meetings with the property owner

and his consultants, the District was of the understanding that 2nd Street has already been vacated. County staff confirmed and the applicant agreed, that the road easement had not been previously vacated by the County as indicated on the application form in Section 21. C. The Penrose Water District, in finding out the road easement along the north property line exists, stated they would support retaining that easement for future use for utilities, specifically, use by the Penrose Water District. 2nd Street to the west maintains a 50-foot right-of-way. Planning and Zoning Staff maintains that AR zoning of surrounding properties represents the opportunity for future growth and also indicates that the 25-foot road easement dedicated to the County for roadway on the Mistry Subdivision was planned to provide connectivity serving future development to the east as well as provisions for utilities per the Agreement with the Penrose Water District. The Department of Transportation does not support the vacation of 2nd Street. The Fire District also raised community safety concerns stemming from their limited ability to fight fires in the area due to L Street and 2nd Street not being completed to Fremont County standards. No rationale was provided to justify the vacation of the 2nd Street extension. Planning and Zoning staff has continually noted that no platted or deeded roadway or part thereof or unplatted or undefined roadway which exists by right of usage shall be vacated so as to leave any land adjoining said roadway without an established public road or private access easement connecting said land with another established public road. The vacation of the 2nd Street extension would eliminate the possibility of conformance with the Subdivision Design Standards that require all streets to be aligned to join with planned streets.

Due to lack of compliance with the Subdivision Design Standards, Staff does not support the vacation of the 25-foot road easement. Additionally, the vacation request, if granted would eliminate the ability of the Penrose Water District to install or maintain utilities, limit connectivity to serve future development in the area, and present community safety issues related to fire protection.

General Dedications, Schools, and Park Sites. The subject property is within the Fremont RE-2 School District. The administration is recommending acceptance of \$144.80 from Mistry Subdivision, Filing 2 in lieu of land dedication to the School District.

The subject property is located within the Penrose Park and Recreation District. It is the intent of Fremont County to provide park facilities at a standard of twenty-five (25) acres per one-thousand (1,000) occupants for residential areas. The proposed subdivision is 33.65 acres and would generate approximately 17.5 occupants based on the number of lots proposed.

Waiver from the Subdivision Design Standards - Appendix 1 (B) Lot Standards (4) Front on Public Street, to exempt Lots 3 and 4 from the requirement to front on a public street.

Staff does not support the lot frontage waiver as the L Street has the potential as an access point to any of the lots as the criteria for driveway access permits are that the access needs to connect to an existing road right of-way and/or have an easement agreement to cross a property. Additionally, the applicant has not provided any justification for the waiver request other than to avoid the costs of bringing up L Street to county standards. No extraordinary hardship or practical difficulties result from compliance with the design standards.

SUMMARY OF STAFF ANALYSIS AND RECOMMENDATION

Based upon the application, the criteria for approval, staff recommends **denial** of the Preliminary Plan, 25-foot Road Easement Vacation request, and the waiver from the subdivision design standards – Appendix 1 (B) Lot Standards (4) Front on Public Street with 3 findings-of-fact:

FINDINGS:

Based on the analysis included in this report, staff concludes the proposal does not satisfactorily address the criteria for approval.

1. The proposal is not consistent with the transportation goals of the Fremont County Master Plan.
2. The proposal is not in conformance with the subdivision design standards set forth in the Subdivision Regulations.
3. The proposed subdivision design would negatively impact the development of a continuous integrated

network of County roadways and presents community safety issues related to fire protection while also limiting the planning for adequate utility provisions.

PLANNING COMMISSION ACTION: After the conclusion of the public meeting, the Commission may recommend approval, approval with contingencies, or denial of the application to the Board. If the Planning Commission decides to recommend approval of the Preliminary Plan and waiver request, Staff recommends the following contingencies:

1. Within three months of final plat recordation, the livestock shade structure shall be removed.
2. Address the Division of Water Resources comment from the April 7, 2022, comment letter prior to scheduling the Preliminary Plan application on the Board of County Commissioners' public meeting agenda.
3. Incorporate the BPWI Board approved Irrigation Pipe Protection Detail and the engineered drawing addressing the Fire Districts' concern about the irrigation ditch crossing within the Preliminary Plan approval documents.
4. Properly execute and record the Penrose Water District easement that was approved by the District Board on February 13, 2023.

Vice Chairman Hamrick ask Dr. Angela Bellantoni to present her application.

Dr. Bellantoni starts by stating that Mr. Hoshi Mistry is proposing 4 ½ acre lots. She would like to share the evolution because the original application meeting was September 19, 2021. This has not been an easy process she states. Where they have landed today is not arbitrary, there were guidance's, recommendations directing them to where they are today. A gated community, they were told at the time to have a gated community he must have a private road. As per staff at the time, staff followed up with DOT. FCDOT had told them that L Street is a local road that is currently not maintained by the count. And it says if the owner would have L Street maintained by the county, it would need to be brought up to county standards. They would notice the need to vacate the 25-foot easement along with the north side of the property. They were also told that Margarita Way would be a private street and the county would not maintain it.

Mr. Payne asks who told them this information.

Dr. Bellantoni replies that Ms. McCool states that L Street only had to be improved if they wanted it to be County maintained.

Mr. McCullough states the property to the north is Black Hills, and that's where they just ran the new transmission line and there is no other use up there for a road. No one uses L Street at this time. Just an air vent for irrigation line distribution. 2nd Street is only a block long and doesn't go anywhere.

Dr. Bellantoni states that they want to express that they take exception to Ms. McCool's statement on page 5 of her staff report that Mr. Mistry is doing this to avoid the cost and improvement of L Street. Mr. Mistry does not have a partner, is not a developer, so cost matters. At the time of this second version, they were required to improve L Street and 2nd Street and that wasn't in the finances available. Also on page 7 of Ms. McCool's report, in the second to the last sentence there's a paragraph where she talks about the result would be L Street remains in it's current state, that's true, and when surrounding areas are developed then the county would have to incur the cost. Dr. Bellantoni states that doesn't make any sense. Mr. Mistry is building the road right now at his expense. If there were other developments along L Street, then that developer would incur the cost of the improvement of L Street or 2nd Street, it would not be incurred by the county, which is what Ms. McCool stated. Then the county would incur the cost to bring it up to standard. The Fire Chief accepted Version 3 of the improvements.

Mr. Payne asks, so is it a requirement via the county as you understand it, to make the improvements to L Street if there's access on L Street or if the development has any frontage on it.

(Technical Difficulties): Director Victoria speaks, the microphone is too fuzzy to make out any response from him.

Mr. Payne asks, per county code, the upgrade to L Street is only required if there's access on L Street.

Director Victoria answers yes.

Dr. Bellantoni states that if you look at what's buildable on these lots, that is from the 300-foot line back, they all conform. Lastly, she would like to talk about the repeated statements about access onto a public right of way, this code is accessed onto a public right-of-way and or a private easement through private property. That is the code, and it is on Mr. Adamic's statement on October 12, 2022, he says at the top of the 2nd page he says or an easement through private property. She presents on the projector, the easement access, items 1,2, and 3 specifically layout the easement that's being granted by the property owner, the other statement they make is that it's not being maintained. It also includes how it will be maintained, how they will share expenses and reimbursements. Margarita Way in a private easement which meets every requirement of access.

Mr. Payne asks why does Margarita Way have to stay private, why not be a county cul-de-sac.

Mr. Mistry states that he wants privacy and his new owners to have privacy and does not want people driving up and down the road.

Vice Chairman Hamrick calls for a short recess at 5:35pm

Vice Chairman Hamrick calls the meeting back to order at 5:44pm.

Vice Chairman starts by asking Director Victoria, what is the risk to the county if Margarita Way is not maintained.

Director Victoria states that is minimal, besides all the folks that would be owners of that roadway coming in to voice their concerns of why we allowed it to be a roadway that gave them the maintenance. There is no risk to the county, it would be the homeowners and their displeasure with the decision.

Mr. Payne asks if each individual homeowner has to sign the contract and is that transferable on the property.

Dr. Bellantoni says yes.

Unable to add Mr. Alex Ewers (from 3 Rocks Engineering) comments due to bad voice recording from his micro-phone.

Unable to add Mr. Mergelman's question due to bad recording.

Director Victoria does state the PC Packet is quite extensive.

Mr. Brown states that they only had a week to go over it.

Director Victoria states that there were difficulties with it and they had conversations about it and were not sure if it was going to be presented so they didn't start assembling a staff report, then the applicant requested that they be presented. Staff were trying to accommodate them without pushing off another month is what caused a weeks delay.

Mr. Brown states that maybe it should have been put off another month.

Director Victoria doesn't disagree with that. The one thing worth discussing is the pie shaped lots. They did have a discussion on that and the way their regulations read versus what the standard practice is. The way the regulations read is within the front setback, it must meet that 300-foot width. It probably would not be the Department's interpretation that the length starts at the buildable area. That probably isn't something that necessarily could be supported. The intent is to not have these long skinny lots.

Vice Chairman Hamrick states that it looks like this had been in front of staff for quite a while and both parties have been trying to find a common ground to work out the desire to develop this piece of property. He states that he does appreciate the efforts of all concerned and it looks like it's not been an easy process.

Vice Chairman Hamrick asks if there are any other comments by the board.

Mr. McCullough asks if they have had any objections from any of the surrounding owners.

Dr. Bellantoni comments but does not walk up to the microphone to be heard.

Director Victoria states that to his knowledge, staff has not received any objections.

MOTION

Mr. McCullough motioned to approve PP 22-001 Mistry Subdivision filing #2 as follows:

Approved Waiver Requests:

1. Vacate the 25 -foot road easement dedicated to Fremont County for Roadway; and
2. Waiver from Subdivision Design Standards-Appendix 1 (B) Lot Standards (4) Front on Public Street, to exempt Lots 3 and 4 from the requirement to front on public street.
3. Waiver of development of Margarita Way to County standards.

Mr. Payne states that there are also the contingencies 1-4.

Vice Chairman Hamrick says wait, we have a motion and if it is going to be amended, they have to vote. Right now, they have a motion stated.

SECOND

Mr. Fey second the motion.

Vice Chairman Hamrick asked if there is further discussion.

Mr. Payne states yes there are they Staff recommended contingencies as follows:

Contingency items:

1. Within 3 months of final plat recordation, the livestock shade structure shall be removed.
2. Address the Division of Water Resources comment from the April 7, 2022, comment letter prior to scheduling the Preliminary Plan application on the Board of County Commissioner's public meeting agenda.
3. Incorporate the BPWI Board approved Irrigation Pipe Protection Detail and the engineered drawing addressing the Fire Districts' concern about the irrigation ditch crossing within the Preliminary Plan approval documents.
4. Properly execute and record the Penrose Water District easement that was approved by the District Board on February 13, 2023.

MOTION

Mr. Payne motioned to amend to also include those contingencies.

SECOND

Mr. Fey second the motion.

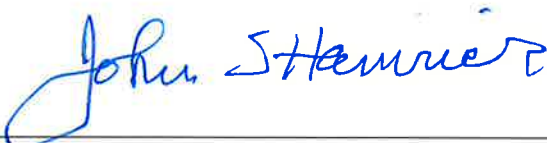
Vice Chairman Hamrick called for a roll call and the motion passed unanimously. (6 of 6)

Vice Chairman Hamrick states that they are back to the original motion now which was amended to approve with the requests recorded on the agenda.

Vice Chairman Hamrick called for a roll call and the motion passed unanimously. (6 of 6)

7. **ADJOURNMENT**

Vice Chairman Hamrick adjourned the meeting at 6:12 p.m.



for

CHAIRMAN, FREMONT COUNTY PLANNING COMMISSION

July 5, 2023
DATE