

**FREMONT COUNTY  
PLANNING COMMISSION MEETING MINUTES  
July 5, 2022 AT 3:00 P.M.**

**MEMBERS PRESENT**

Mark Masar (Chairman)  
John Hamrick (Vice Chair)  
Larry Brown  
Gardner Fey  
Travis Payne  
Dale McCullough

**STAFF PRESENT**

Mica Simpleman, Director  
Danielle Adamic, Planning Coordinator

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **APPROVAL OF AGENDA**
4. **APPROVAL OF MINUTES**

June 7th, 2022 Planning Commission Meeting

5. **UNFINISHED BUSINESS**
6. **NEW BUSINESS**

**A. MS 22-003 Braddy Builders Minor Subdivision**

Request: Requesting approval for minor subdivision that will create a total of 3 lots.

Lot 1: 0.23 acres 10,200 square feet  
Lot 2: 6.91 acres 301,084 square feet  
Lot 3: 1.14 Acres 49,603 square feet

The subject property is located in the Low Density Residence Zone District, on Grandview Ave., in Canon City.

Representative: Matt Koch

**B. SRU 21-005 OBSERVER RANCH CAMPGROUND**

The property owners, Benjamin and Katherine Davidson, are requesting Special Review Use Permit approval for a travel trailer campground and learning center located at 4509 County Road 123. The proposed development, to be known as Observer Ranch, would include thirty-three (33) RV sites, six (6) cabin sites, twelve (12) combination RV and Cabin sites, office/support building, watchman's quarters and a park support facility that includes a recreational vehicle storage area (30 spaces) not available for the general public.

Various accessory structures include cisterns, maintenance building, pump house, and a storm shelter. The subject property is 76.33 acres and consists of two lots (Lots 1 and 2) under a single ownership.

Representative: Keith Moore, RMG Architects

**C. Revised ADU Amendment #17**

Amendment #17 to the Fremont County Zoning Resolution Section 9 - Accessory Dwelling Unit

**1. CALL TO ORDER**

Chairman Mark Masar called the meeting to order at 3:00 p.m.

**2. PLEDGE OF ALLEGIANCE**

Pledge of Allegiance was recited.

**3. APPROVAL OF AGENDA**

Chairman Masar asked if there were any changes, additions or corrections to the July 5, 2022 Fremont County Planning Commission Agenda.

**MOTION**

Mr. Brown motioned to accept the July 5, 2022 Fremont County Planning Commission Meeting agenda.

**SECOND**

Mr. Fey second the motion.

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

**4. APPROVAL OF THE JUNE 7, 2022 PLANNING COMMISSION MEETING MINUTES**

Chairman Masar asked if there were any changes, additions or corrections to the June 7, 2022 Fremont County Planning Commission Meeting Minutes.

**MOTION**

Mr. Fey motioned for approval of the June 7, 2022 minutes.

**SECOND**

Mr. Payne second the motion.

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

**5. UNFINISHED BUSINESS**

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**6. NEW BUSINESS**

**A. MS 22-003 Braddy Builders Minor Subdivision**

Chairman Masar starts by inviting Matt Koch to speak about his project.

Mr. Koch states they are requesting a 3 lot subdivision, currently 2 lots located on Grandview Ave. just west of Canon Creek Ranch. They are adding 10 feet to the smaller lot which fronts Grandview, then creating a stem lot or flag lot of 1.4 acres out of the remaining 8 acres. There is a note about the flood plain because at the very south end there is about 10 sqft. of flood plain that comes on the property where the irrigation ditches actually dump out of the property. No structure will be impacted by a floodplain in the future. The engineer did review and recommend that they wait until the time of the building permit to do a drainage study based on where the structures will be built.

Chairman Masar asks Director Simpleman for a staff report.

Director Simpleman says the Department of Transportation stated that driveway access permits will be required for each lot. Fremont County Project Engineer said they did review the items provided and the required drainage plan and report had been addressed with a request that the drainage requirements be waived based on the following response. The site slopes gently from north to south, it is well drained and previously irrigated pasture. There is no drainage or erosion areas and no spot drainages. It is their professional opinion that a drainage area would not be appropriate for the lot size and site slope. The addition of the one residence will be insignificant and will not increase the historic discharge of a measurable amount. At this time the Department does recommend approval with the following conditions, that all updated title commitments would be required before recording of the subdivision plat, drainage plan and report a note be on the plat stating that at time of development, the drainage plan and report is required. Issuance of address applications applied for at the time of development for each lot and driveway access applied for and approved for at the time of development. Staff also recommends the waiver of the drainage plan and report.

Chairman Masar states it's not a waiver, it's a deferral until time of building.

Director Simpleman states yes.

Chairman Masar opens the floor for a motion

**MOTION**

Mr. Fey motioned to approve **MS 22-003 Braddy Builders Minor Subdivision** with the drainage requirements and driveway access waived until time of development.

**SECOND**

Vice Chair Hamrick second the motion.

Chairman Masar called for a roll call vote and the motion to approve **MS 22-003 Braddy Builders Minor Subdivision** passed unanimously (6 of 6)

## **B. SRU 21-005 OBSERVER RANCH CAMPGROUND**

Chairman Masar asks Representative Keith Moore to speak.

Mr. Moore states they are here to represent Ben and Kat Davidson for Observer Ranch Learning Center Travel Trailer Campground, approximately 73 acres, consisting of two lots off of County Road 123.

Chairman Masar asks Director Simpleman to give the Staff report.

Director Simpleman states this location is at 4509 County Road 123, it will include 33 RV sites, 6 cabin sites, 12 combination RV and cabin sites, an office support building, watchman's quarters and park support facility that includes a recreational vehicle storage area, 30 spaces, a maintenance building pump house and storm shelter.

Comments from the Department of Transportation stated that there have been a big change of impact going from a 26 a day trip up to a 125 a day trip. In the application, the fire protection plan they mentioned a paved access that is 32 feet wide so there should be no issues with the access to the constructions as the department would like to have the opportunity to comment at the annual review. The project engineer stated that they did review it and a draft storm water drainage analysis report only covers the initial phase of the project in lot 1, the drainage report should be expanded to include all areas of development included in the SRU project. Additionally the drainage report should surface flooding from Eight Mile Creek. The Zone A flood plain boundary for Eight Mile Creek is as presented on the submitted documents, it does not appear to accurately reflect the national flood hazards layer data that is available from the Federal Emergency Management agency. Hydraulic and Hydraulic analysis from Eight Mile Creek may be necessary to adequately show the limits of flooding from Eight Mile Creek. It appears that items such as roadways, on-site waste water treatment systems and electrical transformers may be located within the Eight Mile Creek flood plain. Additional analysis should be completed to confirm these elements are located outside the floodplain, no drainage related, did notice that several turning Radii's and a lack of turnaround may be problematic for large RV's and 5<sup>th</sup> wheel vehicles, this is particularly noted on Robitaille Rd. Based on staff review, it is recommended that the above comments be addressed prior to the SRU approval.

From the Department of Health and Environment, the Fremont County Building Department, under required substantial submittal attachments, section 3 item 4, sanitation documents, and the applicant has proposed to use an office manager apartment and support building. Appears to contain all the necessary sanitation facilities that will be required for the operations of this travel trailer park campground. These drawings appear to be within the Fremont County OWTS regulations. Fremont County Environmental Health Department finds that the separation distance between the OWTS appears to be adequate. At this time, Planning & Zoning Department does approve the SRU permit with the following contingencies. Revise the site plan to include solar bollard at the walkways to open space dog run off Robitaille Road and the walk ways to recreation area 1 to provide safe access to the recreational amenities, Submit a storm water drainage analysis and drainage report and plan that includes all areas of the development. Said drainage report shall address surface flooding from Eight Mile Creek, Accurately depict Zone A floodplain boundary for Eight Mile Creek on the SRU site plan. If required by the Fremont County project Engineer, the applicant shall perform hydraulic and hydraulic analysis for Eight Mile Creek to adequately show the limits of flooding from Eight Mile Creek, and to complete additional analysis to confirm roadways, on-site waste water treatment systems, Electrical transformers are not located within Eight Mile Creek floodplain, All Fremont County Department of Transportation comments and conditions stemming for the annual review of

the Special Review Use Permit shall be addressed to the Department's satisfaction. Revise turning radii and provide adequate turnarounds to accommodate large RV and 5<sup>th</sup> wheel type vehicles throughout the SRU site plan. Revise the Fire Protection Plan to include the fire protection verbal agreements made with the Florence Fire Protection District.

Chairman Masar asks Director Simpleman that once they get the floodplain shown accurately, is that going to change the plat dramatically that their moving transformers and moving roads, is this something the board can even approve.

Director Simpleman replies it depends because he doesn't know how much of a change it's going to show especially to where the locations are from right now on the plat to where they're going to need to be.

Mr. Moore states that page 2 shows more detail of the one area that is potentially in conflict. The building in the upper right corner there is a pump house and a transformer in the upper green area that's 8 foot above the flood plain.

Director Simpleman replies to Chairman Masar that yes, if any of these are in the flood plain, as long as they move them and get them outside the flood plain before anything is recorded, then yes you should be able to still approve it to go to the Board of County Commissioner's.

Vice Chair Hamrick asks Mr. Moore if he's seen the staff analysis report and seen their summary and recommendations wherein they list the 8 requirements that shall be completed prior to the SRU permit recordation, including updating the site plan, storm water drainage analysis. And you're satisfied with those.

Mr. Moore replies that the only one that's a little unclear to them is what could affect or having to do hydraulics studies for Eight Mile Creek because they do not know what would be involved with that.

Vice Chair Hamrick asks Director Simpleman that the report says submitted storm water drainage analysis and drainage report says shall address flooding from Eight Mile Creek, is that a County engineer requirement or is that from Planning & Zoning.

Director Simpleman states that is from the engineer.

Vice Chair Hamrick asks Mr. Moore if they have seen the ICON Engineer report.

Mr. Moore states that they have not seen that report.

Vice Chair Hamrick states that the report was dated June 21, 2022 and the particular comment they are talking about says, they have reviewed the items provided by the County about the following comments, the draft storm water drainage report only covers the initial phase of the project in lot 1, the drainage report should be expanded to include all areas of development included in the SRU project, additionally the drainage report should address surface flooding from Eight Mile Creek.

Mr. Moore replies that in their packets if they look at the typical cabin lot, CP 113, they provided, one can see where there'd be a 1500sqft minimum or a little RV pad, so that's what they would include in their drainage report for the upper lot 2.

Chairman Masar states to Director Simpleman that on the hydraulic report, he is not sure what that entails and it sounds like the applicant doesn't know what it entails either.

Director Simpleman replies he's not sure what it is either, how he looks at it is the biggest concern is that two maps don't match up, if they do match up then he imagines that they don't need to do that.

Chairman Masar states that it does say if required so it does kind of waive it until then.

Mr. Payne asks Mr. Moore that they are serving with 2 wells, well over the 25 people per day, so will you be required to have an operator on staff, like a community water system registered through the state.

Mr. Moore replies that it's not required as far as they know with the current status. The current cisterns will be for domestic and fire as well.

Chairman Masar talks about the waiver request for the parking lot surfacing. The County does not recommend they waive that.

Mr. Moore introduces Derek True with True North Construction out of Florence to speak.

Mr. True states that they would like to make their statement about that, it does say, 1<sup>st</sup> section 5.3.2 of FCCR Surfacing for all businesses or commercial off-street parking areas shall be graded and surfaced to control dust, so they are asking for a waiver to not do the concrete or asphalt portion of the parking areas because they are so insignificant versus the large gravel roadway systems that are already through the campground, they want to maintain much of the original topography and drainage as possible. They want to keep them gravel, they will be paving and asphaltting the handicap spaces as per the regulation as well. The other discrepancy with that is staff stated that all internal roadways are surfaced with 4 inches of gravel. He states they are only talking about the actual parking spots of the campground. They are asking for a waiver to keep those gravel except for the handicap spaces as required.

Matt Koch states that it's not out of the normal to just pave the handicap spaces, the building department will review and make sure the handicap spaces are paved.

Mr. Payne asks about the on-site manager being there for 90 days, then do they just cycle in managers every 90 days.

Mr. Moore replies yes.

Chairman Masar is open to a motion

**MOTION:**

Vice Chair Hamrick makes a motion that they approve **SRU 21-005 Observer Ranch Campground** with the 8 contingencies on pages 9 and 10 of the staff report with the addition that the applicant verify and comply with CDPHE requirements for public water system operations and that the waiver request for paving of non-handicap spaces be granted.

**SECOND:**

Mr. Fey second the motion

Chairman Masar confirms it had been moved and seconded to approve **SRU 21-005 Observer Ranch Campground** with the contingencies that were noted and granting the waiver request for the non-handicap parking paving

Motion passed unanimously (6 of 6)

**C. Revised Amendment #17**

Chairman Masar asks Director Simpleman to talk about this amendment.

Director Simpleman states they are requesting to revise the Accessory Dwelling Unit regulations. Revisions to ADU Amendment #17 to the Fremont County Zoning Resolution section 9. ADU – Accessory Dwelling Unit.

9.2 Partial deletion (The ADU may also be located within the primary dwelling, or attached to the primary dwelling.)

9.3.3 Deletion with new regulation, (A single story ADU shall be no more than 14 feet in height to peak of roof. A two-story structure containing an ADU may be no more than 22 feet to peak of roof. ADU's may be allowed in two story structure, where the ADU is only on one level. The other level may not be used as part of the ADU.) \*Added - ADU's shall follow all development requirements of the zone district.

9.3.4 Partial deletion (one bathroom)

9.3.13 Full deletion (9.3.13 An ADU constructed or located within a larger dwelling shall have exterior access.)

9.3.15 Partial deletion (Business or commercial use of an ADU is prohibited.)

9.3.16 deletion of no more than 200 feet from any side of the primary dwelling

\*Added - 9.4.2.5 Floor plan of the ADU.

Director Simpleman states that this has stemmed from the people and the county, making it a little bit easier to add the ADU's onto their property. The primary dwelling address will be an A and the ADU address would be a B. There will still be an address requirement.

Chairman Masar states that if there are no further questions, he is open to a motion to approve **ADU Amendment #17**

**MOTION:**

Mr. Fey motions to approve ADU Amendment # 17

**SECOND:**

Mr. Brown second the motion

Motion passed unanimously (6 of 6)

7. ADJOURNMENT

Chairman Masar adjourned the meeting at 3:54 p.m.

  
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CHAIRMAN, FREMONT COUNTY PLANNING COMMISSION

10/4/22  
DATE