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A G E N D A

**Planning Commission
Regular Meeting**

**February 6, 2012
6:00 p.m.**

- A. Changes to the Agenda**
- B. Minutes for the January 9, 2012 Planning Commission Meeting**
- C. Citizen Comments**
Citizens who have comments on items that do not appear on the agenda are asked to make their comments at this time. Comments on an agenda item will be taken at the time that item is under discussion.
- D. Review of Delta Municipal Code Section: 17.04.230.G and 15.04.080.B.1.b Off-Street Parking Requirements**
- E. Review of Delta Municipal Code Section 17.04.220.B.1.a and 17.04.220.B.1.c Tabulated Regulations – Travel Home and Storage Sheds setbacks**
- F. Review of Delta Municipal Code Section 15.04.080.B.1.d Landscape Requirements**
- G. Review of Delta Municipal Code Section 15.04.090 Supplemental Site Development Standards for Highway Corridors**
- H. Commissioner Comments**
- I. Staff Comments**



A regular meeting of the City of Delta Planning Commission was held on Monday, January 9, 2012 at 6:30 p.m. in the City Council Chambers of City Hall at 360 Main Street, Delta, Colorado. Said meeting posted in accordance with the Sunshine Law.

PRESENT: Tish Oelke, Vice-Chairperson; Carl Jahn, Commissioner; Patrick Dearmin, Commissioner; Richard Simmons, Commissioner; Ginni Selby, Commissioner; Glen Black, Director of Community Development; Sharleen Walker, Executive Secretary.

ABSENT: Gerald Roberts, Chairperson; Gary Burnett, Commissioner.

GUESTS: Mark Youngwirth, Jim Conner, RB Williams, Jeff Crane, Paul Senteney.

CHANGES TO THE AGENDA

There were no changes to the agenda.

MINUTES

A motion was made by Pat Dearmin, seconded by Ginni Selby, to approve the minutes of the Planning Commission held on Monday, October 3, 2011 as written. All voted yes. Motion passed.

CITIZEN COMMENTS

None.

DISCUSSION REGARDING PIPING OF HH LATERAL

Glen Black, Director of Community Development, reviewed the request from the applicant to open up the portion of the HH Lateral, Uncompahgre Valley Water Users ditch that runs through the Roubideau Subdivision. Mr. Black stated that Delta Municipal Code section 16.04.070.H requires that all ditches be piped unless the ditch meets the requirements for exceptions. Mr. Black informed the Planning Commission that the request was presented to the Council and that the Council is requesting Planning Commission's recommendation regarding the ditch.

Mr. Black, the residents and property owners gave a brief history of the HH Lateral ditch. The HH Lateral was an open, 4 foot wide ditch that provides irrigation water to Mark Youngwirth's and James Conner's property and the ditch also collected waste water from Paul Senteney's field. Now that a portion of the ditch is piped, it cannot collect waste water or storm water and consequently water drainage has been a problem for RB William's property. Since the piping of the ditch, Mr. Williams has installed a French drain around his home, which has alleviated the continual seepage, but not addressed the waste water and storm water issues. Additionally, the Planning Commission was informed that the pipe is a 15" pipe, and at certain times the 15" pipe doesn't carry all of the water in the ditch.



Mark Youngwirth, property owner, stated that Uncompahgre Valley Water Users Association had sized the pipe to carry the amount of water shares that is allowed, but that the current sizing does not take into account the amount of waste water and storm water that goes into the ditch.

Paul Senteney, property owner, has agreed to allow a portion of the ditch to be moved to the south onto Mr. Senteney's property. One of the reasons for moving the ditch is that there is a power line where the piped ditch is currently, but the main reason to move the ditch is to catch waste water from Mr. Senteney's property.

Glen Black, Director of Community Development, informed the Planning Commission that the only responsibility that the City has regarding the ditch is to have it piped per the City's subdivision regulations. Mr. Black stated that the ditch is owned by Uncompahgre Valley Water Users Association and that Uncompahgre Valley Water Users Association has approved the Roubideau Home Owners Association to remove the pipe in the HH Lateral ditch, returning the HH Lateral to an open ditch, and provide an easement for maintenance purposes.

Jeff Crane, applicant, informed the Planning Commission that the discussion regarding the HH Lateral with the property owners near the Roubideau Subdivision and the Roubideau Home Owners Association has been a long process, but that surrounding property owners and Roubideau Home Owners Association has come to a resolution that it would be best to remove the pipe and restore the HH Lateral back to an open ditch. Mr. Crane stated that restoring the HH Lateral to an open ditch would put more water to Mr. Youngwirth and Mr. Conners and would also alleviate Mr. Williams's water flooding problems and put the responsibility of the ditch back to the Uncompahgre Valley Water Users Association. Mr. Crane requested that the Planning Commission recommend to the City Council to restore the HH Lateral Ditch back to an open ditch.

Members of the Planning Commission requested clarification of how the open ditch would affect lot 9 of Roubideau Subdivision, which is currently owned by Bert Sibley. Mr. Crane stated that the home owners association would install a 24" culvert on the access to the lot. The Planning Commission stated that maybe the culvert should be sized 36" to handle the storm and waste water more effectively, some of the property owners agreed that a bigger culvert may be better. However, the Planning Commission came to a consensus that the homeowners association and affected property owners would be ultimately responsible for sizing the culvert appropriately.

A motion was made by Richard Simmons, seconded by Ginni Selby, to recommend approval of restoring the HH Lateral to an open ditch. All voted yes. Motion passed.

REVIEW OF OFF-STREET PARKING REQUIREMENTS – DELTA MUNICIPAL CODE SECTION: 17.04.230.G

Glen Black, Director of Community Development, reviewed the City of Delta's Municipal Code section 17.04.230.G regarding paving of parking and maneuvering areas when six or more parking spaces are required. Mr. Black reviewed several different properties within the City that are not paved, but should be according to current regulations. Additionally, Mr. Black reviewed several areas within the City that are paved according to the regulations. Mr. Black also reviewed areas of the City that have been allowed to develop by interpreting the City Code to allow flexibility for the business owner, mainly in Industrial zones.



Mr. Black informed the Planning Commission that there have been requests from businesses regarding expansion of existing buildings that would be required to pave parking/maneuvering areas according to the present regulations that have decided not to move forward because of the paving requirements.

Mr. Black stated that there are some downsides to graveled areas, such as dust, maintenance and tracking of gravel onto paved roads.

The Planning Commission discussed various options regarding parking areas. The Planning Commission also discussed the differences between high volume traffic areas and other uses. Additionally, the Planning Commission discussed churches and the paving of churches' parking lots being cost prohibitive to expansion. Additionally, there was discussion of possibly mirroring the landscaping requirements i.e. if the expansion is less than 50% of the current area then paving may not be required.

The Planning Commission decided that more information and discussion is needed and scheduled the item for more discussion at the next regular Planning Commission meeting to be held in February. In the meantime, staff requested that Planning Commission members email suggestions regarding parking regulations to Sharleen Walker, Executive Secretary, to compile into a report for the next Planning Commission meeting.

COMMISSIONER COMMENTS

None.

STAFF COMMENTS

Glen Black, Director of Community Development, informed the Planning Commission that Gerald Roberts' and Tish Oelke's Planning Commission terms will be up in March and that staff will start advertising in February. Additionally, Mr. Black requested that Planning Commission members get the word out about the Planning Commission openings to their acquaintances.

ADJOURNMENT

A motion was made by Carl Jahn, seconded by Pat Dearmin to adjourn the regular Planning Commission meeting. All voted yes. Motion passed. The meeting was adjourned at 7:51 p.m. with no further action taken.

Sharleen R. Walker, Executive Secretary



**City of Delta Municipal Code Review: Parking, Setbacks for Travel Homes and Sheds,
Landscaping and Architectural Requirements**

Date: 2-6-2012

To: Planning Commission

Request:

These issues were reviewed by the City Council at a work session on December 6, 2011 and the City Council has requested that the Planning Commission make recommendations regarding these issues to the City Council for consideration. The specific issues are as follows:

17.04.230.G and 15.04.080.B.1.b Off-Street Parking

17.04.220.B.1.a and 17.04.220.B.1.c Tabulated Regulations – Travel Home and Storage Shed setbacks

15.04.080.B.1.d Landscape Requirements

15.04.090 Supplemental Site Development Standards for Highway Corridors

Off-Street Parking

Several developers have felt this standard to be onerous and the standard has prevented some developments from proceeding. Council would like Planning Commission to make a recommendation concerning this standard.

Proposed changes are as follows:

15.04.080.B.1.b

b. Required off-street parking spaces, including landscaped areas, and maneuvering areas, adequate to avoid the necessity of backing onto the developed part of adjoining streets, and adequate to meet all applicable requirements. ~~When six or more spaces are required, The required parking and maneuvering areas shall be paved.~~
constructed according to 17.04.230.G.



17.04.230.E.4 Off-street parking requirements.

4. Shared parking lots are allowed in all zone districts, where shared parking can be provided among a mix of land uses located in the same structure or on the same property or use or in adjacent structures, or on adjacent property, not more than two hundred and fifty feet (250') from the property it is intended to serve and the multiple uses or activities are not conducted during the same hours, or the hours of peak parking demand vary among the uses so long as ~~the aggregate spaces required are provided and a~~ recorded covenant or plat restriction on forms approved by the City allows the City to enforce compliance.

17.04.230.G Off-street parking requirements.

G. When ~~six~~ twenty or more spaces are required, the parking and maneuvering areas shall be paved in accordance with City specifications, unless exempted below:

1. Where public access to a required parking lot/space is not paved at the time of parking construction the lot/space may be graveled; however, it must be paved within six months of the time that any point of public access is paved, unless an alternative surface treatment has been approved.

2. Where public access to a required parking lot/space is paved and the parking lot is not required to be paved, a paved or concrete apron must be installed according to City Standards and Specifications at all access points.

3. Truck loading, maneuvering areas, employee parking and outside manufacturing areas in the I, I-R, and B-3 zones are not required to be paved, but may be graveled. If the business includes retail sales and is located in the I, I-R and B-3 zones, the customer parking area must be paved according to these regulations.

Tabulated Regulations – Travel Home and Storage Shed setbacks

17.04.220.B.1.c Tabulated regulations.

B. 1. No part of any building, except for the outer 18 inches of the eaves, may be located, and no travel home may be parked or stored, any closer to a property line than the setback specified in the following table with the following exceptions:



c. Those storage sheds accessory to a single family residence which are exempted from building permit requirements may be located in those setback areas not adjacent to a street as long as the structure is located entirely to the rear of the main residence, is built so that it does not shed rain or snow onto the property of another. Provided, however, lots with streets on opposite sides of the lot may have a shed located along the street to the rear of the residence if it does not create a sight barrier for traffic on adjacent streets, and is not located within the overlap area of two setbacks along streets.

17.04.220.B.1.a Tabulated regulations

B. 1. No part of any building, except for the outer 18 inches of the eaves, may be located, and no travel home may be parked or stored, any closer to a property line than the setback specified in the following table with the following exceptions:

a. A travel home may be parked in the rear setback area if it abuts an alley.

Landscape Requirements

15.04.080.B.1.d Site development and maintenance requirements.

A. No building permit for new construction or additions to existing structures shall be issued until a site development plan has been approved pursuant to this section. The formality, scope and content of each site development plan shall depend upon the use and size of the building or structure for which the permit is sought. It shall generally address and meet any requirements, standards and specifications applicable to developments under Titles 16 and 17 of the Delta Municipal Code that are reasonably attributable to the size and allowed use of the building or structure proposed for construction. Provided, however, that the landscape provisions set forth in Section 15.04.080.B.1.d shall not apply to building permits sought for (a) single family residences, duplexes, farms, ranches and accessory buildings thereto; or (b) an addition to an existing building or structure which increases the footprint area by no more than fifty percent (50%), or has construction value of no more than twenty thousand dollars (\$20,000.00); or (c) the erection of a building which is accessory to an existing building and which increases the aggregate footprint area by no more than fifty percent (50%), or has a construction value of no more than twenty thousand dollars (\$20,000.00).



d. Landscaping, including provisions for trees and shrubs, subject to the following minimum requirements:

i. At least 25% of the linear frontage of the site abutting public street rights-of-way to a minimum width of fifteen feet, unless the City approves an alternative plan as more effectively presenting a landscaped view from the abutting street rights-of-way; and

ii. Inclusive of the above frontage requirement, landscaping shall be required in at least 15% of that part of the site not covered by buildings for sites located in residential zoning districts; at least 8% of that part of the site not covered by buildings for sites located in commercial zoning districts; and at least 4% of that part of the site not covered by buildings for sites located in industrial zoning districts.

iii. In addition, each parking area which contains either twenty or more spaces, or more than one aisle, shall incorporate landscaped islands dispersed throughout the parking area with such islands to occupy a minimum of five percent (5%) of the parking area and to be landscaped in accordance with City standards and specifications.

iv. Such landscaping shall consist of trees, shrubs, and ground covers, and may include up to a maximum of 20% coverage in inert materials such as decorative paving stones, lava rock, pea gravel, etc., except to the extent such area is lawfully covered by a building.

v. In addition, property within the defined highway corridor of Section 15.04.090 shall also meet the requirements therein.

Supplemental Site Development Standards for Highway Corridors

15.04.090 Supplemental site development standards for highway corridors.

A. Property, any part of which is located within four hundred feet (400') of a right-of-way line of Highways 50 and 92, and Crawford Avenue west of 1800 Road, shall, in addition to other applicable requirements, be subject to the supplemental site development standards described in this Section. Whichever City ordinance or regulation requires more stringent or restrictive requirement shall apply. It is provided, however, that this Section shall not apply to any application for a building permit for (a) an addition which increases the footprint area by no more than fifty percent (50%), or has construction value of no more than twenty thousand dollars (\$20,000.00); or (b) the erection of a building which is accessory to an existing building and which increases the aggregate footprint area by no more than fifty percent (50%), or has a construction value of no more than twenty thousand dollars (\$20,000.00).



1. Building facades which are substantially constructed of smooth-face concrete, smooth-face concrete block, or metal siding, or similar monolithic building materials shall be designed to include either a) two (2) foot eaves and a different colored pitched roof with a height between the top of the roof and the eave of at least equal to the distance from the eave to the ground, or a 8:12 pitch; or b) other surface materials on a minimum of 24% of area of the front, and on 20% on each side and rear. Such materials may include, but are not limited to, contrasting materials such as glass, brick, stucco, wood or stone. In either case, other architectural elements must also be included in the design which include but are not limited to architectural projections such as dormers, roof overhangs, protective canopies, and creatively shaped window openings. Metal skinned buildings are not allowed within the B-1 Zoning District.

2. Exterior mechanical equipment, including electrical transformers, shall either be incorporated in the overall form of the building or screened from view from any street by materials consistent with the landscaping, safety, the main building, and the National Electrical Code.

3. Refuse collection containers and areas shall be screened from view from any street or residential area by materials consistent with the landscaping and building.

4. a. Landscaping shall be installed and maintained to a minimum depth of 15 feet along 70% of the frontages of highways, streets and roadways identified in the first sentence of this subsection A.

b. Landscaping shall be installed and maintained to a minimum depth of 15 feet along a minimum of 25% of the secondary street frontages, excluding driveways and sidewalks.

B. The regulations of this Section shall apply to the entire building, lot, parcel or contiguous lots or parcels which constitute a single site, when any part thereof is located within 400 feet of the right-of-way of the highway or street segments described in Subsection (A) above.

C. The City Manager is hereby authorized to adopt regulations as may be appropriate to implement, interpret and administer the provisions of this Section and to provide detailed Standards and Specifications, consistent herewith.

D. All required improvements and landscaping shall be maintained in good repair and safe condition. Violation of this provision is hereby declared to be a nuisance which may be abated by the City in any lawful manner.



E. Where there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of these requirements, upon written application, the City Council may vary or modify the application of these requirements, so that the spirit of the requirements is observed, public safety and welfare secured, and substantial justice done. (Ord. 6, §1, 2004; Ord. 4, §1 & 2, 2005; Ord. 6, §1, 2008)