



A regular meeting of the City of Delta Planning Commission was held on Monday, February 6, 2012 at 6:00 p.m. in the City Council Chambers of City Hall at 360 Main Street, Delta, Colorado. Said meeting was posted in accordance with the Sunshine Law.

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

ABSENT: Ginni Selby, Commissioner.

GUESTS: Terry Osborne, Barry Singleton, Linda Burnett.

**CHANGES TO THE AGENDA**

There were no changes to the agenda.

**MINUTES**

A motion was made by Carl Jahn, seconded by Richard Simmons to approve the minutes of the Planning Commission held on Monday, January 9, 2012 as written. All voted yes. Motion passed.

**CITIZEN COMMENTS**

There were no citizen comments.

**REVIEW OF DELTA MUNICIPAL CODE OFF-STREET PARKING REQUIREMENTS**

Planning Commission reviewed Section 17.04.230.G and 15.04.080.B.1.b of the Delta Municipal Code regarding Off-Street Parking Requirements. This item was continued from the previous Planning Commission meeting held on January 9, 2012. Glen Black, Community Development Director, reviewed the off-street parking paving requirements. Mr. Black stated that the present regulations require all parking lots to be paved that have six or more spaces. Additionally, Mr. Black informed the Planning Commission that there has been some interest in redevelopment that would require paving that potential developers have stated would be cost prohibitive.

The Planning Commission discussed streets and alleys within the City that are not paved and concurred that requiring paving of the parking lot, when the street or alley is not paved does not make sense. Additionally, the Planning Commission voiced their concerns regarding requiring paving of parking lots where heavy equipment is used or stored; stating that graveled parking areas for those types of uses may make more sense because paving would be cost prohibitive.

Additionally, the Planning Commission had concerns regarding graveled parking areas and paved aprons, not being maintained.

The Planning Commission agreed with the suggested changes presented by staff, and requested that a new concluding paragraph be added to include a maintenance agreement and changing the required timeframe for paving of section 17.04.230.G.1 to twelve months, instead of six months.

A motion was made by Pat Dearmin, seconded by Carl Jahn to make a recommendation to the City Council that the proposed changes to Section 15.04.080.B.1.b; 17.04.230.E.4 and 17.04.230.G as presented with the addition of a concluding paragraph in 17.04.230.G regarding maintenance agreements required in all cases where paving is not required and changing the paving timeframe requirement in 17.04.230.G.1 to twelve months. All voted yes. Motion passed.

Following is the recommendation to Council:

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 twelve months of the time that any point of public access is paved.

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. In the I, IR and B-3 zone districts parking and maneuvering areas for truck loading, employee parking and outside manufacturing may be graveled. If the business includes retail sales the customer parking area must be paved according to these regulations.

A completed maintenance agreement, on City approved forms, is required in all cases where paving is not required. The maintenance agreement will include requirements for condition of parking lot, dust suppression, and tracking of materials onto adjacent streets.

The following language shall be included in the agreement, "I \_\_\_\_\_(owner of property)\_\_\_\_\_ at \_\_\_\_\_(address)\_\_\_\_\_ shall be liable for the following at the above mentioned address: maintenance of all graveled parking and maneuvering areas including, but not limited to clearing gravel off of paved or concrete aprons, repairing potholes, controlling dust, and maintaining adequate gravel coverage to allow maneuvering of vehicles in all types of weather. In the event that said maintenance is not properly performed, the City of Delta may cause the work to be done, assess the cost to the said owners, may certify such charges as delinquent charges to the County Treasurer to be collected similarly to taxes, may record a lien on said lots which may be foreclosed in any lawful manner, or may pursue any other remedy available in order to collect such charges."

#### **REVIEW OF DELTA MUNICIPAL CODE TABULATED REGULATIONS – TRAVEL HOME AND STORAGE SHEDS SETBACKS**

Planning Commission reviewed Section 17.04.220.B.1.a of the Delta Municipal Code Tabulated Regulations regarding Storage Sheds Setbacks. Chairman Roberts abstained from discussion on the item and Vice-Chairman Tish Oelke conducted the discussion. Gerald Roberts participated in the discussion as a property owner.

Glen Black, Community Development Director, reviewed photographs of sheds throughout the City that are in compliance with the regulations and sheds that are not in compliance with the regulations with the Planning Commission.

The following is a list of points that were discussed by the Planning Commission:

- Fair and equitable for everyone
- Possible moratorium, or grace period for home owners to come into compliance with current regulations
- Enforcement concerns
- Property rights
- Safety and welfare issues
- Good neighbor relations
- Using setbacks for temporary storage, other than sheds, such as storage of items under tarps
- Changing regulations to allow sheds in the setback, if the shed is even with the foremost structure on the lot
- Delta is rural Colorado and also a transition City, which are sometimes conflicting attributes

A motion was made by Pat Dearmin, seconded by Richard Simmons to table the Tabulated Regulations Storage setbacks until next Planning Commission meeting. All voted yes. Motion passed.

The Tabulated Regulations Travel Home 17.04.220.B.1.c discussion was postponed until the next regular Planning Commission meeting.

The review of Delta Municipal Code Section 15.04.080.B.1.d Landscape Requirements was postponed until the next regular Planning Commission meeting.

The review of Delta Municipal Code Section 15.04.090 Supplemental Site Development Standards for Highway Corridors was postponed until the next regular Planning Commission meeting.

### **COMMISSIONER COMMENTS**

Pat Dearmin requested Planning Commission's direction regarding inviting a representative from the Fire Department to the next regular Planning Commission meeting regarding safety and the setback issues. The Planning Commission agreed that it would be a good idea to invite a representative from the Fire Department to the next regular Planning Commission meeting regarding safety and the setback issues.

### **STAFF COMMENTS**

Glen Black, Community Development Director, informed the Planning Commission that there will be some light refreshments before the next Planning Commission meeting, in recognition of the Planning Commission members whose terms are completed. Additionally, Mr. Black stated that two applicants for the vacancies on the Planning Commission are in attendance at the meeting tonight. The applicants are Terry Osborne and Barry Singleton. The Planning Commission welcomed the applicants.

### **ADJOURNMENT**

A motion was made by Pat Dearmin, seconded by Carl Jahn to adjourn the regular Planning Commission meeting. All voted yes. Motion passed. The meeting was adjourned at 8:12p.m. with no further action taken.

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Sharleen R. Walker, Executive Secretary