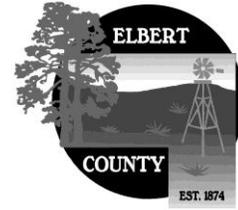




COUNTY OF ELBERT

COMMUNITY & DEVELOPMENT SERVICES

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MINUTES ELBERT COUNTY PLANNING COMMISSION HEARING October 6, 2015 @ 7:00 PM

Note: These meeting minutes are only a summary of the meeting. Duplication of the audio recording is available, for a fee, by contacting Community & Development Services.

The Planning Commission Meeting was called to order at 7:00 p.m. by temporary Chairman, Daniel Rosales.

PLEDGE OF ALLEGIANCE

ROLL CALL:

Commission members present: Ron Turner, Tony Baker, Bob Ware, Daniel Rosales, Chris Richardson, and Susan Saint Vincent.

Staff present: Kyle Fenner, Director CDS, Carolyn Parkinson, Planner II and Curtis Carlson, Senior Planner.

DOLA training may be day or evening. Evening is perhaps better. Please provide Dates when not available through January 31, 2016.

STAFF REPORT ON BOARD OF COUNTY COMMISSIONERS ACTION(S):

A. The Planning Commission Bylaws were provided to the BOCC. They all wholly them and thanked the Planning Commission for their good work.

CONSENT CALENDAR:

No items.

COMMUNITY INPUT:

None.

PUBLIC HEARINGS / WORKSHOPS:

- A. Planning Commission Review of IGA between the Town of Elizabeth and Elbert County: Comments and Recommendation(s).** – This draft of the IGA is provided to the Planning Commission for discussion and comment. Mr. Dick Easton, Town Administrator for Elizabeth is present to assist with questions and clarification of information.
- Towns are required to have a three (3) mile plan provided they wish to be able to annex additional properties. The Three Mile plan protects a Town's right to annex.

Each Commission member had and took opportunity to comment. Without names and without repetition, the comments were:

- Supports the IGA draft.
- Useful.
- No concerns.
- Commented that the Draft does not restrict action by either party.
- Sets boundaries, parameters and tone for each entity. This is good.
- It is general enough that it can change as we grow – at this point, no need for specifics.
- Flexible, non-restrictive, but likes the response timelines so things can't fall into limbo.
- Broad, but useful.
- OK with the verbal substance. Believes that some of the language could be drafted better for clarity, however, that may not be the Planning Commission's role at this time.
 - 2i. Is twenty one days sufficient time for Referral? -- The language provides for "at least" 21 days, so it would cover the County's standard of 35 days and anything inclusive that the Town of Elizabeth may have.
- Likes the agreement. Power by either Authority is not diminished.
- Asked if the "Single Point of Contact" had been designated. That is being left open for each Authority to determine. May likely be a "position" so formal changes don't need to be made each time a different person may be appropriate.
 - Question: Will it also say "or their assigns?"
 - Response: Possibly.
- Expressed concern that Water issues were not specifically addressed, considering how important these are for future development. Response was that this document is more about a "cooperative agreement" form.
- Commented that the State requires IGA's with all three towns in the County. What is happening so far with Kiowa and Simla? Response was that the agreement with Elizabeth may be the most detailed due to the size of the town. This draft may serve as a template from which to work for the other two towns.

Recommendation #1: That if individual titles are used when referring to the Point of Contact, that “or their assigns” be included language.

Recommendation #2: That directly following the approval, that this document (IGA or Cooperation Planning Agreement between the Town of Elizabeth and Elbert County) be used as the basis for and in the coordination of the necessary IGA’s with the Town of Simla and the Town of Kiowa.

B. Public Hearing: Quail Run: SU 15-0016

Ron Turner recused himself due to a Conflict of Interest.

Please refer to the staff report for specific review evaluation and comments.

Planning Commission questions and comments / Gun club responses:

- Criteria for a Verifiable Complaint – Have to know the who, what, when, why etc. The County has not received even one complaint since the previous Special Use amendment in 2012; SU 12-0002. That Amendment allowed the addition of a hand gun range and expanded the uses, weaponry and the ammunition calibers.
- The Representative for the gun club commented that the berms are 15’ feet high and will absorb most of any noise.
 - People could use / fire up to 50 caliber weapons.
 - Due to caliber size, this type of shooting would likely be scheduled during times of low use of the range.
 - Ques. – Are there any empirical studies demonstrating that a 15’ foot berm will stop a 50 caliber bullet?
 - Not that the gun club knows of, however, the shooting platform will be raised somewhat so the shooters are always shooting down at the targets.
- Ques. – How far away is the closest home to the north?
 - About four and one half miles to northwest. Not in a direct line of fire.
 - Range hours vary with daylight hours. General public is 6 p.m. during summer and 5 p.m. during winter. Well supervised 4H shooters are allowed to shoot till 8 p.m. during summer. The Ranges are closed on Tuesdays.
 - A Range Officer will be present at all times of operation. He/she will have backup when cannot be present. There have been no accidents during 16 years of Range Management.
 - There will be 10 shooting stations on the 100 yard range.
- Commission member impressed that no complaints have been registered. Back in 2012, all public members speaking during the public hearing, spoke in support of the gun club. The club is a great service to 4H

members also. I will be interested to hear public testimony this time around.

- Note, only one neighbor appeared at the recent Community Meeting for this current application expansion.
- Understand the Development Guide calls for “Best Practices” for Range care and maintenance. PH tests are stated to be accomplished annually. Is this being done?
 - Currently not measuring on a regular basis. Lead is being picked up whenever dry on the Shotgun range. The Special Use from 2012 calls for beginning in at least the third year for the other ranges. Typically, lead is picked up when at least 1000 lbs are expected to be present. The dirt has to be picked up and sifted to get the lead out.
- How do you know when 1000 lbs are present? Clean-up is often recommended based on # of rounds fires.
 - We know that for shotgun rounds, but currently do not measure the others. Believe 20 – 30 thousand rounds would accumulate up to 1000 lbs of lead.
- There should be a quantifiable way to determine. Would a “condition of Approval” speaking to a quantifiable measure for cleanup to occur, be acceptable? Suggestion: Add criteria to Design Guidelines rather than a “condition of approval.” “Conditions of Approval” are generally for action items to be completed prior to Recording / Operation OK to proceed.
 - The handgun range has only been operating for two and a half years. Originally, initial cleanup was scheduled to begin after three years, see SU 12-0002. So, cleanup for that range has not begun yet.
- When will 100’ foot range cross the threshold for enough shooting to do first PH test.
 - The use of Rounds is not anticipated to be high due to the cost of ammunition. Also, most or all of the high powered rounds are Copper rather than lead. So not much lead accumulates.
 - This range is only anticipated to open about 5 months of the year.
- Do you have a plan to take of care emergencies other than a 911 call?
 - Are just getting ready to write one. All range managers currently have First Aid kits. The Emergency plan will posted for the public when ready.
- Should a request for a PH test now, be presented as a “condition of approval” for all the ranges. Understand a PH test was accomplished in 2012. A comparison could be made for the ensuing two and a half years to understand any changes during that time-frame. It would provide a means as to when to consider another.

Public Comment:

- Twenty members of the public were present as audience. Four of them spoke in favor of the gun club expansion. None spoke against it.

Planning Commission:

- The Planning Commission voted six to zero (6 – 0) in favor of SU 15-0016 with “Condition of Approval #3 being added to staff recommendations.
- Condition #3 is: PH levels will be tested on all ranges prior to recordation and the results will be submitted to CDS. If PH levels exceed those stated in the Design Guidelines, step will be taken in accordance with the Development Guide to correct the PH levels.

The meeting was adjourned at 9:33.

Curtis S. Carlson
Senior Planner