

**Meeting of the Planning Commission**  
**October 2, 2018**  
**Custer County Courthouse**  
**Westcliffe, Colorado**

**Present:**

Planning Commission: Vic Barnes, Patrick Lynch, Pat Bailey, Bill Donley and Dale Mullen

Absent: Keith Hood

Associate Members: Skip Northcross, Darrell Windland and Mike Shields

Absent: James Heath

Staff: Jackie Hobby and Vernon Roth

The meeting was called to order at 1:30 P.M. by VIC BARNES, Custer County Planning Commission Chairman.

Pledge

BARNES: We have five people on the Planning Commission and normally we have seven. We will need to draw names to replace KEITH HOOD and CHRIS NORDYKE. They were replaced with SKIP NORTHCROSS and DARRELL WINDLAND.

BARNES: JACKIE will give us the zoning report.

HOBBY: In the month of September we had seven septic inspections, two special conferences and one compliance inspection. Permits issued during this month were five septic permits compared to three last year and twenty-six zoning permits compared to twenty-eight last year. Permits issued year to date for 2018 are sixty-four septic's compared to eighty four last year at this time and two hundred and thirty seven zoning permits this year compared to two hundred and forty six last year.

Planning Commission member CHRIS NORDYKE has resigned from the position because of his work load. We will need to replace him, and I would recommend MIKE SHIELDS. MIKE is the longest serving alternate on the Planning Commission.

DONLEY: I move that MIKE SHIELDS be recommended to the BOCC for the seated position on the Planning Commission.

BAILEY: Seconded the motion.

BARNES: We have a motion and second. Any discussion? Hearing none. All in favor say I, opposed, hearing none, this motion will go to the Commissioners.

HOBBY: When we got together a couple of months ago with the County Attorney we discussed a Code of Ethics. Does everyone remember? At that time MIKE CARTER said that he had an example and would send it to me. We rewrote it and here is the copy and the BOCC has approved it. I will hand it out for the Planning Commission to look at.

BARNES; What do you want to do with this?

MULLEN: I was aware that a conversation was had about it. I was not aware that it was on paper and had been approved. Is there a protocol whether we approve it or not?

HOBBY: The County Commissioners only approved me handing it out.

DONLEY: I think we should take it under advisement.

BARNES: I remember at that previous meeting instead of doing a Code of Ethics, we would do an educational series on the behavior of the Planning Commission. I was not aware of this being developed. We will look at this and discuss it at the next meeting.

BARNES: We have two items of business today, both are requests for Special Use Permits. For all of you who are not familiar with the process, this is a twostep process. This is the first step and it is the presentation phase. The applicants present what they want to do, and we discuss it. The next meeting is a month later. That is when the hearing will occur. The Planning Commission will vote on a recommendation to the Board of County Commissioners. The first presentation will be ED LYONS and San Isabel Propane Service for bulk storage. TERRY NAPOLITAN will be representing San Isabel Propane Service.

NAPOLITAN: I have been a resident of Custer County for twenty years. I am Sales and Marketing Manager for San Isabel Propane Services. We propose a small storage tank on Mr. LYON'S property. We will use this strictly for winter time use. We have facilities in Florence, Walsenburg, Trinidad, La Junta and Pueblo West. This will be strictly because trucks coming up from Florence with deliveries usually run out of propane about 12:00 P.M. to 1:00 P.M. This will save a trip down to Florence to re-fill and come back up to deliver.

There will be one or two trucks a day in the winter time, the end of October to the end of March. In the summer time it will be used as a storage facility. We understand that a fence will be required and that will not be a problem and we also understand that ten thousand gallons of water storage is required. San Isabel has been in business since 2001. We are not newcomers.

BARNES: Any questions from the Planning Commission.?

MULLEN: Define small tank?

NAPOLITAN: Eighteen thousand gallons compared to thirty-two thousand.

MULLEN: Will the support system be similar to what was in the picture handed out.

NAPOLITAN: Yes

MULLEN: Define fencing.

NAPOLITAN: Fencing will be whatever the county requires.

BARNES: Any other questions?

We received an e-mail from KEITH HOOD a seated member of the Planning Commission. KEITH made a couple of points. One of them is ED LYONS who already has a Special Use Permit for Westcliffe Supply, which is also located on this parcel.

HOBBY: ED LYONS' has a Special Use Permit on this property for Westcliffe Supply. This is the map that was approved. ED has applied for another Special Use which is indicated on the new map. ED will need to modify the existing Special Use Permit. The modification will need to go before the Planning

Commission next month and then to the Board of County Commissioners. Will San Isabel Propane Services have to be postponed until ED LYONS and Westcliffe Supply get approval from the BOCC for the Special Use Permit modification?

LYONS: I wasn't aware of this.

MULLEN: Question JACKIE, You said that the construction company would need to agree to give up that space where they were going to put those trailers. The Special Use Permit wasn't given to the construction company. It was given to ED LYONS, so ED will need to sit down with you and work out the request for the change.

BAILEY: We will take this SUP for ED LYONS as it is and modify it to include the propane company. It is one SUP for ED LYONS. You can do it specific to where this is going to go without having to do two SUP'S.

HOBBY: All we are doing is going to modify ED LYONS existing Special Use Permit.

BAILEY: Yes, we will modify the Special Use Permit that ED LYONS already has to include San Isabel Propane Service. We just need to work out the dimensions of that SUP. San Isabel Propane is located here, and Westcliffe Supply is here.

MULLEN: You will need to update the current paper work and then send it to the Planning Commission.

BARNES: Can we do this modification in November?

MULLEN: The manager of Westcliffe Supply must agree to that modification. Are we in the position to believe that everyone is happy?

LYONS: I spoke with them and they do not have any issues with it.

WINDLAND: ED should provide a letter from the renter saying he is acceptable to that.

BAILEY: Based on receiving a letter from Westcliffe Supply why can't we do a modification?

BARNES: We will be doing the modification in November.

DONLEY: Will there be any special requirements for this propane company?

HOBBY: They will need to identify the property line on the east side toward County Road 251. The County Road is sixty feet wide (60') and the storage tank will need to set fifty feet from the property line. The Fire Department requirements state that the tank must sit east and west.

BAILEY: Did they take a good look at the area? If the ends blow out of the tank it would be pointed at ED LYONS house. If its pointed north and south, it would be safer.

HOBBY: I will speak with the Fire Department Chief and see if they will update the regulations. The concern is the county road and someone running off and hitting the tank.

NAPOLITAN: We can use those concrete barriers that you see along the State Highway. We use them around our other bulk storage tanks.

BAILEY: How long will the protective barrier be?

NAPOLITAN: It would be around the county road side and the two ends. The tank is sixty feet long (60') It would be that long.

DONLEY: It will be closed on three sides?

NAPOLITAN: Yes.

HOBBY: You will need a porta potty.

NAPOLITAN: What if we used Westcliffe Supply's porta potty.

HOBBY: Yes

NORTHCROSS: How many times do you fill the bulk storage tank?

NAPOLITAN: Weekly

HOBBY: We recommend that you have a security light and that you kill the vegetation around the tank.

We will also need a certificate of liability for a minimum of one million dollars in our file.

BARNES: Any further questions from the Planning Commission?

Hearing none

BARNES: Any questions from the audience?

There were none

BARNES: If there are no further questions then we will proceed on working on the modification. We will see you back for the hearing on November 6, 2018.

BARNES: The second item on the agenda is an application by KAREN and JON SUND for Glamping.

KAREN please stand up and give you presentation for the Special Use Permit.

SUND: My name is KAREN SUND and my husband and I moved to Westcliffe about six years ago. We built a house and then we built some camping structures for our family and friends when they came to visit. If you are not familiar with Glamping, it is glamour camping. These are fancy tents.

KAREN SUND (held up pictures of her home and the Glamping tents). There is a shared deck with a fireplace. We built these for family and friends and they were super popular. We started renting them on Airbnb. Since they are becoming popular, we would like to add more if the demand picks up. Glamping season only runs from Memorial Day weekend until the last weekend in September. Each tent has its own private bathroom in the center of the tents. There is also a barn structure that has a gathering space with a fireplace and living room. We would like to add some more. It's an eighty acre parcel a mile before the trail head on South Colony road.

HOBBY: KAREN and JON have two eighty-acre parcels and when you look at the map it is located only on the parcel where the home is. The other eighty-acre parcel is not in this application.

BARNES: JACKIE will read the questions from the site tour.

HOBBY: One of the questions was about the water situation.

SUND: If it's just a couple of tents like we have now, we will haul the water from Round Mountain Water. We have a buried seventeen-hundred-gallon cistern. If we add additional structures, then we would look at adding a second well on the back forty acres.

HOBBY: The septic system is sized correctly at this time and if they added more tents they would need to put in another septic system. We asked about the hours and days they are open, which KAREN has already covered, and we talked about the guests. This started out for family and friends, and they are permitted as bunkhouses. Then it evolved, and they would like to grow the operation. They will need a Special Use Permit. As it stands now, she falls under the guidelines of an Airbnb, which the state of Colorado allows. This has been going on for two years and the Zoning office has not received any complaints.

MULLEN: We also talked about distance to adjacent homes and we could barely see them from the property.

BAILEY: We asked about the pillow tax.

SUND: Yes, I pay lodging tax.

MULLEN: Right now, we are looking at two additional tent structures, but the SUP is for a request of up to sixteen?

LYNCH: If you add sixteen more tent structures will they all be on the eighty-acre tract?

SUND: Yes.

BARNES: Any other questions from the Planning Commission?

Hearing none

Now we will take questions from the audience.

CURTIS, COLBERT, PATTERSON, CHAVANON, MILLER and POOLE commented against allowing this and voiced the following concerns: trespassing, fires, ranching community, one residence in the eighty-acre zone, not zoned for commercial, over use of South Colony road, not impacting animal migration and viewshed.

LECUYER: Spoke in favor of the Glamping, tastefully done, children are under control for their safety and her safety with the horses. I don't believe extra traffic is due to glamping. KAREN talks to the individuals and lets them know about fire safety. I don't believe the trash is from the Glamping.

BARNES: KAREN, would like to comment on what you just heard?

SUND: Children are not allowed on the property. It's for adults only. It is setup this way because we have thirty (30) horses. Guests are informed of the rules. They are not allowed on the other side of the fence. In order for them to get to CURTIS' cows they would have to travel half of our eighty acres plus another eighty-acre parcel, which is far away. I can't keep people from traveling that far. They are adults and they are sensible and very respectful.

Regarding the fire danger. We don't want a fire any more than you do. We make very sure that the stoves that we use are safe and the ones in the tents are gas. The property is non-smoking and this is strictly enforced. I do go to Denver but not in the summer and not when we have guests. We live on the property. I get that you do not want to see Westcliffe grow and you don't want to see the open

ranch land disappearing. Neither do I. In my designs I try to incorporate the ranching feel and our gathering place looks like a barn. If we add some more tents we would carry out that theme. Ninety five percent of our guests are staying to climb the fourteeners.

BARNES: We are advisory. We will take all the input and t we will vote on a recommendation to the County Commissioners. They will make a decision on the SUP.

SUND: I would like to add that we had around one hundred and thirty glampers and they spent a lot of money at the local business, restaurants, and they buy the local beef. From an economic standpoint this is much needed for Westcliffe.

WINDLAND: I was going to ask Mr. CURTIS a question, but I will ask the individuals that are still here. Are you opposed to the possibility of sixteen structures being there or just a few more structures or everything?

COLBERT: I am opposed to the four of them being there. I do not want business that close. Are these Airbnb insured.

BARNES: If they have a Special Use Permit they need to be insured.

BARNES: Any other comments.

There were none

DONLEY: Made a motion to adjourn

WINDLAND: Seconded the motion

Meeting adjourned at 3:05 P.M