

DIVIDE PLANNING COMMITTEE
February 12, 2014
Mountain Memorial Funeral Home
51 County Road 5, Divide
(19 residents present)

Chair: Jim Irving
7:00pm-9:00pm

ALL MEETINGS ARE OPEN TO DIVIDE RESIDENTS

AGENDA

1. **Recap** meeting of February 5, 2014
 - a. Discussion about the pending text amendment application included what it is, when it started, where it is involved, why it came to be, and how it came about.
 - b. Additional DPC bylaw changes to consider.

2. **Recent County updates**
 - a. Finally, after 8 months, TC has updated the Appendix B maps (Growth and Conservation) giving the 160 acre Golden Bell property the rural resort designation.
 - b. TC also has updated their website to include the Regional Plans for Florissant, and southeast TC (Victor, Goldfield, and Cripple Creek). Up until January 2014 the only Plans which showed were Divide and 4-Mile. The only one missing is the area to include Woodland Park north to the TC line.

3. **Pending text amendment application** continued (from last meeting).
 - a. Many people were side-tracked and did not speak to the text amendment application.
 - b. Doug Pearson talked about the history of Golden Bell, deceased volunteer, the CUP for the Chapel and Group Meeting Facility. Mr. Pearson also mentioned that there is a Court case to challenge the decision of the TC Board of Appeal for that CUP. He said that the three applicants have other motives with this application. He said that the applicants should have asked for a definition of 'rural resort' instead of asking for the term to go away. Mr. Pearson stated that 'resort' is defined, just not 'rural resort'. He said without the designation on the map people would not know that there is a business there. He said the term describes who we are. He did not agree with the moratorium recommended in the application. He answered that without the rural resort designation, he would have still needed to get a CUP. He could not answer what the designation gives Golden Bell, and that the County said he needed to have it in order to proceed with development. He said the previous DPC group felt it was appropriate to put the designation on the map. He doesn't know what he has, but because he has it, he wants to keep it, and so do the other four landowners who also have it.
 - c. Mick Bates asked of the occupancy of the additional chapel and group meeting facility. He demanded to know what the lawsuit was about, and what the process is. He agreed with Mr. Pearson that the applicants should have come up with a definition and submitted that. He likened growth to the Stapleton airport expansion.
 - d. Brandy Williams said this is an overlay which needs a definition.
 - e. Jim Irving suggested a possibility is to take the term away, and then there is no need for a definition.
 - f. Doug Page said about in 1991, the County wanted Regional Plans, and in those plans 'resorts' were an approved use in agricultural zones. Then between 1991 and 1995, the LUR's changed and 'resort' was not allowed in those zones. There were existing resorts, businesses in the Divide Region, all over TC, particularly in the Divide Region in the growth area, so we better give them a

definition on the map. That is how the maps got the overlay/blanket, which is a very intricate part to the LUR/County approval process. You can't just erase those green lines without messing up land owners rights. They are allowed the rights to have a resort. The DPC said it was ok to have these resorts here. The first plan had a resort definition. Input stated that this hasn't been seen.

- g. There were questions asked about what happens to the residents/properties that are adjacent to properties with this designation. There were questions about property values. The County Planner told a resident that it is only a term and does not know where it came from. Questions were raised about growth needing to be in town center according to the Divide Regional Plan. A resident stated that terms are defined by State Statutes. There are definitions for Agricultural Land and Rural Residential. How did a part of the County come up with making up names?

4. **How to Proceed**

- a. The group split up into two rooms to begin writing recommendations to the County.
- b. The chair reminded that recommendations be based on facts, not opinions, and that there should be reflected from supporting documents. Citizens cannot change the application.
- c. Any resident can submit a recommendation.

5. **Meetings**

- a. The TC Planning Commission on April 8 will be discussion on the text amendment.
- b. The next DPC meeting will be next Wed., February 19, 7:00pm, Mountain Memorial

6. **Adjourn**