



**TOWN OF MILLIKEN
PLANNING COMMISSION
MEETING HOUSE, 1201 BROAD STREET**

WEDNESDAY, April 4, 2012

7:00 P.M. Regular Meeting

Call to Order

Pledge of Allegiance

Agenda Approval

Additions/Deletions to Agenda

Citizens Comments

This portion of the agenda is provided to allow members of the audience to provide comments to the Planning Commission on items that are not being considered on the current agenda. If your comments or concerns require an action, the item(s) will need to be placed on a later agenda. Please limit the time of your comments to three (3) minutes. Planning Commission will make no decision nor take action, except to direct the Town Staff.

Minutes of Previous Meeting

Attach 1

Minutes for the March 7, 2012 meeting

CONSENT AGENDA

Consent Agenda items are considered to be routine and will be enacted by one motion and vote. There will be no separate discussion of Consent Agenda items unless a Planning Commission member or citizen so requests, in which case the item may be removed from the Consent Agenda and considered at the end of the Action Agenda.

There are no items on the Consent Agenda



ACTION AGENDA

There are none

DISCUSSION AGENDA

1. **Foster Family Care Home Code Amendment** **D Attach 1**
2. **Factory Built Housing Code Amendment** **D Attach 2**
3. **Town of Gilcrest Comprehensive Plan** **D Attach 3**
4. **Weld County Referral RECX12-0041** **D Attach 4**

END OF DISCUSSION AGENDA

Other Business

Unfinished Business

Adjournment

TOWN OF MILLIKEN
PLANNING COMMISSION
MEETING HOUSE, 1201 BROAD STREET

WEDNESDAY, MARCH 7, 2012 7:00 P.M.

The Planning Commission of Milliken convened into regular session on the 7th day of March, 2012 at 7:00 p.m. Those present were: Chairman Linda Measner, Vice-Chairman Tim Woodcock, Commissioners; James Anthony, Dave Bernhardt, Janet Carter, Jordan Jemiola and David Watson. Also present: Town Administrator Jim Burack, Community & Economic Development Director Steve House, Building Official Ken Kidd and Town Co-Clerk Betty Rangel.

Chairman Measner called the meeting to order and led the audience in the pledge of allegiance.

Agenda Approval

Agenda approved as presented.

Citizens Comments

There were none.

Minutes of Previous Meeting

January 18, 2012 minutes approved as distributed.

CONSENT AGENDA

No Items

ACTION AGENDA

No Action Items

DISCUSSION AGENDA

1. Downtown Milliken Redevelopment Strategy

Town Administrator Jim Burack gave an overview of the Downtown Milliken Redevelopment Strategy document provided in the Commissioners' packets. The purpose of the draft is to address the concerns from the residents on the Downtown Redevelopment Strategy and to make sure the public understands the

vision. The document is also in response to concerns from residents who are not aware of the Board's downtown revitalization goals and objectives. Town Administrator Burack asked for feedback, comments and or discussion.

Other discussion, comments, questions and concerns included the following;

- Is the Town Administrator going to be providing a presentation to Upstate Colorado Economic Development in regard to his Downtown Milliken Redevelopment Strategy document?
- Has there been any other discussion in regard to bringing a grocery store to Milliken?
- Suggestion for a traffic study along Two Rivers Parkway.
- What does the Town of Milliken have available in regard to Fiber Optic. Staff will research.

2. South Platte River Corridor Master Plan

Community & Economic Development Director Steve House explained the information in the Commissioners' packets included the application submitted for a GOCO grant in regard to the South Platte River Corridor Master Plan-Platteville to Milliken project.

3. Asbestos and Lead-in-Paint Reports for the Anna Flood House

Director House provided reports for the Commissioners in regard to the Asbestos content in various building system materials from the interior and exterior of the property located at 417 Broad Street in Milliken (aka) Anna Flood House. Building Official Ken Kidd gave an update on the Anna Flood House and said work has started and is in the process of being mitigated on the asbestos and lead paint content and should be completed by March 8, 2012. Building Official said Project Manager Rinebarger is currently working on quotes for moving the house. Most of the moving expenses will be paid by CIRSA, Insurance Company.

4. Foster Care Home Ordinance Amendment

Director House said the Board has suggested the foster care requirements be reviewed by the Commissioners and they would like feedback on amending the ordinance. Commissioner Carter commented a Foster Care should be a use by right. A Group Home should be regulated; Director House said he will do more research on Group Homes.

5. Weld County Referral

Community Development Director explained Weld County Referral is in reference to the staging area for a pipeline construction company. The location is South of and adjacent to State Highway 60 and approximately 2/3 mile to the west of County Road 19. Commissioners said they have no conflict with the Town's interest. Commissioner Carter recused herself.

END OF DISCUSSION AGENDA

Other Business

- Director House said the Hoffschneider Annexation is pending discussion with Platteville and an IGA with both towns.
- Director House said the HWY 257-Trail Feasibility Study on February was a success. In attendance were supporting landowners and non-supporting landowners.

Unfinished Business

Commissioner Bernhardt asked why the Oil Companies have tarps to cover the oil tanks.

Director House said he was not aware of that issue but would look into it.

Adjournment

There being no further business, the meeting adjourned at 8:30 p.m.

Prepared by:

Approved by:

Beatriz Rangel, Town Co-Clerk

Chairman, Linda Measner



TOWN OF MILLIKEN
PLANNING COMMISSION
AGENDA MEMORANDUM

To: Chairman Measner and Planning Commissioners	Meeting Date:
From: Steve House, Community and Economic Development Director	April 4, 2012

Agenda Item #	Action:	Discussion: X	Information: X
Agenda Title: Discussion of Foster Family Care Homes and Group Homes			
Attachments: Definitions, Zoning Use Chart, and Survey of Other Towns/Cities			

PURPOSE

To review and discuss Foster Family Care Homes and Group Homes regulations and consider possible amendments to the Land Use Code.

BACKGROUND

The Planning Commission and the Board of Trustees recently held public hearings for a Use by Special Review (USR) of a foster family care home. The USR was approved, but during the process, there was concern that Foster Family Care homes may be over-regulated by the Town.

BUDGET IMPLICATIONS

No anticipated impacts.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission discuss the issues of Foster Family Care Homes and Group Homes and direct staff to schedule a public hearing to gain input from residents and interested persons.

Sec. 16-3-480. Matrix of uses by right and uses by special review by zoning district.

The following codes are used in the table below:

P – Uses by Right (permitted uses) S – Uses by Special Review * – Use Prohibited US – Unspecified Use

PERMITTED USES	A	AE	E-1	R-1	R-1E	R-2	R-3	MU-C-D	CD	R-M	R-FH	C-1	C-2	C-3	C-4	C-5	I-1	I-2	I-3	
Residential Uses																				
Accessory buildings and accessory uses ¹	P	P	P	P	P	P	P	P	*	*	P	*	*	*	*	*	*	*	*	*
Accessory dwelling when associated with a use by right ²	S	S	S	S	S	S	S	S	S ³	*S	S	*	*	*	*	*	*	*	*	*
Boarding and rooming houses	*	*	*	*	*	*	P	P	*	*	*	S	S	S	S	*	*	*	*	*
Cluster development	*	P	P	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Foster care home	*	*	*	S	S	S	S	S	*	S	S	S	S	S	S	*	*	*	*	*
Group homes	*	P	P	P	P	P	P	P	*	*	*	S	S	S	S	*	*	*	*	*
Factory built housing development	*	*	*	*	*	*	*	*	*	*	P	*	*	*	*	*	*	*	*	*
Mobile home unit/mobile home park or community	*	*	*	*	*	*	*	*	*	P	*	*	*	*	*	*	*	*	*	*
Multi-family dwellings, factory or site built	S ⁴	*	*	*	*	*	P	*	*	*	*	S	S	S	S	*	*	*	*	*
Single-family detached dwellings, site built	P ⁵	P ⁶	P	P	P	P	P	P	*	*	*	S	S	S	S	*	*	*	*	*
Single-family detached dwellings, factory-built	P ⁷	P ⁷	P ⁷	P ⁷	P ⁷	P ⁷	P ⁷	*	*	*	P	S	S	S	S	*	*	*	*	*
Town home dwelling, factory built or site built	*	*	*	*	*	*	P	*	*	*	P	S	S	S	S	*	*	*	*	*
Two-family dwellings, site built	*	*	*	*	*	*	P	P	*	*	*	S	S	S	S	*	*	*	*	*
Two-family dwellings, factory built	*	*	*	P	*	P	P	P	*	*	P	S	S	S	S	*	*	*	*	*

¹ Accessory buildings shall not exceed a height of 15 feet or an area greater than 720 square feet. See Section 16-3-230.
² Accessory dwellings shall be limited to 850 square feet in floor area, with no more than 1 per lot in addition to the single-family dwelling.
³ Dwellings for caretakers.
⁴ Multi-family dwellings for persons customarily employed at or engaged in farming, ranching or gardening.
⁵ One single-family dwelling unit with setback requirements as required for properties zoned R-1E.
⁶ One single-family dwelling per legal lot. The single-family dwelling shall be connected to and served by a public water system and an adequate sewage disposal system. The sewage disposal system shall comply with the Weld County Individual Sewage Disposal Regulations. Evidence that public water and adequate sewage disposal system are available to the legal lot shall be provided prior to the issuance of a building permit.
⁷ Permitted only within the old part of Town in the area enclosed by Green Street, Alice Avenue, Broad Street and Marjorie Street (both sides), in the area enclosed by Broad Street, Quentane Avenue, the Big Thompson and Platte River Ditch and Alice Avenue, and in the Wildcat Acres Subdivision. May also be allowed in areas outside of the Old Town and Wildcat Acres with the approval of a variance.

DEFINITIONS

Footprint, also called *ground level footprint*, means the outline of the total area that is covered by a building's perimeter at ground level.

→ *Foster care home* means a facility that is certified by the County Department of Social Services or a child placement agency for child care in a place of residence of a family or person for the purpose of providing twenty-four-hour family care for a child under the age of eighteen (18) years who is not related to the head of such home, except in the case of relative care.

Freestanding sign means a sign which is not attached to any building and which is supported by a structure extending from the ground, or from an object on or in the ground.

Functional open space means open space which is large enough to serve a practical purpose such as recreation, wildlife habitat or preservation of areas of agricultural, archeological or historical significance and shall exclude areas used for off-street parking, off-street loading, service driveways and setbacks from oil and gas wells or their appurtenances, or other hazards to the public.

Ground or monument sign means a type of freestanding sign in which the entire bottom of the sign or the bottom of the sign support structure is in contact with or is close to the ground and is independent of any other structure.

→ *Group home, developmentally disabled* means a group home, licensed by the State, for the exclusive use of not more than eight (8) developmentally disabled persons and the appropriate staff.

→ *Group home, elderly* means an owner-occupied or nonprofit group home for the exclusive use of not more than eight (8) persons sixty (60) years of age or older and the appropriate staff.

a. *Nonprofit group home* means a group home for the aged that is owned and operated by a person or organization as provided by Section 31-23-303, C.R.S.

b. *Owner-occupied group home* means a group home for the aged that is owned and operated by an individual or individuals who actually reside at and maintain their primary place of residence in the group home.

→ *Group home, mentally ill* means a group home, licensed by the State, for the exclusive use of not more than eight (8) mentally ill persons and the appropriate staff.

Health club means a facility that provides physical fitness services and/or equipment to its members.

Foster Family Care Homes and Group Homes Regulation in Selected Towns and Cities

March, 2012

City or Town	Foster Family Care Home	Group Home
Aurora	UBR	
Berthoud		Prohibited in R-1 (UBR in R2, R3)
Clear Creek County	USR	USR
Colombine	USR	USR
Evans		USR
Greeley		Design Review <8 persons, Prohibited >8 persons
Johnstown	USR	USR
Loveland		USR
Milliken	USR	UBR
Platteville		
Windsor		CU in R-1 "Small group living facility"

USR = Use by Special Review UBR = Use by Right CU = Conditional Use

R-1 = Single Family Zone R-2 = Two Family Zone R-3 = Multiple Family Zone



TOWN OF MILLIKEN
PLANNING COMMISSION
AGENDA MEMORANDUM

To: Chairman Measner and Planning Commissioners	Meeting Date:
From: Steve House, Community and Economic Development Director	Wednesday, April 4, 2012

Agenda Item #	Action:	Discussion: X	Information:
Agenda Title: Factory Built Housing			
Attachments: Zoning Use Chart and Ordinance #623			

PURPOSE

To review and discuss a proposal to locate a Factory Built Home in Settlers Village Subdivision.

BACKGROUND

In March of 2010 the Board of Trustees approved Ordinance # 623 that allowed for new Factory Built Home (FBH) placement within the original Town of Milliken Subdivision and within Wildcat Acres Subdivision. In the remaining areas of Town, FBH's are prohibited. That prohibition was based largely on objections raised by residents and by restrictions in subdivision covenants. Recently, the Homes for Hope non-profit group has proposed to place a FBH in the Settlers Village Subdivision. Homes for Hope is a non-profit organization that has partnered with the owner of the lot at the intersection of Traders Lane and Village Drive, addressed as 2053 Village Dr.

The Board of Trustees has asked that the Planning Commission consider this recent proposal to place a FBH in Settlers Village and to make a recommendation(s) to the Board as to how the ordinance might be amended to accommodate the placement of the FBH.

STRATEGIC PLAN GOAL(S) IMPLEMENTED

The 2004 Strategic Plan/Comprehensive Plan contains a housing element which states: "A variety of housing types will be available to reflect the diversity within the community. New development will include varying housing types, such as: single-family homes, row houses, small clusters of multifamily units and apartments, terraced town homes, senior housing and some manufactured homes".

BUDGET IMPLICATIONS

Revenues from property tax may have slight differences for site built housing verses factory built housing.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission discuss the issues of FBH's and direct staff to schedule a public hearing to gain input from residents and interested persons.

Sec. 16-3-480. Matrix of uses by right and uses by special review by zoning district.

The following codes are used in the table below:

P – Uses by Right (permitted uses) S – Uses by Special Review * – Use Prohibited US – Unspecified Use

PERMITTED USES	A	AE	E-1	R-1	R-1B	R-2	R-3	MU-C-D	CD	R-M	R-FH	C-1	C-2	C-3	C-4	C-5	I-1	I-2	I-3
	Residential Uses																		
Accessory buildings and accessory uses ¹	P	P	P	P	P	P	P	P	*	*	P	*	*	*	*	*	*	*	*
Accessory dwelling when associated with a use by right ²	S	S	S	S	S	S	S	S	S ³	*S	S	*	*	*	*	*	*	*	*
Boarding and rooming houses	*	*	*	*	*	*	P	P	*	*	*	S	S	S	S	*	*	*	*
Cluster development	*	P	P	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Foster care home	*	*	*	S	S	S	S	S	*	S	S	S	S	S	S	*	*	*	*
Group homes	*	P	P	P	P	P	P	P	*	*	*	S	S	S	S	*	*	*	*
Factory built housing development	*	*	*	*	*	*	*	*	*	*	P	*	*	*	*	*	*	*	*
Mobile home unit/mobile home park or community	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Multi-family dwellings, factory or site built	S ⁴	*	*	*	*	*	P	*	*	*	*	S	S	S	S	*	*	*	*
Single-family detached dwellings, site built	P ⁵	P ⁶	P	P	P	P	P	P	*	*	*	S	S	S	S	*	*	*	*
Single-family detached dwellings, factory-built	P ⁷	P ⁷	P ⁷	P ⁷	P ⁷	P ⁷	P ⁷	*	*	*	P	S	S	S	S	*	*	*	*
Town home dwelling, factory built or site built	*	*	*	*	*	*	P	*	*	*	P	S	S	S	S	*	*	*	*
Two-family dwellings, site built	*	*	*	*	*	P	P	P	*	*	*	S	S	S	S	*	*	*	*
Two-family dwellings, factory built	*	*	*	P	*	P	P	P	*	*	P	S	S	S	S	*	*	*	*

¹ Accessory buildings shall not exceed a height of 15 feet or an area greater than 720 square feet. See Section 16-3-230.
² Accessory dwellings shall be limited to 850 square feet in floor area, with no more than 1 per lot in addition to the single-family dwelling.
³ Dwellings for caretakers.
⁴ Multi-family dwellings for persons customarily employed at or engaged in farming, ranching or gardening.
⁵ One single-family dwelling unit with setback requirements as required for properties zoned R-1E.
⁶ One single-family dwelling per legal lot. The single-family dwelling shall be connected to and served by a public water system and an adequate sewage disposal system. The sewage disposal system shall comply with the Weld County Individual Sewage Disposal Regulations. Evidence that public water and adequate sewage disposal system are available to the legal lot shall be provided prior to the issuance of a building permit.
⁷ Permitted only within the old part of Town in the area enclosed by Green Street, Alice Avenue, Broad Street and Marjorie Street (both sides), in the area enclosed by Broad Street, Quentine Avenue, the Big Thompson and Platte River Ditch and Alice Avenue, and in the Wildcat Acres Subdivision. May also be allowed in areas outside of the Old Town and Wildcat Acres with the approval of a variance.

ORDINANCE NO. 623

AN ORDINANCE AMENDING SEC 16-1-150, SEC 16-3-380 AND SEC 16-3-480 WITH REGARD TO FACTORY BUILT HOUSING.

Section 1:

WHEREAS, the Town of Milliken Land Use Code establishes Zoning Regulations for the Town of Milliken,

WHEREAS, the said rules and regulations have been found to be inconstant; and

WHEREAS, the said rules and regulations have been found to be inappropriate based on the current goals of encouraging development; and

WHEREAS, it is the desire of the Town to amend the codes regarding factory built housing; and

WHEREAS, the Planning Commission held a public hearing to hear public input on said amendments and recommended approval of said amendments to the Town Board of Trustees; and

WHEREAS, the Board of Trustees of the Town of Milliken desires to amend Sec 16-1-150, Sec 16-3-380 and Sec 16-3-480 of the Milliken Municipal Code.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF MILLIKEN, WELD COUNTY, COLORADO:

Section 1. Amendments:

Sec 16-3-150 shall be amended as follows:

The following definitions shall be changed:

Dwelling, single-family detached means a detached principal building, other than a mobile home, designed for and used as a single dwelling unit by one (1) family.

Manufactured home. means any preconstructed building or combination of preconstructed building units that:

- a. Include electrical, mechanical, or plumbing services that are fabricated, formed, or assembled at a location other than the site of the completed home;
- b. Is designed for residential occupancy in either temporary or permanent location;
- c. Is constructed in compliance with the Federal Act, factory built residential requirements, or mobile home standards;

a. Is designed for a long-term occupancy and containing sleeping accommodations, a flush toilet, a tub or shower bath and kitchen facilities and which has plumbing and electrical connections provided for attachment to outside systems;

b. Is designed to be transported after fabrication on its own wheels, on a flatbed or other trailer or on detachable wheels;

c. Arrives at the site where it is to be occupied as a complete unit and is ready for occupancy except for minor and incidental unpacking and assembly operations, location on foundation supports or jacks, underpinned, connections to utilities and the like;

d. Exceeds eight (8) feet in width and thirty-two (32) feet in length, excluding towing gear and bumpers; and

e. Is without motive power.

f. Built on a chassis which is designed to be installed on temporary foundations, attached to the ground with tie down straps, and attached to natural or propane gas distribution piping, electrical distribution wiring, and plumbing waste sewer lines on a mobile home pad specifically designed with such attachment points and falling within either classification number 1 or number 2 below. A mobile home shall be constructed to remain a mobile home, subject to all regulations applying thereto, whether or not wheels, axles, hitch or other appurtenances or mobility are removed and regardless of the nature of the foundation provided. Travel and camping trailers or other form of self-powered recreational vehicle shall not be construed to be a mobile home. Mobile homes shall be classified into one of the two following classifications:

1. Pre-1976 mobile home: Mobile Home manufactured prior to 1976 which have permanently affixed State of Colorado inspection certification plate.\
2. 1976 or later mobile home: Manufactured housing built on a chassis with label attached certifying compliance with the "National Manufactured Housing Construction and Safety Standards Act of 1974", 42 U.S.C. §5401 et seq., as amended (commonly referred to as the "HUD Code").

The following definitions have been added:

Site-built dwelling means a dwelling that is predominately constructed on site and is not a factory built home or dwelling

Factory Built Home means a home that:

- a. Is partially or entirely manufactured in a factory;
- b. Is installed on an engineered foundation;
- c. Is certified pursuant to the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. §5401 et seq., as amended and all regulations enacted pursuant thereto, including any local modifications as are expressly allowed by federal law, or which has been certified by the State as being in compliance with the requirements of the International/Uniform Building Code, as adopted by the State and as is enforced and administered by the Colorado Division of Housing.

Sec 16-3-380 shall be amended as follows:

Factory Built Housing District (R-FH)

(a) Intent. This is a low density residential zoning district intended primarily for single-family uses on individual lots within a factory built housing development.

(b) General Requirements. Requirements applicable to R-FH District include the following: The minimum parcel size for a Factory Built Housing Development in the R-FH District shall be six (6) acres. Factory built homes located in R-FH District shall meet the Community Design Standards of Article II.

(c) Uses by Right. Uses by right in the R-FH District include the following:

- (1) Accessory buildings and accessory uses.
- (2) Factory built housing units.

(d) Uses by Special Review. Uses by special review in the R-FH District include all uses by special review in the R-1 District, provided that such uses are not incompatible with the use of the lands for factory built housing developments and also provided that such uses shall not be allowed in factory built housing units if that would involve building code violations.

Sec 16-3-480 shall be amended as indicated in Exhibit A.

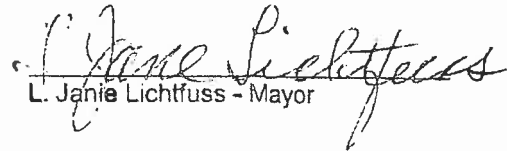
See Exhibit B for Map of Old Town Area.

Section 2. Effective Date:

The Board of Trustees of the Town of Milliken herewith finds, determines and designates that this Ordinance shall take effect and be in force 30 days after publication.

The Ordinance was read, passed and ordered published by the Board of Trustees at its meeting this 10th day of March, 2010.

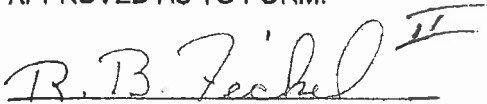
TOWN OF MILLIKEN:


L. Janie Lichtfuss - Mayor

ATTEST:


Cheryl Powell, Town Co-Clerk

APPROVED AS TO FORM:


R.B. Fickel II, Attorney

Published:

Exhibit A

Sec. 16-3-480. Matrix of uses by right and uses by special review by zoning district.

The following codes are used in the table below: P – Uses by Right (permitted uses) S – Uses by Special Review * – Use Prohibited US – Unspecified Use

PERMITTED USES	A	AE	E-1	R-1	R-1E	R-2	R-3	MUC-D	CD	R-M	R-FH	C-1	C-2	C-3	C-4	I-1	I-2	I-3
Residential Uses																		
Accessory buildings and accessory uses ¹	P	P	P	P	P	P	P	P	*	*	P	*	*	*	*	*	*	*
Accessory dwelling when associated with a use by right ²	S	S	S	S	S	S	S	S	S ³	*S	S	*	*	*	*	*	*	*
Boarding and rooming houses	*	*	*	*	*	*	P	P	*	*	*	S	S	S	S	*	*	*
Cluster development	*	P	P	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Foster care home	*	*	*	S	S	S	S	S	*	S	S	S	S	S	S	*	*	*
Group homes	*	P	P	P	P	P	P	P	*	*	*	S	S	S	S	*	*	*
Factory-built housing development	*	*	*	*	*	*	*	*	*	*	P	*	*	*	*	*	*	*
Mobile home unit/mobile home park or community	*	*	*	*	*	*	*	*	*	P	*	*	*	*	*	*	*	*
Multi-family dwellings, factory or site built	S ⁴	*	*	*	*	*	P	*	*	*	*	S	S	S	S	*	*	*
Single-family detached dwellings, site built	P ⁵	P ⁶	P	P	P	P	P	P	*	*	*	S	S	S	S	*	*	*
Single-family detached dwellings, factory built ⁷	P ⁷	P ⁷	P ⁷	P ⁷	P ⁷	P ⁷	P ⁷	*	*	*	P	S	S	S	S	*	*	*
Town home dwelling, factory built ⁷ or site built	*	*	*	*	*	*	P	*	*	*	P	S	S	S	S	*	*	*
Two-family dwellings, Site built	*	*	*	*	*	P	P	P	*	*	*	S	S	S	S	*	*	*
Two-family dwellings, factory built ⁷	*	*	*	P ⁷	*	P ⁷	P ⁷	P ⁷	*	*	P	S	S	S	S	*	*	*

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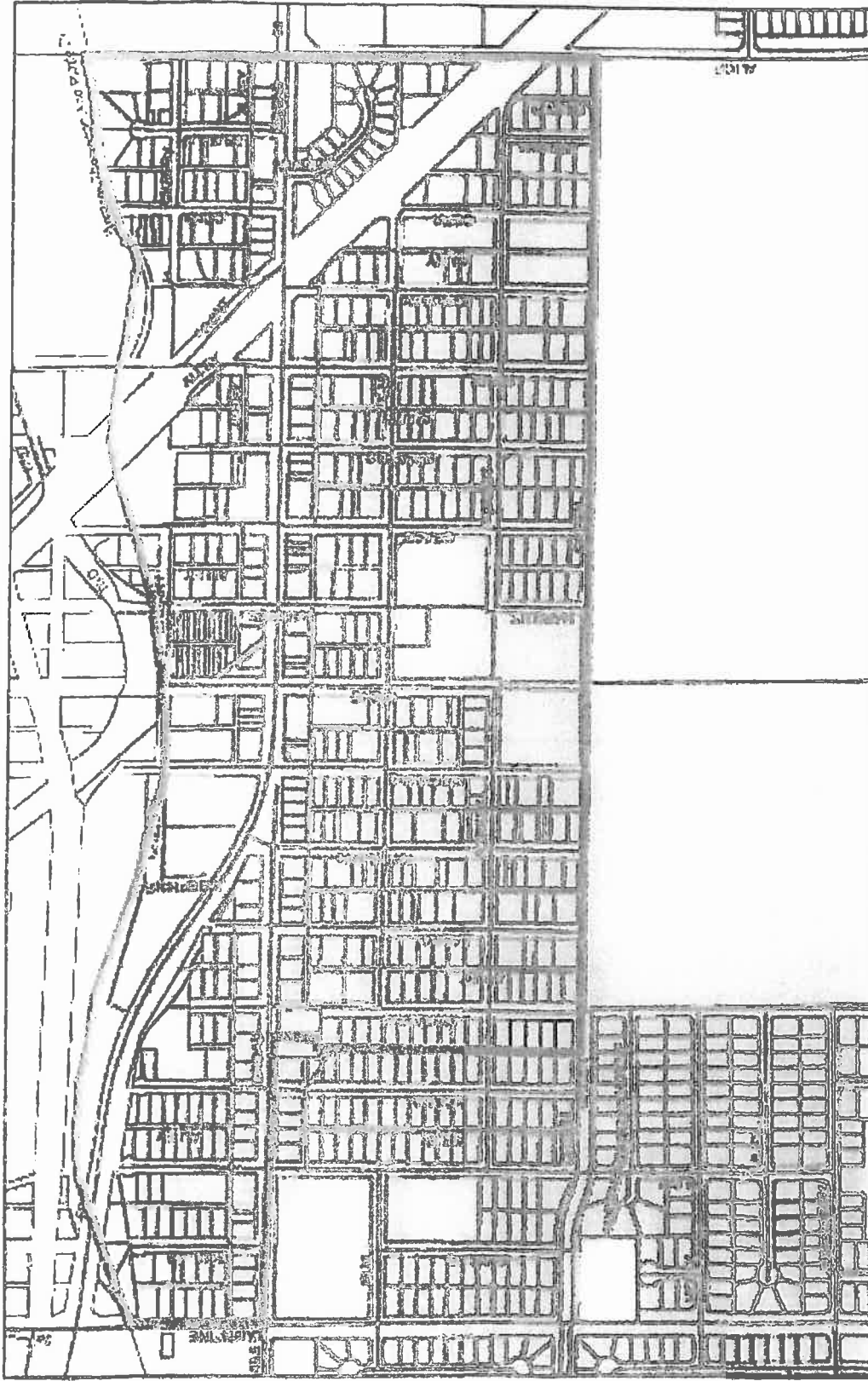


Exhibit B

Legend

100m = 100m



Factory Building - HOUSE A OWNED

1 inch = 544 feet





TOWN OF MILLIKEN
PLANNING COMMISSION
AGENDA MEMORANDUM

To: Chairman Measner and Planning Commissioners	Meeting Date:
From: Steve House, Community and Economic Development Director	April 4, 2012

Agenda Item #	Action:	Discussion: X	Information: X
Agenda Title: Information and Discussion – Gilcrest 2012 Comprehensive Plan			
Attachments: Gilcrest 2012 Comprehensive Plan Update			

PURPOSE

To discuss the Gilcrest 2012 Comprehensive Plan Update.

BACKGROUND

The Town of Gilcrest has been reviewing their Comprehensive Plan with the intent of updating it and expanding their Urban Growth Boundary (UGB). The new UGB overlaps with the Milliken Influence Area south of the South Platte River and west of Highway 60. Some of the high points of the Gilcrest Plan include: designation of commercial nodes at County roads 44, 42, 40, and 38.5 where they intersect with Highway 60; agriculture and large lot residential uses west of Highway 60; and a future sewer plant at CR 44 near the river.

The Plan was discussed with the Town Board at their last meeting and the Board expressed a desire to meet with the Gilcrest Board at some future time.

BUDGET IMPLICATIONS

No anticipated impacts.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission review the Plan and make recommendations to the Town Board as may be appropriate.



Weld County Referral

March 28, 2012

The Weld County Department of Planning Services has received the following item for review:

Applicant: GEORGE & REINE ZADEL

Case Number: RECX12-0041

Please Reply By: April 25, 2012

Planner: Michelle Martin

Project: TWO (2) LOT RECORDED EXEMPTION

Location: North of and adjacent to CR 38 and East of and adjacent to CR 19

Parcel Number: 105934000027-R0371694 Legal: PT SW4SW4 SECTION 34, T4N, R67W LOT B
REC EXEMPT RE-1359 of the 6th P.M., Weld County, Colorado.

The application is submitted to you for review and recommendation. Any comments or recommendation you consider relevant to this request would be appreciated. Please reply by the above listed date so that we may give full consideration to your recommendation. Any response not received before or on this date may be deemed to be a positive response to the Department of Planning Services. If you have any further questions regarding the application, please call the Planner associated with the request. **Please note that new information may be added to applications under review during the review process. If you desire to examine or obtain this additional information, please call the Department of Planning Services.**

- We have reviewed the request and find that it does / does not comply with our Comprehensive Plan because: _____
- We have reviewed the request and find no conflicts with our interests.
See attached letter.
-

Signature _____

Date _____

Agency _____

RECORDED EXEMPTION (RE) APPLICATION

FOR PLANNING DEPARTMENT USE	DATE RECEIVED: _____
RECEIPT/AMOUNT # _____ /\$ _____	CASE # ASSIGNED: _____
APPLICATION RECEIVED BY _____	PLANNER ASSIGNED: _____

Parcel Number 1059-34-0-00-027

(12 digit number - found on Tax I.D. information, obtainable at the Weld County Assessor's Office, or www.co.weld.co.us)

Legal Description PTS W45W34-4-67 Lot B RE-1258 Section 34, Township 4 North, Range 67 West

Has the property been divided from or had divided from it any other property since August 30, 1972? Yes No

Is this parcel of land, under consideration, the total contiguous land owned by the applicant? Yes No

FEE OWNER(S) OF THE PROPERTY:

Name: George G. & Reine L. Zadel
 Work Phone # 970-539-1078 Home Phone # _____ Email Address _____
 Address: 18100 WCR 19
 City/State/Zip Code Johnstown, Colo. 80534

APPLICANT OR AUTHORIZED AGENT (See Below: Authorization must accompany all applications signed by Authorized Agent)

Name: George G. Zadel
 Work Phone # 970-539-1078 Home Phone # _____ Email Address _____
 Address: 18100 WCR 19
 City/State/Zip Code Johnstown, Colo 80534

	Lot A Smaller Parcel	Lot B	Lot C	Lot D
Water Source	<u>Proposed Little Thompson</u>	<u>Little Thompson see letter</u>		
Type of Sewer	<u>Proposed on Septic</u>	<u>Septic System No. G-760121</u>		
Proposed Use	<u>Family Residence</u>	<u>Simple Family Residence</u>		
Acreage	<u>6.568 AC.</u>	<u>18.257 AC</u>		
Existing Dwellings?	If Yes, list address below: <u>NO</u>	If Yes, list address below: <u>YES</u> <u>18100 WCR 19</u> <u>Johnstown, Colo</u>	If Yes, list address below:	If Yes, list address below:

* If the property is vacant or unimproved write proposed water source and proposed sewer system for each parcel in the blanks above. For example, if a well and septic is proposed state: proposed well, proposed septic.

I (We) request that the following described property be designated a Recorded Exemption by the Weld County Board of County Commissioners. I (We) hereby depose and state under penalties of perjury that all statements, proposals, and/or plans submitted with or contained within the application are true and correct to the best of my (our) knowledge. Signatures of all fee owners of property must sign this application. If an Authorized Agent signs, a letter of authorization from all fee owners must be included with the application. If a corporation is the fee owner, notarized evidence must be included showing the signatory has the legal authority to sign for the corporation.

[Signature] 3-8-12
 Signature: Owner or Authorized Agent Date

[Signature] 3-8-12
 Signature: Owner or Authorized Agent Date

**Recorded Exemption (RE) Questionnaire
George Zadel
18100 WCR 19
Johnstown, Colorado 80534**

March 19, 2012

No. 1

A. (Lot A) Water for domestic use will be supplied by the Little Thompson Water District. They currently have a water line that serves the main residence on the property. They will provide water to the new proposed lot. (See attached letter from the Little Thompson Water District).

(Lot B) Water for domestic use is currently being served by the Little Thompson Water District. (See attached letter from the Little Thompson Water District).

B. (Lot A) The proposed lot will have no irrigation water rights.

(Lot B) There are no irrigation water rights on the property

No. 2 (Lot A) An engineered Septic system will be designed, constructed and permitted according to Weld County ISDS requirements.

(Lot B) There is a permitted septic system on the property (permit No. G - 860121). See attached septic system permit.

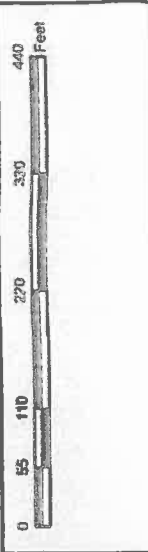
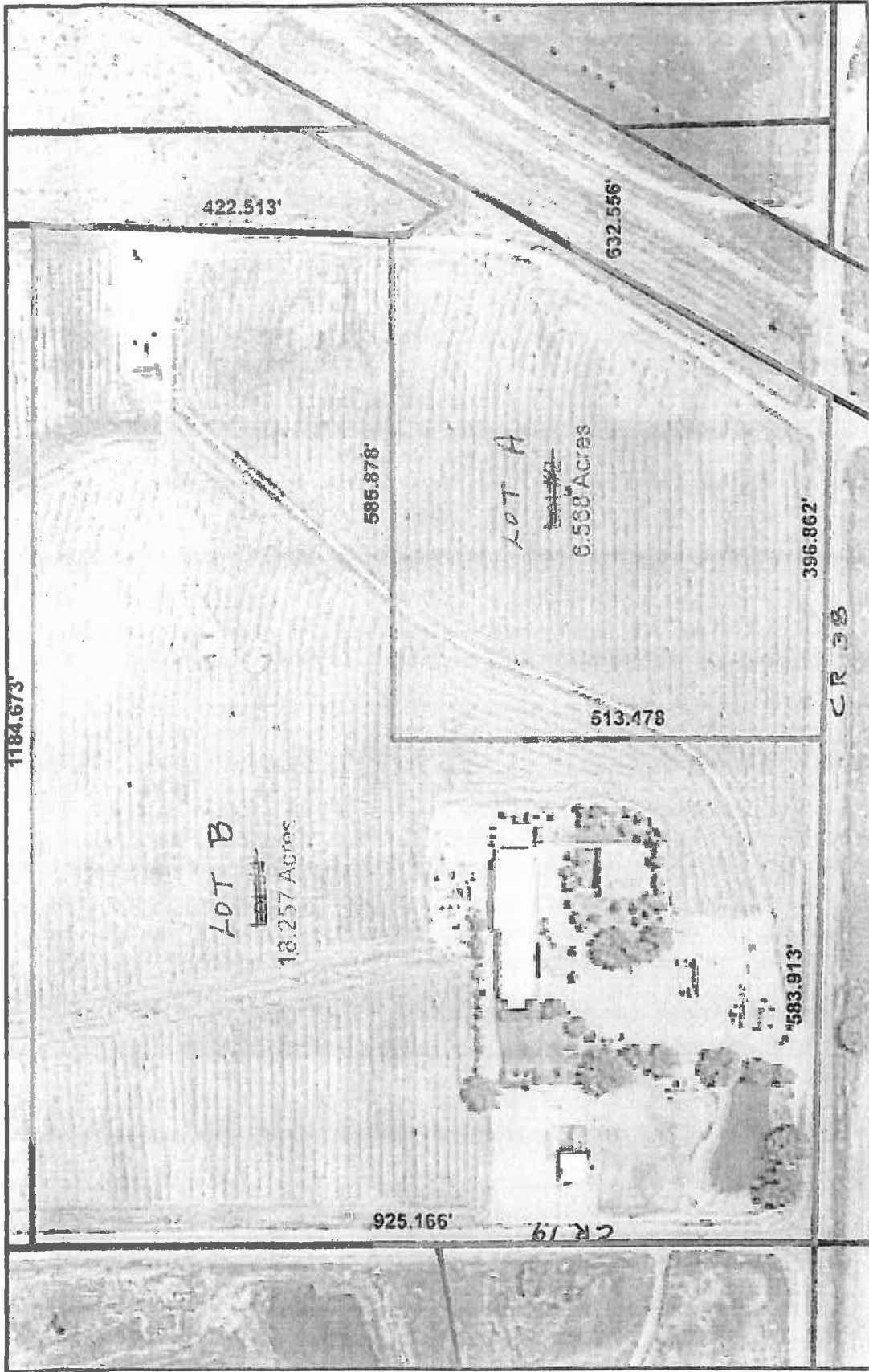
No. 3 The parcel has one single family residence, a horse barn and corral and a metal machine shop, two (2) small out buildings and a detached 2 car garage. The property is currently used to grow alfalfa which is flood irrigated. There are currently four (4) head of horses on the property. There is a gas and oil well in the N.E. part of the property with an access road along the east edge of the property. There is a small irrigation ditch that is used to irrigate the alfalfa that will be relocated just to the west of the proposed lot A.

No. 4 The new lot will be approximately 5.6 acres in size and located east of and adjacent to CR38 and east of the current residence on the property. The lot is being created to be sold for a single family dwelling site.

No. 5 There are no unusual or unique physical characteristics or ditch company ditches going through the property.

No. 6 There is no building envelope currently requested at this time.

No. 7 There currently is USR 951 on the property that the owner will continue to use in his on going utility construction business.



George Zadel Proposed Property
 1800 WCR 19 - Johnston, Colo. 80584

Legend
 Property Boundary
 parcelMap



Weld County Public Works Dept.
 1111 H Street
 P.O. Box 758
 Greeley, CO 80632
 Phone: (970)304-6496
 Fax: (970)304-6497

**ACCESS PERMIT
APPLICATION FORM**

Applicant

Name George Zadel
 Company _____
 Address 18100 WCR 19
 City Johnstown State CO Zip 80534
 Business Phone 970-539-1078
 Fax 303-857-2938
 E-mail _____

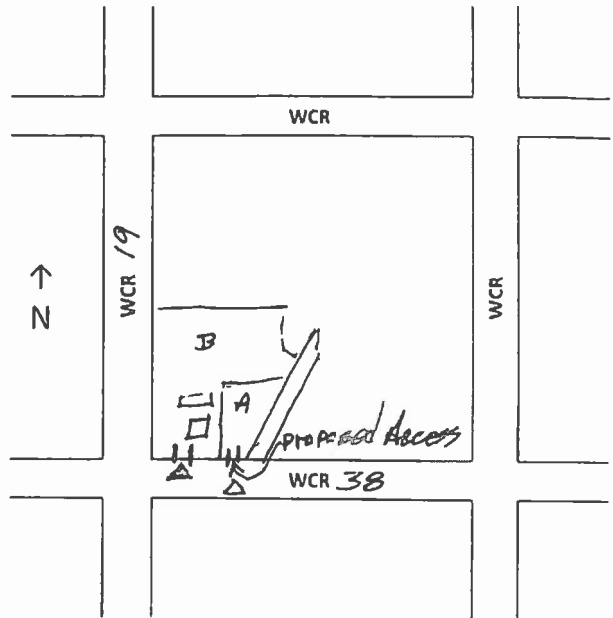
Property Owner (If different than Applicant)

Name Same
 Address _____
 City _____ State _____ Zip _____
 Phone _____
 Fax _____
 E-mail _____

△ = Existing Access △ = Proposed Access

Parcel Location & Sketch

The access is on WCR 38
 Nearest Intersection: WCR 19 & WCR 38
 Distance from Intersection 600 feet
 Parcel Number 105934000027
 Section/Township/Range 34-A-67 West
 Is there an existing access to the property? YES NO
 Number of Existing Accesses one



Road Surface Type & Construction Information

Asphalt Gravel Treated Other _____
 Culvert Size & Type 24" corr.
 Materials used to construct Access Road Base
 Construction Start Date _____ Finish Date _____

Proposed Use

- | | | |
|---|---|---|
| <input type="radio"/> Temporary (Tracking Pad Required)/ \$75 | <input type="radio"/> Single Residential/\$75 | <input type="radio"/> Industrial/\$150 |
| <input type="radio"/> Small Commercial or Oil & Gas/\$75 | <input type="radio"/> Large Commercial/\$150 | <input type="radio"/> Subdivision/\$150 |
| <input type="radio"/> Field (Agriculture Only)/Exempt | | |

Is this access associated with a Planning Process? No USR RE PUD Other _____

Required Attached Documents

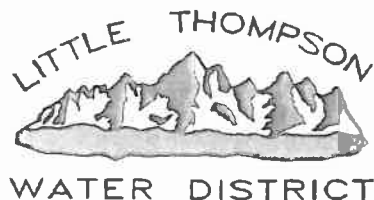
- Traffic Control Plan
- Certificate of Insurance
- Access Pictures (From the Left, Right, & into the access)

By accepting this permit, the undersigned Applicant, under penalty of perjury, verifies that they have received all pages of the permit application; they have read and understand all of the permit requirements and provisions set forth on all pages; that they have the authority to sign for and bind the Applicant, if the Applicant is a corporation or other entity; and that by virtue of their signature the Applicant is bound by and agrees to comply with all said permit requirements and provisions, all Weld County ordinances, and state laws regarding facilities construction.

Signature George Zadel Printed Name George Zadel Date 3/23/12

Approval or Denial will be issued in minimum of 5 days. Approved by _____

Directors:
Alex Sauer, President
Paul Bukowski
Jim Cooper
Kathy Gallivan-Crist
Richard Macomber
Gary Olson
Bill Szmyd



District Manager:
James C Hibbard
835 E Highway 56
Berthoud, CO 80513

P 970.532.2096
F 970.532-3734
www.LTWD.org

April 8, 2011

George Zadel
18100 WCR 19
Johnstown, CO 80534

Dear George:

This letter is in response to your request for a water service commitment for 1 additional residential lot, in the location described as follows:

PORTIONS OF SW ¼ , SEC.34, T4N, R67W -- WELD COUNTY, CO

On WCR 38 East of WCR 19, West of the Railroad tracks.

The District provides water service within its service area as defined by the District. The provision of water service by extension of existing water lines of the District to the above property and the installation of taps for lots is done under the terms of the Rules and Regulations of the District established by the Board of the District from time to time. You may obtain a copy of the Rules and Regulations from the District. This letter outlines the provisions of the Rules and Regulations, however this letter does not change any provisions of the Rules and Regulations. The Board of the District may alter and amend the Rules and Regulations at any time, and the provisions of this letter are subject to alteration and amendment based on changes in the Rules and Regulations of the District.

We currently serve the existing lot "1" through tap #3564 and will continue to provide service to this lot subject to the rules and regulations of the District. Little Thompson Water District has an 6" diameter water line located along WCR 38 with additional capacity available. Therefore, we can commit to provide service to the above property, subject to the limitations in this letter, for one standard residential 5/8" X 3/4" water tap; and the following additional limitations on the provision of water service are:

1. All improvements to District facilities required to provide service will be the financial responsibility of the developer in accordance with the District Rules and Regulations. All improvements must conform to District Specifications.
2. If a fire hydrant is required for the subdivision there is a \$2,000 fire hydrant fee that needs to be paid prior to installation of the fire hydrant. You will be responsible for any improvements or upgrades needed to meet the required fire flows in your subdivision.
3. Prior to recording the final plat with the County, or initiating water service, you will need to have the property included in the Municipal Sub District of the Northern Colorado Water Conservancy District

4. The design, installation and total cost of the project will be the responsibility of the developer.

This commitment letter will expire two years from the date of this letter if the tap has not been purchased, paid for and installed by that date of expiration. The current fee for the domestic 5/8" X 3/4" tap is \$23,000. **YOU ARE HEREBY ADVISED THAT THE RULES, REGULATIONS AND TARIFFS OF THE DISTRICT ARE SUBJECT TO CHANGE WITHOUT NOTICE; AND THIS LETTER IS ISSUED WITH THE SPECIFIC LIMITATION THAT THE DISTRICT MAY CHANGE THE RULES, REGULATIONS AND TARIFFS APPLICABLE TO THE ABOVE PROPERTY AT ANY TIME WITHOUT NOTICE TO YOU OR ANY PERSON.**

If you have questions, please contact me.

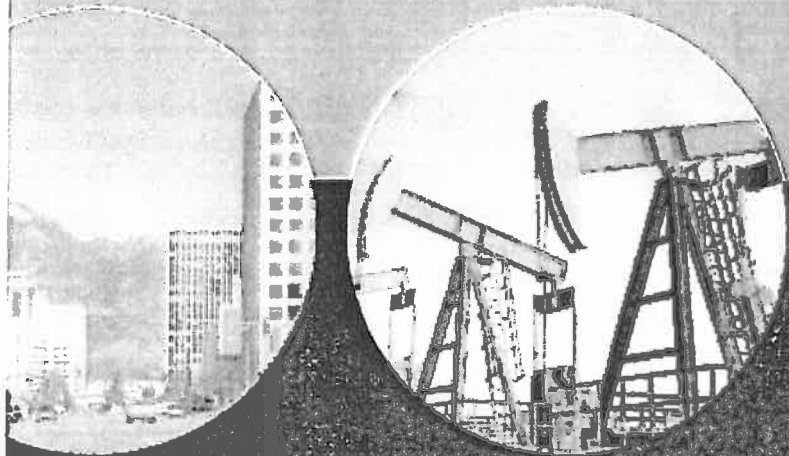
Regards,

A handwritten signature in black ink, consisting of several overlapping, fluid strokes that form the name 'Michael T. Cook'.

Michael T. Cook
District Engineer

Steve House

From: University of Denver Sturm College of Law [no-reply@du.edu]
Sent: Friday, March 30, 2012 4:02 AM
To: Steve House
Subject: Denver Law & BHFS Present Oil & Gas Regulation Seminar
Categories: Red Category



**State and Municipal Regulation
of Oil and Gas Development:
Who Sets The Standards In
Colorado?**

**Thursday, April 12
3:00 p.m. - 4:30 p.m.
Reception following the event**

**Thursday, April 12
3:00 p.m. - 4:30 p.m.
Reception following event**

**University of Denver
Sturm College of Law
Room 165 & Forum**

**Attend in person or
via a live webinar**

Please Join Us!

Seating is limited, so register now.

[REGISTER NOW](#)

You are invited to join the University of Denver Sturm College of Law and Brownstein Hyatt Farber Schreck on April 12 for a special event. A panel of three experts will participate in a discussion on the regulatory roles of the state, counties and municipalities related to oil and gas exploration, including fracking.

Panelists:

Wayne Forman, Brownstein Hyatt Farber Schreck
Cathy Proctor, Denver Business Journal
Geoff Wilson, Colorado Municipal League

Moderator:

Mark Mathews, Brownstein Hyatt Farber Schreck



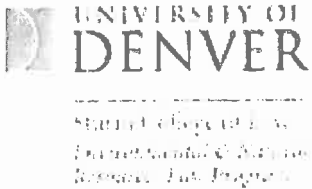
The seminar will be held at the Sturm College of Law. If you can't make it in person, you may also participate online via a live webinar.

Two (2) CLE credits will be offered.

There is no charge for this event, and complimentary parking will be available.

To find out more and to register for either option, please [click here](#).

This seminar is the second in a series of four sponsored by Brownstein Hyatt Farber Schreck in conjunction with the Environmental and Natural Resources Law Program at the University of Denver Sturm College of Law.



**Brownstein | Hyatt
Farber | Schreck**



The University of Denver Sturm College of Law is committed to providing facilities that are accessible to persons with and without disabilities. We encourage persons with disabilities to contact Stefanie Carroll at 303-871-6076 or scarroll@law.du.edu with any questions.

University of Denver
2119 S. University Blvd.
Denver, CO 80202

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To manage which emails you receive from us, please login to your account at alumni.du.edu/login or contact us at 303-871-3927