

**New Castle, Colorado
Planning and Zoning Commission
Wednesday, January 22, 2025, 7:00 PM**

Call to Order

Commission Chair Apostolik called the meeting to order at 7:00 p.m.

Roll Call

Present	Chair Apostolik Commissioner Cotey Commissioner McDonald Commissioner Graham Riddile Commissioner Alternate Parks
Absent	Commissioner Martinez Commissioner Westerlind Commissioner Sass Commission Alternate Rittner

Also present at the meeting was Town Administrator David Reynolds, Town Planner Paul Smith, Assistant Town Attorney Haley Carmer, Deputy Town Clerk Remi Bordelon, and members of the public.

Meeting Notice

Deputy Town Clerk Bordelon verified that her office gave notice of the meeting in accordance with Resolution TC 2025-1.

Conflicts of Interest

There were no conflicts of interest.

Citizen Comments on Items NOT on the Agenda

There were no citizen comments.

Public Hearing

Consider Resolution PZ 2025-1, A Resolution of the New Castle Planning and Zoning Commission approving a conditional use permit.

Chair Apostolik opened the public hearing at 7:01 p.m.

Town Planner Paul Smith reviewed the staff report for commission consideration of a self-storage condition use permit (Exhibit A). He introduced Grady Hazelton and Suzanne Hazelton, the applicants, who were seeking approval for outdoor storage of RVs, watercraft trailers, operable vehicles, and other items in the industrial area on the south side of the Colorado River, next to Truss Fab. Planner Smith explained it was the commission that would determine if the proposed use would be considered eligible and recommended to Council for consideration. He shared an example from a year prior of a similar inquiry from a nearby landowner in the industrial zone with the same interest in exploring storage options. Planner Smith remarked that their inquiry was discussed and staff's interpretation was their use would be considered 'auto-storage' which was

not permitted. He added that the landowner had the option to go through the land use permitting process to determine eligibility with the Planning and Zoning Commission, which that particular landowner did not elect to do, but was what Mr. Hazelton was doing with his proposal. He reminded the commission that they would be determining Mr. Hazelton's eligibility of his proposed use.

Mr. Hazelton introduced himself as a long-time resident of New Castle, having lived in the area for the majority of his life. He and his wife, Suzanne, raised their two kids in New Castle, and he was familiar with the community's needs. Mr. Hazelton shared that he had operated a few businesses in New Castle in the past, and continued to run a restaurant in the area, which he had owned for over 20 years. He was looking to embark on a new venture that he believed was much needed for the town. The proposed storage facility was intended to address the community's requirement for additional storage space, particularly given the local demand for a place to keep recreational vehicles, toy haulers, boats, and other similar items. Mr. Hazelton emphasized that the proposal would not serve as a construction yard but would rather focus on recreational items, like those stored at similar facilities, which had waiting lists due to high demand. He expressed hope for a positive reception by the commission and council, looking to provide a valuable service to the town.

Planner Smith provided background information on the proposal, noting that recent parking prohibitions in town had increased the need for vehicle storage. He explained that since the town introduced new parking restrictions on the streets due to COVID, the availability of parking, especially in the right of way, became more limited, heightening the demand for additional storage solutions. The proposal included up to 70 spaces in a fenced area with plans for a security gate to manage access and ensure safety. Paul described the industrial area zoning code, which categorized uses into permitted, non-permitted, and conditional categories. The proposed storage for recreational vehicles, watercraft, and other operable vehicles didn't clearly fall under the typical definitions in the town's code, leading to its classification under conditional uses. This meant the proposal required approval from the Planning and Zoning Commission, where they would assess compatibility with adjacent land uses, consistency with the comprehensive plan, and capacity to serve the proposed use. The commission also had to consider whether this type of storage should be viewed as a permitted use, similar to self-storage, or remain as a conditional use, given its implications for local property use and community aesthetics.

Planner Smith outlined the criteria for conditional use permits, which included factors such as eligibility, compatibility with adjacent land uses, consistency with the comprehensive plan, and capacity to serve the proposed use. He elaborated that the proposed storage facility needed to be assessed against these criteria to determine if it qualified as a conditional use, especially given its location in the industrial zone. Particular attention was given to whether the storage facility would harmonize with neighboring land uses without causing significant disruptions. Planner Smith further explained the zoning code, which separates land uses into permitted, non-permitted, and conditional categories. The challenge with Mr. Hazelton's proposal stemmed from the fact that the town's zoning code did not clearly define the terms 'self-storage' and 'automobile storage', leading to some ambiguity about how the proposed outdoor storage of RVs, trailers, and similar items should be classified. This posed a dilemma

for the Planning and Zoning Commission, as they had to decide whether the operation leaned more toward the concept of a self-storage facility as a permitted use, or resembled an auto storage yard, which was not allowed.

Commissioner Cotey asked for clarification on the permitted use by right definition for 'self-storage' where a site plan review would not be conducted. Attorney Carmer clarified that there wasn't an administrative review process for permitted uses. She added that, if deemed/defined by the commission, the 'self-storage' use would need a business license with the town but no further review would be conducted by the commission. Administrative Reynolds added that if deemed a conditional use, then review would be conducted by the commission. Mr. Hazelton expressed his content with labeling the use as conditional and going through the review process with Planning and Zoning.

The other question the commission discussed was the difference between 'self-storage facility' versus 'self-storage' in regard to the permitting process. The commission discussed the nuances of these definitions and the potential implications of the conditional use permit. They challenged whether Mr. Hazelton's planned facility could be classified akin to self-storage—thereby potentially bypassing the need for a conditional use permit—or if it required such a permit due to its possible classification as an outdoor or auto storage yard. Planner Smith emphasized the need for clarity to help guide the commission's recommendation to the council, stressing that their interpretation would set a precedent for future applications in similar zoning contexts. Planner Smith said they did not find any inconsistency with adjacent land uses.

Alternate Commissioner Parks identified that the 'self-storage' definition aligns with what Mr. Hazelton would require from storage customers: all vehicles would require proof of ownership, insurance and be operable. Commissioner Cotey questioned why the intended use would not be classified as auto-storage. Administrator Reynolds clarified that the storage of multiple types of mobilized vehicular and non-mobilized recreational vehicles clouded the definition for auto-storage and would be at the commission's discretion to categorize the use. Attorney Carmer added that auto-storage was more thought of the property owner owning and servicing the stored vehicles in the yard versus renting a space for outdoor vehicle storage.

The commission discussed the differences between self-storage facilities, auto storage yards, and outdoor storage. They considered examples from other areas in town and challenged whether the proposed use should be classified as a permitted use (self-storage facility) or a conditional use. Mr. Hazelton clarified that he was seeking approval for the storage of recreational vehicles, toy haulers, boats, and similar items, rather than construction equipment or daily-use vehicles. He emphasized the need for storage in the community, noting waiting lists at similar facilities in nearby areas.

Commissioner Riddle stated he felt the use should be categorized as a conditional use. Commissioner McDonald said a conditional use permit would provide the town with the opportunity to oversee the proposed use. Commissioner Cotey agreed with the need for a conditional use permit for the purpose of overseeing the proposal. She added that incorporating administrative reviews for certain permits, instead of a commission review, might be good to consider for future proposals to save time for the applicant.

Chair Apostolik closed the public hearing at 7:44 p.m.

The commission discussed various aspects of the proposal, including:

- Screening requirements: the commission discussed the necessity and extent of screening for the property, considering existing vegetation, fencing, and potential fabric screening. Mr. Hazelton noted he was not against screening but was hesitant on its effectiveness as the road and visual vantage point was higher than a screen would conceal. The commission agreed to modify the resolution to include specific screening requirements for the front and back of the property, with a review by staff after one year to determine if additional screening was necessary on the sides.
- Hours of operation: Mr. Hazelton proposed access hours from 6 AM to 10 PM for security reasons.
- Environmental concerns: the commission discussed potential measures to prevent spills or contamination, such as adding a small berm along the riverside. Mr. Hazelton said there would be a lease agreement that included a statement not allowing draining aside from fresh water.
- Site layout: Mr. Hazelton explained his plans for designated spots and angled parking to facilitate easy access and maneuverability.
- Security measures: Mr. Hazelton discussed plans for cameras and hands-on management to ensure security.
- Utilities: The presence of existing electrical service was noted, with potential future expansion to offer electrical hookups for stored vehicles.

Commissioner Cotey suggested clarifying the definitions for 'auto-storage' and 'self-storage' for future reference. Planner Smith said he would bring that request to Council. He added that Condition C needed to be stricken from the resolution as it was added by mistake.

MOTION: Commissioner McDonald made a motion to approve Resolution PZ 2025-1, A Resolution of the New Castle Planning and Zoning Commission approving a conditional use permit with the elimination of Condition C and amendment of Condition D regarding screening. Chair Apostolik seconded the motion, and it passed with a voice vote: Chair Apostolik: Yes; Commissioner Cotey: Yes; Commissioner McDonald: Yes; Commissioner Riddile: Yes; Alternate Commissioner Parks: Yes.

Staff Reports

Deputy Clerk Bordelon made an announcement regarding the difficulty in capturing accurate minutes due to overlapping conversations during meetings. She reminded the commission of the importance of speaking clearly and avoiding side conversations to ensure accurate transcription of the meetings.

Commission Comments and Reports

Commissioner Cotey asked about the process to replace a porta potty shelter at Alder Park. Administrator Reynolds explained that the shelter vandalism eventually resulted in the shelter burning down. He added that replacing a vandalized feature immediately often times results in it happening again. He said replacement of the porta potty

shelter was not on the top of the list for town projects. Commissioner Cotey requested it be considered for replacement sooner rather than later.

Review Minutes from Previous Meeting

MOTION: Chair Apostolik made a motion to approve the November 13, 2024 meeting minutes. Commissioner McDonald seconded the motion and it passed unanimously.

MOTION: Chair Apostolik made a motion to adjourn the meeting. Commissioner Riddile seconded the motion and it passed unanimously.

The meeting adjourned at 8:13 p.m.

Respectfully Submitted,

Chuck Apostolik, Commission Chair

Remi Bordelon, Deputy Town Clerk

Exhibits

Exhibit A – Staff Report for Resolution PZ2025-1.

DRAFT