



## PLANNING COMMISSION REGULAR MEETING AGENDA

January 09, 2025 at 1:30 PM

Commissioners Meeting Room - 401 Main Street, Suite 309, Walsenburg, CO 81089

Office: 719-738-3000 ex 200 | Fax: 719-738-3996

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### 1:30 PM - PUBLIC MEETING

Join via Google Meet: [meet.google.com/jtn-scsu-ecp](https://meet.google.com/jtn-scsu-ecp) | Meeting ID: jtn-scsu-ecp

1. ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. ELECTION OF THE CHAIR
4. READING OF MINUTES
  - a. Meeting Minutes from December 2024
5. OLD BUSINESS
6. NEW BUSINESS
  - a. Comp Plan Review
7. LGD UPDATES
8. DISCUSSIONS
9. ADJOURNMENT
10. UPCOMING MEETINGS

Huerfano County wants to ensure that everyone has equal access to our programs, activities, and services. To request an Americans with Disability Act (ADA) accommodation, please call 719-738-3000 x200. Submit your request as early as possible, and no later than two business days before the event.



## PLANNING COMMISSION REGULAR MEETING MINUTES

December 12, 2024 at 1:30 PM

Commissioners Meeting Room - 401 Main Street, Suite 309, Walsenburg, CO 81089

Office: 719-738-3000 ex 200 | Fax: 719-738-3996

### 1. 1:30 PM - PUBLIC MEETING

Join via Google Meet: [meet.google.com/jtn-scsu-ecp](https://meet.google.com/jtn-scsu-ecp) | Meeting ID: jtn-scsu-ecp

### 2. ROLL CALL

PRESENT

Beaver Edmundson

Dale Lyons

Lonnie Brown

Lenna Rauber

### 3. PLEDGE OF ALLEGIANCE

### 4. READING OF MINUTES

a. Minutes from October 10 2024

Motion made by Dale Lyons and second by Lonnie Brown. Motion passed unanimously.

### 5. OLD BUSINESS

### 6. NEW BUSINESS

a. Public Hearing on Draft Comprehensive Plan

Carl Young was appointed Hearings Officer. Public Hearing started at 1:45 pm.

Public Hearing was closed at 2:41pm.

The following is a list of who signed up for Public Comment:

William Barlow:

EMS

Michael Bigpond:

1. PG 10, Says Hwy 169 rather than 160

2. PG 22, ZLU 7.2 Highway exists rather than exits

3. Wellness Hub concern. Concern that affordable housing in the wellness hub would have connectivity issues. Difficult for residents to walk to key services. Everyone with affordable housing might not have a car.

4. Concern that the existing buildings in the wellness hub might be blighted beyond re-use
5. Front Range Rail. Why hasn't the County taken steps to create a stop in Walsenburg? See Pg 43 1.7.
6. Action 3.2. ATV use. Would like to discourage the use of ATVs on County Roads.
7. High percentage of people in the County rate the importance of Scenic Beauty. Solar Energy Resource Area. Concern about pushing large scale solar developments on the East Side of I-25 and ruining views from the east side of the Community

Bobbi Sargent:

EMS

Gail Meisinger:

1. Environmental studies required for large scale solar development
2. Gardner PUD. Gardner has challenges. No jobs, not reliable infrastructure. County should do some mitigation to prevent wastes of water. No place for the Community to go meet, not without renting the community center or going to bar. Speeding is an issue that is not being addressed. Lack of pedestrian infrastructure. Very limited jobs. No place to work. Bad place for affordable housing if transportation is a problem. Gardner has blight problem, buildings that could or should be condemned. Volunteer Fire Department. Should we add more structures to an area that is already lacking resources? Concern that new people have come to the community and do not know what is planned or envisioned there. No law enforcement coverage.

Sandra HackBarth:

Saved her three minutes for Judy Barlow.

Judy Sims-Barlow

1. Thanks for the document and glad it is easy to read.
2. Concern about cell phone towers. How they look, environmental impact, health issues. Thousands of Peer Reviewed Studies that show cell phone towers negatively impact human health. Particular concern about impact to children and people that spend too much time around these towers. Radio Frequency Radiation as a carcinogen, in a similar grouping to lead. Federal setback guidelines date back to 1990s and have not been updated with new technologies.
  - a. Add Radio Frequency Radiation to hazard mitigation plan and add 500 meter set back
  - b. Educate public
  - c. Continue fiber buildout
  - d. Mandate that tower owners share towers with other users. Make sure towers are actually needed.
  - e. Share Public Notices in places where people will see them.
  - f. No towers in the Spanish Peaks viewshed
3. 3-minute time limit too short.
4. Does the County have a plan to make sure that comments are heard and incorporated into the plan?

Barb Kowalik

1. Thanks for the Document, excited for the actions
2. Agree with Judy's comments. Particularly about towers in the view shed
3. Wanted to receive agendas via email.

Chip Kraynyk:  
Pass

**7. LGD UPDATES**

No Updates.

**8. DISCUSSIONS**

a. Oil and Gas Regulation Updates

Dale brought up that maybe exploration regulations be put in the exploration of oil and gas. Was brought up at previous meeting prior to the Comp Plan being worked on and would like to bring the exploration regulations again to the Commission for the citizens. Will need to have the BOCC approve the money to pay Sky to work on these regulations.

**9. ADJOURNMENT**

**10. UPCOMING MEETINGS**

a. Upon Adjournment - Workshop on Housing Regulations

The workshop was postponed until next month when Sky could be present.

## Huerfano County Comprehensive Planning Comments

1. Future Land Use Map: Missing some subdivisions. Key should be changed to read Existing subdivisions zoned residential.
  1. Key: existing subdivision (treated water capacity) should be changed to read public treated water system. Or, if it includes private systems, include those on map.
  2. p. 11 “ As such, the FLUM does not encourage sprawling development patterns that rely on exempt wells.” I’m not sure the map itself discourages this. Does “not encouraging sprawling development patterns” just mean not acknowledging all of the potential sprawl already in the parcel map in the form of large-acre subdivisions or largely vacant subdivisions like Rio Cucharas? Perhaps changing the language to read that the Comprehensive Plan doesn’t encourage... rather than saying that it is the map that doesn’t encourage...
2. Should Future Land Use Map identify certain large-acre subdivisions that should potentially be zoned homesteading in the future?
3. P. 10 Support Thriving Villages in Huerfano County
  1. “ Future growth in Huerfano County that does not occur within Walsenburg and La Veta should be concentrated in village areas and the wellness hub, prioritizing infill development whenever possible”
  2. If future growth is to be concentrated in village areas, how do we address the vast number of vacant lots in mostly-vacant subdivisions like Rio Cucharas, where future growth might be more likely, even if less desirable?
  3. P. 13: Code of the West: Currently, our version of the Code of the West is included in the comprehensive plan. If we want to continue to use it, it should be included in this updated comprehensive plan. This plan only makes reference to the county having adopted it, but we have only adopted it as part of the current comprehensive plan. For this to be true, we need to keep the COTW in this update.
    1. Also mentioned on page 68. This might be a better place to insert it.
  4. P. 16: Add ZLU Policy 2.3: encourages lot consolidations?
  5. P. 16: ZLU 2.7: spelling identifies → identify
    1. Pressure not being reduced on STRs, ... Reduce pressure on housing market created by STRs.
  6. P. 16: ZLU 2.8: spelling: meets → meet
  7. P. 17: ZLU Action 3.1 (4): It is not our intention to get rid of Rural Residential, but to add Homesteading. Rural Residential and Urbanizing Residential zones should not be combined.
  8. P. 44: Action 5: Add seek funding to pave critical roads in Cuchara
  9. P. 45: “ T Action 6.2: Consider revisions to the county’s subdivision policy or regulations to assign a greater level of road maintenance responsibility to developers and / or property owners.”
  10. P. 47 first bullet: spelling pf → of
  11. P. 47 RT Goal 1: wrong use of “multi-generational” change to ...access by residents of all ages...
  12. P. 54: PSCS Policy 3.2: This is very vague and doesn’t really describe a policy. If not made more specific, perhaps this should be moved to the introductory paragraph under “Accounting for Limited Water Supply.”

subname	Vacant Parcels	Total Parcels
RASPBERRY MOUNTAIN R	1	41
RIVER RIDGE RANCH #3	1	45
BLACKHAWK RAN FIL #2	1	25
RASPBERRY MOUNTAIN R	2	38
SILVER SPURS FIL #5	3	62
RIVER RIDGE RANCH #5	3	54
RIVER RIDGE RANCH	5	86
RIVER RIDGE RANCH #2	5	61
SILVER SPURS FIL #4	6	76
TURKEY RIDGE RANCH #1	13	116
RIVER RIDGE RANCH #6	5	46
GHOST RIVER #3	6	53
RASPBERRY MOUNTAIN R	5	42
CUCHARA RIVER EST (GOI	7	60
COLO BUFFALO RAN #6	5	43
TURKEY RIDGE RANCH #2	16	124
KREUTZER DEVELOPMEN	3	24
BADITO HILLS RANCH	4	30
ALBRIGHT	12	95
DAVISON	4	32
GHOST RIVER #2	12	95
SILVER MOUNTAIN 1ST FIL	5	37
RIVER RIDGE RANCH #4	5	35
CUCHARAS RIVER EST	8	56
GHOST RIVER #1	13	91
PINEY RIDGE RANCH	8	52
MARIA LAKE SUBD	7	44
COLO BUFFALO RAN	4	25
APACHE CREEK PRESERV	4	22
CAPITOL HILL AKA HIGH SI	85	446
SPROULL	14	73
TURKEY RIDGE RANCH #3	10	51
TURKEY RIDGE RANCH #5	9	44
WILLIS HEIGHTS	7	35
PINEHAVEN RESORT	10	49
ROSEDALE	26	127
BLACKHAWK RAN FIL #8	8	40
CUCHARA CAMPS	64	324
COLO BUFFALO RAN #4	6	28
PARRY ACRES	15	68
SILVER SPURS FIL #6	12	54
COLO BUFFALO RAN #2	6	27
WALSENBURG ORIG	204	905
LOMA PARK	15	62
AG PARCELS/NO SUBDIV.	5	21
ATENCIO	70	281
BLACKHAWK RAN FIL #7	11	44
COLO BUFFALO RAN #5	10	40
DISERT	11	42
LA VETA ADDITION	349	1359
BLACKHAWK RAN FIL #3	11	43

DAWSON RANCH	6	23
TOURIST CITY	92	337
HUAJATOLLA CANYON	30	109
INDIAN POOLS RANCH	10	36
PINEHAVEN 1	29	105
CL&L RANCH UNIT B	14	50
GARDNER	33	118
SAN ISABEL NATIONAL FO	6	21
MILLIGAN RAN SUB-DIV	9	31
BLACKMER ADDITION	14	46
TIOGA RANCH	15	50
SILVER SPURS FIL #3	14	46
CL&G UNIT AA	23	76
MOORE PARK	22	71
CITY RANCH PROP #3	46	150
HOLE IN THE WALL RANCH	25	80
SUN RIVER RANCH #1	11	36
COLO BUFFALO RAN #3	11	35
TURKEY RIDGE RANCH #6	19	59
ASPEN LEAF	23	73
LOMA TRIANGLE	11	34
EL TORO ESTATES	10	31
SANDOVAL	9	27
MORNING GLORY SUBD	13	39
GRANDVIEW	174	518
MALACHITE	7	20
ABEYTA CREEK	17	47
MCCOMBS	24	66
MAJORS RANCH PH #4	30	81
MAJORS RANCH PH #3	42	113
MAJORS RANCH PH #2	55	150
BAXTER	13	34
HUAJATOLLA VALLEY EST	38	100
COMANCHE SPRINGS	13	34
SPANISH PEAKS FIL #4	9	24
MAJORS RANCH PH #1	47	122
ESPE ADDITION	118	292
LAND ADJ CUCHARA CAMF	102	247
SULPHUR SPRINGS	24	58
SPANISH PEAKS FIL #2	38	92
CHAMA	20	48
SOUTHWINDS	16	38
LA VETA PINES RANCHES	19	43
EDDY ACRES	18	41
SPANISH PEAKS FIL #1	74	169
LAND ADJ WALSENBURG	78	175
CL&L RANCH UNIT A	11	24
HUERFANO RANCHES / AF	24	52
YELLOWSTONE CREEK R/	23	48
BLACK HILLS #2	19	40
TYRONE HILLS	67	138
EAST SPANISH PEAKS EST	14	28

SILVER SPURS FIL #2	26	52
SILVER SPURS FIL #1	10	20
LA VETA RANCHES	58	116
PONDEROSA VALLEY	25	48
SPORLEDER HEIGHTS	15	29
	6050	11557
SHANGRI-LA	18	34
ACRES OF DIAMONDS	25	47
TWIN LAKES RANCHES	164	312
TURKEY CREEK RANCHES	25	46
CUERNO VERDE	14	26
CL&G UNIT DD	86	155
CHURCH	27	49
CL&L RANCH UNIT D	33	59
CL&G UNIT BB	110	198
BLACKHAWK RAN FIL #6	27	47
WELSBY	26	45
SPANISH PEAKS VILL TR#2	91	158
SPANISH PEAKS FIL #3	42	73
NAVAJO RANCH RES #1	91	155
PANADERO FILING #1	109	181
HUAJATOLLA HILLS	37	62
LA VETA ACRES	41	68
LAND ADJ LA VETA	134	222
RIVER RUN	28	46
PINON HILLS	40	66
HUAJATOLLA MESA EST	21	34
BLACK HILLS #1	88	142
CL&G UNIT CC-1	132	213
HOSPITAL ADD	28	45
SUN MOUNTAIN CONDOS	17	27
SUN WATCHER CONDOS	48	76
YELLOWSTONE CREEK RA	15	23
PANADERO FILING #3	99	150
CENTENNIAL RANCHES	47	70
TURKEY RIDGE RANCH #7	19	28
PANADERO FILING #2	45	66
APACHE CREEK RANCH	30	44
MUTUAL	58	84
SPANISH PEAKS VILL TR#1	29	42
EAGLE FLATS UNIT #1	57	81
BLACKHAWK RAN FIL #4	30	43
SPANISH PEAKS VILL TR#1	68	96
CL&L RANCH UNIT C	46	65
CL&L RANCH UNIT G	59	81
TRES VALLES WEST 1ST F	70	96
GORDON TOWNSITE	22	30
CL&L RANCH UNIT C LG TF	34	46
CITY RANCH PROP #2	65	86
EAGLE FLATS UNIT #2	37	49
HUAJATOLLA INDUST PAR	31	41
NAVAJO RANCH RES #2	186	243



NAVAJO RANCH RES #3	158	204
ROYBAL	70	90
ASPEN MOUNTAIN	52	66
BLACKHAWK RAN FIL #5	32	40
CITY RANCH PROP	120	146
GRANDOTE	106	128
NAVAJO RANCH RES #4	196	236
CL&L RANCH UNIT H	64	76
CL&L RANCH UNIT E	146	174
CL&L RANCH UNIT J	22	26
NAVAJO RANCH ESTATES	173	201
PARADISE ACRES	152	174
TRES VALLES WEST 2ND F	46	53
CUCHARA MTN PARK EST	46	53
WHISPERING CREEK CON	29	33
CL&L RANCH UNIT F	166	187
BLACK DIAMOND PARK	157	174
RIO CUCHARAS PH #2	493	545
GATEWAY SUBD	46	50
RIO CUCHARAS PH #2-MCI	305	331
RIO CUCHARAS PH #3	210	228
RIO CUCHARAS PH #3-MCI	164	176
CL&G UNIT CC-2	124	133
GREENHORN VILL	297	315
RIO CUCHARAS PH #1-MCI	143	151
RIO CUCHARAS PH #1	297	314
CL&L RANCH UNIT I	24	25
GREENHORN VILL TR #1-N	234	242
PANADERO VILLAS	29	29

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Date: January 6, 2025

From:

Pearl Lai

c/o 523 Main Street, Suite C  
Walsenburg, Colorado  
County of Huerfano

To:

Planning Commission Members acting as members thereof, acting as men and women  
Land Use and Building Department  
Attn: Planning Commission  
c/o 401 Main Street, Suite 304  
Walsenburg, Colorado  
County of Huerfano

CC:

Carl Young, County Administrator, in his public and private capacities  
c/o 401 Main Street, Suite 302  
Walsenburg, Colorado  
County of Huerfano

Registered Mail Number: RF 221 598 528 US

Dear Planning Commission Members,

As one of the people, I am giving you notice that that wireless radiation technology, commonly referred to as “5g technology,” and its cell towers, are known to cause health issues. Unless you can prove that it does not cause any harm, I am not giving consent for the technology and cell towers to be placed in the community. Nor can consent be presumed. If the Planning Commission allows for 5g technology such as, but not limited to, cell towers to be placed in the community, then it and the individual members accept the liability for any of its ill effects and harm caused. In other words, consent is given if the commission and the individual members as men and women accept the liability that goes with 5g technology. It cannot be said that there was ignorance that the 5g technology has ill effects and can be harmful, as you have been given notice.

Notice to agent is notice to principal. Notice to principal is notice agent.

Sincerely,

Pearl Lai

Colorado Union State Citizen  
Private Citizen of the United States  
Private / Non-U.S. Citizen  
Private Resident of the State of Colorado  
Private Resident of Huerfano County

Agent of Record without recourse/without prejudice for the  
Private Buisness Trust “PEARL LAI”  
Sole Beneficiary for the ESTATE and NAME of the  
Private Buisness Trust “PEARL LAI”

Date: January 6<sup>th</sup>, 2025

**From:**

Tobin Bereznak  
c/o 523 Main Street, Suite C  
Walsenburg, Colorado  
County of Huerfano

**To:**

Planning Commission Members acting as members thereof, and acting as the men and the women  
Land Use and Building Department  
Attn: Planning Commission  
c/o 401 Main Street, Suite 304  
Walsenburg, Colorado  
County of Huerfano

**CC:**

Carl Young, acting as County Administrator, and acting as the man  
c/o 401 Main Street, Suite 302  
Walsenburg, Colorado  
County of Huerfano  
Registered Mail No: RF 221 598 514 US

Dear Planning Commission Members Trustees,

This letter is sent as comment to the Draft Comprehensive Plan 2024, within the 45 day comment period beginning November 20, 2024. I did not see any wording in the Draft regarding future development regarding wireless radiation towers (commonly called 4G, 5G, etc..). The radiation from these towers has been shown to cause harm to living beings within their range. I am happy to accept your plan as-is, if you can show that these towers do not have the potential to cause harm, and do not cause any harm whatsoever to men, women, animals and plants.

If you are not able to show that wireless radiation does not cause harm, then you agree to enhance the Comprehensive Plan to state that all further wireless radiation tower construction, development, and/or improvement within the County of Huerfano is prohibited.

Otherwise, you agree to be liable for any harm caused by their activity, which may result in the filing of a suit in equity with the District Court of the United States sitting in exclusive equity, or a Complaint for Declaratory Judgement. Wireless radiation from wireless radiation towers/devices would cause me harm. A copy of my fee and fine schedule can be found on record at the Big Horn County, Montana Clerk and Recorder at **370846 Bk 197 Pg 687 – 726**.

Sincerely,

*Tobin Bereznak*



Tobin Bereznak  
Colorado Union State Citizen  
Private Citizen of the United States  
Private / Non-U.S. Citizen  
Private Resident of the State of Colorado  
Private Resident of the County of Huerfano  
Agent of Record without recourse/without prejudice for the  
Private Business Trust "TOBIN BEREZNAK"  
Sole Beneficiary for the ESTATE and NAME of the  
Private Business Trust "TOBIN BEREZNAK"