GUNNISON COUNTY PLANNING COMMISSION
PRELIMINARY AGENDA: Friday, APRIL 18, 2014

8:45 a.m.

- **Call to order; determine quorum**
- **Approval of Minutes**
- **Unscheduled citizens:** A brief period in which the public is invited to make general comments or ask questions of the Commission or Planning Staff about items which are not scheduled on the day's agenda.

9:00 a.m. **Gunnison/Crested Butte Industrial Special Area,** joint public hearing/no action, proposed Special Area to designate geographic areas in which land development and land use is identified as being appropriate for industrial uses; on lands generally located adjacent to the Signal Peak Industrial Park, east of Gunnison and the Riverland Industrial Park, south of Crested Butte.

10:00 a.m. **Board of County Commissioners/Planning Commission Joint Meeting:**
Items to be discussed by the Board and Planning Commission:

- Amendment 64 – Draft Regulations
- Oil and Gas Permitting Report
- Long Range Planning Projects
- Upcoming Joint Meetings- August 15 & October 17

11:00 a.m. **Planning Commission,** work session/no action, Planning Commission training – review of Planning Commission Handbook

End of Meeting

- Report of actions taken by BOCC.
- A brief period in which Commission debriefs on the day's processes, etc. No discussion or action on any specific Land Use Change Permit applications will take place at this time.

Adjourn

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GUNNISON COUNTY PLANNING COMMISSION
REGULAR MEETING
April 18. 2014
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The Gunnison County Planning Commission conducted a regular meeting, in the Commissioners' Meeting Room in the Blackstocks Government Center, Planning Commission meeting room. **Present were:**

Chairman- Kent Fulton
Vice-Chairman- Jeremy Rubingh
Commissioner- Warren Wilcox
Commissioner-Susan Eskew
Commissioner- A.J. Cattles
Alternate Commissioner- Tom Venard
Alternate Commissioner- Jack Diani

Director of Community Development- Russ Forrest
Assistant Director of Community Development- Neal Starkebaum
Community Development Planner-Cathie Pagano
Community Development Services Manager-Beth Baker

Others present as listed in text

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With a quorum present Chairman Kent Fulton opened the April 18, 2014, regular meeting of the Planning Commission.

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Moved by: Cattles seconded by Wilcox to approve Planning Commission minutes dated March 7, 2014 as presented. The motion passed unanimously.

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Gunnison/Crested Butte Industrial Special Area- The Gunnison County Planning Commission and Board of County Commissioners conducted a joint public hearing with no action. They discussed the proposed Special Area to designate geographic areas in which land development and land use is identified as being appropriate for industrial uses; on lands generally located adjacent to the Signal Peak Industrial Park, east of Gunnison and the Riverland Industrial Park, south of Crested Butte.

With a quorum present Fulton opened the joint public hearing.

BOCC members Phil Chamberland, Paula Swenson, and Jonathan Houck, and County Attorney David Baumgarten were present for the joint public hearing. Director of Community Development, Russ Forrest, and Assistant Director of Community Development, Neal Starkebaum, Senior Planner Cathie Pagano, and Director of GIS Mike Pelletier were present for the joint public hearing.

Planning Services Manger Beth Baker confirmed adequate public notice. The applicants submitted the certified mailing receipts and the notice was published in the Crested Butte News and Gunnison Country Times.

Forrest informed the Commission and Board that one of the parcels involved in the proposed special area may be subject to a future application; he instructed them to not prejudge or speculate any future application. Baumgarten instructed them to speak only in terms of policy.

Chamberland explained the premise for this application is to create more certainty/ assurance for a new industry to come into the area or expand a current industrial endeavor. This is being considered in response to criticism from the business development community. This would also inform potential residential lot buyers, before they purchased land next to property designated for industrial uses. He added any applicant would still go through the Land Use Change process; they would only be exempt from the locational standards.

Houck said because there is no hard zoning in the County it has been a problem for someone looking to for a site for an industrial use.

Swenson added the designation could help prevent fragmentation of Gunnison Sage-grouse habitat. It is also one step in limiting industrial sprawl.

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Pelletier and Starkebaum explained why staff is proposing these areas; Signal Peak Industrial Park Special Area and Riverland Industrial Park Special Area. Signal Peak Industrial Park Special Area is currently surrounded to the west by an approved gravel pit, and on the east boundary there is an application in process for a small light industrial park. Riverland Industrial Park Special Area is adjacent to an industrial area.

They explained other areas considered had been winnowed down by having to stay out of sage brush, comply with airport restrictions, and some had inadequate access to highways.

Pagano briefly went through the *Gunnison County Land Use Resolution Section 10-104*-Locational Standards.

Pelletier said we are willing to consider other areas.

Wilcox asked about the area between W Mountain and the gravel pit area; Starkebaum said FAA restrictions limit development on the property, and the base of W Mountain is Sage-grouse habitat. Chamberland asked about McCabe's Lane; Starkebaum explained there are limitations on McCabe Lane. It would require significant improvements to the road and the access to Highway 50 is minimal.

Swenson said they are addressing the need in both ends of the valley, and this could alleviate some traffic issues going from the north and south ends of the valley.

Starkebaum added in order to be able to consider other areas for industrial uses the County needs landowners willing to be included in the special areas.

Public Comment:

Ramon Reed said it is a mistake to include this area as part of the proposal because of non-compatibility with the neighboring residential uses. This proposal does not protect the heritage and rural character of the area. This type of use would negatively impact the area visually and with increased noise. He urged the commissioners to preserve the neighborhood character.

Shan Hayes was concerned if passed an applicant would not find it necessary to confer with the surrounding owners. He added it could diminish any mitigation an applicant would offer.

Kendall Burgemeister, attorney for Hal Hearn- Link LLC, noted Hearn has an application for an industrial park, next to Signal Peak, currently in process; it has Sketch Plan approval. Burgemeister encouraged the commissioners to allow the applications in progress to opt into the Special Areas; enabling them to take advantage of the new regulations.

Ted Colvin, owner adjacentent to the North West corner of Riverland Industrial Park, said he has invested a lot of money and time into the development of his property; when Whetstone withdrew their application he developed his property further. He has counted on the *Gunnison County Land Use Resolution* (LUR) to prevent industrial uses next to his residential property; he had no reason to expect he would lose the protection the LUR. He said if approved he and his neighbors would consider applying for industrial uses on their property.

Marcus Locke, attorney for Lacy Construction, said Lacy does have the previous Whetstone Business Park site under contract. He urged the commissioners to create a compromise to deal with the industrial uses and surrounding residential uses. He said it is the only logical place, for industrial uses, in the North end of the valley.

Pete Sigman, representative of United Gravel, said they have property in both areas. He asked if their approval for a gravel pit in the Riverland area could be reversed; Starkebaum said no.

Doug Wilson asked if residential uses would be allowed in the industrial areas; Fulton said yes

Commissioner Cattles, explained these regulations have come about because the business community has complained there is no guaranteed place for industrial uses to go.

Hal Hearn was in favor of the proposed regulations.

John Rozman said he did not object to the sites being designated for industrial uses.

Bill Lacey echoed Rozman; he is not opposed to industrial uses. He added Riverland is the logical spot, rather than being scattered along Highway 135.

Aaron MacLennan said he was not against business, but he was concerned this would not fix the need for industrial sites in the long term. He urged the commissioners not to "shoe horn" this in. The Signal Peak sites suggested are small; they could not accommodate any larger endeavor.

Starkebaum noted all comments received had been included in the public record.

BOCC Comments:

Houck suggested redevelopment of the industrial areas within the City of Gunnison could alleviate some pressure. He agreed transitional development on the edges of the proposed areas would be beneficial to the adjacent residential uses. He added it is difficult to determine how much industrial designated property will be needed in the future. He reiterated there is a problem with allowing uses in these industrial zones that are to a lower standard (residential, etc.); not achieving best use of the industrial areas.

Chamberland agreed some transitional uses in the industrial zones could help alleviate some of the negative impacts to the adjacent residential sites.

Swenson said they may need to consider locational standards and transitional uses in the Riverland zone.

Eskew asked if the Whetstone approval had lapsed; Starkebaum said yes.

Wilcox suggested transitional zoning to mitigate negative impacts to the adjoining site. He said the parcels suggested are too small and therefore temporary fixes.

Fulton closed the oral portion of the joint public hearing at 10:40 A.M.; leaving the public comment period open until May 15, 2014.

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Board of County Commissioners/Planning Commission Joint Meeting: The Gunnison County Planning Commission and Board of County Commissioners conducted a joint meeting.

BOCC members Paula Swenson, Phil Chamberland and Jonathan Houck and Planning staff members Russ Forrest, Neal Starkebaum and Cathie Pagano attended the work session. They discussed:

- **Amendment 64 – Draft Regulations-** Forrest explained the County is developing regulations. There has been a lot of interest within community. The County regulations will address cultivation, manufacturing and testing. The County is considering allowing manufacturing, cultivation, and testing in industrial areas. Any applicant would be required to adhere to the *Gunnison County Land Use Resolution* (LUR) and licensing requirements. The two processes could take place at the same time. He said cultivation on agricultural land is not as straight forward as in an industrial area. There is a requirement of a minimum 35-acre site and a required 1,000 ft. setback from the road. This will require an amendment to the LUR.

- **Oil and Gas Permitting Report-** It was noted the staff has made changes to the County Community Development website to simplify the navigation of the website when viewing oil and gas applications and permits. Staff also created a summarized report to describe the oil and gas permitting activity. Eskew said she had not realized there had been so many wells approved, and had concerns with the Planning staff not communicating with the Commission about these permits. Starkebaum and Swenson explained these were administrative review permits which did not require review by the Commission. Starkebaum explained the projects go back to 2001, with 37 permits in 2013; 95% of all permits are collocated on existing pads. The oil and gas producers in the area have been Gunnison Energy, SG Interests, and Vessels Coal Gas. There have been 134 permits issued, less than half of the wells have been drilled. Staff agreed to provide an updated report at each of the triennial joint BOCC and Planning Commission meetings. Staff will now include information noting if the permit is on a new or existing pad, and a column for the local designee comments. Staff will also provide a report from the County Oil

and Gas inspector which will include observed infractions, at the next joint meeting of the BOCC and the Commission.

- **Long Range Planning Projects –**Forrest noted the staff has been a part of the Community Builders Task Force. The Task Force is working on a common valley wide vision for the future.

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Planning Commission: The Gunnison County Planning Commission and Planning staff work session for Planning Commission training and review of Planning Commission Handbook.

Postponed discussion

END OF DAY DISCUSSION;

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Fulton adjourned the meeting at 12:00 P.M. .

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/S/ Beth Baker
Community Development Department Services Manager
Gunnison County Community Development Department

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