

PRELIMINARY AGENDA: FRIDAY, February 21, 2020

Amended Agenda

- 8:45 a.m.**
- **Call to order; determine quorum**
 - **Approval of Minutes**
 - **Designation of Official Notice Posting Location**
 - **Election of Officers**
 - **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.** **David Baumgarten, County Attorney**, work session, Planning Commission training, education on exparte communication, Colorado sunshine law, etc.
- 10:00 a.m.** **Building Official-Crystal Lambert**- work session to discuss County contractor licensing
- 11:00 a.m.** **Staff Training**, work session, Planning Commission training

Adjourn

**COUNTY PLANNING COMMISSION
REGULAR MEETING
Friday, February 21, 2020**

The Gunnison County Planning Commission conducted a regular meeting in the Planning Commission Meeting Room in the Blackstock Government Center, 221 N. Wisconsin, Gunnison, Co. **Present:**

Chairperson- AJ Cattles Vice-Chairperson-Jack Diani Commissioner-Vince Rogalski Commissioner-Diego Plata Commissioner-Laura Puckett Daniels Alternate Commissioner-Andy Sovick Alternate Commissioner- Scott Cox	Director of Community and Economic Development- Cathie Pagano Senior Planner – Rachel Sabbato Senior Planner- Hillary Seminick Manager of Administrative Services- Beth Baker Others present as listed in text
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With a quorum present Chairperson Cattles opened the February 21, 2020 regular meeting of the Planning Commission.

Moved by Rogalski seconded by Puckett Daniels to approve the Planning Commission meeting minutes of, January 24, 2020 as amended, the motion passed unanimously.

Moved by Rogalski seconded by Puckett Daniels to approve the Planning Commission meeting minutes of, February 7, 2020 as presented, the motion passed unanimously.

Notice of Posting Locations: Moved by Diani seconded by Rogalski to designate the official meeting notice location for 2020 to be the Gunnison County website. The motion passed unanimously.

Election of Officers: Moved by Puckett Daniels seconded by Plata to appoint AJ Cattles as Chairperson of the Gunnison County Planning Commission. The motion passed unanimously.

Moved by Plata seconded by Puckett Daniels to appoint Jack Diani as Vice-Chairperson of the Gunnison County Planning Commission. The motion passed unanimously.

David Baumgarten, County Attorney: The Gunnison County Planning Commission conducted a work session with the County Attorney. They discussed exparte communication, Colorado Sunshine Law and conflict of interest.

With a quorum present Chairperson Cattles opened the work session.

The Planning Commission went into an executive session at 9:00 A.M. No minutes were taken.

Executive Session

The Planning Commission went into an executive session at 9:05 A.M. *Executive Sessions of the Planning Commission are conducted as per C.R.S. 24-6-402(4). This specific session was conducted as per C.R.S. 24-6-402(4) (b).* Those in attendance were County Attorney David Baumgarten, Planning Commissioners Cattles, Diani, Rogalski, Plata, Puckett Daniels, Sovick and Cox, Director of Community and Economic Development Cathie Pagano, Senior Planners Rachel Sabbato and Hillary Seminick and Manager of Administrative Services Beth Baker.

Moved by Rogalski seconded by Puckett Daniels to enter into an executive session Pursuant to C.R.S. 24-6-402(4) (b); Conference with County Attorney David Baumgarten Attorney Client Privileged Communication; to discuss Colorado Sunshine Law, exparte communication, and conflict of interest.

Attorney Statement Regarding Executive Session

Pursuant to C.R.S. 24-6-402 (4) (b), I attest that I am the Gunnison County Attorney, that I represent the Gunnison County Planning Commission, that I attended all of the above referenced executive session, that all of the executive session was confined to the topic authorized for discussion pursuant to C.R.S. 24-6-402 (4) (b) and that , because in my opinion all of the discussion during the executive session constituted a privileged attorney-client communication, no record of the executive session was required to be kept and no such record was kept.

Date: _____
David Baumgarten
Gunnison County Attorney

Chairperson Statement Regarding Executive Session

Pursuant to C.R.S. 24-6-402(4) (b), I attest that I am the Chairperson of the Gunnison County Planning Commission, that I attended all of the above referenced executive session, and that all of the executive session was confined to the topic authorized for discussion pursuant to C.R.S. 24-6-402 (4) (b).

Date: _____
A.J. Cattles, Chairperson
Gunnison County Planning Commission

Moved by Diani seconded by Rogalski to adjourn the Planning Commission’s executive session, at 9:40 A.M. The motion carried unanimously.

Building Official, Crystal Lambert: The Gunnison County Planning Commission conducted a work session with the Building Official. They discussed air tightness requirements and contractor licensing.

With a quorum present Chairperson Cattles opened the work session.

Present representing the Planning Commission: Commissioners Cattles, Diani, Rogalski, Plata, Puckett Daniels, Sovick and Cox.

Present representing staff: Director of Community and Economic Development Cathie Pagano, Building Official Crystal Lambert. Building Inspector Charlie Dominguez, and Manager of Administrative Services Beth Baker.

Lambert explained the current air-tightness testing requirement is currently in place, but the structure does not have to pass the air-tightness test at this time. She noted the three air changes per hour requirement has been consistently achieved by the majority of home builders over the past two and a half years of testing. Problems often occur in multifamily construction and log wall construction. She added the last two and a half years has been an education process for the home builders.

Following a discussion with the Planning Commission the commissioners suggested that a house would pass the air tightness test if it met a 3.0 and below – number of air exchanges per hour. If the house was between 3.1 and 4.99 air exchanges per hour there would be mediation required. If the house was 5 or higher air exchanges per hour the house would have to be retested until it met code.

Lambert will redraft the recommendation and bring it back to the Planning Commission for review.

Lambert informed the commissioners that the International Code Council (ICC) contractor licensing testing is not available in Spanish or any other language other than English. She noted that she had contacted many other states and jurisdictions, finding only several that have their own Spanish language testing. She explained the County Attorney is not in favor of providing a Gunnison County specific Spanish language test.

The commissioners agreed the contractor licensing program should be forwarded to the Board of County Commissioners as presented.

Staff Training: The Gunnison County Planning Commission conducted a work session with Director of Community and Economic Development Cathie Pagano. They discussed corridor planning.

With a quorum present Chairperson Cattles opened the work session.

Present representing the Planning Commission: Commissioners Cattles, Diani, Rogalski, Plata, Puckett Daniels, Sovick and Cox.

Present representing staff: Director of Community and Economic Development Cathie Pagano, Senior Planners Rachel Sabbato and Hillary Seminick and Manager of Administrative Services Beth Baker.

Pagano explained the Board of County Commissioners (BoCC) updates their strategic plan every two years. She added the BoCC has established policy direction, in response to the recent growing number of development applications just outside the City of Gunnison limits for commercial and light industrial use. The policy refers to the *Gunnison County Land Use Resolution (LUR)* section 10-104 locational standards. The policy directs staff and planning commission to rigorously enforce 10-104. “The staff of the Gunnison County Community and Economic Development Department, along with the

Gunnison County Planning Commission shall consider the Board's strategic results in their review and analysis of Land Use Change permit applications for commercial, industrial and other non-residential uses. The staff and Planning Commission shall also rigorously apply the standards of the Gunnison County *Land Use Resolution*, especially Section 10-104: *Locational Standards*. An applicant should assume that commercial, industrial and nonresidential uses outside of platted or zoned areas that allow these uses will be difficult and/or unlikely to be permitted. “

Pagano said staff has been working with the City of Gunnison during their comprehensive plan update.

Pagano said staff has prepared a market analysis for the South Valley. They worked with real estate professionals to determine what type of properties the public is interested in. She explained demand is very specific and variable. Location of new development on the Highway 50 corridor has not been desirable. The demographic summary growth has been about 1% for the past 30 years.

Pagano said the staff recommends the City of Gunnison and the County follow through on developing a three mile plan. She added there has been outreach in the north end of the Valley to understand shared areas of agreement.

Cattles adjourned the regular meeting of the Gunnison County Planning Commission at 12:30 P.M.

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