

**GUNNISON COUNTY PLANNING COMMISSION
REGULAR MEETING MINUTES
Thursday, June 1. 2023**

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. and on Zoom

Present:

Chairperson-Andy Sovick	Assistant County Manager for Community and Economic Development-Cathie Pagano
Vice-Chairperson- Roland Mason	Assistant County Manager for Operations and Sustainability – John Cattles
Commissioner-Matt Schwartz	Planning Director- Hillary Seminick
Commissioner-Fred Niederer	Senior Planner – Rachel Sabbato
Commissioner- Julie Baca	Planner-Sean Pope
All. Commissioner- Annie Beall	Environmental Health and Building Official-Crystal Lambert.
Alt. Commissioner- Eric Phillips	Others present as listed in text

Absent:

Recused:

Zoom: Fred Niederer, Julie Baca and Annie Beall

With a quorum present Chairperson Sovick opened the June 1, 2023 regular meeting of the Planning Commission.

May 4, 2023 meeting minutes approved. Moved by (correction) **Roland Mason** seconded by Eric Phillips to approve Planning Commission meeting minutes, dated May 18, 2023, as amended- (one change Matt Schwartz was not here May 4th and did not move to pass the May 18, 2023 meeting minutes.) The motion passed unanimously.

Work Session, 2021 Building Code Update: With a quorum present Chairperson Sovick opened the work session.

The Planning Commission discussed an update to the 2015 adopted building codes to the 2021 building codes with Crystal Lambert, Cathie Pagano, Hillary Seminick, and John Cattles.

Cathie Pagano introduced the process to the Commission:

Code adoptions are a quasi-legislative process. The Planning Commission (PC) will not conduct a public hearing, rather, the PC will discuss the code amendment with staff over an undefined number of work sessions and ultimately provide a recommendation from PC to BOCC. The BOCC will hold a public hearing(s) prior to the adoption of any changes to the code. Question from Sovick of how the recommendation will look that Staff will prepare and PC will review and approve to go on to the BOCC. Pagano states this is not a public hearing so no need to state that this is a continued hearing.

The BOCC is considering adopting new building codes every 3 years rather than the current 6-year cycle. The State of Colorado passed HB22-1362 in May of 2022 which created the Energy Code Board and requires local adoption of the 2021 International Energy Conservation Code

(IECC) by July 2026 by all jurisdictions within the state. Staff conducted a work session with the BOCC to consider amendments to the code. Packet to PC contains this discussion. Proposed amendments from BOCC are tied directly to the 2022 Strategic Plan, lower energy use and cut greenhouse by 50% by Dec 30, 2030, etc. Reduction of average of energy use in residential building and commercial.

Crystal Lambert has prepared a memo packet that reviews the proposal that PC received.

John Cattles presented a summary of energy code changes and potential amendments: Cattles Powerpoint presentation is available with the June 1 minutes.

The bulk (57%) of emissions in County come from buildings. Then surface transportation contributes the next biggest emission. Existing building stock is big piece of this. The majority of residential units in the county are owned by non-resident home owners, and these units are typically are larger than year-round residents' homes. Incentivize heat pumps and electrification. Standardize home energy score, ERI or similar for comparison.

Three ways to get compliance: prescriptive (list of required details), U-value or REScheck, or performance pathway (holistic score). ERI/HERS (brand version of rating)- types of scores. County uses EUI for our buildings. ERI is forecasted performance.

Travis Scheefer comment (member of the public attending):

Users have big impact on how this score works, how much energy they choose to use, they can make smart choices.

Cattles: presented Energy Code PPT

Outlined performance pathway advantages in his presentation.

Proposal is to incentivize the performance pathway through the following methods:

1. Reduced permit fees. A lot less staff time to review these types of applications.
2. Require performance pathway for residential or commercial structures over 5,000 sq. ft.
3. Future utilize ERI score and median home by size to create an energy budget. $ERI \times Size = Total\ Energy\ Use$. Homes larger than the median home would have to be more efficient to stay within the Total Energy Budget or install on-site renewable energy generation to offset energy use.

Julie Baca PC Comment. I like the idea of incentive for houses over 5,000 on the front end, it could look like a clawback on the front end. Cattles clarifies that large homes would be required from the get go.

Bill Barvitski comment (member of the public attending):

Please explain 3rd party role for this role out. Cattle explains that this will be separate from the County or a consultant role on the design side of the project. This would need to be a HERS or ERI certified rater that would verify on the completion side of the project.

Cattles and Lambert discussion on this role, need to research more.

Fee reduction is related to staff time review not what the 3rd party would cost. Blower door test is not required by ICC. Design is certified by the company. Questions on who would be inspecting this on the C.O. (certificate of occupancy)? Depend on the HERS rater? Town of CB is doing the HERS ratings, can talk to them and other raters and have that discussion. How far does a HERS rater need to take everything?

Sovick comments, what is the flexibility on this process? Is there flexibility or is there just a process that needs to be followed?

Cattles continues with PPT presentation.

The County will be statutorily required to adopt the Colorado Model Electric Ready and Solar Ready Codes as adopted by the State of CO Energy Code Board when available.

Suggested amendments to the 2021 Building Code:

1. Prohibit outside heated driveways.
2. Require Spas include an R-12 cover.
3. Prohibit gas fired heaters for pools and spas.
4. Require that heated gutters have controls.

Fred Niederer PC Comment. What about need for heated sidewalks with health care centers or elder care facility?

Pagano mentions the County typically does not have that type of facility in County, more municipality type structures.

Cattles:

Design tradeoffs -could have covered drop off points. Other design choices can be made to save energy with safe access points

Baca PC comment: Western has several snow melt systems, entrances have had to be closed but she would prefer to have that choice.

Niederer:

Think there is more than one way to get it done. Can be a liability for a business owner. Doesn't agree with prohibition on heated driveways/entry ways, there should be a work around for specific situation.

Pagano:

Advise to PC to not legislate for the exception of the rule.

Baca: Do you know how many residence have heated driveways? A few of her neighbors have them and love them so be prepared for pushback.

Cattles:

The energy consumption for heated driveways are huge, but given this discussion it seems we need to dig into this more. Compared the relative costs to county facilities and other members of staff noted that a heated driveway doubles the energy consumption of a residence.

Mason:

Can heat pumps power these driveway heating systems instead of gas powered boilers?

Answer from Cattles: not efficiently and the heat source is way over sized for this type of function.

Discussion continued around heating the outdoors in a cold place is not efficient but comments suggest that there are some opportunities to be allowed. City of Gunnison has already adopted the 2021code, it was not amended. More discussion as to what this process could look like and the possible cost impact. Does inspections and blower door tests etc. all need to be done by the same person?

Lambert: I will research more of the ERI process and rater inspections and report back at next work session.

Scheefer comment (member of the public attending):

Is an ERI house going to be more energy efficient than a code compliant house? Look at this more holistically.

Discussion on when prescriptive code is met then it would be more efficient than ERI. If prescriptive standard are met then house will be well above passing. However, what really happens in the field when the house is built, HERs actually perform better.

Pagano:

Need to legislate for the average homeowner who may not approach it this way or have the interest to.

Discussion around ERI path way and prescriptive standards.

Conversation around IEC and where the process is heading in the 2024 code role out.

Fred Niederer, PC comment. I want to speak to navigating pre-construction design, and post construction verification. Most houses in county do not have pre- engineered design for mechanical. Lack of check and balances in terms of what and how the system is being installed. The adoption has to be supplemented with some kind of 3rd party verification. I think HERS is a good step. How does County see how inspections will work?

Discussion continues.

Mechanical verification in building review and why builders need to be thinking about these systems earlier in the design process. Manual J requirements. Manual D is about vent sizing, feels like manual D should be required. Boilers can ramp down to meet the demand- under plumbing inspection. Also, efficient boilers that when installed are not correctly done to meet capable efficiencies. Under HERS score this mechanical would need to be designed. This is a huge weakness in the industry right now. More HVAC engineering needs to happen in design phase. Again why a 3rd party verification on if these systems should be considered to make sure they are running at efficient levels it is capable of. It's also a dis-service to the end user as well.

Barvitski:

Think about design more when in the permit phase- that should happen as costs and demand changes so quickly based on what products are available at the time of install.

Lambert:

Had discussion in plumbing community, she met resistance because they are regulated by the State. County is working to make this better to include their feedback and make progress.

Scheefer:

There are very few mechanical contractors in valley, most GC's are installing. Think its good that it will be required under new code but think there will be some growing pains to come up to speed on that.

Discussion with Lambert and Cattles on HRV and ERV, this is part of the 2021 IEEC mandated by the State, therefore not much the County can do. HVAC systems should be designed just like a structure and are hoping to develop an industry that is capable of doing that. Group considers additional costs of this.

Staff reviews that adoption can change to every 3 years vs 6 years, is meant more to keep up and not have abrupt changes every 6 years. Testing is kept current. Contractor licensing needs to renew every 3 years with a continuing education component for the new codes, not a retest. County is graded by building code effectiveness schedule organization and this affects homeowners insurance rates, which can increase as a result of not keeping up with codes changes, contractor licensing and current ICC code adopted or WUI code adopted.

Public in attendance generally agrees. This has been a big transition year for IRC, WUI, IEC, etc for everyone but thinks 3 years could work.

Pagano covers the staff memo. Under recommendation number 10, the BOCC is considering allocating funding to support the development of model home plans and detailed pre-approved assemblies for walls, roofs, and other details, that are IECC, Model code and IWUIC compliant-available to the public at no charge. This would be similar to a resource library for architects & designers. Discussion on pre-engineered wall assemblies. Recommendation number 11 in the staff report, the BOCC is considering funding performance path review costs for income qualified homeowners up to an annual limit. State has a good website and training. Lambert has reached out to State to request info on funding for training for energy raters.

Pagano asks PC what info regarding the energy code that they can research more and provide in addition to the notes that staff has written down throughout the meeting. Cathie review the list of follow questions and comments that staff will research and bring back to PC.

Lambert reviews significant changes in the 2021 editions of the building code from the 2015 editions that is outlined in meeting memo.

More work sessions to come to cover different parts of the code, June 15 next meeting.

The work session was closed at 11:30.

Discussion of planning commission meetings to come- if a special session should be held June 29 and will commissioners be here during the holiday week of July 6. Decision to be made at next meeting June 15, 2023.

Meeting Adjourned at 11:33.