GUNNISON COUNTY PLANNING COMMISSION
SPECIAL MEETING
PRELIMINARY AGENDA: Friday, March 30, 2012
Draft Minutes for Review

9:00 a.m.

- **Call to order; determine quorum**

Board of County Commissioners/Planning Commission Joint Meeting:
Items to be discussed by the Board and Planning Commission are in the following order:

A. Strategic Plan - Strategic Results updates:
   1. Identify by 2012 and designate by 2013 appropriate areas for habitat protection, agricultural production, and industrial, commercial and residential development.
      - Update / presentation from Mike Pelletier
   2. By 2013, the perception of at least 50% of respondents to the biennial Citizen Survey and the Community Development Department Satisfaction Survey will be that planning and permitting processes are efficient, fair, and proactive and that land use and planning services are good or excellent.
      - CD Department Satisfaction Survey Data/ Language - Update from Joanne Williams
B. Sage-grouse Subcommittee – Update from Jim Cochran
C. Update on Minex Exploration – Powderhorn Exploration project; development on federal lands
D. SDPR MOU's with municipalities update
E. Oil and Gas Update
   1. COGCC rules
   2. Litigation
   3. IGA with/ COGCC
   4. BOCC – Oil and Gas Amendments – process/timeline
   5. BLM Gas Leasing
F. Carbon Policy Taskforce Report
G. Other Topics

Lunch

1:00 p.m.

- **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 <u>not scheduled on the day's agenda.</u>

1:15 p.m. **Crested Butte South Metropolitan District,** work session/no action, request for expansion of non-residential use at the District shop/office. Expansion to include 2,556 square feet, comprised of a three bay equipment storage building, attached to the existing building. The proposed building does not meet the water body setbacks and will be reviewed for compliance with Section 11-107: Protection of Water Quality. Parcel is located at 280 Cement Creek Road, approximately ½ mile east of the intersection of Highway 135 and Cement Creek Road.

2:15 p.m. **Crested Butte South Metropolitan District,** site visit, request for expansion of non-residential use at the District shop/office. Expansion to include 2,556 square feet, comprised of a three bay equipment storage building, attached to the existing building. The proposed building does not meet the water body setbacks and will be reviewed for compliance with Section 11-107: Protection of Water Quality. Parcel is located at 280 Cement Creek Road, approximately ½ mile east of the intersection of Highway 135 and Cement Creek Road.

Adjourn

GUNNISON COUNTY PLANNING COMMISSION
Special Meeting
March 30, 2012
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Draft Minutes for Review

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- Ramon Reed
Vice- Chairman-Jim Seitz
Commissioner-Susan Eskew
Commissioner-Warren Wilcox
Commissioner-Kent Fulton
Alternate Commissioner- Jeremy Rubingh
Alternate Commissioner- A. J. Cattles

Director of Community Development- Joanne Williams
Assistant Director of Community Development- Neal Starkebaum
Planner- Cathie Pagano
Community Development Department Services Manager-Beth Baker
Board of County Commissioners- Hap Channell, Paula Swenson, and
County Attorney- David Baumgartner
County Manager-Matthew Birnie
GIS Director- Mike Pelletier
Wildlife Coordinator- Jim Cochran

Others present as listed in text

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With a quorum present Chairman Ramon Reed opened the special meeting of the Commission.

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Board of County Commissioners & Planning Commission Joint Meeting: The Planning Commission (Commission) and Board of County Commissioners conducted a joint meeting. Board Members (BOCC) Hap Channell, and Paula Swenson, County Attorney David Baumgarten, County Manager Matthew Birnie, and Director GIS Mike Pelletier attended the meeting.

They discussed:

A. Strategic Plan - Strategic Results updates:
Indentify by 2012 and designate by 2013 appropriate areas for habitat protection, agricultural production, and industrial, commercial and residential development.

GIS Director Mike Pelletier explained the BOCC had appointed a team to explore the BOCC's above mentioned strategic result. The team included Director of Community Development Joanne Williams, Assistant Director of Community Development Neal Starkebaum, Planner Cathie Pagano, County Attorney David Baumgarten, Director of GIS Mike Pelletier, and Wildlife Coordinator Jim Cochran. The team has worked on the issue for approximately one year. He said the team had developed - *Strategic Result B-1, Phase 1, Analysis and Recommendations.*

The recommendations included:

1. Area adjacent to existing population centers or areas that can be feasibly annexed to existing water and sanitation districts are appropriate for higher residential densities.
2. Incentive-based policies and programs to encourage reduced density in areas that are not or cannot feasibly be served by central systems should be strengthened.
3. Gunnison County should propose that development within the City of Gunnison Three Mile Area be excluded from strict limitations imposed upon sage-grouse priority habitat.
4. Staff recommends that the County continue to support current locations for agricultural production, support the conservation of existing ranchland through the use of conservation easements and protect the continued viability of ranching through the opportunity of the Ranchland Process. However, designation of agricultural areas is not recommended.
5. Municipalities can provide incentives for commercial and industrial development by provision of proximity to transportation and utility infrastructure.
6. Heavy industrial uses in Gunnison County are indentified for their heavy industrial potential and the issues with each site are discussed.

Pelletier explained through the team's analysis it was determined there are currently 10.614 developed residential parcels in Gunnison County, and 5,684 vacant parcels; 49% outside the three main municipalities, 35% countywide, 20% within sewer districts, and 11% within the three main municipalities. Given those numbers the

team determined there is a 40 year supply of vacant lots outside the towns. The City of Gunnison has a 74 year supply of vacant lots and the Town of Mt. Crested Butte has a 52 year supply of vacant lots.

Pelletier summarized noting that areas adjacent to existing population centers or areas that can be feasibly included into existing water and sanitation districts are appropriate for higher residential densities. In areas outside population centers the team recommended the County work to strengthen incentive based policies and programs for reduced density; including increased funding for conservation easement programs, modifications to current density transfer regulations, more effective use of clustering to reduce density in key areas, and continued support for the Ranchland Process.

Pelletier said the team used a Habitat Prioritization Tool which illustrates the habitat areas in both public and private areas; it is soils based information.

Pelletier explained the Gunnison Basin Sage-grouse Strategic Committee (GBSGSC) created soils based habitat prioritization tool that provides a means to create an overall or seasonal habitat score throughout sage-grouse occupied habitat. Habitat is scored; a priority habitat (as scored>=15), equates to over 313,000 acres on private and public land. A reasonable approach to quantifying this policy on private land is to assume priority habitat on public land is protected and Gunnison and Saguache Counties should protect their proportional share of private land. He said there are 17,339 acres of >=15 in private land with conservation easements in Gunnison County. That is 58% of the total private acreage.

Pelletier said the Habitat Prioritization Tool can start to say, if allowed to use existing conservation easements, only 24,000 acres is scoring higher than 15 and there are 47,000 acres available. It begins to show there is a doable process, which could help with not having the Gunnison Sage-grouse listed.

Wildlife Coordinator Jim Cochran noted the Fish and Wildlife service wants to see the potential threat reduced, and how has it been reduced. Fragmentation and direct loss of habitat has been identified as the greatest threat to Gunnison Sage-grouse. The mandate is reduce or eliminate the threat.

Commissioner Reed requested a map identifying all undeveloped parcels and what type of habitat each parcel is. He said it would enable the Planning Commission to get to the specifics in understanding the problems of development.

Reed asked the BOCC for their policy; where should development be allowed, and growth encouraged? Channell agreed a policy is needed. Pelletier noted conserved acres have outpaced developed acres by two to one. The Gunnison County track record of conservation easements is very good in comparison to other Colorado counties.

Channell requested more information on -residential lots; where are those improved lots? The commissioners agreed they need policy information from the BOCC. The BOCC agreed to move forward with policy discussions.

Channel thanked the team members for their work, and for the valuable information.

B. Oil and Gas Update:

County Attorney David Baumgarten said the COGCC regulations have gone through a major rewrite, which was informed by two pieces of legislation; the intent of State is not only to exact the minerals, but also to protect the health, welfare, and environment.

Baumgarten said the BOCC is reviewing the oil and gas proposed amendments which were sent to them by the Planning Commission. The BOCC will review and suggest additional amendments, and areas of interest and concern.

Baumgarten noted there has been a Memo of Understanding (MOU) executed between Gunnison County and the State. It was a historic agreement in Colorado. Traditionally the State has acted as though there was no place for local government, in oil and gas mattters. But with the MOU there has been an agreement there is room for local government.

The State has agreed to allow a Local Government Designee (LGD.) The LGD will be inspecting sites and collecting information and working with the State. The County cannot enforce the State's regulations. The State does not have enough staff to visit all the permitted wells. It is the intent of the State now to allow inspection by local government- at the cost of the County.

Baumgarten said the County is in ongoing litigation with SG Interests. SG has asked the court to declare the County has no authority to regulate any area of local oil and gas exploration.

Baumgarten explained there are three categories of preemption- expressed, implied, and operational.

Baumgarten said the review of individual applications is high, but urged the discipline be kept at the highest level; we do not want to misstep.

Baumgarten said the Federal Government has released a draft Environmental Assessment (EA) on the large scale leasing of land in the Roaring Fork area; Gunnison is making comments. Staff does not feel the EA is sufficient. There is also a draft EA for the Bull Mountain area. SG Interests is requesting a comprehensive leasing unit

Reed asked about the inspections the County LGD will do for the State; County Manager Matthew Birnie said the State wants local input, and our LGD will report to the State. The County did budget for these expenses.

Reed pointed out spill reports have been distributed and he encouraged the commissioners to review them.

The next joint meeting of the Board of County Commissioners and Planning Commission will be conducted, June 1, 2012.

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CRESTED BUTTE METRO DISTRICT SHOP/OFFICE; The Gunnison County Planning Commission (Commission) conducted a work session. They reviewed the request for expansion of non-residential use at the District shop/office. Expansion to include 2,556 square feet, comprised of a three bay equipment storage building, attached to the existing building. The proposed building does not meet the water body setbacks and will be reviewed for compliance with Section 11-107: Protection of Water Quality. Parcel is located at 280 Cement Creek Road, approximately ½ mile east of the intersection of Highway 135 and Cement Creek Road.

No minutes were taken at this work session.

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CRESTED BUTTE METRO DISTRICT SHOP/OFFICE; The Gunnison County Planning Commission (Commission) conducted a site visit. They viewed the site requested for expansion of non-residential use at the District shop/office. Expansion to include 2,556 square feet, comprised of a three bay equipment storage building, attached to the existing building. The proposed building does not meet the water body setbacks and will be reviewed for compliance with Section 11-107: Protection of Water Quality. Parcel is located at 280 Cement Creek Road, approximately ½ mile east of the intersection of Highway 135 and Cement Creek Road.

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Reed adjourned the meeting at 1:25 P.M. to go on the site visit.

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