

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING MINUTES
November 7, 2023**

The November 7, 2023 meeting was held in the Board of County Commissioners' meeting room located at 200 E. Virginia Avenue, Gunnison, Colorado. Present, either in person or via Zoom, were:

Jonathan Houck, Chairperson
Elizabeth Smith, Vice-Chairperson
Laura Puckett Daniels, Commissioner
Matthew Hoyt, County Attorney

Matthew Birnie, County Manager
Katherine Haase, Deputy County Clerk
Others Present as Listed in Text

GUNNISON COUNTY LOCAL LIQUOR LICENSING AUTHORITY:

CALL TO ORDER: Chairperson Houck called the meeting to order at 8:33 am.

CONSENT AGENDA: **Moved** by Commissioner Smith, seconded by Commissioner Puckett Daniels to approve the consent agenda as presented. Motion carried unanimously.

1. Approval for Alcohol Beverage License #13-37843-000; N D Enterprises LLC dba Crested Butte Country Club, 385 Country Club Drive, Crested Butte, Colorado; 1/14/2024 - 1/14/2025
2. Approval for Alcohol Beverage License #03-15394; Harmels Operations LLC dba Bites & Brews on the Taylor, 6748 County Rd 742, Almont, Colorado; 10/28/2023 - 10/28/2024
3. Approval for Alcohol Beverage License #05-29384-0002; Crested Butte Nordic Council dba CBNC Magic Meadows Yurt, Lower Loop Parcel-Magic Meadow Lot 3, Crested Butte, Colorado; 9/15/2023 - 9/15/2024

ADJOURN: Chairperson Houck adjourned the meeting of the Gunnison County Local Liquor Licensing Authority at 8:34 am.

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS REGULAR MEETING:

CALL TO ORDER: Chairperson Houck called the meeting to order at 8:36 am.

AGENDA REVIEW: There were no changes made to the agenda.

SCHEDULING:

1. Approval of a Draft of the 2024 Gunnison County Board of County Commissioners Meeting Schedule. **Moved** by Commissioner Smith, seconded by Commissioner Puckett Daniels to approve the draft of the 2024 BOCC Meeting Schedule. Motion carried unanimously.

MINUTES APPROVAL: **Moved** by Commissioner Smith, seconded by Commissioner Puckett Daniels to approve the minutes for August 1, 2023 as presented. Motion carried unanimously.

1. August 1, 2023 Regular Meeting

CONSENT AGENDA: Commissioner Puckett Daniels requested discussion of Item #1, so it was removed from the consent agenda. **Moved** by Commissioner Smith, seconded by Commissioner Puckett Daniels to approve the consent agenda, with the exception of Item #1. Motion carried unanimously.

1. **PULLED FOR DISCUSSION (see below):** Approval for Professional Services Agreement; Stephen Otero; for providing assistance to Gunnison County veterans and widows, widowers, and children of veterans; Effective 1/01/2024 - 2/28/2025; \$2,500/mo
2. Approval for Contract Amendment #1 to Colorado Department of Public Health and Environment (CDPHE) contract #2024*0031; Gunnison County Health and Human Services; to support Bridge Access Program activities intended to offer free Coronavirus-19 vaccinations to adults who are uninsured or underinsured; 10/20/2023 - 6/30/2024; \$13,921 increased funding
3. Approval for a National Environmental Health Association (NEHA) Consumer Protection Grant Application; Gunnison County Health and Human Services; for funding to meet voluntary retail food standards; \$17,500
4. Approval for a Buell Foundation Early Childhood Workforce Grant Application; Gunnison Hinsdale Early Childhood Council (GHECC); for help with Early Childcare providers' Sick Leave, Workforce Stipends, Continuing Education Awards, and Food Box programs; funding towards supporting GHECC staff efforts in data collection and raising public awareness; \$100,000
5. Approval for a Colorado Health Foundation Family, Friend, and Neighbor (FFN) Grant Application; Gunnison Hinsdale Early Childhood Council (GHECC); for continued support of Family, Friend, and Neighbor Caregivers in Gunnison and Hinsdale Counties; \$33,000
6. Approval for a Professional Services Agreement; Vaisala Inc, Louisville, Colorado; for Computer Vision technology that detects pavement condition/defects, line marking condition and sign detection for the road network of Gunnison County; 10/06/2023 - 10/05/2024; up to \$10,670

7. Acknowledgment of the County Manager's Signature; Professional Services Agreement; Fehr & Peers, Denver, Colorado; for the Safe Streets for All (SS4A) Safety Action Plan; 10/27/2023 - 10/01/2024; up to \$200,000
8. Acknowledgement of the County Manager's Signature; Access Agreement; Gunnison Conservation District; Permission to access Signal Peak for the purpose of treating invasive Cheatgrass; 9/20/2023 - 11/9/2023

CONSENT AGENDA ITEM #1: Commissioner Puckett Daniels requested discussion about this item, so it was moved from the above consent agenda. Historically, Veteran Services Officer Stephen Otero received a rather small stipend for his work. Execution of this contract will make him a County contractor with significantly increased compensation that is funded by the State. CM Birnie explained that this contract clarifies his position and his relationship to the County. He will continue to receive insurance benefits through the Veteran's Administration. **Moved** by Commissioner Puckett Daniels, seconded by Commissioner Smith to approve the Professional Services Agreement with Stephen Otero for providing assistance to Gunnison County veterans and widows, effective January 1, 2024 through February 28, 2025. Motion carried unanimously.

COUNTY MANAGER'S REPORTS:

1. Sawtooth Update. CM Birnie stated that tenants will move into six units next week, with the remainder of the units becoming ready within a week or so after that. One of the upcoming budget discussions will be about Phase II. Phase I has housed several previous residents of Frontierland mobile home park. The County received 60 applications for the 19 units.

REQUEST FOR A LETTER OF SUPPORT; CITY OF GUNNISON WATER TREATMENT PLANT FACILITY AND SYSTEMS IMPROVEMENTS PROJECT: Gunnison City Manager Amanda Wilson, Gunnison Public Works Director David Gardner, Gunnison Water/Wastewater Superintendent Mike Rogers, and Upper Gunnison River Water Conservancy District General Manager Sonja Chavez were present for discussion.

GCM Wilson and UGRWCDGM Chavez went through the presentation that was included in the meeting packet. The City plans to apply to the Colorado River District for \$150,000 to support design costs associated with Project I, which would include modifications to the City's system to proactively address compliance issues. The application requires County support and is due 11/15/2023. The draft letter was discussed, and modifications were agreed upon. **Moved** by Commissioner Smith, seconded by Commissioner Puckett Daniels to approve the letter of support with the proposed changes that we have discussed, which are mechanical in nature, and include the full Board signature and authorize use of our signature stamps. Motion carried unanimously.

APPROVAL FOR A TOWNHOMES PLAT; STALLION PARK CONDOMINIUMS, ELK VALLEY 65 AND ELK VALLEY 85 BUILDINGS; SITUATED IN THE E 1/2 OF SECTION 7, TOWNSHIP 14 SOUTH, RANGE 85 WEST OF THE 6TH PRINCIPAL MERIDIAN, GUNNISON COUNTY; GUNNISON COUNTY, APPLICANT: Assistant County Manager for Operations and Sustainability John Cattles was present for discussion, and he explained that approval of the plat would clean up some property boundaries and add the County's units into the plat. The condos were completed in 2019, and the County has successfully negotiated with the Homeowner's Association about finalizing the plat. **Moved** by Commissioner Puckett Daniels, seconded by Commissioner Smith to approve the townhome plat for the Stallion Park Condominiums, Elk Valley 65 and Elk Valley 85 Buildings and authorize the Chair's signature. Motion carried unanimously.

APPROVAL FOR A LOT CLUSTER; 40 ACRES IN SECTION 34 TOWNSHIP 51N RANGE 3E, 40 ACRES IN SECTION 33 TOWNSHIP 51N RANGE 3E, AND 80 ACRES IN SECTIONS 33 & 34 TOWNSHIP 51N RANGE 3E; OFF THE GRID AT FOSSIL RIDGE LLC, APPLICANT; LUC-23-00036: Planner Rachael Blondy was present for discussion and explained that approval of this item would cluster three different lots, all in excess of 35 acres. The Board didn't express any concerns. **Moved** by Commissioner Smith, seconded by Commissioner Puckett Daniels to approve the lot cluster for LUC-23-00036 and authorize the full Board's signatures. Motion carried unanimously.

MINOR IMPACT REVIEW; TERRA VISTA NORTH SUBDIVISION; JOHN AND MARY LOU GREGORY, APPLICANTS; LUC-19-00013: Planning Director Hillary Seminick and applicants John and Mary Lou Gregory were present for discussion. Commissioner Houck noted joint meetings with the Planning Commission have already taken place, so this is the next step in the process.

PD Seminick informed the Board that the application was originally submitted to the County in 2019, and that Commissioner Puckett Daniels was serving on the Planning Commission at the time. On 9/7/2023, the Planning Commission recommended approval of this six-lot subdivision with two conditions: 1) Amend the plat-dedication language to include public easement language to allow for non-motorized transportation, such as walking and cycling, on those areas that are identified as either ditch, utility or access easements; when installed by the County; and 2) Amend the covenants to restrict rental occupancy to three months or longer. Those conditions have been met by the applicant. **Moved** by Commissioner Smith, seconded by Commissioner Puckett Daniels to approve Resolution #2023-21 for the minor impact review for LUC-19-

00013. Commissioner Houck amended the motion to include authorization for signature of the whole Board on the documents of approval. Motion carried unanimously.

1. Resolution; Approving Minor Impact Review of the Terra Vista Subdivision on a Tract of Land Within the N1/2 SW1/4 of Section 25, Township 50 North, Range 1 West, New Mexico Principal Meridian, Gunnison County, Colorado; and more Particularly Described in the Warranty Deed Recorded at the Gunnison County Clerk and Recorder on March 30, 2017, Reception No. 645669

BREAK: The meeting recessed from 9:45 to 9:55 am.

UNSCHEDULED PUBLIC COMMENT:

1. Ashley Massow. Ms. Massow submitted an email (ashley.massow@gmail.com) and asked that it be added to this portion of the meeting. Commissioner Houck read the email message into the record. Ms. Massow requested that all language regarding sprinkler systems be removed from County building requirements, as she believes this is cost-prohibitive when building modest homes in the valley.

COMMISSIONER ITEMS:

Commissioner Smith:

1. Ute Mountain Utes Ranch Tour. Commissioner Smith informed the Board that she accepted an invitation from the tribe, and she toured the space on 10/13/23. She listened to County-related concerns that the Utes brought to her, and she felt that it was a good meeting.
2. Crystal River Protections. Commissioner Smith indicated that work continues with the stakeholder group. The summit in Carbondale on 10/26 was very well attended. Future meetings are scheduled, and she plans to attend.
3. Short-Term Rentals. Commissioner Smith informed the Board that a proposed bill related to short-term rentals and reclassifying taxes into a commercial category is being discussed and made it out of the interim committee. There was a good showing of testimony, and she plans to testify in the future if the opportunity arises.
4. Counties & Commissioners Acting Together (CCAT) Fall Retreat. Commissioner Smith attended this retreat last week on the front range. The group discussed cleaning up procedural elements associated with CCAT, short-term rental concerns, and their unanimous support of the real estate transfer tax issue. Colorado is one of only 14 states that does not collect revenues from real estate transfers.
5. Southwest Colorado Opioid Regional Council (SWCORC). Commissioner Smith stated that the granting process is open, and that SWCORC is poised to award up to \$1M across the six-county region. Also, the Attorney General's office has been supporting a monthly data stakeholder group, and she will be presenting to a subgroup that hears proposals related to a statewide data management solution. Some counties and regions have already created their own dashboards, which may help to coordinate information during the ongoing fentanyl crisis.
6. Gunnison Chamber Member Appreciation and Coffee. Commissioner Smith represented the County during this event on 10/30/23.

Commissioner Puckett-Daniels:

1. Mayors & Managers Meeting. Commissioner Puckett Daniels attended this meeting with CM Birnie last week. During the luncheon, updates related to the senior care center and the hospital's long-term financial health were provided.
2. Rural Transportation Authority (RTA) Board Meeting. Commissioner Puckett Daniels informed the Board that she attended this meeting last week.
 - a. Air. Airline sales are pacing well ahead of last winter.
 - b. Ground. A second Bustang bus has been approved and budgeted for, which will provide early-morning service. The bus will be housed in the barn that was constructed in the industrial park south of Riverland. Driver positions are fairly well staffed for the winter, and the provision of Lazy K units was used to recruit additional drivers.
 - c. Strategic Planning. The RTA is working to select a consultant for their strategic planning efforts, and Commissioner Puckett Daniels volunteered to serve on that committee.
3. Sustainable Tourism and Outdoor Recreation (STOR) Committee. Commissioner Puckett Daniels informed the Board that she attended a recent meeting.
 - a. CB-to-CB South Trail. She received an update on this process during a recent STOR meeting. A total of 71 pages of public comments were received by the Committee, in addition to the survey responses, which will take some time to sort through before the Committee discusses all of the input.
 - b. Strategic Planning. The group discussed strategic planning and priorities. Commissioner Puckett Daniels will meet with the Executive Director of the Metropolitan Recreation (MetRec) District to discuss any overlap between MetRec's strategic priorities and those that the County has identified.
4. Counties & Commissioners Acting Together (CCAT) Housing and Transportation Subcommittees; and the Colorado Counties, Inc. (CCI) Land Use Subcommittee on Removing Barriers. Commissioner Puckett Daniels has been participating in these groups to provide

feedback. She indicated that the State is actively seeking feedback regarding how it can provide better service. CM Birnie stated that the feedback has been compiled and is ready to submit, and he will share that information with her outside of the meeting.

Commissioner Houck:

1. GMUG Forest Plan Revision Comments. Commissioner Houck stated that he and CA Hoyt have finished and submitted Gunnison County's comments. He has learned that the Forest Service received quite a few objections from a broad swath of 55 other stakeholders.
2. Gunnison County Benefest Appreciation. Commissioner Houck gave thanks for the recent Benefest event. He stated that the annual event gives employees a better understanding of their benefits and how they can best utilize them. He also stated that he's very appreciative of Human Resources Director Lauren Trautz's leadership.

REVIEW OF PROPOSED AMENDMENTS TO THE GUNNISON COUNTY LAND USE RESOLUTION (LUR): Assistant County Manager for Community and Economic Development Cathie Pagano, Planning Director Hillary Seminick and Building/Environmental Health Official Crystal Lambert were present for discussion.

ACM Pagano provided an overview of the amendments, as described in the memorandum included in the meeting packet. She noted that some changes are court-ordered as the result of the Tyzzer v. Gunnison County case, while others provide clean-up and aren't all that controversial. More substantial changes are expected to come in 2024. CA Hoyt suggested that the Board treat today's discussion as a quasi-work session in which the information would be presented for discussion only. The information contained within the packet was presented to the Board, and the Board made no formal direction to staff. CA Hoyt explained that proposed amendments are required, by statute, to be reviewed by the Planning Commission before proceeding to the Board during a public hearing. The Planning Commission will review the proposed changes during its next meeting, and the Board is then scheduled to hold the related public hearing on 12/19/23.

BREAK: The meeting recessed from 11:41 to 11:45 am.

REVIEW AND APPROVAL FOR A PROPOSED RESOLUTION; ADOPTING THE 2021 EDITIONS OF THE "INTERNATIONAL BUILDING CODE," THE "INTERNATIONAL RESIDENTIAL CODE," THE "INTERNATIONAL MECHANICAL CODE," THE "INTERNATIONAL FUEL GAS CODE," THE "INTERNATIONAL ENERGY CONSERVATION CODE," THE "INTERNATIONAL EXISTING BUILDING CODE," AND THE "COLORADO MODEL ELECTRIC READY AND SOLAR READY CODE," WITH AMENDMENTS, AND AMENDMENTS TO THE 2021 EDITION OF THE INTERNATIONAL WILDLAND-URBAN INTERFACE CODE": ACM Pagano, PD Seminick, BEHO Lambert, and ACM Cattles were present for discussion.

BEHO Lambert gave a brief history of the reviews and approvals from the Board and the Planning Commission. After the Board provided initial input, the Planning Commission held three work sessions to further discuss the proposed amendments. The draft resolution before the Board today includes all changes recommended by the Planning Commission. BEHO Lambert stated that the County is currently working with the 2015 building code editions, and that adoption of the resolution today would update the County's building code requirements to match the 2021 building codes and adopt amendments to previously adopted codes.

CA Hoyt informed the Board that, because this discussion was scheduled as a formal public hearing, the Board should follow the County's formal public hearing process.

BREAK: The meeting recessed from 11:51 until 12:55 pm in order to hold the below Public Hearing.

1. Open Public Hearing. Chairperson Houck opened the Public Hearing at 11:51 am.
2. Public Notice Confirmation. BEHO Lambert confirmed that the Public Hearing had been properly public noticed.
3. Identify Ex Parte Communications. There were no ex parte communications identified. Commissioner Puckett Daniels indicated that she had shared information about today's meeting with a member of the public, but that she did not receive any information from the person.
4. Staff Presentation. BEHO Lambert highlighted the following modifications contained within the approval of the draft resolution.
 - a. International Existing Building Code. This is a new code that her department has been unofficially utilizing, and the resolution would make that use official.
 - b. Colorado Model Electric Ready and Solar Ready Code. This was developed by the Colorado Energy Code Board and mandated by HB 22-1362. Staff has further proposed amendments to this code, if adopted.

- c. Wildland-Urban Interface Code Amendments. Some of the suggested amendments originally came from working with customers who had tried to work with the code and then ran into issues related to covered porches and covered decks. Amendments also include complete removal of the requirements related to residential automatic sprinklers within this code.
 - d. Board of Appeals and Board of Adjustment. BEHO Lambert stated that her department worked closely with CA Hoyt to arrive at the proposed language to ensure that the language is aligned appropriately.
 - e. Residential Code and International Energy Conservation Code. BEHO Lambert noted that the proposal includes energy-efficiency provisions of the Residential Code and provisions in the International Energy Conservation Code that go above the actual codes. Adopting these amendments will help to achieve the County's strategic result related to climate. Her department worked closely with ACM Cattles and the Planning Commission to create the language. Those above-code amendments include:
 - i. Energy Rating Index (ERI). BEHO Lambert stated that, within the codes, one of the pathways for compliance with energy-efficiency provisions is to get an ERI rating. To date, no one has sought an ERI rating, and staff is promoting this potentially cost-saving option. ACM Cattles opined that utilization of this option when building larger homes could eventually normalize its use in the valley, which would lead to it becoming easily available to people who are building smaller homes. BEHO Lambert explained that this rating approach will be required for new residences in excess of 5,000 sq. ft, while it will be available to all home sizes. The planning review fee will also be lower, due to the decreased need for review time.
 - ii. Outdoor Heated Driveways, Walkways, Patios, and Decks. These will be prohibitive as it creates a high level of greenhouse gas emissions.
 - iii. Heaters for Pools and Spas. Gas-fired heaters will be prohibited. Only heat pumps will be allowed for pools, and spas will be heated by high-efficiency systems. Also, spas will be required to have covers with a minimum R12 value for insulation.
 - iv. Heated Gutters for Roof Snowmelt. Heaters gutters will be required to have controls that only activate the heater when temperatures drop to below 40 degrees and when water/ice is detected.
5. Applicant Presentation. N/A
6. Board Questions. The Board did not ask for any clarification.
7. Public Comments. Chairperson Houck opened the Public Hearing to comments at 12:05 pm.
- a. John Stock; High Mountain Concepts, LLC. Mr. Stock, owner of High Mountain Concepts, felt that the energy calculations relevant to the heated driveways needed to be reconsidered as he believed they were incorrect. He also stated that achieving the energy rating is difficult and too expensive. He said that this will burden people who work in the valley, as it will prevent them from being able to afford to live here and purchase homes. Lastly, he said that we do not have the resources in the valley that these systems require, which will increase prices. Thus, he feels that good intentions need to be weighed against the livability in the community.
 - b. Philip (no last name provided), High Mountain Concepts, LLC. Philip stated that achieving the Home Energy Rating System (HERS) ratings isn't possible using electric resistance - - you would need to use internal back-up systems within the heat pump systems, which would require purchasing the highest level of heat pump systems available and still not be efficient enough to heat the second floor. He does not believe that the County has received accurate information regarding these systems.
 - c. Andy Tocke, Little Foot Building. Mr. Tocke owns Little Foot Building and is a newly certified HERS rater. He stated that Crested Butte is implementing HERS ratings as one of many requirements for new construction, and achieving those HERS ratings will require up to four visits to a house. He asked for HERS score information that the County will require, and BEHO Lambert informed him that 51 will be required. He stated that achieving the HERS ratings will cost approximately \$2,500 for a smaller house and up to \$5,000 for a larger house that is over 5,000 sq. ft. He believes it will be important to understand what it will take to achieve the rating, as it will be challenging and there will continue to be a learning curve.
 - d. Brett (no last name provided), Professional Contractors, Inc. Brett introduced himself by saying that he has been building in the valley for 18 years, and he has been building to the 2021 building codes for several of those years. He stated that adoption of these codes will not substantially change what he does, but he noted that the County is consistently adding more codes and requirements, which does add cost. He stated that the middle class is not able to build in this valley, due to regulations and engineering costs, and he feels like the wealthy are being catered to and encouraged while the middle class is being forced out of the valley. Two clients have backed out on their large-home projects with him due to regulations and the high cost of permits, and each house would have cost

around \$1,5M. Lastly, he said that he needs to replace his faulty septic system, and the required permits have pushed his timeline out to having to install the new system in the winter. He feels that this represents enforced inflation.

- e. John Stock; High Mountain Concepts, LLC (continued). Mr. Stock replied to the input provided by Andy Tocke. He opined that mechanical engineers should not be hired for small houses. He has hired mechanical engineers on \$10M house projects, but not on smaller homes.
- f. Ashley Massow (email). Commissioner Houck read Ms. Massow's email into the record. (Note: It was originally mentioned for the record during the Unscheduled Public Comment portion of the meeting.) The email read: "Hello - I would like to submit a public comment in support of the removal of all language having to do with requiring sprinkler systems. Requiring sprinkler systems is extremely cost prohibitive for people living and building modest homes in Gunnison County as their primary residence (not second homeowners hiring high-end architects). Thank you, Ashley Massow, ashley.massow@gmail.com, (847) 858-1906.

8. Acknowledge Correspondence Received. No additional correspondence was identified.

9. Applicant Response.

- a. ACM Cattles noted that our requirements are not the same as those required by the Town of Crested Butte. He noted that the County would be adopting the 2021 codes which, other than the requirements related to driveways, aren't more restrictive. He stated that nothing in the codes required all-electric energy or that says you cannot have electric-resistant heating. He also stated that the codes do not require the hiring of a mechanical engineer.
- b. BEHO Lambert stated her agreement that review times is an issue that can be evaluated, and Commissioner Smith informed the audience that this issue is also being considered at the State legislative level.
- c. Commissioner Smith acknowledged the comments provided that were related to theoretical versus actual energy savings and energy performance. She also stated that requirements pertaining to houses in excess of 5,000 sq. ft. will help to create the service availability in the community, which will eventually be realized by the builders of smaller homes if/when the requirements within future codes apply to smaller homes too. ACM Cattles agreed, and he stated that we are trying to be proactive based on how we have seen code requirements change over time.
- d. Commissioner Puckett Daniels noted that a lot of the tension is related to the difference between local regulations and State regulations, as we have the option to adopt certain regulations, while others are imposed on the County without choice. ACM Pagano reiterated that statement. Input related to removing barriers to housing is something that the commissioners can elevate to State legislators, so she appreciates the feedback. She also asked staff about the costs associated with achieving a rating of 51, and ACM Cattles explained that the prescriptive pathway should lead to the rating of 51, but that national studies have shown that the performance option with tradeoffs may achieve the rating of 51 at a reduced cost.
- e. ACM Pagano stated that the County has hired an additional inspector, which should help to reduce review times. She also stated that Gunnison County has some of the shortest review times across Colorado.
- f. ACM Cattles stated that the County was not required to utilize the 2021 code to build the Sawtooth housing, but that the 2021 code was used and the prescriptive pathway was selected for achieving the energy rating. Heat pumps were used, and all insulation requirements were met. The costs were negligible at \$3,000 cost per unit.
- g. Commissioner Puckett Daniels acknowledged the comments provided by Brett (above), and she said that her personal values align with his statements. She also explained that, while no decisions have been made, the Board previously recommended that staff explore: 1) Consider using some 2024 funds toward performance path review costs for income-qualified homeowners up to an annual limit; and 2) Support the allocation of funding for the development of some model home plans, including single-family and multi-family, for detailed pre-approved assemblies for walls, roofs and other details that are code compliant.
- h. CM Birnie noted that the high cost associated with building and buying homes is not limited to Gunnison County, and that our regulations are not the primary driver of increased local costs.
- i. Commissioner Houck reiterated others' comments, and he acknowledged the high cost of living in the Gunnison valley. He lives in a modestly sized 1,600 sq. ft. home here in Gunnison where he and his wife raised two children, and the cost to build that size of home anywhere in the valley today would be at least \$250k, not including the land, tap fees, etc. He also stated that commissioners across Colorado are echoing the same concerns about the high costs associated with building in their communities, regardless of regulations and fees.

10. Close Public Hearing. Chairperson Houck closed the Public Hearing at 12:55 pm and immediately reconvened the Gunnison County Board of County Commissioners Meeting.

Moved by Commissioner Puckett Daniels, seconded by Commissioner Smith to approve the proposed Resolution #2023-22 adopting the 2021 editions of the building code as presented in the record, including the amendments as presented in the record. Motion carried unanimously.

ADJOURN: Commissioner Houck adjourned the meeting at 12:56 pm.

Jonathan Houck, Chairperson

Elizabeth Smith, Vice-Chairperson

Laura Puckett Daniels, Commissioner

Minutes Prepared By:

Katherine Haase, Deputy County Clerk

Attest:

Kathy Simillion, County Clerk

**GUNNISON COUNTY BOARD OF COMMISSIONERS TEXT INCLUSION INTO MINUTES
BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY
RESOLUTION NO. 23 – 21**

**A RESOLUTION APPROVING MINOR IMPACT REVIEW OF THE TERRA VISTA
SUBDIVISION ON A TRACT OF LAND WITHIN THE N1/2 SW1/4 OF SECTION 25,
TOWNSHIP 50 NORTH, RANGE 1 WEST, NEW MEXICO PRINCIPAL MERIDIAN,
GUNNISON COUNTY, COLORADO; AND MORE PARTICULARLY DESCRIBED IN
THE WARRANTY DEED RECORDED AT THE GUNNISON COUNTY CLERK AND
RECORDER ON MARCH 30, 2017, RECEPTION NO. 645669**

WHEREAS, the Applicant, John and Mary Lou Gregory, submitted a Land Use Change Permit for a Minor Impact review of the Terra Vista Subdivision on April 15, 2019 for a six-lot subdivision of 0.49 to 0.56 acre lots, to be accessed from CO-135 from Hatcher Way and served by domestic wells and North Gunnison Sewer and electric. The Application was deemed complete on November 23, 2021; and

WHEREAS, on January 21, 2020, the Gunnison County Board of County Commissioners ("BOCC") approved Resolution 2020-04, Reception No. 664717 which reduced right-of-way standards from 60 feet to 40 feet wide; and,

WHEREAS, A copy of the complete application was sent via electronic mail on August 4, 2022 to the following agencies: Gunnison County Public Works, Gunnison County Environmental Health and Building Official, Colorado Division of Water Resources, Colorado Parks and Wildlife, Colorado Department of Transportation, Gunnison Fire Protection District, City of Gunnison Community Development Department. Referral agency approval conditions have been incorporated in the Conditions of Approval within this Resolution; and

WHEREAS, the Application was initially classified as a Major Impact project. The Planning Commission determined that the Application meets the standards of Land Use Resolution ("LUR") Section 3-111 Classification of Impact for an impact classification reduction from a Major Impact Review to a Minor Impact review at an October 6, 2022 work session. A subsequent site visit and work session was held on December 1, 2022; and

WHEREAS, a joint public hearing was conducted by the Planning Commission and BOCC on January 19, 2023 and continued several times. At the final Joint Public Hearing, the Planning Commission approved a Recommendation of Approval, with conditions and forwarded said Recommendation to the BOCC for their review; and

WHEREAS, the BOCC on November 7, 2023, received and reviewed the Planning Commission Recommendation and considered the Recommendation in evaluating the request and intends to approve the request by the adoption in full of the Planning Commission's September 7, 2023 Recommendation, with the following Findings and Conditions of Approval:

FINDINGS:

The BOCC finds that:

1. The Planning Commission has classified the application as a Minor Impact Project, based upon the impact classification criteria found in LUR Section 3-111 Classification of Impact.
2. The land use change complies with all applicable requirements of the Gunnison County Land Use Resolution and LUR Section 6-103: Standards of Approval for Minor Impact Projects.
3. This review and recommendation incorporates, but is not limited to, all the documentation submitted to the County and included within the Planning Office file relative to this application; including all exhibits, references and documents as included therein.

CONDITIONS OF APPROVAL:

1. The approval shall be memorialized by BOCC Resolution. Approval shall not be effective until the Resolution is recorded with the Office of the Gunnison County Clerk and Recorder.
2. The plat will identify a public easement to allow for non-motorized transportation, such as walking and cycling, on those areas that are identified as either ditch, utility or access easements; when installed by the county.
3. Rental occupancy shall be restricted to periods of three months or longer.
4. Terra Vista North Subdivision provides access to the six individual lots via Hatcher Way from State Highway 135. At the time of construction each lot shall be required to apply for and obtain a driveway access.
5. The landscaping plan per LUR Section 13-111 shall utilize the abundant existing vegetation on site. At a minimum at least one tree and three shrubs will be installed per 500 square feet of lot size. If it is determined additional vegetation is required, native vegetation will be planted. This will include but not limited to: Spruce varieties, Cedar, Aspen, and shrub varieties that a drought resistant type such as Potentials, Mountain Mahogany and existing Rose Hips. No vegetation shall exceed 30 inches within 15 feet of the existing roadways. Snow storage setbacks as platted will be respected and not encroached upon by vegetation. All landscaping will be performed in a manner that creates privacy among individual lots.
6. The entire service line to the manhole shall be the responsibility of the owner of lot #4. If at any point during installation the service line is less than 6' below grade, 2" insulation board will have to be installed over the line.
7. The Applicant shall execute and fund with Gunnison County a Development Improvement Agreement acceptable to Gunnison County in form and substance, and amount and type of security pursuant to Section 16-118: Development Improvement Agreement Required.
8. This permit is limited to activities described within the "Project Summary" of this application, and as depicted on the Site Plan submitted as part of this application. Expansion or change of this use will require either an application for amendment of this permit, or submittal of an application for a new permit, in compliance with applicable requirements of the Gunnison County Land Use Resolution.
9. A mylar subdivision plat, in compliance with Section 6-105, Gunnison County Land Use Resolution, shall be provided to the Community Development Department, for signature by the BOCC. Approval shall not be effective until and unless the plat is recorded with the Office of the Gunnison County Clerk and Recorder.
10. To avoid wildlife conflicts, the management of outside pet food, bird feeders, and the storage of household waste should be given a high priority. It is recommended that bear resistant trash containers be required for use in any new development in the Gunnison Basin.
11. Disturbed areas must be reseeded with an appropriate seed mix. Colorado Parks and Wildlife (CPW) and/or the Natural Resources Conservation Service (NRCS) are available to help identify an appropriate seed mix.
12. Property owners must control or attempt to eradicate any noxious weeds that occur on the property. A list of noxious weeds may be found in the Colorado Noxious Weed list: www.colorado.gov/pacific/agconservation/noxious-weed-species. The Gunnison County Weed Management Program should be contacted (970-641-4393) for additional information and technical assistance.
13. Pursuant to Section 11-106 G.3.d.1. of the Gunnison County Land Use Resolution, dogs and cats must be kept under appropriate control, by means which may include kenneling or other physically secure methods to ensure that negative effects to wildlife from pets do not occur. This includes construction workers' pets.
14. Pursuant to Section 11-106 G. e. of the Gunnison County Land Use Resolution, unless pre-empted by Federal or State law, all non-indigenous gallinaceous game-birds (including but not limited to

pheasants, chukar, and quail), shall be imported only from a source certified by the State of Colorado to be disease free. Prior to importation of any species of gallinaceous game-birds to this parcel, the person proposing such action shall submit a list of species, with numbers proposed, and a disease certification, with a listing of diseases certified, from the source proposed. No importation (movement onto the property) of any wild birds, as defined above, shall occur without written approval by Gunnison County.

- 15. This permit is limited to activities described within the "Project Description" of this application, and as depicted on the Plan submitted as part of this application. Expansion or change of this use will require either an application for amendment of this permit, or submittal of an application for a new permit, in compliance with applicable requirements of the Gunnison County Land Use Resolution.
- 16. This approval is founded on each individual requirement. Should the applicant successfully challenge any such finding or requirement, this approval is null and void.
- 17. This permit may be revoked or suspended if Gunnison County determines that any material fact set forth herein or represented by the applicant was false or misleading, or that the applicant failed to disclose facts necessary to make any such fact not misleading.
- 18. The removal or material alteration of any physical feature of the property (geological, topographical or vegetative) relied on herein to mitigate a possible conflict shall require a new or amended land use change permit.
- 19. Approval of this use is based upon the facts presented and implies no approval of similar use in the same or different location and/or with different impacts on the environment and community. Any such future application shall be reviewed and evaluated, subject to its compliance with current regulations, and its impact to the County.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gunnison County, Colorado, that Minor Impact Land Use Change Permit No. LUC-19-00013 is approved, subject to each and all conditions, as identified above.

THIS RESOLUTION AND THE APPROVAL GRANTED HEREBY shall not be effective unless and until a copy is recorded in the Office of the Clerk and Recorder of Gunnison County.

INTRODUCED by Commissioner Smith, seconded by Commissioner Daniels, and adopted this 7th day of November, 2023.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

Houck – yes; Puckett Daniels – yes; Smith – yes.

**BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GUNNISON, COLORADO
RESOLUTION NO: 23-22**

A RESOLUTION ADOPTING THE 2021 EDITIONS OF THE "INTERNATIONAL BUILDING CODE," THE "INTERNATIONAL RESIDENTIAL CODE," THE "INTERNATIONAL MECHANICAL CODE," THE "INTERNATIONAL FUEL GAS CODE," THE "INTERNATIONAL ENERGY CONSERVATION CODE," THE "INTERNATIONAL EXISTING BUILDING CODE," AND THE "COLORADO MODEL ELECTRIC READY AND SOLAR READY CODE," WITH AMENDMENTS, AND AMENDMENTS TO THE 2021 EDITION OF THE "INTERNATIONAL WILDLAND- URBAN INTERFACE CODE"

WHEREAS, pursuant to C.R.S. § 30-28-201, *et. seq.*, the Board of County Commissioners of the County of Gunnison, Colorado (herein the "Board") previously adopted the 2015 editions of the "International Building Code," the "International Residential Code," the "International Mechanical Code," the "International Fuel Gas Code," the "International Energy Conservation Code," and the 2021 edition of the "International Wildland-Urban Interface Code"; and

WHEREAS, pursuant to C.R.S. § 30-28-211, *et. seq.*, "a board of county commissioners that has adopted and enforced one or more building codes, and that updates one or more building codes on or after July 1, 2023, and before July 1, 2026 shall adopt and enforce an energy code that achieves equivalent or better energy performance than the 2021 international energy conservation code and the model electric ready and solar ready code language developed for adoption by the energy code board pursuant to section 24-38.5-401(5) at the same time other building codes are updated"; and

WHEREAS, the Board has reviewed the 2021 editions of the "International Building Code," the "International Residential Code," the "International Mechanical Code," and the "International Fuel Gas Code," the "International Energy Conservation Code," the "International Existing Building Code," and the "Colorado Model Electric Ready and Solar Ready Code" and the amendments to those codes, and the amendments to the 2021 edition of the "International Wildland-Urban Interface Code" (herein collectively the "2021 code update"); and

WHEREAS, the Board has determined that adoption of the 2021 code update establishes minimum requirements to safeguard the public safety, health and general welfare through affordability, structural strength, means of egress, stability, sanitation, light and ventilation, energy conservation and safety to life and property from fire and other hazards attributed to the built environment and provide safety to fire fighters and emergency responders during emergency operations; and

WHEREAS, the Gunnison County Planning Commission has reviewed the 2021 code update and has recommended adoption to the Board; and

WHEREAS, pursuant to C.R.S. § 30-28-204, the Board conducted a public hearing on the 7th day of November, 2023 after notice was published in a newspaper of general circulation in the county at least fourteen days prior to said hearing;

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gunnison County, Colorado that the following are hereby adopted for the unincorporated area of Gunnison County effective January 1, 2024, except for item 8 below which shall be effective immediately:

1. The "International Building Code", 2021 edition, with the amendments as set forth in Appendix "A" attached hereto and incorporated herein;
2. The "International Residential Code", 2021 edition, with the amendments as set forth in Appendix "B" attached hereto and incorporated herein;
3. The "International Mechanical Code", 2021 edition, with the amendments as set forth in Appendix "C" attached hereto and incorporated herein;
4. The "International Fuel Gas Code", 2021 edition, with the amendments as set forth in Appendix "D" attached hereto and incorporated herein;
5. The "International Energy Conservation Code", 2021 edition, with the amendments as set forth in Appendix "E" attached hereto and incorporated herein;
6. The "International Existing Building Code", 2021 edition, with the amendments as set forth in Appendix "F" attached hereto and incorporated herein;
7. The "Colorado Model Electric Ready and Solar Ready Code" with amendments as set forth in Appendix "G" attached hereto and incorporated herein;
8. Amendments as set forth in Appendix "H" attached hereto and incorporated herein to the International Wildland-Urban Interface Code, 2021 edition previously adopted in Resolution No. 22-33.

The previously adopted 2015 editions of the "International Building Code," the "International Residential Code," the "International Mechanical Code," the "International Fuel Gas Code," and the "International Energy Conservation Code" are superseded, effective January 1, 2024, by this action.

INTRODUCED by Commissioner Daniels, seconded by Commissioner Smith, and adopted this 7th day of November, 2023.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

Houck – yes; Puckett Daniels – yes; Smith – yes.

ATTACHMENT A
AMENDMENTS TO THE INTERNATIONAL BUILDING CODE, 2021 EDITION

Section 101.1 Title: Replace [Name of Jurisdiction] with "Gunnison County".

Section 101.4.3 Plumbing: Amend the last sentence to the following: The provisions of the *International Private Sewage Disposal Code* *Gunnison County On-site Wastewater Treatment System Regulations* shall apply to ~~private sewage disposal systems~~ on-site wastewater treatment systems.

Section 105.2 Work exempt from permit:

Amend the following items in this section as follows:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided that the floor area is not greater than ~~120~~ 200 square feet. The placement and siting of such structures on a parcel shall be required to comply with the *Gunnison County Land Use Resolution*, including but not limited to, Article 11: Resource Protection Standards and Article 13: Project Design Standards.

Add the following item under Building, as item #11:

11. Non-residential buildings or portions of such buildings which are agricultural structures as defined in the *Gunnison County Land Use Resolution* and are part of an agricultural operation as defined in the *Land Use Resolution*. Requests for agricultural exemptions will be reviewed and approved by the Gunnison County Community Development Department prior to construction.

Section 105.5.1 Expiration: Add the following paragraph: All below grade excavation done in advance of construction shall be filled and made safe within thirty (30) days of an abandoned project. Where construction has advanced beyond excavation all foundation work and above grade construction shall be secured against the weather and the construction site shall be otherwise returned to that condition as existed before the permit was issued.

Section 109.2 Schedule of permit fees: Replace the paragraph with the following:

On buildings, structures, or alterations requiring a permit, a fee for each permit shall be paid as determined in accordance with Appendix AL Permit Fee of the International Residential Code, 2021 edition.

Section 109.3 Building permit valuations: The following paragraphs shall be added: In order to determine the valuation for the various types of construction, building permit valuation may be established according to the Building Valuation Data schedule as set forth in the most recent issue, at the time of the issuance

of the building permit, of the Building Safety Journal, published by the International Code Council with a regional multiplier of 2.8 applied.

Section 109.4 Work commencing before permit issuance: Replace with the following: Any person who commences work before obtaining the necessary permits shall be subject to 100 percent (100%) of the building permit and plan review fees in addition to the required permit fees.

Section 109.5 Related fees: Add the following sections:

Section 109.2.1 Plan review fees: A plan review fee shall be paid to cover the cost of review by the Gunnison County Community Development Department. The plan review fee shall be 65 percent (65%) of the building permit fee, except the plan review fee for residential projects shall be 30 percent (30%) of the building permit fee. Additional plan review required by changes or revisions to the plans shall be charged a fee of \$150.00 and review time beyond two hours shall be assessed at a rate of \$100 per hour. If an independent plan review is required by the Building Official, the actual cost of such review along with administrative costs assessed at a rate of \$75.00 per hour will be charged.

Section 108.2.1.1 Energy Rating Index: The plan review fee shall be 22 percent (22%) of the building permit fee for projects that utilize the Energy Rating Index option complying with Section N1106.

Section 109.6 Refunds: Add the following refund policy:

The Building Official is authorized to refund the building permits fees as follows:

1. The full amount of any fee paid hereunder which was erroneously paid or collected.
2. Not more than 80 percent (80%) of the building permit fee paid when no work has been done under a permit.

The Building Official is not authorized to refund any fee paid, except upon written application by the original permittee not later than 180 days after the date of fee payment.

Section 109.7 Re-inspection fees: Add the following section and paragraph:

A fee for re-inspection will be calculated at \$75 per hour plus mileage to and from the site.

Section 113 Means of Appeals, Section 113.1 General: Replace with the following: The Gunnison County Board of Appeals pursuant to C.R.S. § 30-28-118 shall be the Gunnison County Board of Adjustment as described in the *Gunnison County Land Use Resolution Section 8-103: Appeals*.

ATTACHMENT B
AMENDMENTS TO THE INTERNATIONAL RESIDENTIAL CODE, 2021 EDITION

Section R101.1 Title: Replace [Name of Jurisdiction] with "Gunnison County".

Section R105.2 Work exempt from permit: Add the following sentence to item #1: The placement and siting of such structures on a parcel shall be required to comply with the *Gunnison County Land Use Resolution*, including but not limited to *Article 11: Resource Protection Standards* and *Article 13: Project Design Standards*.

Section 105.5.1 Expired work: Add the following section:

All below grade excavation done in advance of construction shall be filled and made safe within thirty (30) days of an abandoned project. Where construction has advanced beyond excavation all foundation work and above grade construction shall be secured against the weather and the construction site shall be otherwise returned to that condition as existed before the permit was issued.

Section R108.2 Schedule of permit fees: Replace the paragraph with the following: On buildings, structures, or alterations requiring a permit, a fee for each permit shall be paid as determined in accordance with Appendix AL Permit Fee.

On mechanical only work requiring a permit, the fee shall be the mechanical project valuation multiplied by 0.0075 and the minimum permit fee is \$55.00.

Section R108.3 Building permit valuations: The following paragraph shall be added: In order to determine the valuation for the various types of construction, building permit valuation may be established according to the Building Valuation Data schedule as set forth in the most recent issue, at the time of the issuance of the building permit, of the *Building Safety Journal*, published by the International Code Council with a regional multiplier of 2.8 applied. For residential structures greater than 5,000 square feet it is the applicant's responsibility to provide the Building Permit valuation.

Section R108.4 Related fees: Add the following sections:

R108.4.1 Plan review fees: A plan review fee shall be paid to cover the cost of review by Gunnison County Community Development Department. The plan review fee shall be 30 percent (30%) of the building permit fee, except the plan review fee shall be 22 percent (22%) for projects utilizing the Energy Rating Index approach, in accordance with Section N1106. Additional plan review required by changes or revisions to the plans shall be charged a fee of \$150.00 and review time beyond two hours

shall be assessed at a rate of \$100.00 per hour. If an independent plan review is required by the Building Official, the actual cost of such review along with administrative costs assessed at a rate of \$75.0 per hour will be charged.

R108.4.2 Application fee: A non-refundable application fee of \$250.00 is due at the time of application submittal and is to be applied to the building permit fee at the time of issuance. The \$250.00 application fee will be forfeit if the permit is not issued within 12 months of the application submittal date.

Section R108.5 Refunds:

The Building Official is authorized to refund the building permits fees as follows:

1. The full amount of any fee paid hereunder which was erroneously paid or collected.
2. Not more than 80 percent (80%) of the building permit fee paid when no work has been done under a permit.

The Building Official is not authorized to refund any fee paid except upon written application by the original permittee not later than 180 days after the date of fee payment.

Section R108.6 Work commencing before permit issuance: Replace with the following:

Any person who commences work before obtaining the necessary permits shall be subject to 100 percent (100%) of the building permit and plan review fees in addition to the required permit fees.

Section R112 Board of Appeals, Section R112.1 General: Replace with the following: The Gunnison County Board of Appeals pursuant to C.R.S. § 30-28-118 shall be the Gunnison County Board of Adjustment as described in the *Gunnison County Land Use Resolution Section 8-103: Appeals*.

Table R301.2 Climatic and Geographic Design Criteria: Amend to add the following values in the spaces provided.

Ground Snow Load: Varies. The value of roof (or other) snow load shall be equal to the "recommended basic snow load" as defined in the "2016 Colorado Design Snow Loads", prepared by the "Structural Engineers Association of Colorado". ASCE 7 procedures shall be used to determine roof snow loads.

Wind Design:

Speed (mph): 104, 3-second gust for exposure C.
Topographic effects: No
Special wind region: No Windborne debris zone: No

Seismic Design Category: C for soil site class D Subject to

Damage from:

Weathering: Severe
Frost line depth: 36"
Termite: Slight

Ice Barrier Underlayment Required: Yes

Flood Hazards: 1989, Resolution 89-31, 2013 Firm maps

Air Freezing Index: 3447 (BF-days-100year) Mean

Annual Temp: 37.2F

Manual J Design Criteria:

Elevation feet: 7,674 at Automated Weather Observing System Altitude correction factor: 0.75
Latitude degrees north: 39 Coincident
wet bulb: 52
Indoor winter design dry-bulb temperature: 70 Outdoor winter design dry-bulb temperature: -22 Heating temperature difference: 92
HDD65/CDD50: 9.03
Cooling daily range: High
Indoor summer design relative humidity: 50% Summer design grains at 50% RH: -54
Indoor summer design dry-bulb temperature: 75 Outdoor summer design dry-bulb temperature: 81 Cooling temperature difference: 6

Section R302.5.1 Opening protection: Add the following at the end of the last sentence: The door in a closed position shall be fitted or gasketed to prevent exposure from potential gases.

Section R303.3 Bathrooms: Amend to read as follows:

Bathrooms, water closet compartments, and other similar rooms shall be provided with mechanical ventilation with minimum ventilation rates of 50 cubic feet per minute for intermittent ventilation or 20 cubic feet per minute for continuous ventilation. Ventilation air from the space shall be exhausted to the outside.

Section R313.1 Townhome automatic sprinkler systems: Delete the entire section

Section R313.2 One- and two-family dwellings automatic sprinkler systems: Delete the first sentence and replace with the following:

An automatic sprinkler system shall be installed in one-family dwellings when the Gross Floor Area, including attached utility areas and garages, exceeds 3,600 square feet.

Section N1101.13 Application: Add the following Exception to this section:

Exception #2: New one-family dwellings greater than 5,000 square feet Gross Floor Area shall comply with Section N1101.13.5 and Section N1101.13.3.

Section N1103.9 Snow melt and ice system controls: Replace this section with the following:

Exterior heated walking surfaces, parking areas and driveways are prohibited. All other snow and ice melt systems, supplied through energy service to the building, shall include automatic controls that only activate when the temperature is less than 40° F (4.8° C) and when water is detected.

Section N1103.10.1 Heaters: Delete the last sentence and add the following:

Gas-fired heaters for pools and spas are prohibited. Pools shall be heated with a heat pump system only. Spas, when heated by a separate appliance, shall utilize high efficiency systems.

Section N1103.10.3 Covers: Delete the exception and add the following to the last sentence of the section:

Spas are required to have a cover with a minimum R-value of 12.

Section N1106.1 Scope: Add the following to the end of the sentence: Developed per ANSI/RESNET/ICC 301.

Section N1106.4 Energy Rating Index: Amend the section to the following:

The Energy Rating Index (ERI) shall be determined in accordance with the ANSI/RESNET/ICC 301 standard.

Section G2445 Unvented room heaters: Replace section with the following:

Unvented room heaters utilizing fuel combustion are prohibited in all locations throughout all occupancies.

Appendix AF Passive Radon Gas Controls: Include the entire section.

Appendix AL Permit Fees: Include the entire section.

Appendix AQ Tiny Houses: Include the entire section.

Appendix AR Light Straw-clay Construction: Include the entire section.

Appendix AS Strawbale Construction: Include the entire section.

ATTACHMENT C

AMENDMENTS TO THE INTERNATIONAL MECHANICAL CODE, 2021 EDITION

Section 101.1 Title: Replace [Name of Jurisdiction] with "Gunnison County".

Section 109.2 Schedule of permit fees: Add the following:

The permit fees shall be established by multiplying the project valuation by 0.0075 and the minimum permit fee shall be \$55.00. The plan review fee, where plan review is needed, shall be 65 percent (65%) of the permit fee.

Section 113 Means of Appeals, Section 113.1 General: Replace with the following: The Gunnison County Board of Adjustment shall hear and decide appeals of orders, decisions or determinations made by the code official relative to the application and interpretation of this code.

Section 114.1 Board of Appeals: Replace with the following:

The Gunnison County Board of Appeals pursuant to C.R.S. § 30-28-118 shall be the Gunnison County Board of Adjustment as described in the *Gunnison County Land Use Resolution Section 8-103: Appeals*.

ATTACHMENT D

AMENDMENTS TO THE INTERNATIONAL FUEL GAS CODE, 2021 EDITION

Section 101.1 Title: Replace [Name of Jurisdiction] with "Gunnison County".

Section 113 Means of Appeal, Section 113.1 General: Replace with the following: The Gunnison County Board of Appeals pursuant to C.R.S. § 30-28-118 shall be the Gunnison County Board of Adjustment as described in the *Gunnison County Land Use Resolution Section 8-103: Appeals* and shall hear and decide appeals of orders, decisions or determinations made by the code official relative to the application and interpretation of this code.

Section 303.3 Prohibited locations: Delete exceptions 3 and 4.

Section 501.8 Appliances not required to be vented: Delete items number 8 and 10.

Section 621 Unvented room heaters: Delete all subsections of 621 and replace with the following:

Unvented room heaters utilizing fuel combustion are prohibited in all locations throughout all occupancies.

ATTACHMENT E
AMENDMENTS TO THE INTERNATIONAL ENERGY CONSERVATION CODE, 2021 EDITION

Section C101.1 Title: Replace [Name of Jurisdiction] with "Gunnison County".

Section C110 Board of Appeals, Section C110.1 General: Replace with the following: The Gunnison County Board of Appeals pursuant to C.R.S. §30-28-118 shall be the Gunnison County Board of Adjustment as described in the *Gunnison County Land Use Resolution Section 8-103: Appeals* and shall hear and decide appeals of orders, decisions or determinations made by the code official relative to the application and interpretation of this code.

Section C403.13.2 Snow- and ice-melt system controls: Replace with the following: Exterior heated walking surfaces, parking areas and driveways are prohibited. All other snow- and ice- melt systems, supplied through energy service to the building, shall include automatic controls that only activate when the temperature is less than 40· F (4.8· C) and when water is detected.

Section C404.8.1 Heaters: Delete the last sentence and add the following:
Gas-fired heaters for pools and spas are prohibited. Pools shall be heated with a heat pump system only. Spas, when heated by a separate appliance, shall utilize high efficiency systems.

Section C404.8.3 Covers: Delete the exception and add the following to the last sentence of the section:
Spas are required to have a cover with a minimum R-value of 12.

Section C408.2 Mechanical systems and service water-heating systems commissioning and completion requirements, Exception 1: Replace paragraph with the following:

1. Mechanical systems and service water-heating systems in buildings where the total mechanical equipment capacity is less than 480,000 Btu/h (140.7kW) cooling capacity or 600,000 Btu/h (175.8 kW) combined service water-heating and space- heating capacity.

Section R101.1 Title: Replace [Name of Jurisdiction] with "Gunnison County".

Section R110 Board of Appeals, Section R110.1 General: Replace with the following: The Gunnison County Board of Appeals pursuant to C.R.S. §30-28-118 shall be the Gunnison County Board of Adjustment as described in the *Gunnison County Land Use Resolution Section 8-103: Appeals* and shall hear and decide appeals of orders, decisions or determinations made by the code official relative to the application and interpretation of this code.

Section R401.2 Application: Add the following Exception to this section:
Exception #2: New one-family dwellings greater than 5,000 square feet Gross Floor

Area shall comply with Section R401.2.5 and R401.2.3.

Section R403.9 Snow melt and ice system controls: Replace this section with the following:
Exterior heated walking surfaces, parking areas and driveways are prohibited. All other snow melt and ice systems, supplied through energy service to the building, shall include automatic controls that only activate when the temperature is less than 40· F (4.8· C) and when water is detected.

Section R403.10.1 Heaters: Delete the last sentence and add the following:
Gas-fired heaters for pools and spas are prohibited. Pools shall be heated with a heat pump system only. Spas, when heated by a separate appliance, shall utilize high efficiency systems.

Section R403.10.3 Covers: Delete the exception and add the following to the last sentence of the section:
Spas are required to have a cover with a minimum R-value of 12.

Section R406.1 Scope: Add the following to the end of the sentence: developed per ANSI/RESNET/ICC 301.

Section R406.4 Energy Rating Index: Amend the section to the following:
The Energy Rating Index (ERI) shall be determined in accordance with the ANSI/RESNET/ICC 301 standard.

ATTACHMENT F
AMENDMENTS TO THE INTERNATIONAL EXISTING BUILDING CODE, 2021 EDITION

Section 101.1 Title: Replace [Name of Jurisdiction] with "Gunnison County".

Section 112 Board of Appeals, Section 112.1 General: Replace with the following: The Gunnison County Board of Appeals pursuant to C.R.S. §30-28-118 shall be the Gunnison County Board of Adjustment as described in the *Gunnison County Land Use Resolution Section 8-103: Appeals* and shall hear and decide

appeals of orders, decisions or determinations made by the code official relative to the application and interpretation of this code.

ATTACHMENT G
AMENDMENTS TO THE COLORADO MODEL ELECTRIC READY AND SOLAR READY CODE

Section 101.1 Title: Replace [Name of Jurisdiction] with "Gunnison County".

Section 102.1.2 Buildings Impacted by a Natural Disaster: Replace all [Name of Jurisdiction] with "Gunnison County".

Section 102.2 Substantial Cost Differential Waiver: Replace all [Name of Jurisdiction] with "Gunnison County".

Section 109 Board of Appeals, Section 109.1 General: Replace with the following: The Gunnison County Board of Adjustment as established in Board of County Commissioners of the County of Gunnison, Colorado, shall hear and decide appeals of orders, decisions or determinations made by the code official relative to the application and interpretation of this code, as set forth in the *Gunnison County Land Use Resolution Section 8-103: Appeals*.

Section 202 General Definitions: Add the following:

MAJOR RENOVATION. A renovation or alteration where the work area, as defined by the International Existing Building Code, exceeds 50 percent (50%) of the building area. MAJOR ADDITION. An addition where the area of the addition exceeds 50 percent (50%) of the building area.

ATTACHMENT H
AMENDMENTS TO THE INTERNATIONAL WILDLAND-URBAN INTERFACE CODE, 2021 EDITION

Section 101.5 Additions or alterations: Add the following exceptions:

Exception 1: New covered deck or porch additions not exceeding 200 square feet. Exception 2: Additions to existing decks where the area of the addition is less than 50 percent (50%) of the existing deck area and where the existing deck is not being replaced excluding portions of the existing deck where incidental work entailed by the intended work must be performed and portions of the deck where work not initially intended by the owner is specifically required by the building code.

Exception 3: Additions to existing structures where the area of the addition is less than 50 percent (50%) of the existing area and where the existing exterior materials are not being replaced.

Section 113 Means of Appeal, Section 113.1 General: Replace with the following: The Gunnison County Board of Appeals pursuant to C.R.S. §30-28-118 shall be the Gunnison County Board of Adjustment as described in the *Gunnison County Land Use Resolution Section 8-103: Appeals* and shall hear and decide appeals of orders, decisions or determinations made by the code official relative to the application and interpretation of this code.

Section 602 Automatic Sprinkler Systems, Section 602.1 General: Delete section.