

GUNNISON COUNTY PLANNING COMMISSION
PRELIMINARY AGENDA: Friday, March 3, 2017

- 8:45 a.m.**
- **Call to order; determine quorum**
 - **Approval of Minutes**
 - **Unscheduled citizens:** A brief period in which the public is invited to make general comments or ask questions of the Commission or Planning Staff about items which are not scheduled on the day's agenda.

9:00 a.m. **Crested Butte Horse Park**, continued joint public hearing/no action, request for the subdivision of a 73.25 acre parcel into two parcels; and the commercial development of a horse park and related buildings (approximately 40,000 square feet total) that will provide horseback riding lessons, riding facilities, horse clinics, horse competitions, training, equine centered vacations, horse camping, concierge services for guests, and horse boarding and training for the public. The property is located at 20601 Hwy 135 and legally described as a 6.1 acre tract in SW4SW4, Section 27 and a 66.1-acre tract in S2SE4 Section 28, Township 14 South, Range 85 West, 6th p.m. The parcel is on the west side of Highway 135 across from Cement Creek Road.
LUC-16-00005

11:00 a.m. **David Baumgarten, County Attorney**, work session/no action, Planning Commission training, ex parte communication, sunshine law, etc.

Lunch

1:00 p.m. **Crystal Lambert, Building and Environmental Health Official**, work session/no action, presentation of proposed 2015 International Building Codes

Adjourn

The applications can be viewed on gunnisoncounty.org,
link to <http://204.132.78.100/citizenaccess/>

- Public access
- Projects
- Application #
- Attachments

**GUNNISON COUNTY PLANNING COMMISSION
REGULAR MEETING
March 3, 2017**

The Gunnison County Planning Commission conducted a regular meeting, in the Commissioners' Meeting Room in the Blackstocks Government Center. **Present:**

Chairman- Kent Fulton Vice-Chairman- Jack Diani Commissioner- AJ Cattles Commissioner-Tom Venard Commissioner-Molly Mugglestone Alternate Commissioner- Sarah Coleman Alternate Commissioner- Vince Rogalski Board of County Commissioner- John Messner Board of County Commissioner- Jonathan Houck	Director of Community Development- Cathie Pagano Assistant Director- Neal Starkebaum Planner- Rachel Sabbato Manager of Administrative Services- Beth Baker Others present as listed in text
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With a quorum present Chairman Fulton opened the March 3, 2017, regular meeting of the Planning Commission.

Moved by Fulton seconded by Venard to approve the Planning Commission meeting minutes dated February 17, 2017, as amended. The motion passed unanimously.

Crested Butte Horse Park (LUC-16-00005): The Gunnison County Planning Commission and the Board of County Commissioners conducted a continued joint public hearing/no action. They continued the review of the request for the subdivision of a 73.25 acre parcel into two parcels; and the commercial development of a horse park and related buildings (approximately 40,000 square feet total) that will provide horseback riding lessons, riding facilities, horse clinics, horse competitions, training, equine centered vacations, horse camping, concierge services for guests, and horse boarding and training for the public. The property is located at 20601 Hwy 135 and legally described as a 6.1 acre tract in SW4SW4, Section 27 and a 66.1-acre tract in S2SE4 Section 28, Township 14 South, Range 85 West, 6th p.m. The parcel is on the west side of Highway 135 across from Cement Creek Road.

With a quorum present Chairman Fulton opened the continued joint public hearing.

Present representing Planning Commission: Commissioners Fulton, Diani, Venard, Cattles, Mugglestone, Coleman and Rogalski. Present representing the Board of County Commissioners: Houck and Messner.

Present representing Staff; Director of Community Development Cathie Pagano, and Manager of Administrative Services Beth Baker.

Present representing the application; Heath Hansens, and Jim Starr.

Fulton opened the continued public hearing with public comments.

Public comments:

Adjacent neighbor John Gallowich explained his concerns, which included:

- The traffic study done for this project and CDOT's determination that no acceleration or deceleration lanes were required. He questioned the traffic numbers and suggested they should include the traffic coming up from

Almont, Crested Butte South, and over Cottonwood Pass. He pointed out traffic will increase with the camping, drive in guests, maintenance workers, etc. He asked what types of traffic control will be used for the events. He said the line of site is often obstructed by icy, windy and snow packed road conditions were not taken into consideration. He said the traffic study was insufficient and should be reviewed to ensure public safety.

- The number of horses boarded at one time has been described as 21 horses or 42 horses and that is a significant difference. The number of horses should be clearer.
- He noted the water runoff on his property and the CBHP property can be significant at times. He described the spring runoff and said water from his property has gone on to the highway.
- He was concerned with the possible contamination of his well water, from the animal feces.
- He has a small old cabin on his property and wants to ensure the water to the cabin is not contaminated by Hansens' leach field.
- He pointed out his property and the CBHP property are encumbered by a recorded deed land covenant. This covenant strictly limits the amount of camping allowed on the properties. He requested CBHP abide by those covenants. He asked the covenant issue be resolved before the application could be approved.
- He said this application process has gone too quickly and requested the Planning Commission slow down and consider the application thoroughly.
- He asked about the County noise standards. Pagano explained the County standards for commercial uses next to residential uses as the strictest standards in the LUR.
- He asked about the County outdoor lighting regulations. Pagano explained that down cast, shielded lighting fixtures are required. Hansens said in the winter the indoor arena will close at 6 P.M. and the guests and staff should be out by 7 P.M. Hansens explained there would be no outdoor lighting for the summer campers.
- He asked if they would be notified of special events that were occurring.

Adjacent owner Ruth Gallowich was concerned if this application is approved and the owners were not successful, what would become of the property. Fulton said there would be a new application required. Gallowich said this approval would set a precedent for commercial development in the area. Pagano noted precedents are not set, each individual application is reviewed on its own merits.

Adjacent owner Mary Ann Fore explained her concerns, which included:

- Insect infestation from the large number of animals
- Light pollution
- Noise pollution

John Mahoney said he sells hay to Hansens and this has been a great economic benefit to him. He added the riding and horse boarding facility is greatly needed in the valley. He was glad to see a year round safe riding facility.

Commissioners' comments

Mugglestone and Houck were concerned about the possible contamination of the neighbor's well, from the animal feces. Pagano said the Environmental Health official would contact the Colorado Department of Public Health and Environment (CDPHE).

Messner asked if there is a drainage plan; Hansens said they are working on one.

Coleman asked about water sheeting off of the landscaping berm.

Mugglestone asked how the traffic study can be dealt with. Pagano suggested a follow up with CDOT, and asked the applicant to have their traffic engineer verify their professional study, specifically addressing the traffic issues discussed today. Messner added the berm and line of sight should be considered in the traffic study. Pagano confirmed staff will address this with CDOT.

Rogalski asked the applicant to address traffic, surface and well water, and the recorded land covenants.

Coleman asked who has enforcement ability for the covenants. Starr said the letter submitted by the applicants speaks for itself, but the parties could go to court. He said the covenants do not apply to recreational vehicles, because they are not dwellings and they move all time. He added it is clear it was meant to deal with mobile home parks, not campers. John

Gallowich noted his position on the covenants does not coincide with Starr. Pagano suggested the individuals meet with staff and the County Attorney; it is a civil issue, but staff would be glad to facilitate. Fulton reiterated the covenants are a civil issue.

Coleman asked if the LUR defines a "dwelling"; Pagano said we have definition of a "residence". Coleman asked if Hansens was considering a conservation easement; Hansens said if the project is approved he has already agreed to not develop the hillside. He is not considering a conservation easement. He added they will be impacting approximately 13 to 14 acres of the total 73 acre parcel, the rest will be open space.

Houck asked what the time limitations for camping are; Messner explained there are no time limitations. Houck encouraged the applicant to consider clear definitions of time limitations for camping on this site.

The commissioners directed Hansens to address; traffic counts, types of vehicles, and field of view.

Applicant Response

Hansens said he has invested the last 15 years of his life planning this. He has tried to limit the impacts to the neighbors. It has been designed to go beyond best management practices for dust, water quality, erosion, and insects. He has considered the neighbors, himself and the animals because it is the right thing to do. He said this will be a manicured well cared for facility. They will minimize the impacts to the best of their ability.

Fulton continued the public hearing to March 17, 2017 @ 9 AM.

This session was closed 10:45 AM.

County Attorney: The Gunnison County Planning Commission conducted a work session/no action. He conducted a Planning Commission training on ex parte communication, sunshine law, etc.

No minutes were taken.

Building and Environmental Health Official: The Gunnison County Planning Commission conducted a work session/no action. They reviewed the proposed 2015 International Building Codes and amendments for adoption.

With a quorum present Chairman Fulton opened the work session.

Present representing Planning Commission: Commissioners Fulton, Diani, Cattles, Venard, Mugglestone, Coleman and Rogalski.

Present representing Staff; Director of Community Development Cathie Pagano, Administrative Services Manager Beth Baker, Building and Environmental Health Official Crystal Lambert and Building Inspector Charlie Dominguez.

Lambert showed a short video concerning fire and sprinkling. She said Gunnison County is reviewing the 2015 codes and amendments for adoption this spring. She noted the 2015 code still contains fire sprinkling requirements, as it did in 2009. The County did not approve the fire sprinkling code requirements in the 2009 code adoption. The sprinkling requirements refer to just brand new construction, not remodels. She added the cost of sprinkling is always a significant issue. The cost of sprinkling ranges approximately from \$3 to \$6 per square foot. She added there had never been multiple deaths from a fire in sprinkled homes. She said the building office will not be inspecting fire sprinkling systems, the plumbing inspector or the fire district will be inspecting them.

Contractor John Stock said there are problems with freezing when not insulated properly. He noted leaks are also an issue.

Fire Marshals Dennis Spritzer and Hugo Ferchau were present for the meeting. Spritzer said all multifamily buildings are required to be sprinkled in the City of Gunnison. The system must be designed by a professional. A multi-purpose system ties into your potable water and is inspected by the plumbing inspector. He is unsure how it would work when the home is on a well rather than tied into a central water system.

Engineer Bill Barvitski said there are areas in unincorporated Gunnison County that do not have ground wells they have spring wells and the wells would be 2,000 to 3,000 feet away. He used an example of the Quartz Creek properties as using springs. Lambert said you can use what is in your tap and what you have stored.

Ferchau said fire sprinkling systems do not fail, the construction fails.

The commission directed staff to contact other communities similar to Gunnison County concerning how they are dealing with the sprinkling of structures.

Lambert said staff also will be recommending changing the gross floor area calculation from inside wall to inside wall, rather than outside wall to outside wall. This could reduce the cost of a building permit.

Lambert said staff will be recommending changing the definition of a crawl space. It would now be counted if it meets the definition of a floor and the definition of a crawl space would be deleted.

Lambert added staff is recommending an accessory structure/ shed 200 sq. ft. or smaller will not require a building permit, rather than the current 120 sq. ft. building permit requirement. She clarified a building permit would be necessary if the shed is the only structure on the site, because this regulation is for an accessory structure. If the property is vacant the owner will need an access permit and a building permit.

Lambert noted staff is recommending changing how a snow load is calculated. It has historically been a live load calculation and now would be a ground load calculation, to more efficiently address the great variances in elevations, and other hazard conditions found throughout the county,

The remainder of the code changes will be discussed at a work session on March 17, 2107.

Fulton closed the work session.

Fulton adjourned the meeting at 3:00 P.M.

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