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GILPIN COUNTY PLANNING COMMISSION
MEETING MINUTES

April 9, 2013

The Gilpin County Planning Commission convened at the Gilpin Old Courthouse, Meeting Room, 203 Eureka Street; Central City, Colorado

Call to Order: Chair Laura Jeney called the meeting to order at 7:01 p.m.

Quorum Call: Present: Chair Laura Jeney, Jim Wailes Chair pro-tem, Thomas Moore, Andrea Wrobel, Roxy Goss, Mike Keeler, Bob Haxel 1st alternate (serving in a full capacity) and Scott Geels, 2nd Alternate – Absent: Mark Cooney (excused) – Staff Present: Community Development Director Tony Petersen & County Planner Ray Rears.

Public in Attendance: 8

Agenda Review: No Changes

Minutes: The Planning Commission reviewed the minutes for the March 12, 2013 meeting; Wailes moved to approve the minutes as presented, seconded by Keeler and the motion passed unanimously.

PUBLIC HEARING:

- 7:00 p.m. – ZC 13-01 – Mid County Liquors PUD – 17218 SH 119 – Staff: Tony Petersen, Community Development Director.

  Jeney opened the public hearing at 7:03 p.m. The applicants Jan Peterson & John Dunham presented their proposal to the Planning Commission. Staff presented the staff report. A discussion ensued regarding the proposed use, zone change and conditions of approval. Wailes raised safety concerns with the entry door on the same side of the building as the drive through window, which he suggested would be addressed through the building code review process. A question was raised regarding the future prospect of a restaurant on the site and condition of approval no. 9 and the limit on the cfm to 1500 for a restaurant ventilation system. Staff stated the condition would limit a restaurant to a smaller scale since these systems range from 500 to 20,000 cfm in size. Dunham stated that he had no objection to that conditions since he never thought to use the site as a restaurant. Dunham stated that only condition no. 6 regarding the CDOT requirements was the only surprise. The structure would include an addition and the entire building would be painted burgundy. The other cabin structure on site would be removed and the materials would be salvaged for the addition, as practical, per Dunham.

  Jeney asked for public comment and no one asked to speak. Public comment was closed. Wrobel moved to recommend approval to the Board of County Commissioners as conditioned, seconded by Goss and the motion passed unanimously at 7:26 p.m.

OLD BUSINESS:

- Zoning Code Revision, Section 3.7 – Mobil food vendor discussion

  Petersen presented the staff report regarding the proposed revisions to the zoning code to permit a temporary structure to remain permanently on a commercial site for the purpose of selling food. Petersen asked for a consensus if the planning commission would support a revision to the zoning code. Petersen stated that since such an activity is currently prohibited per zoning section 3.7, a special use review would not be a means to permit this activity and an amendment to the zoning code would be required. A discussion ensued regarding other jurisdictions regarding mobile vendors such as Portland, Oregon; Austin, Texas; College Station, Texas and Largo, Florida. No rural county examples could be found.

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Geels stated possibly the low cost model to do business may work up here and was supportive of the concept. Wailes wanted to hear what other business owners in the County has to say. Moore was not supportive of a code revision which could give a mobil vendor an unfair advantage as compared to a permenant business and the overhead costs associated with that business. Petersen suggested that a work session could be scheduled fot the Planning Commission and the Board of County Commissioners. Jeney stated she would contact the BoCC if they wanted the PC to pursue this type of a code revision.

- Zoning Code Revisions – Countywide – Proposed Revision – Sections 1.5, 1.7, 2.2, 2.3, 2.5, 2.12, 2.13 & 3.15 - 3.18

At 8:12 p.m. Rears presented the proposed zoning code revisions.

Section 1.5
Procedure
Removal of duplicated section
Section 1.7 Appeal
Addition of an appeal section as required
Section 2.2 Zoning District: Allowable Uses
All Zones
Addition of structures under the height limitation
Section 2.3 Zoning Districts: Specifications
Clarify the code so as to clearly permit development of legal parcels which are below the minimum lot size for a district.
Section 2.5 Special Use Review
Clarify the modification/expansion process for existing special use permits. Describe how the termination of a SUR is to be performed.
Section 2.12 Reapplication
Add section to limit reapplication of a permit application.
Section 2.13 Temporary Use Permit
Add a section to permit short-term events held in the County, so that the full Special Use Permit review process is not necessary.
Section 3.15 – 3.18 – Incentives
To be removed from the zoning code and added as an amendment to the building code or county fee schedule.

Discussion ensued regarding the revisions. Wailes requested the 40 feet building height limit be included in the C-5 zoning district in Section 2.3. Wrobel requested an asterisk placed in the chart under minimum lot size in Section 2.3. Moore asked that it is clear that Board references the Board of County Commissioner in Section 2.12. Wailes asked that private garage sales be exempt from TUP in section 2.13. Jeney requested to limit the permit to four times per year per parcel. Wailes moved to recommend approval to the Board of County Commissioners with the requested revisions, seconded by Haxel and the motion passed unanimously.

NEW BUSINESS: none

PUBLIC COMMENT: Barbara Gerhardes spoke regarding the Mobile Food Vendor Regulations. She was supportive of permitting that type of activity in the County. She stated that type of business would not be a competitor to the other places to eat in the County. She stated that she can't get past where in the code that type of business is prohibited, yet there is such an establishment in the former KOA campground.

Petersen stated that the KOA property is commercially zoned and trailers are permitted there, which is why that use is permitted on that property only. Similar business could also relocate there, such as burrito vendors.

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STAFF UPDATES:

- Joint Meeting

  Rears stated that he would invite the BoCC for their annual joint meeting with the PC.

COMMISSION COMMENTS: None

ADJOURN:

- Moore moved to adjourn, seconded by Keeler. Meeting ended at 9:04 p.m.

Respectfully submitted,

Laura Azevedo Jeney
Chair