

**GILPIN COUNTY PLANNING COMMISSION
MEETING MINUTES**

November 14, 2017

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 7:00 p.m.

Quorum Call:

- Present: Chair Laura Jeney, Chair Pro-Tem Jim Wailes, Bob Haxel, Jane Billings, Joe Marr, Andrea Wrobel, Roxy Goss, Rob Mercier, Sharon Perea
- Absent: none
- Staff Present: Tami Archer, Secretary; Daniel Horn, County Planner
- Applicants Present: Cole Caldwell, Nels Fymbo

Agenda Review: Commissioner Wailes requested that an update regarding publishing the Zoning Regulations previously approved be added under Old Business, and Chair Jeney also requested that staff provide packets for upcoming meetings prior to the Friday before the meeting. Commissioner Wailes moved to accept as amended, seconded by Commissioner Marr. Motion passed unanimously.

Minutes: Chair Jeney requested the minutes be modified to note that no members of the public were present for the Master Plan discussion. Commissioner Perea moved to approve the minutes as amended, seconded by Commissioner Wrobel, and the motion passed unanimously.

Old Business:

A. Zoning Regulations

Commissioner Wailes noted that the regulations approved earlier this year have not yet been posted to the County website. He asked when changes take effect and if that triggers posting on the website. He also asked if reviewing an application under Ordinance 17-01 was appropriate to do before the actual ordinance takes effect.

There was additional discussion and Chair Jeney pointed out this commission only reviews applications with regards to the Zoning Regulations. The ordinance and all associated regulations go into effect on January 1, 2018. Planner Horn noted that postcards will be mass-mailed to all property owners in mid-December notifying them of the ordinance and regulations for personal marijuana grows that become effective with Ordinance 17-01.

Chair Jeney proposed that the effective date of January 1, 2018 be added to Section 2.15 of the Zoning Regulations, and there was general consensus with the group to add the date.

Chair Jeney also reiterated her request that the packets be provided to the commissioners the Friday before a scheduled meeting.

New Business:

A. Special Use Review Application – Colorado Gold, LLP

Cole Caldwell and Nels Fymbo presented their SUR application for a marijuana cultivation license in conjunction with a proposed facility at 130 Jankowski Drive. Mr. Caldwell conveyed the frustration the applicants experienced while trying to understand the language of Ordinance 17-01. Mr. Caldwell explained their proposal in detail.

Commissioner Wailes questioned if there should be any discussion. Planner Horn indicated that he consulted with the county attorney, James Petrock, and Mr. Petrock advised that providing a courtesy review to the applicants at this meeting was acceptable. Chair Jeney also noted that the Public Hearing

for this application is tentatively scheduled for the first meeting in January. Mr. Caldwell asked if the Public Hearing could be moved up to the December meeting to move the process forward quicker. Chair Jeney asked Planner Horn to clarify with the county attorney if the hearing can be held prior to the ordinance effective date of January 1, 2018, but also noted that the requirement for Public Hearing notices to be published might come into play.

Discussion then turned to questions asked by the commissioners for clarifications on various points contained in the application. Commissioner Wrobel asked about electrical capacity for the area provided by United Power. After additional discussion it was requested that the applicants bring a letter from United Power addressing the supply concerns to the Public Hearing. Commissioner Haxel asked about plans for back-up power. Mr. Caldwell indicated that they plan to have a back-up generator which would be allowed within the zoning district.

Commissioner Wailes also asked for clarification regarding the ownership intricacies (as the parcel is not owned by the applicants), as well as proof of the water supply from the community well being adequate. He also asked for additional information regarding fire sprinklers and HVAC needs for the proposed building.

B. 2018 Meeting Dates

Proposed meeting dates for 2018 were discussed. Changes were made to the proposed dates to keep the meetings on the second Tuesday of the month. Chair Jeney asked Secretary Archer to clarify where the meetings would be held while the courthouse is undergoing renovations, starting with the December meeting.

C. Zoning Regulations for Vehicles

Secretary Archer requested that the commission review the current zoning regulations regarding vehicles in residential zones. She noted that, due to the definition of a vehicle also including trailers, etc., many otherwise law-abiding residents are in violation of Section 2.3 of the Zoning Code. The commissioners briefly discussed this and requested that it be on the next agenda for greater discussion.

3rd Cultivation Facility Proposed for 78 Jankowski Drive

Planner Horn briefed the commission on a 3rd application he has received for a cultivation license. The ensuing discussion turned to criteria necessary to accept an application and it was noted that that is not defined. The commission agreed that Planner Horn should clarify this in detail with the county attorney and update everyone at the next meeting.

Public Comment: None

Adjourn: Commissioner Haxel moved to adjourn, seconded by Commissioner Marr. Meeting ended at 9:08 p.m.

Respectfully submitted,

Laura Azevedo Jeney
Chair