

**GILPIN COUNTY PLANNING COMMISSION
MEETING MINUTES**

January 9, 2018

The Gilpin County Planning Commission convened at the
City of Central City Hall, 141 Nevada 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, Rob Mercier, Sharon Perea
- Absent: none
- Staff Present: Tami Archer, Secretary; Daniel Horn, County Planner; Stephen Strohming, Community Development Director
- Applicants Present: Cole Caldwell, Nels Fymbo

Chair Jeney noted that Joe Marr, Andrea Wrobel and Roxy Goss were present. Since their terms had expired and they had not been reappointed by the Board of County Commissioners prior to this meeting, they sat in the audience.

Agenda Review: Commissioner Haxel requested that an update to the marijuana regulations notification mailing be added to the agenda under Old Business. Commissioner Wailes moved to accept as amended, seconded by Commissioner Perea. Motion passed unanimously.

Minutes: Commissioner Wailes requested the minutes be modified to remove the 21-day requirement point noted in New Business – Colorado Gold LLC Special Use Review application. Commissioner Wailes moved to approve the minutes as amended, seconded by Commissioner Haxel, and the motion passed unanimously.

Old Business:

A. Ordinance 17-01 Notification Mailing

Community Development Director Strohming provided an update on the status of the postcards sent to all property owners in the County with information on Ordinance 17-01, which became effective January 1, 2018. Mr. Strohming noted that just under 4,000 cards would be mailed by the end of the week, and that calls are already coming in with questions about the ordinance.

New Business:

A. Election of Chair and Chair Pro-Tem for 2018

Commissioner Wailes suggested to table this item until the February meeting so that all members of the board would be able to vote. He requested that Chair Jeney preside over the meeting. There was some discussion, and Chair Jeney requested that the process to appoint commissioners be further discussed at the next meeting. Commissioner Wailes moved to table the election until the February meeting and was seconded by Commissioner Perea. The motion passed unanimously.

B. Public Hearing - Special Use Review Application – Colorado Gold, LLP

Chair Jeney reviewed the rules of comment for a Public Hearing.

Planner Horn reviewed the Colorado Gold LLC application. He noted that the application had already gone through a preliminary review with this board.

Cole Caldwell presented their SUR application for a marijuana cultivation license in conjunction with a proposed facility at 130 Jankowski Drive. Mr. Caldwell explained their proposal in detail. He noted that the lease documents and water board documents will not be finalized until after the application is

approved by the Board of County Commissioners, and also noted that they planned to meet with the water board on January 23, 2018.

Chair Jeney opened the meeting for Public Comment at 7:41 p.m.

County resident James Murkland asked for clarifications from the applicants regarding MED State Inspections. Mr. Caldwell discussed the various possibilities, including walk-throughs, unannounced site visits, and how MED monitors daily activities looking for any type of inconsistencies.

County resident Andrea Wrobel asked if the recent changes at the Federal level would affect the applicant's proposal. Mr. Caldwell briefly discussed possible scenarios, however; he indicated that at this point their plans are largely unaffected. He acknowledged that there is some risk.

Mr. Murkland then noted that Schedule 1 enforcement allows for asset seizure, and asked for clarification from the applicants on how the contingency would be addressed. Mr. Caldwell explained that, early in the legislation, jurisdictions required bonds. He explained that this is not common any longer. He also pointed out that Gilpin County has no liability associated with the application, however; any fees paid to the County would be forfeited by the applicants if this was to happen.

Chair Jeney asked if there were any further comments. There were none, and she closed the Public Comment at 7:55 p.m.

Mr. Horn then discussed the next steps in the process, including how the Planning Commission recommendation is presented to the Board of County Commissioners, the Public Hearing process for the Board of County Commissioners, and the next steps needed for the applicants to comply with the Special Use requirements. He also briefly discussed the licensing process.

Mr. Caldwell noted that they hope to be fully operation by the end of August.

Commissioner Haxel moved to recommend approval to the Board of County Commissioners, and was seconded by Commissioner Perea. There was no additional discussion, and the motion passed unanimously. Mr. Horn added that the application would likely be on the Board of County Commissioners' agenda in late February.

C. Zoning Regulations for Vehicles

Community Development Director Strohminger covered the current county regulations. He noted that most jurisdictions do not regulate the number of operable vehicles per parcel, and that most definitions do not include recreational vehicles, trailers, etc. Discussion ensued and it was noted that there is a lack of uniformity between the Resource Residential and Residential Subdivision zoning rules. The Commission asked Mr. Strohminger to develop recommendations and bring them to the next meeting.

Public Comment: None

D. Applicant Interviews

The commission met individually with the applicants for the vacant Commissioner positions.

Adjourn: Commissioner Haxel moved to adjourn, seconded by Commissioner Perea. Meeting ended at 9:33 p.m.

Respectfully submitted,

Laura Azevedo Jeney
Chair