

**SAN MIGUEL COUNTY PLANNING COMMISSION
MINUTES – REGULAR MEETING**

June 9, 2022

Online Meeting

Present: Lee Taylor, Chair -online
Josselin Lifton-Zoline, Vice-Chair-online
M.J. Schillaci, Secretary-online
Ian Bald, Member-via telephone

Absent: Matthew Bayma, Member
Tobin Brown, Sr. Alternate

Planning Staff Present: Kaye Simonson, Planning Director
John Huebner, Senior Planner
Troy Hangen, Senior Planner

9:05 a.m. Chair called the meeting to order.

APPROVAL OF MINUTES

MOTION by MJ Schillaci to approve the April 21, 2022 Minutes and the May 12, 2022 Minutes as presented. **SECONDED** by Josselin Lifton-Zoline. **VOTE PASSED 3-0.**

Lee Taylor	<u>Aye</u>	Nay	Abstain	Absent
Ian Bald	Aye	Nay	Abstain	<u>Absent</u>
M.J. Schillaci	<u>Aye</u>	Nay	Abstain	Absent
Josselin Lifton-Zoline	<u>Aye</u>	Nay	Abstain	Absent
Matthew Bayma	Aye	Nay	Abstain	<u>Absent</u>
Tobin Brown	Aye	Nay	Abstain	<u>Absent</u>

9:08 a.m. Ian Bald joined the meeting via telephone

PLANNING COMMISSION AND STAFF COMMENTS

Kaye Simonson, Planning Director, updated the planning commission on the Land Use Code amendment regarding wedding venues in the (F) Forestry Zone which was heard by the BOCC on June 8 and was continued to June 15.

John Huebner, Senior Planner, updated the commission on the SUP granted for Klondike Basin prospective copper drilling. Gabriel Sweet, SUP representative, was in town and reported that they anticipate the project driller to be onsite beginning July 18, 2022, with the laydown operation to begin the week before. To reduce water usage they will be using a water recirculation system on-site that was a condition of the state permits. Klondike will also store water on-site to reduce trip traffic to Naturita for water. They have completed the permit approval and bonding process with the BLM and CDPHE s. Klondike is in the process of applying for permits from SMC Road & Bridge.

Troy Hangen, Senior Planner, reported regarding the Wedding Bells SUP that the bond is being worked on, and the permitting done. Nicole Gallaway was in town and shared that they are having a hard time finding an available drill to do the work and therefore the project may be delayed.

LAND USE CODE AMENDMENT RECOMMENDATION

Amending LUC Sections 5-313, Park (P) and 5-315 B, Public (PUB), adding housing for First Responders and Essential Personnel as a use subject to One-step Planning Commission approval.

The BOCC has identified affordable housing as a priority, and staff has been reviewing the Land Use Code to determine where amendments can be made to facilitate the creation of more housing. There is a particular need for housing for first responders and essential personnel, for both on-call uses and as seasonal or permanent housing. The County has experienced difficulty in hiring seasonal employees; the lack of affordable housing is considered a factor. Several agencies have noted the need for housing for on-call employees.

The proposed Land Use Code amendments are to allow housing for first responders and essential personnel, in addition to people employed on-site in the Park (P) and Public (PUB) zone districts. The amendment includes proposed definitions; "Essential Personnel" is based on definitions found for federal agencies and departments (e.g. DHS, CDC), while the definition of "First Responder" is based on the definition found in Merriam Webster. The use would be subject to One-step Planning Commission approval, consistent with the current provision for accessory affordable housing for employees in the PUB zone.

Public notice was published and referral agencies were notified.

Janet Kask, Parks and Open Space Director responded with some concerns, noting they do not currently allow overnight usage of parks. This amendment is to make it possible to propose housing, should the opportunity arise. Any future projects would consider all technical and operational concerns and would be developed only with significant input from relevant departments and agencies.

Kaye Simonson shared the county zoning map with the areas that would encompass the amended zoning. It was discussed that the units are envisioned to be smaller, but no details have been established and there are no current plans for construction.

9:40 a.m. Opened Public Comment

9:41 a.m. Closed Public Comment

MOTION by MJ Schillaci to recommend to the Board of County Commissioners to adopt the amendment to San Miguel County Land Use Code Sections 5-313 Park (P) and 5-315 Public (PUB), to allow accessory affordable housing for first responders and essential personnel, with a corresponding amendment to Article 6, Definitions, based on the finding that the proposed amendment complies with the standards of Land Use Code Section 5-1802, Land Use Code

Amendments, and is consistent with Land Use Code Section 1-4, Purposed of the Land Use Code.

SECONDED by Josselin Lifton-Zoline. **VOTE PASSED 4-0.**

Lee Taylor	<u>Aye</u>	Nay	Abstain	Absent
Ian Bald	<u>Aye</u>	Nay	Abstain	Absent
M.J. Schillaci	<u>Aye</u>	Nay	Abstain	Absent
Josselin Lifton-Zoline	<u>Aye</u>	Nay	Abstain	Absent
Matthew Bayma	Aye	Nay	Abstain	<u>Absent</u>
Tobin Brown	Aye	Nay	Abstain	<u>Absent</u>

Amending LUC Section 5-2 Establishment of Zone Districts and Official Zoning Map, Section 5-201 General, to correct the omissions of Section 3-323 Mixed Use District (MXD) and 5-324 Community Housing (CH)

The Mixed Use Development (MXD) zone district was adopted on July 28, 2021, and the Community Housing (CH) zone district was adopted on December 8, 2021. All zone districts are listed in LUC Section 5-2 Establishment of Zone Districts and Official Zoning Map, Section 5-201 General. When the MXD and CH zones were adopted, staff inadvertently did not include corresponding amendments to Section 5-201 General. This amendment is intended to correct the error. Section 5-201 General would be amended to add the following:

- V. Mixed Use Development (MXD) (Section 5-323)
- W. Community Housing (CH) (Section 5-324)

Public notice was published and referral agencies were notified.
No public comments were received.

The commission had no questions.

9:47 a.m. Opened Public Comment
9:47 a.m. Closed Public Comment

MOTION by Josselin Lifton-Zoline to recommend to the Board of County Commissioners to adopt the amendment to San Miguel County Land Use Code Section 5-2 Establishment of Zone Districts and Official Zoning Map, Section 5-201 General, for the purpose of correcting omissions in prior Land Use Code Amendments and based on the finding that the proposed amendment complies with the standards of Land Use Code Section 5-1802, Land Use Code Amendments, and is consistent with Land Use Code Section 1-4, Purposes of the Land Use Code.

SECONDED By MJ Schillaci. **VOTE PASSED 4-0**

Lee Taylor	<u>Aye</u>	Nay	Abstain	Absent
Ian Bald	<u>Aye</u>	Nay	Abstain	Absent
M.J. Schillaci	<u>Aye</u>	Nay	Abstain	Absent
Josselin Lifton-Zoline	<u>Aye</u>	Nay	Abstain	Absent
Matthew Bayma	Aye	Nay	Abstain	<u>Absent</u>
Tobin Brown	Aye	Nay	Abstain	<u>Absent</u>

WORKSESSION

Discussion regarding Master Plan updates and LUC Amendments.

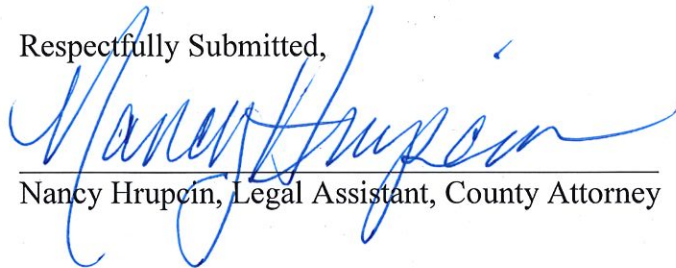
The Master Plan RFQ is out with the hope to start in September. The commission discussed the topic of how to maintain economic ecosystem health as part of the Master Plan update. The update should also look into sustainability and resiliency for the future and as the plan develops. Kaye iterated that the depth of the plan does need to meet reasonable expectations based on our resources. A draft timeline was discussed for the project completion and expectations for the RFQ and collection processes for data and public input were discussed.

The BOCC had given direction to the Planning Department to look at the Natural Resources portion of the Land Use Code. The code needs to be updated for Oil & Gas to match new COGCG regulations. Mining is also developing new state regulations. Kaye Simonson, Planning Director also shared a long list of potential amendments to be addressed including logging, wildlife, renewable energy, and wildfire. Wildfire issues are one of the top items on the list of priorities for the BOCC.

The commission brought up the topics of oversight and compliance with the Land Use Code and the code potentially addressing how to do that.

1:38 p.m. Adjourned.

Respectfully Submitted,



Nancy Hrupcin, Legal Assistant, County Attorney

Approved on July 14, 2022.

SAN MIGUEL COUNTY PLANNING COMMISSION



M.J. Schillaci, Secretary

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