

GILPIN COUNTY PLANNING COMMISSION  
MEETING MINUTES

June 14, 2011

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, Rob Dutcher, Jim Wailes, Lance Jones, Mark Cooney, 1<sup>st</sup> Alternate Andrea Orthner & Roxann Goss 2<sup>nd</sup> Alternate – Absent: Chair pro-tem Ron Saeger and Thomas Moore - Staff Present: County Planner Ray Rears.

**Public in Attendance:** 1

**Agenda Review:** Wailes requested an update from staff regarding the Animal Code changes and all agreed.

**Minutes:** The Planning Commission reviewed the minutes for the March 8, 2011 meeting; Cooney moved to approve the minutes as corrected, seconded by Wailes and the motion passed unanimously.

The Planning Commission reviewed the minutes for the April 12, 2011 meeting; Dutcher moved to approve the minutes as corrected, seconded by Cooney and the motion passed unanimously.

The May 10, 2011 meeting was canceled.

**PUBLIC HEARING:** none

**OLD BUSINESS:**

**Animal Code Revision:** Rears provided a summary of the BoCC hearing to discuss the recommended animal revisions. The BoCC denied the recommendation 3-0, because they felt no one was pleased with the proposed changes. They also preferred to address animal care issues through separate regulations, which zoning could not affect. A discussion ensued regarding the existing, proposed and prior code. Rears reiterated that the animal code has not been changed in any way and there is no direction to revisit the subject, at this time.

**NEW BUSINESS:**

**Cell Phone Service Tower Discussion:** Rears provided a summary of the proposed cell tower planned on Dory Hill Road. The BoCC has signed a lease with Fidelity Tower, for a cell tower on County land which would be 300 ft. high. The request for such a tower would not go before the Planning Commission since the property is owned by the County and the BoCC have sole control over county property, which is in zoning district County Service or CS. A discussion ensued regarding if such a proposal is in line with the Master Plan.

**Wind Tower Height:** Rears provided the commission with how wind towers are reviewed by the County. Any tower above 40 ft. would need to have special approval prior to construction, but the cost for the review and building permit cost, could be free or reduced if it qualifies under the Alternative Energy Exemption in the zoning code. Discussion ensued regarding the current process with a consensus it was acceptable to review them on a case-by-case basis.



Wetland Inventory: Rears presented a summary of the Natural Heritage Program Survey of Critical Wetlands in Gilpin County. Altogether, 39 Element Occurrences (EO's) were documented, six are rare or imperiled plant species and 33 are wetland plant communities. Rears highlighted the existing protections in the zoning code and stated that based on this report, areas of known importance can be more closely scrutinized in the future based on the information and maps provided. Orther questioned why the County does not utilize water as one of three factors in determining wetlands. Rears described the code as additional protection for wetlands not under the Army Corp of Engineers jurisdiction and therefore by leaving our requirements to just two of the three factors, it will make it easier for wetlands to be protected. Rears suggested Orther follow-up with Community Development Director Tony Petersen directly to discuss if the current code needs to be revised.

**PUBLIC COMMENT:** none

**STAFF UPDATES:** none

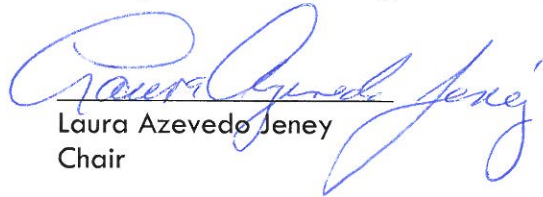
**COMMISSION COMMENTS:**

Medical Marijuana: The commission requested an update regarding the pending medical marijuana regulations. Rears noted that it was his understanding that the state has extended the moratorium for any new facilities, because the legislature has not agreed on the final regulation. The County is waiting for the state to finalize their regulations and the expected court cases to be settled prior to moving forward with County regulation review. Discussion ensued regarding the medical marijuana conflicts and other jurisdiction processes.

**ADJOURN:**

Jones moved to adjourn, seconded by Dutcher. Meeting ended at 8:49 p.m.

Respectfully submitted,

  
Laura Azevedo Jeney  
Chair

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PLANNING COMMISSION

