



Archuleta County Development Services Department
ARCHULETA COUNTY PLANNING COMMISSION MINUTES

Archuleta County Planning Commission Minutes, Regular Meeting January 23, 2019

The Archuleta County Planning Commission held a meeting on Wednesday, January 23, 2019, at 6:00 PM at the Archuleta County Commissioners Meeting Room, 398 Lewis Street, Pagosa Springs, Colorado. Chairman Frederick called the meeting to order at 6:03 pm.

Commissioners in attendance:

Michael Frederick, Anita Hooton, and Lisa Jensen. David Parker and Betty Shahan had excused absence.

Staff in Attendance:

John Shepard, AICP; Planning Manager; Sherrie Vick, Planning Technician, and John Ruyle, Chief Building Official

Public in Attendance:

Bill Trimarco, Wildfire Adapted Communities; Greg Weaver, Code Enforcement Officer; and attached is the sign-in sheet with 28 other members of the public.

Consent:

Minutes for the December 12, 2018 meeting.

Commissioner Hooton made the motion to approve the minutes as submitted. Commissioner Jensen seconded. Vote 3-0 aye.

Old Business:

Meeting Schedule for 2019: Chairman Frederick deferred to after the new business.

New Business:

Proposed Adoption of 2015 Building Codes:

As provided by CRS 30-28-204, the Board of County Commissioners from time to time by resolution may alter and amend any county building code after public hearing, when first submitted for the approval, disapproval, or suggestions of the County Planning Commission. The opinion of the County Planning Commission shall be advisory only and not binding upon the Board of County Commissioners. The following Building Codes are currently in effect within the County:

- 2006 Edition of the International Residential Code, for One- and Two- Family Dwellings;
- 2006 International Building Code;
- 2006 International Energy Conservation Code;
- 2009 International Fire Code except for the appendices,
- 2015 International Plumbing Code; and 2017 National Electric Code; latest edition and amendments to the Electrical and Plumbing Codes as adopted by the State of Colorado.

Archuleta County Building Official John Ruyle has proposed to adopt the 2015 International Residential Code and 2015 International Building Code with certain amendments and deletions. The International Code Council has published 2018 editions of these model codes.

Archuleta County adopted the 2006 editions of the International Residential Code and International Building Code in 2006, effective 1 January 2007. The County also adopted a Building and Safety Code in December 2011, which was amended in March 2012, as a supplement to the IRC & IBC, and the *Archuleta County Land Use Regulations*. The Town of Pagosa Springs has adopted 2015 ICC model codes.

The *Archuleta County Community Plan (2017)* Policy Action Item 2.5.2 reads “Archuleta County should update building codes as necessary, to require appropriate energy conservation measures.” No update of the Energy Conservation Code is proposed at this time. Policy 2.9 is “Mitigate natural and man-made hazards to reduce risk”, with Action item 2.9.2 “Assess the feasibility of adopting the most current international building code standards”, supported by Action Item 7.2 Implement Hazard Mitigation Plan: “The Planning Commission should consider, in particular, building code standards,

wildland fire protection, and floodplain management”. Planning staff has heard from several local developers and design professionals concerned about adopting new building codes immediately, since they are currently well along with 2019 building plans under existing codes, which will substantially increase costs of development. Affordable Housing workgroups have raised concerns with the impacts of building codes on housing affordability. Another element is the current code’s minimum living area of 425 square feet, which does not change under the 2015 codes. The ICC has adopted Appendix Q Tiny Houses in the 2018 International Residential Code, which provides reviewed standards for homes of 400 square feet and less.

Archuleta County Chief Building Official John Ruyle reported that the proposal is to change from the currently adopted 2006 International Residential Code and the 2006 International Building Code and to go to 2015 International Building Code without any appendices and the 2015 International Residential Code with the following modifications:

1. Deleting Section: R313 residential sprinkler
2. Deleting Chapter 11 entirely
3. Add Appendixes J, R, and S

Also, staff is proposing to modify the County’s Building and Safety Regulation to update code references.

Chairman Frederick asked if there was any question for Mr. Ruyle. Commissioner Jensen asked if Chapter 11 and the appendixes were from the current code or the new code. Mr. Ruyle answered they are from the 2015 code and the appendixes were requested by some designers to add these to help the designers. He would have added the tiny homes appendix, except that is in the next code cycle update 2018 and can’t be added to the 2015. Chairman Frederick asked why Chapter 11, the section on additions, was taken out. Mr. Ruyle explain Chapter 11 was taken out completely because it deals with energy requirements. The 2006 Energy code is straight forward and efficient, but after the 2009 code edition the energy requirements became more complex and required more expensive testing and requirements for mechanical systems that are not readily available in our area. The Building Official can delete sections that are cost prohibitive and evaluate the cost added to build vs the value added by following the code. Chairman Frederick asked about deleting requirements for residential sprinklers, and added it was understood that it is not viable in our area currently. Mr. Ruyle stated that most jurisdictions are deleting it in rural areas. Chairman Fredrick asked Mr. Ruyle if he would comment on a delayed implantation of the code change. Mr. Ruyle stated that implementing it right now before we go in to the building season could cause delays for people you have already planned to build this year. Chairman Frederick asked Mr. Ruyle about the changes in the Building Safety regulations. Mr. Ruyle responded, some changes were made to clear up some items since the last change in 2013. For example, making the minimum square footage of a home be 400 sq. ft. to help people on affordability.

Commissioner Hooton referenced a comment in Mr. Shepard’s report that the 2018 code would reduce over-all cost compared to the 2015. Mr. Ruyle replied that training and most information is now on the 2018 code, and costs are hard to put figures to. Commission Hooton asked why the change to 2015 instead of the 2018? Mr. Ruyle commented that his recommendation was to go to the 2018 rather than 2015, but Administration directed proposing the same as the Town. Commissioner Frederick asked if there is a benefit to have the town and county on the same code? Mr. Ruyle stated that there is not a benefit because we do a lot more residential then in the town. There was some added discussion about the ISO rating and how that works with insurance and building codes.

Public Comment was opened at 6:35 pm. Daryl Brueckner, 77 Gala Pl, commented that the code change would add cost to building homes, and 2 more inspections would add time as well which also increases cost to the builder. Building an affordable homes is getting more and more difficult. The costs are pricing our children and their children out of the housing market in Pagosa Springs. Chairman Frederick asked Mr. Brueckner what were the 2 inspections? Mr. Brueckner responded Sheeting inspection on the roof and Drywall inspection for nailing. Mr. Brueckner added, this is the wrong move for the County.

Mark Hall, 17685 County Rd 500, stated that with the last change in the Electrical code the State of Colorado did, the cost of electrical doubled in price. Building a home in \$200-250,000 range is getting imposable to do with all the added cost involved to meet new codes.

Tim Miller, 76 Mockingbird Pl., asked the question, why are we following the town? They should be following the County. This code works for the builders and “if it is not broke don’t fix it”. Leave the code where it is. The material costs are increasing all the time, don’t add code cost as well.

Jeshua Thomas, 123 Hersch Ave., commented that new codes make homes so tight that they can’t breath, causing rim joists to rot out and need to be replaced because of mold and moisture in our climate. The repairs cost \$13,000 and up. So we need to look at venting, not new codes that don’t allow air flow.

Eddie Dale, 1839 Antelope Ave., been building for 26 years and the 2006 code is a good code and we should stay on it. PAWSD and other entities are raising their fees to do work in the County plus material cost increases already add to a home project. Going to a new code would slow down home building here adding to costs.

Bob Hart, 250 Pagosa St., builds in the Town and the County. The new code in the town added more inspections which adds to cost in time delays, which means it takes 9 months to a year to complete a home and adds cost. Don't fix it if it is not broke. Chairman Fredrick asked Mr. Hart what the difference between the Town and The County was? Mr. Hart replied the added inspection added time delays to the projects.

Tegan Brown, 2283 Eagle Drive., asked how many people want to go to the 2015 code?

Chairman Frederick asked if there were any other comments, hearing none the public comment was closed at 6:54 pm. Mr. Shepard and Commissioner Jensen explained a little about the ISO rating system. Commissioner Hooton disclosed that she has built spec homes in the county. Chairman Frederick covered 4 options from the staff report:

1. Recommend no action to allow time to consider 2018 ICC Codes, including Appendix Q for Tiny Houses.
2. Recommend approval of 2015 IRC & IBC, with effective date 1 January 2020 after this year's building season.
3. Recommend approval as presented.
4. Recommend no action (continue with 2006 IRC & IBC).

Commissioner Jensen made a motion to recommend to the Board of County Commissioners no action at this time, continue on the 2006 IRC and IBC, and pursue further research on the 2018 codes. Commissioner Hooton seconded. Vote 3-0 aye.

Discussion or the ICC WUI Codes

The International Code Council (ICC) publishes the Wildland-Urban Interface model code. Bill Trimarco, Archuleta County Program Manager for the Wildfire Adopted Partnership (Firewise), discussed the wildland-urban interface and features of the model building code.

Mr. Trimarco opened with discussion of wildfire crises like this year in California. In our own area, the density of the underbrush around homes and in the forest is very dense, and would not take much to set off a large fire. The local fire departments and wildfire fighters in our area are well cross trained in firefighting techniques but there is still more home owners and builders need to do to protect neighborhoods. Mr. Trimarco does evaluations on property and helps owners design a plan. There are also grants available to help reimburse home owners, but there should be more done to persuade people to do what is needed to protect our area. Mr. Trimarco and Mr. Shepard are also part of a Resiliency Workgroup sponsored by the Sonoran Institute and Lincoln Land Institute working on these concerns. There was discussion between the Commission and Mr. Trimarco on options and things that could be done to help raise awareness in the area and mitigation.

Daniel Smucker, 115 Holiday Dr., commented that a workshop for local builders would be a great idea, especially if it was tied to affordability of the home building methods.

Annual Election of Officers:

Chairman Frederick suggested this item be deferred to a time when more of the commissioners were in attendance. Commissioner Jensen moved to defer the election to the next regular meeting. Commissioner Hooton seconded, vote 3-0 aye.

Meeting Schedule for 2019:

The calendar was brought back by staff to correct typos. Motion made by Commissioner Hooton to adopt the schedule as corrected. Commissioner Jensen second, vote 3-0 aye.

Reports and Announcements:

Vacation Rentals Permit Update:

Mr. Shepard invited the Commission to the January 30th meeting of the Resiliency Task Force 5-7 pm. The meeting is open to the public. It would be covering natural and manmade disaster planning.

Mr. Shepard reported that the department was doing its best to keep up with the demands for pre-application meetings and getting vacation rental permits processed. There were 155 VR permit applications in 2018 and 50 new permit applications so far in 2019. The budget was approved to add a Planner for the Vacation Rentals and to increase other part-time staff to full time. Besides the vacation rentals, the staff was receiving calls about the Improperly Divided Parcels applications, which were very time consuming.

General Review of Archuleta County Land Use Regulations

Discussion of subdivision regulations up for review was deferred to the policy meeting, February 13, 2019.

Member Comments:

Chairman Frederick stated that this topic be added to the agenda, so the Commissioners could ask question or discuss concerns informally.

The Chair asked that Mr. Shepard direct the River Rock Estates applicants to have a more clearly defined PUD and development standards outlined before the project returned to the Commission for Preliminary Plat. Mr. Shepard stated there was a meeting scheduled with the applicant and he would bring that up as well as the floodplain issues that are a big concern for the project, and the Town and County can work together on this project.

The Chairman stated that the Town had some concern about the project and two jurisdictions should work together. The Chair suggested a joint Town and County planning commission meeting. Commissioner Hooton and Jensen agreed that would be a good idea since the Town was going to be impacted the most by this development.

Next Meeting:

February 13, 2019. Mr. Shepard stated this is a policy meeting, for review of the Land Use Regulations, and we will pick up election of officers

Adjourn: Commissioner Jensen moved to adjourn the meeting at 8:04 PM, Commissioner Hooton seconded. Vote 3-0 aye.

Approved this day of , 2019

Sherrie Vick
Planning Technician

Michael Frederick
Chairman