

Commerce City

*7887 E. 60th Ave.
Commerce City, CO 80022
c3gov.com*



Meeting Minutes - Final

Wednesday, October 30, 2019

6:00 PM

Council Chambers

Planning Commission

Call to Order

Chairman Popiel called the meeting to order at 6:02 p.m.

Pledge of Allegiance

The Pledge of Allegiance was recited

Roll Call

Roll call was called by Jessica Main. Voice Vote: Unanimous, all present affirmed.

Present 5 - Chair Jonathan Popiel, Vice Chair Andrew Amador, Commissioner Dennis Cammack, Commissioner Karen Anderson, and Commissioner L. Warren Jones

Approval of Minutes:

Present 5 - Chair Jonathan Popiel, Vice Chair Andrew Amador, Commissioner Dennis Cammack, Commissioner Karen Anderson, and Commissioner L. Warren Jones

[Min 19-157](#)

October 1, 2019 Minutes

Attachments: [10_October_1_2019_Minutes_Draft](#)

Chairmen Popiel requested a motion to approve the October 1, 2019 meeting minutes.

A motion was made by Commissioner Jones, seconded by Commissioner Cammack, that these minutes be approved. VOTE:

Aye: 4 - Chair Popiel, Vice Chair Amador, Commissioner Cammack and Commissioner Jones

Abstained: 1 - Commissioner Anderson

Action Items:

[Pres 19-542](#)

2019 Oil and Gas LDC Updates

- Attachments:**
- [1. Staff Report PC](#)
 - [2. Ordinance 2235](#)
 - [3. Redlined Code Revisions](#)
 - [4. Proposed Code Revisions](#)
 - [5. Focus Group Summary](#)
 - [6. Signed ROA - Extraction](#)
 - [7. Public Outreach Concepts](#)
 - [8 - Senate Bill 181 Signed](#)
 - [9 - COGCC Objective Criteria Guidance](#)
 - [10 - COGCC Objective Criteria](#)

Matt Hader, Deputy City Attorney, introduced the case and introduced staff presenting the case.

Domenic Martinelli, City Planner, presented the case.

Commissioner Cammack asked why is there a 2,000 ft setback from undevelopable land?

Mr. Martinelli clarified that specified areas in the Land Development Code refer to areas unsuitable for development (environmentally sensitive areas, areas of protection) those areas only require a 500 ft setback.

Mr. Hader added if Oil and Gas proposed to build near any of these environmentally sensitive areas, it would require council approval.

Commissioner Cammack suggested when it comes to selecting 3rd party monitoring services that Oil and Gas pick 2-3 entities and the city would pick from those. It is imperative the city has input on these services.

Mr. Hader stated we will issue a formal RFP, the city would enter a contract with these companies who then provide the service but get paid by the operator.

Commissioner Cammack asked how do our standards here fit with the communities who border us? Brighton, Aurora, Thornton, etc.

Mr. Martinelli stated that we're in the early stages of seeing how local government will update codes. Adams County passed their regulations in September. Part of our inspections protocol will be having shared inspections with Adams County. Our goal is to make sure our code is in line with that of Adams County.

Commissioner Cammack asked if we've received any feedback about changes, what they would like to see different?

Mr Martinelli stated that we held an Industry Stakeholder Meeting in late September, where we went over main concepts of what the proposed changes would be. We haven't received feedback on our proposed ordinance, we are planning on having a meeting this Friday November 1st to review all changes on specific language.

Mr. Hader added that council put this on a very rigorous schedule and a second reading will be held on November 18th. Due to this timeframe we didn't have much time to push this out for public review and industry review.

Commissioner Cammack asked if these regulations apply to the unincorporated parts of Commerce City, specifically north of the airport?

Mr. Martinelli stated any area that is unincorporated but is in Commerce City's future growth boundary, Adams County would do the review process and issue a permit.

Vice Chair Amador asked if the measurement distance from property lines vs. structures were measured by a certified surveyor?

Mr. Martinelli stated that our setbacks were modeled after information found on our GIS systems.

Commissioner Anderson asked if the 1000 ft set back includes daycare centers?

Mr. Martinelli clarified that daycare centers would be included in that 1000 ft set back.

Commissioner Anderson ask for clarification about Reunion being the only PUD that has the opportunity for industrial use.

Mr. Martinelli clarified that Reunion is the largest plan unit development in the northern range and its one of the few developments that specifies oil and gas as a possible use.

Commissioner Anderson asked how many applications do you anticipate over the next year?

Mr. Martinelli stated that we have received 2 applications and 8 proposed facilities with the city. We are estimating 3-4 more applications possible in the next year.

Commissioner Anderson asked what types of disclosure would be made to residential areas that may border that setback?

Mr. Martinelli stated that we have requirements to notify residents of public hearings when these permits go to council (2,500ft) but our research found there is no viable way to implement a disclosure requirement. Updates are also posted on Oil and Gas website and depending on circumstance social media as well.

Seeing no further questions Chairmen Popiel opened the public comments.

*Ryan Seastrom (Colorado Oil and Gas Association) 1800 Glenarm Pl. Denver
Does not support the regulations as drafted. Willing to work with the Commerce City and give comment on the proposed changes.*

Objections: The removal of gathering lines upon abandoning and plugging a well and the number of reports to submit to the county, current application sits around 800 pages. Will continue to work on comments.

*Chris McGown (American Petroleum Institute of Colorado) 1660 Broadway
Does not support regulations as drafted. Company develops standards for oil and gas safety.*

Objections: permits not transferable. Broader business issues than just oil and gas.

Seeing no more comments, Chairman Popiel closed public comment

A motion was made by Commissioner L. Warren Jones, seconded by Commissioner Dennis Cammack, that this Presentation be recommended for approval. ROLL CALL VOTE:

Aye: 5 - Chair Popiel, Vice Chair Amador, Commissioner Cammack, Commissioner Anderson and Commissioner Jones

Board Business:

None

Attorney Business:

None

Staff Business:

None

Adjournment

The meeting adjourned at 7:15 p.m.