



Gunnison County, CO
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Information Sheet: Administrative Review Project

Administrative Review Projects include two classifications: Those that require Land Use Change Permits and those that don't. This application and process apply to those that do require permits. The applicant completes an application, which can be picked up at the Community Development Department, obtained by postal mail or email, or on the Department's website.

The Community Development Department staff completes the review, and if the application is approved, records and Administrative Review Project Certificate of Approval in the Clerk and Recorder's Office. In some cases, plat signature by the Board of Commissioners is required. There are no public hearings for these Administrative Review Projects.

The application requirements, and the review process are described within the following two sections of the *Gunnison County Land Use Resolution*. When other sections of the *Resolution* are referenced, they must be addressed in the application submittal.

SECTION 5-102: PROJECTS CLASSIFIED AS ADMINISTRATIVE REVIEW PROJECTS THAT REQUIRE LAND USE CHANGE PERMITS

The following types of projects are classified as Administrative Review projects that require Land Use Change Permits:

- A. PRIMARY RESIDENCE 10,000 SQ. FT. OR LESS, IN EXISTING PLATTED SUBDIVISION.** A primary residence smaller than 10,000 sq. ft., located within an existing platted subdivision. The residence may include an attached garage which shall be calculated in the total square footage allowed for the residence.
- B. AGGREGATE RESIDENTIAL SQUARE FOOTAGE LESS THAN 12,500 SQ. FT.** On one parcel The aggregate square footage of structures less than 12,500 sq. ft., (excluding from the calculation horse/hay sheds less than 500 sq. ft., one 120 sq.ft. storage shed, and a private greenhouse), that may include:
 - 1. RESIDENTIAL LIVING AREA 10,000 SQ. FT. OR LESS.** 10,000 or less sq. ft. of residential living area (one single-family residence, or any combination of a primary single-family residence, an integrated secondary residence, and/or a detached secondary residence allowed by Section 9-101: *Uses Secondary to a Primary Residence*) and a garage attached to a residence; and
- C. SECONDARY STRUCTURES AND USES.** The following secondary structures and uses, pursuant to Section 9-101: D: *Secondary Structures and Uses That Require a Land Use Change Permit*:
 - 1. INTEGRATED SECONDARY RESIDENCE 851-1,200 SQ. FT. ON 35-ACRE TRACT CREATED AFTER EFFECTIVE DATE OF THIS RESOLUTION.** An integrated secondary residence 1,200 sq. ft. or smaller in a primary residence on a 35-acre tract created after the effective date of this *Resolution*.
 - 2. DETACHED SECONDARY RESIDENCE 2,500 SQ. FT. OR SMALLER ON LEGAL LOT.** A detached secondary residence of 2,500 sq. ft. or less, located on a legal lot smaller than 35 acres.
 - 3. DETACHED SECONDARY RESIDENCE 3,500 SQ. FT. ON 35-ACRE OR LARGER TRACT.** A detached secondary residence of 3,500 sq. ft. or less, located on a tract of land 35-acres or larger.
 - 4. SECONDARY STRUCTURE INTENDED ONLY FOR SLEEPING AND HAS NO KITCHEN.** A secondary structure without a kitchen that is to be used only for sleeping facilities. It shall comply with the requirements of the *Gunnison County Individual Sewage Disposal System Regulations*.
 - 5. MORE THAN ONE HOME OCCUPATION.** More than one home occupation, pursuant to Section 9-102: *Home Occupations*.

- 6. **HORSE/HAY SHED LARGER THAN 500 SQ. FT. ON PARCEL ONE-ACRE OR LARGER.** A horse/hay shed larger than 500 sq. ft., for sheltering horses or other livestock or for storing hay, on a parcel one acre or larger, that is not part of an agricultural operation.
- D. **MOBILE HOME NOT IN A MOBILE HOME COMMUNITY.** A mobile home proposed to be located on an individual parcel of land not in a mobile home community, but adjacent to a subdivision whose protective covenants do not address, or expressly prohibit mobile homes within the subdivision, pursuant to Section 9-202: *Individual Manufactured and Mobile Homes*.
- E. **BOUNDARY LINE ADJUSTMENT.** An application to adjust the lot line between adjacent parcels or lots in platted approved subdivisions when the adjustment is in compliance with Section 5-103: *Standards for Approval of Administrative Review Projects*.
- F. **LOT CLUSTERS.** An application to eliminate the lot lines separating adjacent lots that are commonly owned.
- G. **CORRECTION PLAT.** An application to correct a technical error in a subdivision plat that has been approved and recorded.
- H. **REPAIR OF EXISTING DISTRIBUTION LINES.** Repair of existing distribution lines located substantially within an existing utility easement.
- I. **ALTERATION OF APPROVED BUILDING ENVELOPES.** Alterations of building envelopes on lots that were approved as an element of a Land Use Change Permit.
- J. **SUBDIVISION EXEMPTION TO “VALIDATE” AN EXISTING LOT.** Pursuant to C.R.S. 30-28-101 (10) (d)., the “validation” of a lot that existed prior to the effective date of this *Resolution*, but did not exist before September 27, 1972 and has not been reviewed and approved by the County as a legally subdivided lot “legal lot”).
- K. **EXPANSION OR CHANGE OF COMMERCIAL OR INDUSTRIAL USE TO TOTAL SIZE OF 5,000 SQ. FT. OR ONE ACRE OR LESS.** Expansion or change of a commercial or industrial use existing as of the effective date of this *Resolution*, when the expansion will result in the use having a total size of less than 5,000 sq. ft. of a structure, or one acre of land.
- L. **PLAT FOR APPROVED CONDOMINIUMS/TOWNHOME PROJECT.** A constructed condominium or townhome project, or individual phase of a condominium or townhome project, for which a Land Use Change Permit has been approved for the overall development.
- M. **LIMITED MINERAL EXPLORATION.** Limited mineral exploration (activities related to proving up a patented mining claim pursuant to federal law), as addressed in Section 9-402: C.3: *Limited Mineral Exploration*.
- N. **UNDERGROUND MINERAL EXPLORATION.** An application for underground mineral exploration for operations existing as of the effective date of this *Resolution*, as addressed in Section 9-402: D: *Extension and Expansion of Current Underground Mineral Exploration Required to File Notice of Activity*.
- O. **EXTRACTION OF CONSTRUCTION MATERIALS.** Extraction of construction materials that generates more than 300 cubic yards, per Section 9-402: C. 1: *Limited Construction Material Extraction*.

SECTION 5-103: STANDARDS FOR APPROVAL OF ADMINISTRATIVE REVIEW PROJECTS

- A. **GENERAL STANDARDS.** An application for a Land Use Change Permit for an Administrative Review project shall comply with the following standards:
 - 1. **COMPLY WITH APPLICABLE STANDARDS.** The land use change shall comply with all applicable standards and other provisions of this *Resolution*.
 - 2. **COMPATIBILITY WITH COMMUNITY CHARACTER.** The proposed land use change shall be compatible with, or an enhancement of, the character of existing land uses in the area, and shall not adversely impact the future development of the surrounding area.
 - 3. **COMPLIANCE WITH SPECIFIC STANDARDS.** In addition, the following standards shall apply to individual types of Administrative Review projects:
 - a. **ADDITIONAL STANDARDS APPLICABLE TO BOUNDARY LINE ADJUSTMENTS.** The Community Development Director may approve an application for a boundary line adjustment if the following additional standards are met:
 - 1. **INSUBSTANTIAL CHANGE.** The purpose of the adjustment shall be to make an insubstantial boundary change between adjacent parcels; and

2. **NOT CREATE ADDITIONAL LOTS.** The adjustment shall not create more than the original number of lots or parcels, nor provide the opportunity to create a new or additional lot for resale or development purposes, nor be used to increase the maximum allowable floor area for a parcel; and,
 3. **MINIMUM LOT SIZE.** Following the adjustment, the lots shall continue to meet any applicable minimum lot size standards of this *Resolution*, except in the case of a nonconforming lot, in which case the adjustment shall not increase the degree to which it is nonconforming.
- b. **ADDITIONAL STANDARDS APPLICABLE TO CORRECTION OF PLATS.** The Board may approve an Administrative Review project application to correct any plat of record if the following additional standards are met:
 1. **ORIGINAL PLAT APPROVED AFTER MAY 7, 1972.** The original subdivision plat was approved and recorded subsequent to May 7, 1972; and
 2. **PURPOSE IS TO CORRECT TECHNICAL ERRORS.** The sole purpose of a subdivision correction plat is to correct one or more technical errors in the plat.
 - c. **ADDITIONAL STANDARDS APPLICABLE TO MORE THAN ONE HOME OCCUPATION IN A PRIMARY RESIDENCE.** The Community Development Director may approve an Administrative Review project to allow the establishment of more than one home occupation so long as the aggregate levels of activity (such as numbers of employees) and aggregate sizes of the home occupations do not exceed the standards included in Section 9-102: *Home Occupations*.
 - d. **ADDITIONAL STANDARDS APPLICABLE TO ALTERATIONS OF APPROVED BUILDING ENVELOPES.** The Community Development Director may approve an Administrative Review project application to alter building envelopes on lots approved as an element of a Land Use Change Permit if the following additional standards are met:
 1. **NO CONFLICT WITH ORIGINAL LAND USE CHANGE PERMIT.** The alteration does not substantively conflict with any conditions of approval of the original Land Use Change Permit or subdivision; and
 2. **COMPLIES WITH DEED RESTRICTIONS OR PROTECTIVE COVENANTS.** The alteration does not result in noncompliance with any deed restrictions or protective covenants, if such restrictions or protective covenants exist; and
 3. **DOES NOT CAUSE NONCOMPLIANCE WITH STANDARDS.** The alteration will not cause the envelope to be in nonconformance with any of the standards of this *Resolution*.
- B. ADDITIONAL STANDARDS APPLICABLE TO SUBDIVISION EXEMPTIONS.** The Board may approve an application for a subdivision exemption if the proposed use of the land complies with Section 1-105: *Sections Necessary for Immediate Preservation of Public Health and Safety*, and all other applicable codes and regulations, including the applicable building code, adopted and amended by Gunnison County, and the *Gunnison County Individual Sewage Disposal System Regulations*.

SECTION 5-104: ADMINISTRATIVE REVIEW PROJECT APPLICATION

- A. NOTIFICATION TO COUNTY IF FEDERAL PERMITS ARE REQUIRED FOR PROJECT.** When an EA or EIS or other state or federal action or permit is required, and that requirement is known by the applicant, the applicant shall notify the County of that requirement when the application is first submitted for review.
- B. APPLICATION AND REVIEW FEES.** In order to compensate the County for the cost of reviewing and processing the submittals, each applicant shall pay the required fee, as shown in a schedule of fees issued by the Community Development Department that is adopted and amended from time to time by the Board. The fee schedule is designed to make the amount of the fee proportional to the amount of expense likely to be incurred by the County in reviewing and processing the application.
- C. GENERAL APPLICATION FORM FOR ADMINISTRATIVE REVIEW PROJECTS.** The Community Development Department shall provide and the applicant shall complete an application form appropriate for the specific Administrative Review project for which the applicant seeks approval. The Department will review the application form with the applicant to determine which information must be submitted, depending upon the proposed use. At a minimum, the application shall include:
 1. **APPLICANT.** The name, address, telephone and fax numbers, and email address for the applicant and the applicant's representative, if applicable,

- a. **APPLICANT IS NOT THE OWNER.** If the applicant is not the owner of the land, or is a contract purchaser of the land, the applicant shall submit a notarized letter signed by the owner consenting to the submittal. Consent of the owner for submittal shall imply consent by the owner for the County to complete the review process pursuant to this *Resolution*.
- b. **APPLICANT IS NOT THE SOLE OWNER.** If the applicant is not the sole owner of the land, the applicant shall submit a notarized letter(s) signed by all other owners, and/or by an association or corporation representing the owners, consenting to, or joining in, the application.
2. **PROPERTY OWNER.** Name, address, telephone and fax numbers and email address of the owner of the property and, if other than the applicant, a notarized letter from the owner consenting to the application must be submitted.
 - a. **NOTARIZED LETTER OF CONSENT.** If the property owner is a person or entity other than the applicant, a notarized letter from the owner consenting to the application must be submitted.
3. **STATUS OF PARCEL AS A LEGAL LOT.** If the parcel on which the land use change is proposed is smaller than 35 acres, the Department may also request the applicant to supply information sufficient to document that the subject was legally created.
4. **PROPERTY LOCATION.** The legal description (referencing lot and block or tract numbers, homesteads, or metes and bounds), property address and common description of the parcel on which the land use change is proposed to be located. A copy of the recorded deed to the property should be included.
5. **PRESENT LAND USE.** Identify present land uses, and locations and sizes of structures that exist on the property.
6. **PROPOSED PROJECT DESCRIPTION.** A description of the proposed project, including all uses, structures, roads, utilities, parking areas, amount and kinds of traffic to be generated.
7. **CHARACTERISTICS and CURRENT CONDITION OF LAND.** List physical characteristics and conditions of the land, including streams, irrigation ditches, ponds, soils, roads, vegetation, any work that has been done to clear the property, etc.)
8. **PROJECT DESIGN.** As applicable, all elements of the project design, pursuant to the individual sections of Article 13: *Project Design Standards*; the staff will advise the applicant which of these requirements apply to a specific application:
 - a. **SECTION 13-103:** *General Site Plan Standards and Lot Measurements.*
 - b. **SECTION 13-104:** *Setbacks from Property Lines and Road Rights-of-Way.*
 - c. **SECTION 13-105:** *Residential Building Sizes and Lot Coverages.*
 - d. **SECTION 13-107:** *Installation of Solid-Fuel-Burning Devices.*
 - e. **SECTION 13-108:** *Open Space and Recreation Areas.*
 - f. **SECTION 13-109:** *Signs.*
 - g. **SECTION 13-110:** *Off-Road Parking and Loading.*
 - h. **SECTION 13-111:** *Landscaping and Buffering.*
 - i. **SECTION 13-112:** *Snow Storage.*
 - j. **SECTION 13-113:** *Fencing.*
 - k. **SECTION 13-114:** *Exterior Lighting.*
 - l. **SECTION 13-115:** *Reclamation and Noxious Weed Control.*
 - m. **SECTION 13-116:** *Grading and Erosion Control.*
 - n. **SECTION 13-117:** *Drainage, Construction and Post-Construction Storm Water Runoff.*
 - o. **SECTION 13-118:** *Water Impoundments.*
 - p. **SECTION 13-119:** *Standards to Ensure Compatible Uses.*
- D. **LIST OF ADJACENT LANDOWNERS.** As applicable, a listing of all landowners and land uses that are adjacent to the boundaries of the entire parcel on which the project is proposed, including all properties that are separated from the parcel by a roadway or would be adjacent to the property except for the existence of the roadway. When the parcel is located adjacent to a municipality, a platted townsite or platted recorded subdivision, all owners of surface property rights within 500 feet of each boundary of the entire parcel shall be included in the listing. The source for the best-available information to identify those landowners is the Gunnison County Assessor's Office.
- E. **ADDITIONAL SUBMITTALS BASED UPON INFORMATION AVAILABLE ON MAPS USED BY THE COUNTY.** If a land use change is proposed on a parcel located within any of the following areas delineated pursuant to Section 1-112: *Use of Maps* or in areas otherwise addressed by the following, additional submittals may be required to be

submitted; the Community Development Department will provide assistance to the applicant to determine the specific information that must be submitted:

1. **LOCATION OF SITE WITHIN FLOODPLAIN HAZARD AREA.** As applicable, an application proposing a land use change on a parcel located within a floodplain hazard area, pursuant to Section 11-103: *Development in Areas Subject to Flood Hazards*.
 2. **LOCATION OF SITE WITHIN GEOLOGIC HAZARD AREA.** As applicable, an application proposing a land use change on a parcel located in a geologic hazard area may be required to submit a geotechnical report that evaluates and predicts the impact of specific geologic conditions on the proposed land use change and measures to mitigate these hazards, pursuant to Section 11-104: *Development in Areas Subject to Geologic Hazards*.
 3. **LOCATION OF SITE WITHIN WILDFIRE HAZARD AREA.** As applicable, an application proposing a land use change on a parcel located within a wildfire hazard area, pursuant to Section 11-105: *Development in Areas Subject to Wildfire Hazards*.
 4. **LOCATION OF SITE WITHIN AREA POTENTIALLY AFFECTED BY WETLANDS AND WETLANDS PERMITTING.** As applicable, an application proposing a land use change on a parcel located in an area in which there are wetlands, pursuant to Section 11-107: *Protection of Water Quality*.
 5. **LOCATION OF SITE VISIBLE FROM RIDGELINE VANTAGE.** As applicable, an application proposing a land use change that is visible from a ridgeline vantage, pursuant to Section 11-108: *Standards for Development on Ridgelines*.
 6. **DEVELOPMENTS IMPACTING AGRICULTURAL LANDS.** If a proposed project adjoins agricultural lands, involves land through which irrigation ditches flow, or over which there are general or exclusive easements for stock drives, the application shall address the requirements of Section 11-109: *Development That Affects Agricultural Lands*, and Section 15-103: *Right-to-Ranch Policy* which shall identify, in written and/or graphic form, the following:
 - a. **AGRICULTURAL LAND OWNER.** The location(s) and name(s) of owner(s) of any agricultural land(s) adjoining or possibly impacted by the proposed land use change.
 - b. **AGRICULTURAL DITCHES.** The location(s), name(s), name(s) of owner(s), size(s), and decreed capacity(ies) of any agricultural ditch crossing or adjoining the development property, as available from the Colorado Division of Water Resources, or ditch commissioner's records.
 - c. **EASEMENTS.** The location of historical easements used to gain access to headgates, ditches, and fences for maintenance or operations.
 - d. **LIVESTOCK DRIVES AND FENCELINES.** Historic or recorded stock drive easements crossing or adjoining the development property, including the location of any existing fences along property lines, and the location of new fences or other obstacles proposed to be built across any such stock drive.
 7. **DEVELOPMENT ON LAND BEYOND SNOWPLOWED ACCESS.** As applicable, an application that proposes development at a location that currently receives no snowplowing services for access, pursuant to Section 11-110: *Development of Land Beyond Snowplowed Access*.
 8. **DEVELOPMENT ON LAND ON AN INHOLDING WITHIN NATIONAL WILDERNESS.** As applicable, an application that proposes development on an inholding within a National Wilderness Area, pursuant to Section 11-111: *Development on Inholdings in the National Wilderness*.
 9. **DEVELOPMENT ON PROPERTY ABOVE TIMBERLINE.** As applicable, an application that proposes development on a parcel located above timberline, pursuant to Section 11-112: *Development on Property Above Timberline*.
- F. **MAPS AND SITE PLANS.** Maps and site plans submitted with any application shall be at a scale and sheet size that can be easily viewed. A minimum scale of 1" = 100' is preferred. Sheet size shall not exceed 24 inches by 36 inches.
1. **VICINITY MAP.** A vicinity map, which at a minimum includes the following (as illustrated in Appendix Figure 2: *Vicinity Map Example*); applications for plats of constructed condominium or townhome projects that have been approved by the County shall not be required to submit a site plan:
 - a. **PROPERTY LOCATION AND NEARBY PARCEL SIZES AND LAND USES.** Location of the property on a United States Geological Survey quadrangle map or on a recorded plat if the proposed development is

within an approved subdivision, with the location highlighted so that it is easy to see, and that clearly shows sizes of parcels and land uses within a half-mile of the proposed project.

- b. **ROADS.** All U.S. and state highways and nearest County or Forest Service, Bureau of Land Management, and/or subdivision/private roads that provide access to the proposed project.
- c. **EASEMENTS.** Easements recorded or historically used that provide access to or across, or other use of, the property.
- d. **BOUNDARIES OF DISTRICTS, MUNICIPALITIES OR SUBDIVISIONS.** Locations of special district boundaries, municipalities or residential subdivisions within a half mile of the property.
- e. **PROXIMITY OF MINING OR PROCESSING ACTIVITY.** Any parcel located within 1,000 feet of the property proposed for land use change on which there exists an operation involving mineral exploration or extraction or construction materials processing.

2. **SITE PLAN.** A site plan, which at a minimum, includes the following (as illustrated in Appendix Figure 1: *Site Plan Example*.); applications for plats of constructed condominium or townhome projects that have been approved by the County shall not be required to submit a site plan:

- a. **ALL PROPERTY PROPOSED FOR DEVELOPMENT.** Include all land proposed for immediate and anticipated for future development. This can be a simple, hand-drawn layout, but it must be legible, clearly marked, drawn to scale, and signed and dated by the person who drew it.
- b. **PHASING.** Any proposed phases of the development, and their timing.
- c. **TOTAL ACREAGE OF CONTIGUOUS PROPERTY OWNED BY THE APPLICANT.** Total acreage and location of all contiguous property owned by the applicant.
- d. **TOTAL ACREAGE IN PROPOSED LAND USE CHANGE PERMIT AREA.** Total acreage of the site on which the applicant wants to obtain approval for the Land Use Change Permit.
- e. **ADJACENT LOT SIZES.** Lot size(s) of properties adjacent to and in the impact area of the site proposed for the land use change.
- f. **ADJACENT LAND OWNERS.** Names and actual land uses of adjacent landowners (including federal, State of Colorado and other publicly owned lands), to the site (in addition to the separate narrative listing). This includes properties that may be across a road, stream or river from the applicant's property.
- g. **UTILITY LOCATIONS IN AREA.** Location of all existing utilities on the property (septic tanks, wells, electric, gas, telephone or cable lines) that will serve the property.
- h. **TOPOGRAPHIC FEATURES.** Streams, lakes, ponds, wetlands, contour lines and elevations, any prominent ridgelines, and any other significant visual resource areas on the property.
- i. **LIVESTOCK DRIVES AND FENCELINES.** Historic or recorded stock drive easements crossing or adjoining the development property, including the location of any existing fences along property lines, and the location of new fences or other obstacles proposed to be built across any such stock drive.
- j. **IRRIGATION DITCHES.** The location(s), and name(s), of any irrigation ditch crossing or adjoining the development property, as available from the Colorado Division of Water Resources, or ditch commissioner's records.
- k. **DRAINAGE.** Drainage patterns, on and adjacent to the project property.
- l. **DRIVEWAYS AND PARKING.** Driveways/parking areas, both existing and proposed.
- m. **EXISTING STRUCTURES.** Locations and sizes of existing structures.
- n. **PROPOSED STRUCTURES.** Locations and sizes of proposed structures.
- o. **BOUNDARIES.** Boundaries and related measurements.

G. PROTECTIVE COVENANTS, CONDOMINIUM OR TOWNHOME DECLARATIONS, OR DEED RESTRICTIONS. Any existing, or a draft of proposed, protective covenants, a condominium declaration or deed restrictions that will be imposed on the development..

H. ADDITIONAL SUBMITTALS BASED ON EVIDENCE OF REASONABLE PROBABILITY OF CUMULATIVE IMPACTS. If, in the course of the Minor Impact project review, evidence is submitted or gathered indicating that there is a reasonable probability that the proposed land use change will contribute to cumulative impacts within the

impact area, the Community Development Department or the Planning Commission shall require that additional information, including but not limited to studies of specific issues, be submitted.

- I. LOCATION OF SITE WITHIN SPECIAL GEOGRAPHIC AREA OR DISTRICT.** As applicable, an application proposing a land use change on a parcel located within a designated Special Area or special district may be required to comply with regulations of that Area or district.
- J. COPY OF PROPERTY TAX CERTIFICATE. COPY OF PROPERTY TAX CERTIFICATE.** Copy of certification from the Gunnison County Treasurer's Office indicating that all real property taxes applicable to the subject parcel on which the land use change is proposed have been paid up to the year in which approval is under consideration. Copy of certification from the Gunnison County Treasurer's Office indicating that all real property taxes applicable to the subject parcel on which the land use change is proposed have been paid up to the year in which approval is under consideration.
- K. SPECIFICATIONS FOR CONDOMINIUM/TOWNHOME PLATS.** For a constructed condominium or townhome project for which a Land Use Change Permit has been approved for the overall development, copies of the condominium declarations, and a plat or plats that meet(s) the applicable requirements of this Section, that is suitable for recording, and:
- 1. IS SIGNED.** Is signed by the developer/owner.
 - 2. DEPICTS BOUNDARIES AND LEGAL DESCRIPTION.** Depicts the perimeter boundaries and sets forth the legal description of the parcel of land submitted to condominium ownership.
 - 3. SHOWS LOCATION OF IMPROVEMENTS.** Shows the location of all improvements situated on the parcel.
 - 4. IDENTIFIES AIR SPACE UNITS FOR CONDOMINIUMS.** If the plat is for a condominium development, sufficient vertical horizontal cross-section drawings of improvements to allow individual air spaces to be separately identified in three-dimensional space. Those individual spaces shall be identified by number or other appropriate designation.
 - 5. SHOWS FLOOR ELEVATIONS.** Shows the elevations of the floors of the residences in relation to a United States Geological Survey benchmark.
 - 6. IDENTIFIES GENERAL COMMON ELEMENTS.** Identifies the general common elements and limited common elements in reasonably sufficient detail and in a manner that does not conflict with the description or definition of those elements in the condominium declarations.
 - 7. REQUIRED PLAT LANGUAGE.** The following plat language:
 - a. FLOODPLAIN WARNING AND DISCLAIMER.** If the subject property is located within an identified floodplain, language shall be included on the plat pursuant to Section 11-103: F. 1: *Warning and Disclaimer of Floodplain Hazards Affecting Use and Occupancy of This Property.*
 - b. GEOLOGIC HAZARDS WARNING AND DISCLAIMER.** If the subject property is located within an identified geologic hazard area, language shall be included on the plat pursuant to Section 11-104: F. 5: *Warning and Disclaimer of Geologic Hazards Affecting Use and Occupancy of This Property.*
 - c. WILDFIRE HAZARD AREA WARNING AND DISCLAIMER.** If the subject property is located within an area designated as a wildfire hazard area, language shall be included on the plat pursuant to Section 11-106: G: *Warning and Disclaimer of Wildfire Hazards Affecting Use and Occupancy of This Property.*
 - d. COMPLIANCE WITH COUNTY APPROVAL DOCUMENTS.** A Final Plat presented for approval shall contain one of the following statements, as applicable:
 - 1. COMPLIANCE WITH BOARD RESOLUTION.**

COMPLIANCE WITH BOARD OF COUNTY COMMISSIONERS' RESOLUTION

The property described on this plat is subject to all the requirements, terms and conditions of the Board of County Commissioners' Resolution No. _____, recorded at Reception No. _____ of the Records of the Clerk and Recorder of Gunnison County.

- 2. COMPLIANCE WITH APPLICABLE CERTIFICATE OF APPROVAL.**

COMPLIANCE WITH CERTIFICATE OF APPROVAL

The property described on this plat is subject to all the requirements, terms and conditions of Certificate of Approval No. _____, recorded at Reception No. _____ of the Records of the Clerk and Recorder of Gunnison County.

- e. **GENERAL NOTES.** Pursuant to Section 11-110: H: *Protective Covenants or Deed Restrictions and Plat Language*, the following paragraphs shall be included within a section of "General Notes" on a Final Plat:
1. **CONFINEMENT OF DOMESTIC ANIMALS.** Language directing that domestic animals must be controlled by kenneling, leashing, fencing other physical constraint and that any expense of enforcement of the domestic animal control restrictions by the County shall be at the expense of the responsible association or individual.
 2. **AWARENESS OF COLORADO "FENCE-OUT" REQUIREMENTS.** Language referencing C.R.S. 35-46-101 *et seq*: clearly stating that a property owner is required to construct and maintain fencing in order to keep livestock off his/her property.
 3. **IRRIGATORS' RIGHT TO MAINTAIN IRRIGATION DITCH.** Language notifying individual lot owners that an irrigation ditch owner has the right to enter the designated irrigation ditch maintenance easement, maintain the ditch, and may leave natural debris on the bank.
- f. **ATTORNEY'S OPINION.** The following opinion by the applicant's attorney:

ATTORNEY'S OPINION

*I, (printed name of attorney), an attorney at law duly licensed to practice in the State of Colorado, hereby certify that I have examined title to all lands herein dedicated and subdivided. Such title is vested in _____ and is free and clear of all liens, defects, encumbrances, restrictions and reservations except as follows: _____ (list same or indicate none).
Dated this _____ day of _____, A.D. 20____.*

Attorney-at-Law

- g. **DEDICATION.** A Final Plat presented for approval shall contain one of the following statements concerning dedication, which shall be followed by the Notary Statement set forth in (c.) below:

1. **DEDICATION LANGUAGE.**

DEDICATION

(I, We), _____ (printed name of owner(s), mortgagee(s) and lien holder(s)) _____ being the owner(s), mortgagee(s) and lien holder(s) of the land described as follows: (insert legal description of land being platted and/or subdivided and include area in acres to two (2) decimal places) in Gunnison County, Colorado, under the name of (complete name of development in capital letters), have laid out, platted and/or subdivided the same as shown on this plat and do hereby permanently dedicate to the public at large the streets, alleys, roads and other public areas as shown hereon and hereby permanently dedicate those portions of land labeled as easements for the installation and maintenance of public utilities as shown hereon.

In witness whereof (printed name of the owner) has (have) subscribed (his, her, their) name(s) this _____ day of _____, A.D. 20____.

*By _____
Owner(s), Mortgagee(s) and Lien holder(s)*

2. **DEDICATION/ALTERNATIVE LANGUAGE.**

DEDICATION

(I, We), _____ (printed name of owner(s), mortgagee(s) and lien holder(s)) _____, being the owner(s), mortgagee(s) and lien holder(s) of the land described as follows: (insert legal description of land being platted and/or subdivided and include area in acres to two (2) decimal places) in Gunnison County, Colorado, under the name of (complete name of development in capital letters), have laid out, platted and/or subdivided the same as shown on this plat and do hereby permanently dedicate and convey to the owners of lots, tracts or parcels within this subdivision and their guests, but not to the public at large, the common right to use streets, alleys, roads and other areas as shown hereon and hereby permanently dedicate those portions of land labeled as easements for the installation and maintenance of public utilities as shown hereon.

In witness whereof (printed name of the owner(s)) has (have) subscribed his, her, their name(s) this _____ day of _____, A.D. 20____.

*By _____
Owner(s), Mortgagee(s) and Lien holder(s)*

3. **NOTARIAL.**

State of Colorado)

) ss.

County of Gunnison)

The foregoing instrument was acknowledged before me this ____ day of ____, A.D. 20____, by (printed name of owner(s): if by natural persons here, insert name; if by person acting in a representative official capacity, insert capacity; if by officers of a corporation, then insert the title of said officers and the name of the corporation).

My commission expires: _____

My address is: _____

Witness my hand and official seal: _____ (seal)

Notary Public

- h. BOARD OF COUNTY COMMISSIONERS' APPROVAL. As is consistent with the selected paragraph of dedication, any Final Plat submitted for approval shall contain one of the following statements of approval as appropriate:

1. BOARD APPROVAL LANGUAGE:

Board of County Commissioners' Approval

The within plat of (name of development in capital letters) is approved this ____ day of ____, A.D. 20____, and the roads and other public areas are hereby accepted provided, however, that such acceptance shall not in any way be considered as an acceptance for maintenance or snow removal purposes. Maintenance of, or snow removal from, the subject roads shall be only upon a separate Resolution of the Board of County Commissioners passed in accordance with such policies, resolutions or ordinances in effect at that time.

Chairperson, Gunnison County Board of Commissioners
Attest:

Gunnison County Clerk and Recorder

2. BOARD APPROVAL: FIRST ALTERNATIVE LANGUAGE:

BOARD OF COUNTY COMMISSIONERS' APPROVAL

The within plat of (name of development in capital letters) is approved this ____ day of ____, A.D. 20____, and the private dedication of roads and common areas is approved on the condition that such roads and common areas shall be maintained and snowplowed, by and at the expense of the lot owners and not by Gunnison County or any other public agency.

Chairperson, Gunnison County Board of Commissioners
Attest:

Gunnison County Clerk and Recorder

3. BOARD APPROVAL: SECOND ALTERNATIVE LANGUAGE:

BOARD OF COUNTY COMMISSIONERS' APPROVAL

The within plat of (name of development in capital letters) Is approved this ____ day of ____, A.D. 20____, as a seasonal use development only and not as a development served by a road opened or to be opened on a year-round basis. The roads and other public areas are hereby accepted provided, however, that such acceptance shall not in any way be considered as an acceptance for maintenance purposes. Maintenance of, or snow removal from the subject roads shall be only upon a separate resolution of the Board of County Commissioners passed in accordance with such policies, resolutions or ordinances in effect at that time.

Chairperson, Gunnison County Board of Commissioners
Attest:

Gunnison County Clerk and Recorder

4. BOARD APPROVAL: THIRD ALTERNATIVE LANGUAGE:

BOARD OF COUNTY COMMISSIONERS' APPROVAL

The within plat of (name of development in capital letters) is approved this ____ day of ____, A.D. 20____ as a seasonal use development only and not as a development served by a road opened or to be opened on a year-round basis. The private dedication of roads and common areas is approved on the condition that such roads and common areas shall be maintained and snowplowed, by and at the expense of the lot owners and not by Gunnison County or any other public agency.

Chairperson, Gunnison County Board of Commissioners
Attest:

Gunnison County Clerk and Recorder

5. **GUNNISON COUNTY CLERK AND RECORDER'S ACCEPTANCE.** (To be placed in the lower right-hand corner of cover sheet.)

GUNNISON COUNTY CLERK AND RECORDER'S ACCEPTANCE

This plat was accepted for filing in the office of the Clerk and Recorder of Gunnison County, Colorado, on this ____ day of ____, A.D. 20____, Reception Number _____, Time _____, Date _____.

Gunnison County Clerk and Recorder

6. **SURVEYOR'S STATEMENT.** A statement, followed by the land surveyor's signature and seal, certifying that the survey was performed by him or under his direct responsibility and supervision and explaining how bearings, if used, were determined.

- L. **APPLICATION FORM FOR BOUNDARY LINE ADJUSTMENTS.** In addition to completing the application form as specified in Section 5-104: *Administrative Review Project Application* applications for boundary line adjustments shall also include:

1. **CONSENT OF ALL LANDOWNERS.** If the application is for a boundary line adjustment, the application shall include notarized written consent from all landowners whose lot lines are being adjusted.
2. **SURVEY PLAT.** A survey shall be submitted that includes the following:
 - a. **TITLE AND DESCRIPTION.** It shall include the title, "Boundary Line Adjustment," and reference the property description by township and range, or by lot, parcel or tract number, as appropriate.
 - b. **LEGEND.** A legend shall be included on the survey mylar, clearly indicating the original boundaries, and the adjusted boundaries.
 - c. **ATTORNEY'S OPINION.** Any survey plat for a boundary line adjustment presented for approval shall contain this statement:

ATTORNEY'S OPINION

I, (printed name of attorney), an attorney at law duly licensed to practice in the State of Colorado, hereby certify that I have examined title to all lands herein dedicated and subdivided. Such title is vested in _____ and is free and clear of all liens, defects, encumbrances, restrictions and reservations except as follows: (list same or indicate none). Dated this ____ day of _____, 20 ____.

/s/ _____
Attorney-at-Law

- d. **SURVEYOR'S STATEMENT.** A statement, followed by the land surveyor's signature and seal, certifying that the survey was performed by him/her or under his/her direct responsibility, supervision and checking and explaining how bearings, if used, were determined.
- e. **COUNTY APPROVAL SIGNATURES.** Any survey plat for a boundary line adjustment presented for approval shall contain the following statements:
 1. **BOARD OF COUNTY COMMISSIONERS' APPROVAL.** Any Commissioner of the Board is authorized to sign the plat without formal Board review.

BOARD OF COUNTY COMMISSIONERS' APPROVAL

The within plat of the boundary line adjustment (name of plat title in capital letters) is approved this _____ day of _____, A.D. 20_____, _____.

Chairperson, Gunnison County Board of Commissioners
Attest:

Gunnison County Clerk and Recorder

2. **GUNNISON COUNTY CLERK AND RECORDER'S ACCEPTANCE.** (To be placed in the lower right-hand corner of cover sheet.)

GUNNISON COUNTY CLERK AND RECORDER'S ACCEPTANCE

This survey was accepted for deposit in the office of the Clerk and Recorder of Gunnison County, Colorado, on this _____ day of _____, 20_____, Deposit Number _____.

Time _____, Date _____.

Gunnison County Clerk and Recorder

- M. APPLICATION FORM FOR LOT CLUSTER.** In addition to completing the application form as specified in Section 5-104: *Administrative Review Project Application* applications for lot clusters shall also include:

1. **SITE PLAN.** The site plan shall include the following (as illustrated in Appendix Figure 1: *Site Plan Example*):
 - a. **LOTS TO BE CLUSTERED.** The lots whose shared boundaries will be vacated by the Lot Cluster Agreement, the name of subdivision in which the lots are located, if applicable, and the numbers of the lots.
 - b. **ADJACENT LOTS.** The lots immediately adjacent to all boundaries of the lots that will be clustered.
 - c. **ROADWAYS.** Platted development, County or other public, state or federal roadways adjacent to the proposed clustered lots.
 - d. **EASEMENTS.** Location of legal easements, including trails, adjacent to and across the proposed clustered lots.
 - e. **CONSENT BY UTILITIES.** As applicable, notarized letters of consent to the lot cluster from utility companies whose facilities are located in legal easements on or adjacent to the proposed clustered lots and a copy of the easement agreements, if such agreements exist.
 - f. **CONSENT OR SUBORDINATION BY LIEN HOLDERS.** As applicable, notarized letters of consent or a signed and notarized subordination to the lot cluster from lien or mortgage holders of the individual pre-clustered lots.

- N. APPLICATION FORM FOR CORRECTION OF PLAT.** In addition to completing the application form as specified in Section 5-104: *Administrative Review Project Application*, applications for corrections of plats shall also include:

1. **SURVEY PLAT.** A survey that includes the following:
 - a. **TITLE AND DESCRIPTION.** It shall include the title, "Corrected Plat," and reference the property description by township and range, or by subdivision lot, parcel or tract number, as appropriate.
 - b. **STATEMENT OF CORRECTION.** A statement clearly explaining the correction to the plat.
 - c. **LEGEND.** A legend shall be included on the survey mylar, the original boundaries, and the adjusted boundaries.
 - d. **SURVEYOR'S STATEMENT.** A statement, followed by the land surveyor's signature and seal, certifying that the survey was performed by him/her or under his/her direct responsibility, supervision and checking and explaining how bearings, if used, were determined.
 - e. **COUNTY APPROVAL SIGNATURES.** Any corrected plat presented for approval shall contain the following:
 1. **BOARD OF COUNTY COMMISSIONERS' APPROVAL.** Any Commissioner of the Board is authorized to sign the plat without formal Board review.

BOARD OF COUNTY COMMISSIONERS' APPROVAL

The within corrected plat of (name of plat title in capital letters) is approved this _____ day of _____, A.D. 20_____, _____.

Chairperson, Board of County Commissioners
Attest:

Gunnison County Clerk and Recorder

2. GUNNISON COUNTY CLERK AND RECORDER'S ACCEPTANCE. (To be placed in the lower right-hand corner of cover sheet.)

GUNNISON COUNTY CLERK AND RECORDER'S ACCEPTANCE

This survey was accepted for deposit in the office of the Clerk and Recorder of Gunnison County, Colorado, on this _____ day of _____, 20 _____, Deposit Number _____.

Time _____, Date _____.

Gunnison County Clerk and Recorder

O. APPLICATION FORM FOR SUBDIVISION EXEMPTIONS. In addition to completing the application form as specified in Section 5-104: *Administrative Review Project Application*, applications for subdivision exemption shall include:

1. SURVEY PLAT. A survey shall be submitted that includes the following:

- a. **TITLE AND DESCRIPTION.** It shall include the title, "Subdivision Exemption," and reference the property description by township and range, or by lot, parcel or tract number, as appropriate.
- b. **LEGEND.** A legend shall be included on the survey mylar, clearly indicating the original boundaries, and the adjusted boundaries.
- c. **SURVEYOR'S STATEMENT.** A statement, followed by the land surveyor's signature and seal, certifying that the survey was performed by him/her or under his/her direct responsibility, supervision and check, and explaining how bearings, if used, were determined.
- d. **ATTORNEY'S OPINION.** Any survey plat for a subdivision exemption presented for approval shall contain this statement:

ATTORNEY'S OPINION

I, (printed name of attorney), an attorney at law duly licensed to practice in the State of Colorado, hereby certify that I have examined title to all lands herein dedicated and subdivided. Such title is vested in _____ and is free and clear of all liens, defects, encumbrances, restrictions and reservations except as follows: (list same or indicate none). Dated this _____ day of _____, 20 ____.

Attorney-at-Law

- e. **BOARD OF COUNTY COMMISSIONERS.** Any survey plat for a subdivision exemption presented for approval shall contain the following statements:

BOARD OF COUNTY COMMISSIONERS' APPROVAL

The within plat of the subdivision exemption (name of plat title in capital letters) is approved this _____ day of _____, A.D. 20_____,

Chairperson, Board of Gunnison County Commissioners
Attest:

Gunnison County Clerk and Recorder

- f. **GUNNISON COUNTY CLERK AND RECORDER'S ACCEPTANCE.** (To be placed in the lower right-hand corner of cover sheet.)

GUNNISON COUNTY CLERK AND RECORDER'S ACCEPTANCE

This survey was accepted for deposit in the office of the Clerk and Recorder of Gunnison County, Colorado, on this _____ day of _____, 20 _____, Deposit Number _____.

Time _____, Date _____.

Gunnison County Clerk and Recorder

- P. **ADDITIONAL INFORMATION.** Such additional information reasonably required by the Community Development Department as necessary to determine the impact classification, or to otherwise aid in the evaluation of the development pursuant to the applicable requirements of this *Resolution*.

SECTION 5-105: ADMINISTRATIVE REVIEW PROJECT REVIEW PROCESS

- A. **GENERAL REVIEW PROCESS.** The following review process (illustrated in the flowchart in Appendix Figure 5: *General Review Process for Administrative Review Projects That Require Land Use Change Permit*) shall apply to applications for Administrative Review projects:
1. **PRE-APPLICATION CONFERENCE.** Attendance at a Pre-Application Conference is optional before submittal of an application for an Administrative Review project.
 2. **SUBMITTAL OF APPLICATION.** The applicant shall submit a complete application pursuant to this Article.
 3. **PLANNING DEPARTMENT REVIEW.** The Community Development Director shall review the application, pursuant to Section 3-110: *Planning Department Review of Application*, including:
 - a. **REQUEST FOR REVIEW BY OTHER AGENCIES OR DEPARTMENTS.** The Community Development Department may request the professional analysis and recommendations of other review agencies, organizations, or technical consultants deemed appropriate and necessary to complete the review, including other County offices and departments; municipal, state, or federal agencies having an interest in or authority over all or part of the proposal; utility companies; the applicable school district and special service districts serving the proposed development; and engineers, designers, and legal consultants.
 1. **REVIEW AND COMMENT BY REVIEW AGENCIES.** The review agencies that are sent a copy of the application shall be requested to make comments within 21 days of mailing by the Community Development Department, unless an extension of not more than 30 days has been requested by the agency before the 21st day. The Department may grant such a reasonable extension if it determines that good cause for the delay has been shown. The failure of any agency to respond within 21 days or within the period of extension shall not be deemed an approval of the application by the agency.
 2. **REVIEW OF AGENCY/DEPARTMENT COMMENTS BY APPLICANT.** The applicant shall have the right to review the comments and recommendations received from the review agencies. The applicant may submit additional information and make changes in the development proposal to respond to the comments of the review agencies; provided, however, that if those changes are substantial or if they significantly alter the nature, character or extent of the application, the Community Development Department may, after the changes, refer the application again to some or all review agencies, to obtain additional comments, and may reasonably extend the period of their review accordingly.
 4. **NOTICE TO PUBLIC OF PROPOSED COMMERCIAL OR INDUSTRIAL USE.** When the application is for an Administrative Review project that is a commercial or industrial use, notice shall be given to the public pursuant to Section 3-112: *Notice of Public Hearing*, except that notice by publication in a newspaper shall not be required. The notice shall identify a 15-day public comment period, during which comments may be submitted to the Community Development Director. The Community Development Director shall act on the application within 15 days after the close of the comment period.
 - a. **NOTICE TO MUNICIPALITY.** When the proposed commercial or industrial use is located within a municipal three-mile area, notice shall be provided to the municipality.
 5. **ACTION BY COMMUNITY DEVELOPMENT DIRECTOR.** Within 30 days of having certified that the application is complete, or after having received comment from review agencies pursuant to Section 3-110: B. *Request for Review by Other Agencies or Departments*, whichever is later, the Community Development Director shall approve, approve with conditions, or deny the application, based upon the compliance of the application with the applicable standards and requirements of this *Resolution*. Conditions of approval shall include the applicant's timely and fully obtaining and complying with all applicable federal, state, municipal and other permits required for the project.
 6. **APPROVAL AND SIGNATURE OF PLAT BY BOARD.** When an Administrative Review project requires the submittal of a survey plat, the Community Development Director shall schedule the item on the Board agenda for signature.
 7. **RECORDATION OF CERTIFICATE.** Within 30 days following approval of the Administrative Review application, the Community Development Director shall record a Certificate of Administrative Review in the Office of the Gunnison County Clerk and Recorder's Office. The Certificate shall describe the specific project,

the legal description of the subject property, any relevant Findings related to the project's compliance with this *Resolution*, or conditions of approval, and include the Community Development Director's signature line, and the date of approval.

- B. APPEAL.** A decision by the Community Development Director on an application for an Administrative Review project may be appealed by referral to the Board, pursuant to Section 8-103: *Appeals*.



NOTICE REGARDING U.S. FISH AND WILDLIFE SERVICE DETERMINATION THAT GUNNISON SAGE-GROUSE IS A THREATENED SPECIES

- The U.S. Fish and Wildlife Service has determined, effective December 22, 2014, threatened species status under the Endangered Species Act of 1973, as amended, for the Gunnison Sage-grouse.
- Gunnison County approval of this County permit is not U.S. Fish and Wildlife Service approval of any activity described or authorized by this County permit.
- Gunnison County is not and does not act as your representative with regard to consultation with the U.S. Fish and Wildlife Service or performance of U.S. Fish and Wildlife Service requirements.