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Information Sheet: Sketch Plan for a Major Impact Project

The Sketch Plan is the first step in the review process for a project that is classified as a Major Impact. An applicant is required, before an application is submitted, to arrange with the Community Development Department for a Pre-Application conference to discuss what a proposed plan is, to learn about the review process, about what is required in an application, what review agencies are likely to be asked to review the application, and who ought to be contacted before a meeting is scheduled with the Planning Commission.

SKETCH PLAN IS EXPLORATORY. Sketch Plan review provides an opportunity for the County, the applicant, and the public to engage in an exploratory discussion of a proposed land use change, to examine alternative approaches to development of the property, to participate in a process of joint planning and negotiation between the County and the applicant to promote development and land use change which is consistent with the intent and purposes of this *Resolution*.

SKETCH PLAN EXPECTED TO EVOLVE. Requirements of Sketch Plan direct the applicant to review specific sections of this *Resolution* and submit a plan that has addressed issues important to the County. It is expected that the proposal will evolve during Sketch Plan review.

ENGINEERED DESIGNS AND DETAILED PLANS NOT REQUIRED NOR ACCEPTED AT SKETCH PLAN. To encourage the consideration of alternatives and to allow the Sketch Plan to evolve, detailed engineering plans and other overly detailed information shall not be required nor accepted by the County.

We suggest that once an applicant has put a basic plan together, they find out who the neighbors to the parcel are (through the Gunnison County Assessor's Office records, which you can access on public computers across from the Assessor's Office and the Community Development Department in the Blackstock Government Center, 221 N. Wisconsin St., Ste. D in Gunnison). We suggest that the applicant contact them and let them know what the proposed plan is, to hear what their concerns may be before the applicant presents the plan in a public meeting.

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

SECTION 7-201: SKETCH PLAN APPLICATION FOR MAJOR IMPACT PROJECTS

- A. NOTIFICATION TO COUNTY IF FEDERAL PERMITS 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. 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.
- C. AREA AND PHASING OF DEVELOPMENT.** The Sketch Plan application shall relate to all of the area proposed for immediate or future development, including all contiguous land under ownership by the applicant. If phasing is proposed by the applicant or determined by the County to be appropriate, the general concept of that phasing shall be addressed.
- D. APPLICATION AND REVIEW FEES.** In order to compensate the County for the cost of reviewing and processing the Sketch Plan, 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.

1. **COST FOR PUBLIC HEARING NOTICE(S).** In addition to the Sketch Plan submittal fee, the applicant shall be billed and shall be responsible for paying for the actual cost of publication of all applicable public hearing notices as required pursuant to Section 3-112: *Notice of Public Hearing*.
- E. **COPY OF PROPERTY TAX CERTIFICATE.** One 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.
- F. **SUBMITTAL OF DRAFT COPY OF NARRATIVE AND MAP SUBMITTALS.** The applicant shall submit one draft copy of the Sketch Plan application to the Community Development Department. The Sketch Plan includes both a narrative describing elements of the proposed project, and maps and layout plans that illustrate it.
- G. **TOTAL NUMBER OF COPIES REQUIRED.** Once the Community Development Department has determined the submittal to be complete, it shall determine the number of copies of the Sketch Plan application that are necessary for review and action by the Planning Commission and/or Board, and other review agencies or County departments, and shall notify the applicant of the number of copies of the complete plan that are required to be submitted.
- H. **GENERAL INFORMATION IN NARRATIVE.** The narrative is required to include at least the following information, presented in the same order as it is listed in this Section, in a stapled or otherwise bound document, on consecutively numbered pages and including a *Table of Contents*:
 1. **APPLICANT.** The name, address, telephone and fax numbers, and e-mail address for the applicant. If the applicant is to be represented by an agent, a notarized letter signed by the applicant authorizing the agent to represent the applicant and also stating the same information for the agent.
 - 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.
 3. **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 (such as mileage from highway or County road, or other recognized landmarks) on which the land use change is proposed to be located. A copy of the recorded deed to the property should be included.
 4. **DATE OF APPLICATION.** The date the application was prepared.
 5. **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.
 6. **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.
 7. **IDENTIFICATION OF PRESENT LAND USE AND PREVIOUSLY-APPROVED USES.** Identification of present land use, locations, and sizes of structures that exist on the subject property. Land Use Change Permits or other permitted activities that were previously approved for the parcel on which this land use change is proposed.
 8. **MINERAL RESOURCES.** Indication of mineral resources that are known, or reasonably believed to be located in the property proposed for the land use change, whether the area has been the site of underground or surface

mining activity, and whether an original patent has been issued to the property under federal mining law. If reasonably available, a list of the owners or lessees of underlying mineral estates is to be included.

9. **PROJECT DESCRIPTION.** A description of what the applicant wants to do on or to the property, including the following:
 - a. **USES AND ACTIVITIES, NUMBERS OF UNITS, OR SIZES OF USES.** Proposed uses or activities, division of land, adjustment of boundaries, expansion of existing uses, construction, materials to be stockpiled, indoor and outdoor storage areas. Numbers of units or lots. Estimated square footage or acreage of commercial, industrial or other uses. The proposed number of residential and/or other units and estimated square footage of structures may be expressed as a range, provided the top end of the range is no more than 20 percent higher than the bottom end of the range.
 - b. **DESCRIPTION OF OFF-SITE RESOURCES.** Description of off-site resources such as gravel and haul routes as may be necessary to accomplish the project.
 - c. **SEASONS AND HOURS OF OPERATION.** As applicable, the seasons of the year in which the activity is proposed to be conducted, and the intended hours of operation.
 - d. **PHASES.** Any phases that may be proposed within a Final Plan for the development.
- I. **MAPS AND SITE PLAN SHEETS.** Maps shall be at a scale and sheet size to permit adequate review, but sheet size shall not exceed 24 inches by 36 inches. Each map or layout of the site plan shall be separate, and folded to a size to allow mailing or storage within a standard legal-sized folder; maps shall not be submitted in a rolled form. Elements required to be submitted in map or layout form may be combined on one or more sheets of the submittal, so long as all elements are legible. The following elements shall be included on the map submittals:
 1. **VICINITY MAP** (illustrated in Appendix Figure 2: *Vicinity Map Example*). **VICINITY MAP.** A vicinity map, which at a minimum includes the following (as illustrated in Appendix Figure 2: *Vicinity Map Example*):
 - 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 this proposed project.
 - c. **BOUNDARIES OF DISTRICTS, MUNICIPALITIES OR SUBDIVISIONS.** Locations of special district boundaries, municipalities or residential subdivisions within a half mile of the property.
 - d. **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. **NATURAL FEATURES.** A map or maps identifying the general locations of the following elements, and any other significant visual or other resource areas on the property:
 - a. **MAPS AND TABLES OF SOILS TYPES.** Maps and tables, describing the suitability of the existing soil types for the proposed development, using standard soil classifications and process; information available from the U.S.D.A. Natural Resources Conservation Service is suitable for this submittal. .
 - b. **TOPOGRAPHY/CONTOURS.** Topography, as depicted on a United States Geologic Survey map, or its equivalent.
 - c. **SLOPE ANALYSIS MAP.** Topography shall be classified into areas having a slope of 0-15 percent, 15-30 percent, and greater than 30 percent.
 - d. **WILDFIRE HAZARD MAPS.** Wildfire Area Hazard Maps prepared by the Colorado State Forest Service.
 - e. **GEOLOGIC HAZARD MAPS.** Geologic Hazard Maps prepared by the Colorado Geologic Survey, or their equivalent, as prepared by a professional geologist.
 - f. **WILDLIFE HABITAT MAPS.** Wildlife Habitat Maps prepared by the Colorado Division of Wildlife, and Gunnison Basin Sage Grouse Habitat Maps (in the Gunnison County Sage Grouse Conservation Plan), or maps prepared by the applicant's wildlife consultant.
 - g. **WETLANDS MAPS.** Existing wetlands identification maps; if no existing identification maps exist, that mapping will be required, conducted by a wetlands delineator and submitted as part of the Preliminary Plan.

- h. **FLOODPLAINS.** Floodplain maps provided pursuant to the Federal Emergency Management Act, and available in the Community Development Department, or site-specific maps prepared by a qualified professional engineer, licensed in the state of Colorado. That mapping will be required, conducted and submitted as part of the Preliminary Plan, pursuant to Section 11-103: *Development in Areas Subject to Flood Hazards*.
 - i. **PROMINENT RIDGELINES.** Prominent ridgelines, pursuant to the list of “ridgeline vantages” in Section 11-108: *Standards for Development on Ridgelines*, and/or other significant visual resources on the property.
 - j. **VEGETATION.** Existing groves of trees and other major types of vegetation.
3. **SITE PLAN.** A map including the area within a half mile of the boundaries of the parcel on which the project is proposed, and including the following:
- a. **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.
 - b. **ROADS.** All U.S. and state highways and nearest County or Forest Service, Bureau of Land Management, and/or subdivision/private roads that traverse and/or provide access to this proposed project..
 - c. **EASEMENTS.** Easements recorded or historically used that provide access to or across, or other use of, the property.
 - d. **TRAILS, PARKS OR ACCESS TO PUBLIC LANDS.** Any physically existing and/or dedicated trails, parks, or access points to public lands.
 - e. **EXISTING LAND USES.** Existing land uses within a half mile of the proposed site, and those along any access road serving the proposed development.
4. **DEVELOPMENT LAYOUT MAP.** The development layout map shall include the following:
- a. **ALL PROPERTY PROPOSED FOR DEVELOPMENT.** All land proposed for immediate or future development.
 - b. **PHASES.** Locations of any contemplated phases of the proposed development.
 - c. **LOCATIONS OF LOTS AND STRUCTURES.** Locations of existing and proposed lots and/or structures, and, as applicable, the anticipated locations of residential, commercial, industrial, or other structures, or non-structural areas of activity.
 - d. **OPEN SPACE.** The general locations and dimensions of proposed open space. The requirements of Section 13-108: *Open Space and Recreation Areas* shall guide the design of the Sketch Plan.
 - e. **PARKING AREAS.** The general locations of all proposed parking areas and the approximate number of spaces each will contain. The requirements of Section 13-110: *Off-Road Parking and Loading* and the minimum distances listed in Appendix Table 3: *Off-Road Parking Requirements* shall guide the design of the Sketch Plan.
- J. **ROADS AND TRAILS SYSTEM PLAN.** The general locations and alignment of entry roads to the property from off-site and primary roads and proposed driveway locations, trails or sidewalks on-site. Identification of federal, state and County roadways that will provide access to the proposed project. The requirements of Section 12-103: *Road System* and Section 12-104: *Public Trails* shall guide the design of the Sketch Plan.
- K. **ACCESS AND OTHER EASEMENTS.** All known easements, recorded or historically used, that provide access to or across, or other use of, the property, including but not limited to, those for utilities, irrigation and drainage ditches, drainage swales, headgates, roads and trails, egress/ingress, or other access affecting the property shall be shown on the Sketch Plan.
- L. **FLOOD HAZARD AREAS.** When a land use change is proposed on a parcel located within a floodplain hazard area as delineated on maps described in Section 11-103: D: *Official Maps* or the National Flood Insurance Rate Maps (FIRM) prepared by the Federal Emergency Management Agency (September 29, 1989, as amended) the narrative, map and design layout of the Sketch Plan shall be guided by the requirements of Section 11-103: *Development in Areas Subject to Flood Hazards*.
- M. **GEOLOGIC HAZARD AREAS.** When a land use change is proposed on a parcel located in a geologic hazard area as delineated on Geologic Hazard Maps prepared by the Colorado Geologic Survey the narrative, map and design

layout of the Sketch Plan shall address and be guided by the requirements of Section 11-104: *Development in Areas Subject to Geologic Hazards*.

- N. LOCATION OF SITE WITHIN WILDFIRE HAZARD AREA AND FIRE PROTECTION.** The narrative, map and layout design of the Sketch Plan shall be guided by the requirements of Section 11-105: *Development in Areas Subject to Wildfire Hazard* and Section 12-107: *Fire Protection*, and include measures to minimize the potential that the proposed uses will generate or increase wildfire
- O. WILDLIFE HABITAT.** When a land use change is proposed on a parcel located in a wildlife habitat area as delineated on Wildlife Habitat Maps referenced by the County, the narrative, map and design layout of the Sketch Plan shall be guided by the requirements of Section 11-106: *Protection of Wildlife Habitat Areas*.
- P. LOCATION OF SITE WITHIN AREA POTENTIALLY AFFECTED BY WETLANDS AND WETLANDS PERMITTING.** The narrative, map and layout design of the Sketch Plan shall be guided by the requirements of Section 11-107: *Protection of Water Quality*, depict locations of water bodies, and acknowledge that the property may be subject to design constraints of Restrictive Inner Buffers, and Variable Outer Buffers as regulated by that Section.
- Q. DEVELOPMENT ON RIDGELINES.** If the proposed land use change is on property in which there are land formations visible from any ridgeline vantage as defined by this *Resolution*, and described pursuant to Section 11-108: *Standards for Development on Ridgelines*, the narrative, map and layout design of the Sketch Plan shall be guided by the requirements of that Section.
- R. DEVELOPMENTS IMPACTING AGRICULTURAL LANDS.** If the proposed land use change adjoins agricultural lands, involves land through which irrigation ditches flow, or over which there are general or exclusive easements for stock drives, the narrative, map and design layout of the Sketch Plan shall be guided by the requirements of Section 11-109: *Development That Affects Agricultural Lands*, and Section 15-103: *Right-to-Ranch Policy* and shall identify the following:
- 1. 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.
 - 2. AGRICULTURAL DITCH.** 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.
 - 3. EASEMENTS.** The location of historical easements used to gain access to headgates, ditches, and fences for maintenance or operations.
 - 4. 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.
- S. LANDS BEYOND SNOWPLOWED ACCESS.** If the proposed land use change is on property located where there previously has been no snowplowed access, narrative, map and layout design of the Sketch Plan shall be guided by Section 11-110: *Development of Land Beyond Snowplowed Access*.
- T. DEVELOPMENT ON INHOLDINGS IN NATIONAL WILDERNESS.** If the proposed land use change is on property located on an inholding within a national Wilderness Area, the narrative, map and design layout of the Sketch Plan shall be guided by Section 11-111: *Development on Inholdings in the National Wilderness*.
- U. DEVELOPMENT ON PROPERTY ABOVE TIMBERLINE.** If the proposed land use change is on property located above timberline the narrative, map and design layout shall be guided by Section 11-112: *Development on Property Above Timberline*.
- V. WATER SUPPLY PLAN.** A report addressing the requirements of Section 12-105: *Water Supply*, to demonstrate that, for the type of development proposed, the water supply is sufficient in terms of quality, quantity and dependability. Documentation shall include the following:
- 1. QUALITY.** Evidence shall be submitted concerning the potability of the proposed water supply.
 - 2. TESTS FOR POTABILITY.** If the water is intended for human consumption, the applicant shall find the closest existing well that lies within the same aquifer as well(s) proposed to provide a source of water for the proposed land use change, and shall make a good faith effort to obtain and submit water quality testing results from that well that demonstrate the potability of the proposed water supply.

3. **QUANTITY.** Evidence shall be submitted that the proposed water source will actually supply an adequate quantity of water to the proposed development, including, but not limited to:
 - a. **HISTORIC USE.** Evidence of the historic use and yield of the claimed water rights; or
 - b. **HYDROLOGIST'S REPORT.** A report of a qualified hydrologist; or
 - c. **PUMPING TEST RESULTS.** Pumping test results on nearby existing well or wells, located within the same aquifer as the proposed well(s); or
 - d. **EVIDENCE OF CENTRAL WATER SUPPLY.** If applicable, evidence that a public or private water provider can and will supply water adequate to serve the proposed development, stating the amount of water available for use within the development, and the feasibility of extending service to that area. In determining the amount of water available, the water provider shall consider, and provide documentation of, existing commitments to provide water at a future date to users in other than the applicant.
 - e. **IRRIGATION NEEDS.** The estimated amount of irrigated acreage required for the proposed use.
 - f. **FIREFLOW.** The estimated amount of water required to provide adequate fire flow, pursuant to Section 12-107: *Fire Protection*.
 - g. **POTABLE WATER DEMAND.** A statement as to whether or not some of the water must be potable and is intended for human consumption. If potable water is to be provided, the following are to be addressed:
 1. **ESTIMATED AVERAGE DAILY DEMAND.** Estimated average daily demand of the entire service area and the proposed development. Demand calculations are to be based upon 350 gallons per day (gpd) per residence, year-round. Estimated average daily demand for commercial and industrial users will be reviewed based on the proposed uses and levels of use.
 2. **ESTIMATED MAXIMUM DAILY DEMAND.** Estimated maximum daily demand based on a figure of three times the average daily demand.
 3. **ESTIMATED PEAK HOUR DEMAND.** Estimated peak hour demand based on a figure of six times the average daily demand.
 - h. **WATER RIGHTS.** Evidence of ownership or right of acquisition or use of existing water rights shall be submitted, including, but not limited to:
 1. **DEEDS OR COURT DECREES.** Copies of deeds or court decrees giving the applicant the absolute right to use an existing water right for the proposed use; or
 2. **EXECUTED AGREEMENTS.** Copies of executed agreements or conditional court decrees giving the applicant the right to use water for the proposed use at some future time under specified conditions; or
 4. **ATTORNEY'S LETTER ABOUT FEASIBILITY.** If further court action in the nature of an application for change in use of a water source, or change in point of diversion and/or plan of augmentation will ultimately be required, a letter from a licensed Colorado attorney briefly describing that court action and expressing an opinion as to the feasibility of the success of that action and the feasibility that existing rights can be changed.
- W. SEWAGE DISPOSAL.** A report that identifies whether sewage disposal/wastewater treatment will be accomplished by individual sewage disposal systems or by a central wastewater treatment system.
1. **NEW CENTRAL WASTEWATER TREATMENT SYSTEM.** If a new central wastewater treatment system is planned, then the estimated daily number of gallons of sewage generated by the proposed development shall be provided, along with a general description or discussion of the proposed method of treatment or disposal including the estimated capacity and general location of the proposed system.
 2. **USE OF EXISTING CENTRAL WASTEWATER TREATMENT SYSTEM.** If use of an existing central wastewater treatment system is proposed, the following shall be submitted:
 - a. **COMPLIANCE WITH CDPHE REQUIREMENTS.** Documentation from the system operator that the system is in compliance with the applicable permitting and operation requirements of Colorado Department of Public Health and Environment.
 - b. **CONFIRMATION OF WILLINGNESS TO SERVE.** Documentation attested by the proposed provider indicating that there is sufficient capacity and willingness to provide the service.
 3. **USE OF INDIVIDUAL SEWAGE DISPOSAL SYSTEMS REQUIRES INITIAL COUNTY EVALUATION.** If individual sewage disposal systems are proposed, the applicant shall contact the Gunnison County

Environmental Health Official to schedule an on-site visit. The on-site evaluation shall be conducted at the expense of the applicant, and is intended to provide only an initial and cursory observation of the feasibility of individual systems on the proposed development site. The Official will provide a report of the evaluation to the applicant and to the Planning Commission.

- X. GENERAL SITE PLAN STANDARDS AND LOT MEASUREMENTS.** The narrative, map and design layout shall address and comply with the requirements of Section 13-103: *General Site Plan Standards and Lot Measurements*.
- Y. SETBACKS FROM PROPERTY LINES AND ROAD RIGHTS-OF-WAY.** The narrative, map and design layout shall address and comply with the setback requirements of Section 13-104: *Setbacks from Property Lines and Road Rights-of-Way*.
- Z. LANDSCAPING PLAN.** A conceptual landscaping plan shall be submitted, pursuant to Section 13-111: *Landscaping and Buffering*.
- AA. RECLAMATION AND NOXIOUS WEED CONTROL.** A Sketch Plan application shall acknowledge that an *Earthmoving Site Revegetation and Noxious Weed Control Plan*, as designed and/or approved by the Gunnison Basin Weed Specialist pursuant to Section 13-115: *Reclamation and Noxious Weed Control* will be required to be prepared for the Preliminary Plan submittal, if the Sketch Plan is approved.
- BB. GRADING AND DRAINAGE PLANS.** The Sketch Plan application narrative, map and design layout shall be guided by the requirements of Section 13-116: *Grading and Erosion Control* and Section 13-117: *Drainage, Construction and Post-Construction Storm water Runoff*.
- CC. WATER IMPOUNDMENTS.** If water impoundments are proposed as part of the proposed development, the Sketch Plan application narrative, map and design layout shall indicate that impoundments are to be part of the plan the submittal shall be guided by the requirements of Section 13-118: *Water Impoundments*.
- DD. SCHOOLS, PARKS, AND COMMON AREAS.** The Sketch Plan application shall identify those areas that are proposed to be set aside for schools, parks, or common areas, as applicable.
- 1. SCHOOL LAND REQUIREMENTS SHALL COMPLY WITH AGREEMENT.** When a separate intergovernmental agreement exists between Gunnison County and the school district within whose boundaries the development is located, the dedication of land, payment-in-lieu, or a combination of dedication and payment, shall comply with that agreement.
- EE. SOLID AND HAZARDOUS WASTES.** The Sketch Plan application shall describe:
- 1. DISPOSAL METHOD.** The method to be used by the development for the disposal of solid wastes; and
- 2. HAZARDOUS SUBSTANCES.** Whether the development can reasonably be expected to produce hazardous substances or hazardous waste materials, as defined by Colorado law.
- FF. PROTECTIVE COVENANTS OR RESTRICTIONS.** If the proposed land use change is for a subdivision or condominium/townhome development, the applicant shall submit a narrative outline of the protective covenants and/or a general listing of design criteria that will be applied in the development of the subdivision and a provision for the enforcement of the covenants by property owners in the subdivision, and by Gunnison County. The criteria shall create a consistent design theme for the development and shall address, at a minimum, the following items:
- 1. RESPONSIBILITIES OF HOMEOWNERS' ASSOCIATION** Responsibilities of property owners or homeowners' association to collect dues, maintain common areas, improve infrastructure common to the development, maintenance of a decreed water augmentation plan and the augmented water supply, treatment of wastewater and/or water, and to oversee the maintenance of the general appearance of the development.
- 2. COUNTY IS PARTY TO ENFORCEMENT OF PROTECTIVE COVENANTS IN A SUBDIVISION.** Language that allows and requires enforcement of the protective covenants by property owners if the development and that names Gunnison County as a party to enforcement.
- 3. COUNTY IS PARTY TO AMENDMENT OR TERMINATION.** Language that requires that amendment or termination of the protective covenants is subject to approval by Gunnison County.
- 4. DESIGN CRITERIA.** Design criteria that will govern construction within the proposed development. The applicant should become familiar with and comply with the requirements of the following listed sections of this *Resolution*, in drafting covenants for the Sketch Plan level of review, and address the following:
- 5. BUILDING SCALE AND LOCATION.** Language defining building heights, compatibility with terrain, and sizes of all structures that will be allowed by the protective covenants. Section 11-108: *Standards for Development on*

Ridgelines, Section 13-103: General Site Plan Standards and Lot Measurements, Section 13-105: Residential Building Sizes and Lot Coverages

6. **ARCHITECTURAL STYLE AND EXTERIOR APPEARANCE.** Language describing the architectural style that will be required of all structures in the proposed development, and the types and colors of exterior materials to be used, including siding and roofing.
 7. **ENERGY AND RESOURCE CONSERVATION.** Language advising lot owners that an application to Gunnison County for a residential Building Permit must comply with all applicable building codes adopted and amended by Gunnison County, and with any applicable energy and resource conservation standards currently required by the County.
 8. **SOLID-FUEL-BURNING DEVICES.** If solid-fuel-burning devices are proposed to be used in the development, restrictions shall be listed ensuring compliance with Section 13-107: *Installation of Solid-fuel-burning Devices*.
 9. **EXTERIOR LIGHTING.** Language that includes requirements that comply with those specified by Section 13-114: *Exterior Lighting*.
 10. **USE AND MAINTENANCE OF OPEN SPACE AREAS.** As applicable, language shall be included that lists uses allowed on, and requires maintenance of common open space areas by the homeowners association, or other appropriate entity. The applicant should become familiar with and comply with the requirements of Section 13-108: *Open Space and Recreation Areas* in drafting covenants for the Sketch Plan level of review.
 11. **SIGNS.** Language shall be included that informs property owners or other land users within the proposed development that installation of signs requires compliance with the Gunnison County regulations and may require a Gunnison County Sign Permit.
 12. **RULES CONCERNING PARKING.** Language concerning limitations on parking within the development and/or outside the development by users of the development. The applicant should become familiar with and comply with the requirements of Section 13-110: *Off-Road Parking and Loading* in drafting covenants for the Sketch Plan level of review.
 13. **LANDSCAPING AND BUFFERING.** Language addressing installation and maintenance of landscaping on individual lots and common areas. The applicant should become familiar with and comply with the requirements of Section 13-111: *Landscaping and Buffering* in drafting covenants for the Sketch Plan level of review.
 14. **PROVISION FOR SNOW REMOVAL AND SNOW STORAGE.** Language identifying responsibility of a property owners' or homeowners' association or other entity to remove snow from interior roads and parking areas, and other applicable requirements. The applicant should become familiar with and comply with the requirements of Section 13-112: *Snow Storage* in drafting covenants for the Sketch Plan level of review.
 15. **STANDARDS TO ENSURE COMPATIBLE USES.** As applicable, specific covenants or other restrictions designed to mitigate impacts to nearby residential or public use areas or adjacent land uses, pursuant to Section 13-119: *Standards to Ensure Compatible Uses*.
 16. **DOMESTIC ANIMAL CONTROL.** Language limiting the maximum number of domestic animals allowed on a lot or within the development, and requiring that they be confined on site by kenneling, leashing or other similar means. Language that includes requirements that comply with those specified by Section 11-106: F.6: *Domestic Animal Controls*, Section 11-109: D: *Domestic Animal Controls*, and Section 9-508: *Keeping of Livestock Not On an Agricultural Operation*.
 17. **FENCING.** The applicant should become familiar with and comply with the requirements of Section 13-113: *Fencing* in drafting covenants for the Sketch Plan level of review. If there is to be a fence separating the proposed development from lands on which there are agricultural operations or are public lands, language shall be included acknowledging Colorado's "fence out" requirements, and placing responsibility for construction and maintenance of the fence with the property owners' or homeowners' association.
- GG. STRUCTURAL DESIGN.** If the applicant is the developer of any structure in the proposed project, then simple sketches, massing diagrams or models (without architectural details) shall be submitted. These shall be intended to show building mass, scale, and height in a conceptual manner in relation to natural site features, and in relation to surrounding structures. The applicant should become familiar with, and comply with the requirements of Section 13-103: *General Site Plan Standards and Lot Measurements* and Section 13-105: *Residential Building Sizes and Lot Coverages* shall guide the design of the Sketch Plan.
- HH. ADDITIONAL SUBMITTALS BASED ON EVIDENCE OF CUMULATIVE IMPACTS.** If, in the course of the Sketch Plan application review, evidence is submitted or obtained 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.

- II. 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 7-202: SKETCH PLAN REVIEW PROCESS FOR MAJOR IMPACT PROJECTS

The following process (illustrated in the flowchart in Appendix Figure 6: *Sketch Plan Review Process for Major Impact Projects*) shall apply to an application for review of a Sketch Plan application for a Major Impact project. In addition to these required meetings and public hearings, the Planning Commission and the Board may conduct work sessions, as either deems necessary.

- A. NOTIFICATION TO COUNTY IF FEDERAL PERMITS REQUIRED FOR PROJECT.** When an Environmental Assessment or Environmental Impact Statement, 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 Sketch Plan application is first submitted for review.
- B. PRE-APPLICATION CONFERENCE.** Attendance by the applicant at a Pre-Application Conference is mandatory before submittal of the Sketch Plan application, pursuant to Section 3-108: *Pre-Application Conference*.
- C. SUBMITTAL OF DRAFT COPY.** The applicant shall submit one draft copy of the Final Plan application to the Community Development Department pursuant to Section 7-301: *Sketch Plan Application for Major Impact Projects*.
- 1. COMMUNITY DEVELOPMENT DEPARTMENT REVIEW.** Review of the application shall be accomplished as specified in Section 3-110: *Community Development Department Review of Application*.
 - 2. TOTAL NUMBER OF COPIES REQUIRED.** Once the Community Development Department has determined that the Sketch Plan application is complete, the Department shall notify the applicant of the required number of Sketch Plans sufficient to provide a copy to each Planning Commission member, to applicable review agencies, and for the file. A minimum of 15 copies is required. The Department shall, as applicable, forward the application and any relevant comments to the Planning Commission or Board.
- D. 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 Sketch Plan 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.
- E. 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.
- F. WORK SESSIONS.** After the Community Development Department has determined the application to be complete, the Planning Commission shall conduct a work session to identify and consider issues related to the application. Both the Board and the Planning Commission may conduct additional work sessions as it or they deem necessary to afford sufficient time to review the application materials and to identify and consider any issues related to the application.
- G. SITE VISIT.** The Board and/or Planning Commission respectively shall conduct a site visit of the proposed project site if either body determines that such a site visit will provide information useful to its review of the proposal. If the

Planning Commission chooses to conduct a site visit, it shall do so before taking action on a recommendation to the Board on the Sketch Plan application. Review of the application may be delayed for a reasonable period if inclement weather, or snow or mud conditions prohibit a productive site visit.

- H. DETERMINATION OF READINESS FOR HEARING.** The Planning Commission shall determine whether the Sketch Plan application is sufficient to conduct a public hearing, and if it is, shall so notify the Board.
- I. PUBLIC HEARING.** The Planning Commission and Board shall jointly conduct a public hearing to consider the Sketch Plan application.
- 1. RELATED EA OR EIS PROCESS.** Pursuant to Section 3-104. B. 2: *Major Impact Projects That Require EA or EIS*, the process of scoping shall occur concurrently with this Sketch Plan hearing.
 - 2. SCHEDULING OF HEARING.** The Planning Commission shall identify a hearing date and time at which a public hearing, jointly conducted by the Board and the Planning Commission shall be scheduled. Notice of the date of the hearing and a complete copy of the Sketch Plan application shall be forwarded to the Board at least 20 days before the date of the hearing, together with a copy of the Community Development Department's report.
 - 3. HEARING NOTICE.** Public notice that the Board and Planning Commission will jointly conduct a public hearing to consider the Sketch Plan application shall be accomplished pursuant to Section 3-112: *Notice of Public Hearing*, and shall meet the required period of notice for a Board public hearing, pursuant to Table 1: *Timing of Notice*.
 - 4. CONDUCT OF HEARING.** The chairperson of the Planning Commission will preside over the hearing, which will be conducted pursuant to Section 3-113: *Conduct of a Public Hearing*.
- J. PLANNING COMMISSION RECOMMENDATION.** It is the goal but not the requirement (as scheduling may be affected by limited access, inclement weather, or other unforeseen circumstances) of this *Resolution*, that within 60 days following the closure of the public hearing, the Planning Commission shall consider the relevant materials and testimony and the compliance of the Sketch Plan application with the applicable standards of this *Resolution*, and recommend approval, approval with conditions, or denial of the application. The recommendation shall be in written form, and shall, at a minimum, address the following:
- 1. DETERMINATION OF THE SKETCH PLAN'S COMPLIANCE WITH STANDARDS OF THIS RESOLUTION.** Whether the application is generally consistent with the standards and requirements of this *Resolution*.
 - 2. STATEMENT OF IMPACT CLASSIFICATION.** A statement classifying the impact of the proposed project, citing the specific applicable sections of Section 3-111: *Classification of Impact*.
 - 3. PHASING.** If the applicant has proposed phases for the project, a recommendation on whether the proposed phasing complies with the requirements of this *Resolution*. The Commission may also recommend that the project be designed to occur in phases, if phasing is necessary or appropriate for it to comply with the requirements of this *Resolution*.
 - 4. FINDINGS.** Findings based on consideration of the submitted plan, site observations, the Community Development Director's report, and testimony received.
 - 5. RECOMMENDATION OF BOARD ACTION.** A recommendation that the Board should approve, approve with conditions, or deny the Sketch Plan application.
 - a. CONDITIONS OF A RECOMMENDATION OF APPROVAL.** If the recommendation is for approval, or approval with conditions, the following shall also be addressed:
 - 1. IDENTIFICATION OF PLAN ELEMENTS THAT REQUIRE MODIFICATION.** Identification of elements of the Sketch Plan application that do not comply with this *Resolution*, and, as applicable, recommendations of modifications that must be included in a Preliminary Plan application submittal so that the proposed project will comply with the standards of this *Resolution*.
 - 2. SPECIFIC INFORMATION AND/OR STUDIES TO BE SUBMITTED.** Any materials the applicant is required to submit, and any technical studies the applicant is required to conduct and to provide any resulting information as part of the Preliminary Plan submittal.
 - 3. CITING OF REQUIRED COMPLIANCE WITH OTHER PERMIT CONDITIONS.** Conditions that shall include the applicant's timely and fully obtaining and complying with all applicable federal, state, municipal and other permits and terms and conditions of any municipal, state, federal permits required for the project.

- K. RECOMMENDATION FORWARDED TO BOARD.** Within 20 days of the Planning Commission's action on the recommendation, the Community Development Department shall forward the recommendation to the Board.
- L. BOARD DECISION ON OPTIONAL BOARD PUBLIC HEARING.** The Board shall have the option of conducting another public hearing to consider the Sketch Plan application and the Planning Commission's recommendation. Within 20 days of receipt of the Planning Commission's recommendation, the Board shall determine whether to conduct a public hearing. A decision to conduct or not to conduct such a hearing shall be based on the Board's determination of whether it is in the public interest to do so, considering among other factors the following:
1. **LEVEL OF PUBLIC INTEREST.** There has or has not been substantial public interest in the proposal, as reasonably shown by attendance at, and testimony submitted for, the joint public hearing; or
 2. **IDENTIFICATION OF NEW ISSUES.** Whether it is reasonably probable that new issues related to the Sketch Plan application of the proposed land use change will be identified; or
 3. **IDENTIFICATION OF NEW INFORMATION.** Whether it is reasonably probable that new information related to the Sketch Plan application of the proposed land use change will be provided.
- M. BOARD PUBLIC HEARING.** If the Board chooses to conduct a public hearing, the following shall apply:
1. **HEARING NOTICE.** Public notice that the Board will conduct a public hearing to consider the Sketch Plan application shall be accomplished pursuant to Section 3-112: *Notice of Public Hearing*.
 2. **CONDUCT OF HEARING.** The Board hearing shall be conducted pursuant to Section 3-113: *Conduct of a Public Hearing*.
 3. **COST FOR PUBLIC HEARING NOTICE(S).** The applicant shall be billed and shall be responsible for paying for the actual cost of publication of all applicable public hearing notices as required pursuant to Section 3-112: *Notice of Public Hearing*.
- N. BOARD ACTION.** Within 35 days after receipt of the Planning Commission recommendation, if the Board did not conduct another public hearing, or within 35 days after closure of the hearing if the Board conducted another public hearing, the Board shall approve, approve with conditions, or deny the Sketch Plan. The Board's decision shall be entered into the official minutes of the meeting and shall contain the necessary findings of fact and reasons to support the decision. If the Board does not make separate findings of fact, it shall be presumed to have adopted the findings and recommendations of the Planning Commission.
1. **ADDITIONAL PLANNING COMMISSION REVIEW MAY BE REQUIRED.** Before it takes action on the application, the Board may refer the application back to the Planning Commission for further consideration and recommendations if at least one of the following circumstances is present:
 - a. **NEW INFORMATION SUBMITTED.** There has been information submitted that was not available for consideration by the Commission before its recommendation; or
 - b. **INSUFFICIENT EVALUATION.** There are substantive issues or requirements of this *Resolution* that were not sufficiently evaluated in the Commission's recommendations; or
 - c. **SUBSTANTIVE ALTERATION.** There has been a substantive alteration to the plan subsequent to the Commission's recommendation; or
 - d. **NEED FOR CLARIFICATION.** There is an element of the Planning Commission's recommendation that requires clarification.
- O. SIGNIFICANCE OF SKETCH PLAN APPROVAL.** Approval of the Sketch Plan application shall constitute a final decision of approval for the general development concept only, but shall not constitute approval of any detailed design or engineering submittals or proposed solutions to specific problems revealed during the Sketch Plan review or later in the review process. Sketch Plan approval by the Board shall not constitute approval of the Major Impact project, or permission to proceed with construction of any aspect of the proposed land use change. Approval at this stage only authorizes the applicant to submit a Preliminary Plan application. If, during the Preliminary and Final Plan reviews, the applicant is unable to fulfill all of the requirements of this *Resolution*, then the application shall be denied at the Preliminary or Final Plan review stage.
- P. EXPIRATION.** The applicant shall be required to submit the Preliminary Plan application within 12 months after the date of approval of the Sketch Plan. Failure to submit a complete Preliminary Plan application within this time period shall render the Sketch Plan approval null and void, and require the applicant to begin the Sketch Plan review process again.

EXTENSION OF SUBMITTAL DEADLINE. The Board may extend the deadline to submit a Preliminary Plan application for good cause shown, provided the applicant requests the extension in writing no less than 30 days before the deadline, and provided the Board makes a finding that there has been no substantial change in circumstances of adjacent land uses, to the capability or willingness to serve of proposed service providers, or to the site of the proposed land use change since Sketch Plan approval. The Board may request a recommendation from the Planning Commission on the request for extension before taking action. In no case shall the deadline for submittal of a Preliminary Plan application be extended for more than six months beyond the date of the 12 month

Reduce Your Open Space Requirement

Want to reduce your subdivision's open space from 30% to 15%? Then consider using the simple and equitable Residential Density Transfer Program.

The idea is that with less open space in your subdivision you can add more lots to sell. In return when you sell a lot you pay a fee that is used to conserve land elsewhere in the county.

Despite the fee you come out ahead, because the fee is a fraction of your extra value gained with the additional lot(s). The community benefits as well because your fee leverages other funding sources to conserve large ranches in the county.

The total fee is simply 10% of the value increase created by the subdivision approval. This is calculated using values set by the County Assessor through their normal mass appraisal process.

If desired, a proportional amount of the fee is paid with each lot you sell so there are no upfront costs.

For details see Division 14-200 in the Land Use Resolution.

