



**Gunnison County, CO**  
**Community Development Department**

221 N. Wisconsin St. Ste. D, Gunnison, CO 81230  
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Website: [www.gunnisoncounty.org/planning.html](http://www.gunnisoncounty.org/planning.html)  
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**To:** Planning Commission  
**From:** Community Development Department Services Manager Beth Baker  
**CC:** Director of Community Development- Russ Forest  
Assistant Director of Community Development- Neal Starkebaum  
Planner- Cathie Pagano  
**Date:** **December 23, 2013**

<b>Re:</b> Packet Materials/ Document or other materials PC Meeting- January 3, 2014
• <b>Agenda-Preliminary January 3, 2013</b>
• <b>Minutes-Draft December 6, 2013</b>
• <b>Cross Bar Ranch- request for 3<sup>rd</sup> residence/ 1<sup>st</sup> work session</b>
Application- LUC-13-00027
Staff Report
• <b>Bemis One Lot Subdivision- 1<sup>st</sup> work session</b>
Application received at the December 6 PC Meeting- LUC-13-00023
Staff Report
Referral Comments

We will e-mail any documents that are not available yet, and anything that is submitted after we distribute the packets.

The Planning Office posts all applications and documentation for the applications on the Gunnison County website @ <http://gunnisoncounty.org/436/Citizen-Access-Portal>, using the LUC #s the entire file can be viewed. If you have any questions please call 970-641-0360.

Thanks,

Beth Baker  
Planning Admin Services Manager  
Gunnison County Community Development

**GUNNISON COUNTY PLANNING COMMISSION**  
**PRELIMINARY AGENDA: Friday, January 3, 2014**

- 8:45 a.m.**
- **Call to order; determine quorum**
  - **Approval of Minutes**
  - **Unscheduled citizens:** A brief period in which the public is invited to make general comments or ask questions of the Commission or Planning Staff about items which are not scheduled on the day's agenda.

**9:00 a.m.** **Bemis Subdivision, Ted and Kim Bemis, LUC 13-00023** work session/no action, request is for the subdivision of Lot 8, Dos Rios Home Sites Unit No. 2 Subdivision into two single-family residential lots, located approximately 1 mile southwest of the City of Gunnison, 1/2 mile south of State Highway 50, southeast of County Road 77 (Camino Del Rio)

**10:00 a.m.** **Cross-Bar Ranch, LUC 13-00027**, work session/no action, request for third residence on one parcel, located east of the City of Gunnison and north of Sargents on County Road 888 (Whitepine), legally described as the S1/2E1/2NE1/4, Section 4 and the N1/2N1/2S1/2SE1/4, Section 9, Township 48 North, Range 5 East, and portions of Section 8, 16, 17, 20, 21, 27, 28 and 33, Township 49 North, Range 5 East, N.M.P.M., 3535 County Road 888

- End of Meeting**
- Report of actions taken by BOCC.
  - A brief period in which Commission debriefs on the day's processes, etc. No discussion or action on any specific Land Use Change Permit applications will take place at this time.

**Adjourn**

The Planning Office has each application available for review on the County website. Please use the Citizen Access Link-<http://gunnisoncounty.org/436/Citizen-Access-Portal>  
Using the project number, you will be able to view all documents in the application files. Please call with any questions. 970-641-0360.

NOTE: Unless otherwise noted, all meetings are conducted in the Blackstock Government Center Meeting Room at 221 N. Wisconsin St. in Gunnison, across the street from the Post Office. This is a preliminary agenda; agenda times may be changed by the staff up to 24 hours before the meeting date. If you are interested in a specific agenda item; you may want to call the Community Development Department (641-0360) ahead of time to confirm its scheduled time. Anyone needing special accommodations please contact the Community Development Department before the meeting.

**GUNNISON COUNTY PLANNING COMMISSION**  
**PRELIMINARY AGENDA: Friday, December 6, 2013**

- 8:45 a.m.**
- **Call to order; determine quorum**
  - **Approval of Minutes**
  - **Unscheduled citizens:** A brief period in which the public is invited to make general comments or ask questions of the Commission or Planning Staff about items which are not scheduled on the day's agenda.
- 9:00 a.m.** **Pilgrim Communications/KVLE-FM, LUC #13-00023** public hearing/work session/possible action, request for the replacement of existing telecommunications tower, located at 1445 Highway 135, 1.2 –acres, in the NW/4SW/4 Section 25, T50N, R1W, N.M.P.M, approximately 1.5 miles north of the City of Gunnison, west of Highway 135
- 9:30 a.m.** **Gunnison/Crested Butte Industrial Special Area** work session/no action, proposed Special Area to designate geographic areas in which land development and land use is identified as being appropriate for industrial uses; on lands generally located adjacent to the Signal Peak Industrial Park, east of Gunnison and the Riverland Industrial Park, south of Crested Butte
- 10:00 a.m.** **Scarp Ridge LLC, LUC #13-00005** work session/possible action – recommendation to Board of County Commissioners on the Sketch Plan application. The applicant is requesting approval for a master plan for the Scarp Ridge LLC (aka Irwin) property to include use of the existing lodge for weddings and events and as a conference center; six new single-family residences on adjoining mining claims; one storage structure, one elevated overlook structure, two alpine huts; expansion of the existing maintenance barn; the addition of a roof deck to the existing parking barn; outdoor pavilion that would seat approximately 170 people; new mountain bike trails; zipline; kids' village to include playground equipment; reroute of the existing Scarp Ridge trail. The proposed structures and facilities will comprise a year-round commercial resort.

The property is located 12 miles west of the Town of Crested Butte, accessed from Kebler Pass Road (CR 12), Lake Irwin Campground Road (FSR 826), Green Lake Road (FSR 826.1E) and Irwin Lodge Road (FSR 826.1C). The parcel is legally described as the following 19 lode mining claims, all in the Ruby Mining District: Aumego, U.S. Survey No. 2703; Capitol U.S. Survey No. 3466; Clara U.S. Survey No. 2801; Fourth of July U.S. Survey No. 3467; Zumo U.S. Survey No. 2702; Crystal, U.S. Survey No. 1156; Diquita, U.S. Survey No. 2786; Double Dyke U.S. Survey No. 5511; Lead Chief U.S. Survey No. 2731; Legal U.S. Survey No. 4149; Silver Hill U.S. Survey No. 2813; Justice U.S. Survey No. 2867; Pickwick, U.S. Survey No. 2814; Tacoma U.S. Survey No. 2701; Lottie S U.S. Survey No. 5322; US Treasury, U.S. Survey No. 5322; Lower Chloride, U.S. Survey No. 17240A; Little Minnie, U.S. Survey No. 4421; Staten Island, U.S. Survey No. 3716.

- End of Meeting**
- Report of actions taken by BOCC.
  - A brief period in which Commission debriefs on the day's processes, etc. No discussion or action on any specific Land Use Change Permit applications will take place at this time.

**Adjourn**

**GUNNISON COUNTY PLANNING COMMISSION  
REGULAR MEETING  
December 6, 2013**

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The Gunnison County Planning Commission conducted a regular meeting, in the Commissioners' Meeting Room in the Blackstocks Government Center, Planning Commission meeting room. **Present were:**

Chairman- Kent Fulton  
Vice-Chairman- Jeremy Rubingh  
Commissioner- Warren Wilcox  
Commissioner-Susan Eskew  
Commissioner- A.J. Cattles  
Alternate Commissioner- Tom Venard

Director of Community Development- Russ Forrest  
Assistant Director of Community Development- Neal Starkebaum  
Community Development Planner-Cathie Pagano

**Others present as listed in text**

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With a quorum present Chairman Kent Fulton opened the regular meeting of the Planning Commission.

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**Moved by** Jeremy Rubingh seconded by Kent Fulton to approve Planning Commission minutes dated November 15, 2013 as amended. The motion passed unanimously.

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**Pilgrim Communications/KVLE-FM, LUC #13-00023:** The Gunnison County Planning Commission conducted a public hearing and work session. They reviewed the request for the replacement of existing telecommunications tower, located at 1445 Highway 135, 1.2 –acres, in the NW/4SW/4 Section 25, T50N, R1W, N.M.P.M, approximately 1.5 miles north of the City of Gunnison, west of Highway 135.

With a quorum present Chairman Kent Fulton asked Vice-Chair Rubingh to conduct the public hearing because Rubingh conducted the last meeting.

Starkebaum confirmed adequate public notice: Notice published in Crested Butte News and Gunnison Country Times, and the applicants submitted the Proof of Posting and certified mailing receipts.

Applicant Mr. Cryter described the proposal. He explained the new tower will be located approximately 10 feet from the existing tower and will be completely on the Pilgrim property. He believes they've met all the setback requirements. He said the purpose of the project is to upgrade the tower to allow for more equipment to be located on the tower. He said GOGO approached them and wanted to utilize the tower which necessitated the construction of a new tower. GOGO provides internet and cellular service to airlines. The difference between the two towers is the new tower has a 36" base and the old tower has an 18" base.

Starkebaum asked if the applicant had received response from the FAA regarding the lighting on the tower. Cryter responded he had not heard from the FAA. He has also not received a response from the FAA on the requirements for painting the tower.

Fulton confirmed all the guy wires will be on the subject tower.

Harv Rees was present and requested the tower be skirted and detuned and breakup insulators be placed every 50 feet in the guy wires because the tower is within a half mile of an A.M. site. Cryter said it will not have breakup insulators according to their engineer and that they are required to detune the tower to FCC rules and regulations. Rees said without the insulators the tower will not detune.

Starkebaum stated the detune requirement is an FCC requirement and the County has no control over the issue.

Fulton closed the public hearing.

The work session was opened and the draft decision of approval was reviewed.

**MOVED BY:** Fulton seconded by Cattles to approve LUC-13-00023 Pilgrim Communications/ KVLE –FM application. The motion passed unanimously.

**PROJECT DESCRIPTION:**

Ron Crider, Pilgrim Communications, represented by Marty Grantham, has submitted a land use change permit application for the replacement of the existing 200' telecommunications tower on the property that would include construction of the following improvements:

- A new 198' steel triangular lattice telecommunication tower, with concrete base deadman anchor points and tensioned guyed wires, in essentially the same location as the existing tower.
- Replace existing equipment shed with new 12' x 14' equipment building.

Additional antennas may be located on the tower in the future.

**IMPACT CLASSIFICATION:** This request is classified as a Minor Impact, pursuant to *Section 6-102: N. Freestanding Wireless Telecommunication Structures* of the Gunnison County *Land Use Resolution*. Construction and siting of a freestanding structure, building, pole, tower or antenna that provides wireless telecommunications services requires compliance with *Section 9-505: Freestanding Wireless Telecommunication Structures*.

**LOCATION:**

The site is located at 1445 Highway 135, 1.2–acres, in the NW/4SW/4 Section 25, T50N, R1W, N.M.P.M, which is approximately 1.5 miles north of the City of Gunnison, west of Highway 135.

**SURROUNDING LAND USES:**

Residential

**BACKGROUND:** The Board of County Commissioners approved LUC#1978-70, on May 1, 1978, Mountain Valley Broadcasting Corporation, for the construction of a 200' FM radio tower and building for a residence and broadcast station.

**PLANS/REPORTS/SUBMITTALS:**

Plans, reports, letters and other submittal documents informing this Decision include, but are not limited to:

- Copy of Minor Impact application
- Charles Steckly Architecture, Site Plan & Exhibits, dated October 9, 2013
- World Tower Company, Inc., letter August 9, 2013, from Brent Walker, Vice President. – Fall Zone Requirement
- World Tower Company, Inc. - Structural design plans, stamped by Kirk R. Hall, Professional Engineer, dated October 10, 2013.
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This review and decision incorporates, but is not limited to, all the documentation submitted to the County and included within the Planning Office file relative to this application; including all exhibits, references and documents as included therein.

**PLANNING COMMISSION MEETING DATES:**

The Planning Commission held meetings on the subject project on the following dates:

- November 1, 2013 - Work Session
- December 6, 2013 - Public Hearing
- December 6, 2013- Work Session

#### **SITE VISIT:**

The Planning Commission determined that a site visit was not necessary, as all of the members were familiar with the tower and its location.

#### **PUBLIC HEARING:**

A public hearing was held on December 6, 2013. At that time Harv Rees, owner of KPKE radio, noted his concerns with the potential radio interference that could be caused to his adjacent tower by installation of the new tower.

#### **REVIEW AGENCY COMMENTS:**

A copy of the application was distributed to the following agencies: City of Gunnison, Colorado Division of Wildlife, Gunnison County Fire Protection District, Gunnison County Wildlife Conservation Coordinator and Gunnison County Public Works Department. Comments were received from the following agencies:

##### **City Of Gunnison Planning and Zoning Commission:**

Comments were received from Greg Larson, Chair, Planning and Zoning Commission, City of Gunnison, dated November 13, 2013; the City had no objection to the request.

##### **Gunnison County Wildlife Conservation Coordinator:**

Comments were received from Jim Cochran, in a letter dated October 29, 2013 in which he notes:

*It is my finding that the proposed development on this parcel will not adversely impact Gunnison Sage-grouse.*

*To avoid and/or minimize the impacts to Gunnison Sage-grouse and their habitats on this parcel due to development the following conditions will be applied to all permits issued by Gunnison County:*

- 1) *Per Section 11-106 G.3.d.1. of the Gunnison County Land Use Resolution, dogs and cats must be kept under appropriate control, by means which may include kenneling or other physically secure methods to ensure that negative effects to wildlife from pets do not occur. This includes construction workers' pets.*
- 2) *Per Section 11-106 G. e. of the Gunnison County Land Use Resolution, unless pre-empted by Federal or State law, all non-indigenous gallinaceous game-birds (including but not limited to pheasants, chukar, and quail), shall be imported only from a source certified by the State of Colorado to be disease free. Prior to importation of any species of gallinaceous game-birds to this parcel, the person proposing such action shall submit a list of species, with numbers proposed, and a disease certification, with a listing of diseases certified, from the source proposed. No importation (movement onto the property) of any wild birds, as defined above, shall occur without written approval by Gunnison County.*
- 3) *Disturbed areas shall be reseeded with an approved seed mix. CPW and/or NRCS are available to help identify an appropriate seed mix. A Gunnison County Reclamation Permit is required for any land-disturbing activities on this property. It may contain additional site-specific reclamation requirements.*
- 4) *Property owners must control or attempt to eradicate any noxious weeds that occur on the property. A list of noxious weeds may be found in the Colorado Noxious Weed list: <http://www.colorado.gov/cs/Satellite/?c=Page&cid=1174084048733&pagename=Agriculture-Main/CDAGLayout>. The Gunnison County Weed District should be contacted (970-641-4393) for additional information and technical assistance.*

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#### **APPLICABLE STANDARDS OF THE GUNNISON COUNTY LAND USE RESOLUTION:**

Divisions 9-100, 9-200, 9-300 and 9-400 are not applicable, as none of the standards addressed within those Divisions are proposed or affected by this application.

**Section 9-505: Freestanding Wireless Telecommunication Structures.**

**B. General Standards.**

**1. Safety Setback.**

The tower will be sited in the same location as that of the existing 200' tower, which existed on the site for the last 35 years. Guyed towers are not subject to the same fall radius as free standing non-guyed monopole towers. Documented design safety setback distances have been submitted with the application, showing the fall radius is well within the property lines.

**2. Design.**

The design of the tower is a steel triangular, lattice tower, with tensioned guyed wires attached to concrete anchors, similar to the design of the existing tower. The galvanized metal, through oxidation, will achieve a grayish patina which will blend to some degree with the background sky.

**3. Height**

The new 198' tower will replace the existing 200' tower. The applicant submitted elevation drawings in application.

**4. Buffering.**

A six foot fence, with latticed fabric, will be installed around the base of the tower and the perimeter of the equipment building, to provide buffering.

**5. Exterior Lighting.**

No security or other lighting is proposed. Any applicable safety lighting, pursuant to Federal Aviation Administration regulations, is exempt from the requirements of Section 13-114: *Exterior Lighting*, should the Federal Aviation Administration require such lighting.

**6. Access Roads.**

No new access roads are proposed; the site will be accessed from the existing driveway.

**7. Design Safety.**

The applicant submitted structural design plans, stamped by Kirk R. Hall, Professional Engineer, dated October 10, 2013. The applicant will install a navigational light on the new tower only if required by the Federal Aviation Administration.

**8. Utilities Shall Be Located Underground.**

Existing utilities will be replaced.

**Section 10-102: Locational Residential Development.**

Not applicable. No residences are proposed by the application.

**Section 10-103: Residential Density.**

Not applicable. No residences are proposed by the application.

**Section 10-104: Locational Standards for Commercial, Industrial and Other Non-Residential Development.**

The Primary Locational Standard applies, as the proposed project is located the City of Gunnison's municipal three-mile plan area. Comments were received from Greg Larson, Chair, Planning and Zoning Commission, City of Gunnison, dated November 13, 2013; the City had no objection to the request.

**Section: 11-102: Voluntary Best Management Practices.**

Voluntary; not mandated. The applicant is encouraged to utilize these practices during construction, as appropriate.

**Section 11-103: Development in Areas Subject to Flood Hazards.**

Not applicable. County maps indicate that the site is not located within an area subject to flood hazards.

**Section 11-104: *Development in Areas Subject to Geologic Hazards.***

County maps indicate that the site is not located within an area subject to geologic hazards.

**Section 11-105: *Development in Areas Subject to Wildfire Hazards.***

Not applicable. The site is in an area of low wildfire hazards. No comments were received from the Gunnison County Fire Protection District.

**Section 11-106: *Protection of Wildlife Habitat Areas.***

The site is within Gunnison Sage-grouse habitat. The Gunnison County Wildlife Conservation Coordinator has submitted comments identifying no substantive impacts to Sage-grouse. Please refer to comments from Jim Cochran.

**Section 11-107: *Protection of Water Quality.***

Not applicable. The site is not near a water body.

**Section 11-108: *Development on Ridgelines.***

Not applicable. The site is not on a ridgeline.

**Section 11-109: *Development That Affects Agricultural Lands.***

Not applicable. No agricultural lands are affected by the request.

**Section 11-110: *Development of Land Beyond Snowplowed Access***

Not applicable. The site is not beyond snowplowed access.

**Section 11-111: *Development on Inholdings in the National Wilderness***

Not applicable. The site is not within the National Wilderness.

**Section 11-112: *Development on Property Above Timberline.***

Not applicable. The site is not located above timberline.

**Section 12-103: *Road System.***

No new access roads are proposed; the site will be accessed from the existing driveway.

**Section 12-104: *Public Trails.***

Not applicable. There are no public trails associated with this use.

**Section 12-105: *Water Supply.***

Not applicable. No water is proposed nor required for the proposed use.

**Section 12-106: *Sewage Disposal/Wastewater Treatment.***

Not applicable. No sewage disposal is required for this use.

**Section 12-107: *Fire Protection.***

The property is located within the Gunnison Fire Protection District. No comments were received from the Fire District.

**Section 13-103: *General Site Plan Standards And Lot Measurements.***

Not applicable.

**Section 13-103: *General Site Plan Standards and Lot Measurements***

Not applicable. No building lots are proposed in this application.

**Section 13-104: *Setbacks from Property Lines and Road Rights-of-Way.***

The proposed tower meets the property line setbacks.

**Section 13-105: Residential Building Sizes and Lot Coverages.**

Not applicable. No residences are proposed in this application.

**Section 13-106: Energy and Resource Conservation.**

Not applicable. No structures are proposed in this application that are subject to the standards of this Section.

**Section 13-107: Installation of Solid Fuel-Burning Devices**

Not applicable. No installation of solid fuel-burning devices is contemplated by the application.

**Section 13-108: Open Space and Recreation Areas**

Not applicable. No open space is required.

**Section 13-109: Signs.**

Not applicable. There are no signs proposed as part of the application.

**Section 13-110: Off-Road Parking and Loading.**

Not applicable. No off-road parking is required.

**Section 13-111: Landscaping and Buffering.**

A six foot fence, with latticed fabric, will be installed around the base of the tower and the perimeter of the equipment building, to provide buffering.

**Section 13-112: Snow storage.**

Not applicable. No snow storage is required.

**Section 13-113: Fencing**

A six foot fence, with latticed fabric, will be installed around the base of the tower and the perimeter of the equipment building, to provide buffering.

**Section 13-114: Exterior Lighting.**

No lighting is proposed, either on the tower itself or at the base. As noted, though applicable safety lighting pursuant to Federal Aviation Administration regulations is not required at this time, it would be exempt from the requirements of this Section, should the FAA require such lighting.

**Section 13-115: Reclamation And Noxious Weed Control.**

Not applicable. The area to be disturbed does not meet the minimum threshold for requiring a Reclamation Permit.

**Section 13-116: Grading and Erosion Control.**

The disturbance to the area for construction will be minimal.

**Section 13-117: Drainage, Construction and Post-Construction Stormwater Runoff.**

The disturbance to the area for construction will be minimal; no substantive changes to drainage patterns on the property are proposed.

**Section 13-119: Standards to Ensure Compatible Uses.**

The proposed use will not result in significant net adverse impact to adjacent lands and will be compatible with surrounding land uses, as the replacement tower is essentially the same height and design as the existing, permitted tower, which has been in the same location for the past 35 years.

**FINDINGS:**

The Commission finds that:

1. This permit is limited to activities described within the "Project Description" of this application, and as depicted on the site plan as submitted. Expansion or change of this use will require either an application for amendment of this permit, or submittal of an application for a new permit, in compliance with applicable requirements of the *Gunnison County Land Use Resolution*.
2. *This application is classified as a Minor Impact Project pursuant to Section 6-102: N. Freestanding Wireless Telecommunication Structures of the Gunnison County Land Use Resolution and Section 9-505: Freestanding Wireless Telecommunication Structures.*
3. The replacement tower complies with the standards found in Section 9-505: Freestanding Wireless Telecommunication Structures. B. General Standards.
4. The site is within Gunnison Sage-grouse habitat. The Gunnison County Wildlife Conservation Coordinator has submitted comments indicating that there are no substantive impacts to Gunnison Sage-grouse, but recommends several conditions to avoid or mitigate any potential impacts to Gunnison Sage-grouse.
5. This permit is limited to activities described within the "Project Description" of this application, and as depicted on the site plan as submitted. Expansion or change of this use will require either an application for amendment of this permit, or submittal of an application for a new permit, in compliance with applicable requirements of the *Gunnison County Land Use Resolution*.
6. This review and decision incorporates, but is not limited to, all the documentation submitted to the County and included within the Planning Office file relative to this application; including all exhibits, references and documents as included therein.

**DECISION:**

The Gunnison County Planning Commission, having reviewed all the documentation submitted to the County and included within the Planning Office file relative to this application, including all exhibits, references and documents as included therein, and including provision of a public hearing, and having reached the above cited Findings, hereby determines that LUC #2013-23, Pilgrim Communications, is classified as a Minor Impact Project, is approved with the following conditions, and that such approval be memorialized by recordation of a Certificate of Minor Impact with the Gunnison County Clerk and Recorder:

1. This permit is limited to activities described within the "Project Description" of this application, and as depicted on the site plan submitted as part of this application. Expansion or change of this use will require either an application for amendment of this permit, or submittal of an application for a new permit, in compliance with applicable requirements of the *Gunnison County Land Use Resolution*.
2. The applicant shall comply with the conditions identified in the letter from Jim Cochran, County Wildlife Conservation Coordinator, dated October 29, 2013.
3. This permit may be revoked or suspended if Gunnison County determines that any material fact set forth herein or represented by the applicant was false or misleading, or that the applicant failed to disclose facts necessary to make any such fact not misleading.
4. The removal or material alteration of any physical feature of the property (geological, topographical or vegetative) relied on herein to mitigate a possible conflict shall require a new or amended land use change permit.
5. Approval is based upon the facts presented and implies no approval of similar use in the same or different location and/or with different impacts on the environment and community. Any such future application shall be reviewed and evaluated, subject to its compliance with current regulations, and its impact to the County.

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**Gunnison/Crested Butte Industrial Special Area:** The Gunnison County Planning Commission conducted a work session. They reviewed the proposed Special Area to designate geographic areas in which land development and land use is identified as being appropriate for industrial uses; on lands generally located adjacent to the Signal Peak Industrial Park, east of Gunnison and the Riverland Industrial Park, south of Crested Butte.

With a quorum present Chairman Kent Fulton opened the work session.

Starkebaum described the project. Venard asked if this is part of the LUR. Starkebaum explained this is a stand-alone document but this process will require a land use change permit.

Forrest described the intent of the BOCC was to designate appropriate areas for industrial use. Venard asked if the process will be faster or easier for an applicant. Starkebaum responded the locational standards are the crux of the issue.

Wilcox explained he believed the designation originated from trying to create areas for new or existing businesses to locate with more certainty.

Rubingh asked if staff looked at other areas near Kebler or Marble. Starkebaum responded staff did review other areas, and during conversations with the BOCC it was determined to identify areas close to existing population centers and existing compatible and similar uses.

Cattles asked why the United gravel pit near Riverland is not included in the designation. Starkebaum responded he does not believe there is any additional contemplated use for that area and there are existing conservation easements also on the parcel. John Rozman said that the conservation easements restrict the use of that parcel and no additional industrial uses are allowed there.

Eskew asked if this impacts a mine proposal near Crested Butte. Starkebaum responded noting this is a specific designation and does not affect other areas related to mining. Eskew asked about putting another layer of review requirement for mining; Forrest responded it might be something to consider at a future meeting.

Forrest said to be clear we still have a Land Use process, this is making the locational standards a simpler discussion. Rubingh asked how we interpret some of the guidelines with regard to locational standards. Starkebaum said the guidelines are to highlight areas to take a close look at, Rubingh asked for a more specific example.

Ted Colvin asked where the proposal came from, who picked the areas and the location of the present industrial park (Riverland) is one of the biggest eyesores. Colvin said this is horrid. Colvin said creating an industrial park adjacent to his parcel is not what he wants. Colvin said creating industrial parks along the main corridors and the river is not a good idea. He said we should be concentrating on improving the appearance of Riverland. He said the southern end of the Riverland designation site may be able to be screened from the highway. He said his parcel to the north could be a buffer to the existing use.

Eskew said there should have been a process to review the inclusion of the parcels in the proposed designation. Forrest said Tomichi Pit was a good opportunity to look at mitigation in a variety of ways and visual mitigation is part of this process. Wilcox said making industrial uses invisible from the highway can work well. He said expanding existing industrial use areas which are not particularly attractive to visitors is not a good idea because "We're shooting ourselves in the foot." He said if the main income to the county is tourism, expanding existing industrial sites along the highway is bad practice.

Rozman explained what he's done to reclaim the site to mitigate impacts to Colvin's property.

Starkebaum said staff considered the issues Wilcox raised and there were many parameters directing the discussion. Starkebaum said a follow up work session will be scheduled in January.

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**Scarp Ridge LLC, LUC #13-00005:** The Gunnison County Planning Commission conducted a work session. They reviewed the draft sketch plan recommendation to Board of County Commissioners on the Sketch Plan application. The applicant is requesting approval for a master plan for the Scarp Ridge LLC (aka Irwin) property to include use of the existing

lodge for weddings and events and as a conference center; six new single-family residences on adjoining mining claims; one storage structure, one elevated overlook structure, two alpine huts; expansion of the existing maintenance barn; the addition of a roof deck to the existing parking barn; outdoor pavilion that would seat approximately 170 people; new mountain bike trails; zip-line; kids' village to include playground equipment; reroute of the existing Scarp Ridge trail. The proposed structures and facilities will comprise a year-round commercial resort.

The property is located 12 miles west of the Town of Crested Butte, accessed from Kebler Pass Road (CR 12), Lake Irwin Campground Road (FSR 826), Green Lake Road (FSR 826.1E) and Irwin Lodge Road (FSR 826.1C). The parcel is legally described as the following 19 lode mining claims, all in the Ruby Mining District: Aumego, U.S. Survey No. 2703; Capitol U.S. Survey No. 3466; Clara U.S. Survey No. 2801; Fourth of July U.S. Survey No. 3467; Zumo U.S. Survey No. 2702; Crystal, U.S. Survey No. 1156; Diquita, U.S. Survey No. 2786; Double Dyke U.S. Survey No. 5511; Lead Chief U.S. Survey No. 2731; Legal U.S. Survey No. 4149; Silver Hill U.S. Survey No. 2813; Justice U.S. Survey No. 2867; Pickwick, U.S. Survey No. 2814; Tacoma U.S. Survey No. 2701; Lottie S U.S. Survey No. 5322; US Treasury, U.S. Survey No. 5322; Lower Chloride, U.S. Survey No. 17240A; Little Minnie, U.S. Survey No. 4421; Staten Island, U.S. Survey No. 3716.

With a quorum present Chairman Kent Fulton opened the work session.

Pleasantries were exchanged by Chairman Fulton and the applicants.

The Commission reviewed the draft recommendation.

It was suggested the comments received from applicants attorney David Leinsdorf, the staff draft recommendation, and comments expressed by all parties at the work session be reconciled and the revised recommendation be sent out for review at a future meeting.

The revised recommendation will be taken up by the Commission on January 17, 2014.

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Fulton adjourned the meeting at 11:45 a.m.

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/S/ Cathie Pagano  
Neal Starkebaum  
Gunnison County Community Development Department



## GUNNISON COUNTY, COLORADO PLANNING DEPARTMENT STAFF REPORT for MINOR IMPACT

Land Use Change Permit Application: Cross Bar Ranch  
 Application No: LUC-13-00027  
 Date application scheduled with Planning Commission: January 3, 2014  
 Prepared by: Cathie Pagano, Planner

<b>APPLICANT NAME:</b>	Jennifer Barvitski
<b>PROPERTY OWNER NAME:</b>	Crossbar Ranch Holdings LLC
<b>PROJECT DESCRIPTION:</b>	<p>Applicant is requesting construction of a third residence on the subject parcel. There is an existing primary residence adjacent to this proposed third residence. The third residence will be located above a garage that is detached from the main residence and will not require any additional building footprint. The proposed third residence is 900 square feet. The detached garage is currently under construction pursuant to Building Permit No. 13-00190.</p> <p>The new garage and third residence will be located on a 2,000 acre parcel that is part of the larger Cross Bar Ranch. The proposed third residence would potentially make the total square footage approved through Land Use Change permits 13,933 square feet. The current, existing square footage on the parcel subject to Section 13-105: G. is 3,835 square feet. The applicant proposed a 9,165 square foot addition to the primary residence, making the total square footage, approved in LUC-13-00007, 12,500 square feet.</p>
<b>PROPERTY LOCATION:</b>	The subject parcel is located east of the City of Gunnison, north of Sargents on County Road 888 (Whitepine) at 3535 County Road 888.
<b>SURROUNDING LAND USES:</b>	Uses adjacent to the subject parcel include residential and public lands.
<b>AGENCY AND DEPARTMENT REVIEWS:</b>	<ul style="list-style-type: none"> <li>• Gunnison County Public Works</li> <li>• Gunnison County Environmental Health</li> <li>• Colorado Division of Parks and Wildlife</li> <li>• Gunnison Fire Protection District</li> </ul>
<b>PRE-APPLICATION CONFERENCE:</b>	Staff met with Jennifer Barvitski regarding the proposal.
<b>STATUS OF APPLICATION:</b>	<ul style="list-style-type: none"> <li>• Complete</li> </ul>
<b>ATTACHED EXHIBITS:</b>	<ul style="list-style-type: none"> <li>• Copy of Minor Impact application dated November 21, 2013</li> </ul>
<b>PLANNING COMMISSION TASKS AT INITIAL WORK SESSION:</b>	<ul style="list-style-type: none"> <li>— Acknowledge receipt of application by applicant name, name of development (if applicable) and date of application</li> <li>— Hear applicant presentation</li> <li>— Identify and consider issues</li> <li>— Determine impact classification, considering both by definition and criteria of Section 3-111: B. 1.</li> </ul>

	<ul style="list-style-type: none"> <li>— Create list at end of meeting of items to be addressed at next meeting, and the date by which related information is to be submitted</li> <li>— Set site visit date</li> <li>— Determine if application is ready to be set for public hearing, or if other work session is required</li> </ul>	
<b>INITIAL IMPACT CLASSIFICATION:</b>	Minor Impact Project as identified in Section 13-105:A	
<b>OTHER CRITERIA OF IMPACT CLASSIFICATION (SEC. 3-111. B. 1.)</b>	<p><b>Demand for public services.</b> The proposed land use change is expected to generate a minor or a major demand for public services, including roads, transit, schools, water supply, sewage disposal, fire and police protection, and emergency services.</p> <p><b>Impacts on impact area and the environment.</b> The proposed land use change is expected to generate a minor or a major impact on the impact area.</p> <p><b>Impacts related to all existing and proposed development and proposed development in impact area.</b> The impacts of the proposed land use change, when considered in conjunction with existing and proposed land use changes in the impact area, are expected to be minor.</p>	
EA or EIS is required for this project	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Project located in Special Geographic Area	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Phasing proposed	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Is a Partially Exempted land use change (Section 1-106)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>APPLICABILITY OF LAND USE RESOLUTION STANDARDS:</b>		
<b>STANDARD, BY LUR SECTION, DIVISION AND/OR ARTICLE</b>	<b>Plan complies, or compliance will be determined during review</b>	<b>Staff Comments/ References to specific documentation</b>
9-101: E. and F.: Secondary residences are allowed, and standards are addressed in covenants	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	There are already two existing residences on the parcel. This proposal is for a third residence.
9-102: Home occupations	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not requested as part of this application
9-103: Bed and breakfast	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not requested as part of this application
9-203: Mobile home communities	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not requested as part of this application
9-302: Farm or ranch stand	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not requested as part of this application

9-303: Dude ranches and resorts	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not requested as part of this application
9-304: Adult-oriented uses	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not requested as part of this application
9-305: Seasonal recreational vehicle parks and campgrounds	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not requested as part of this application
9-400: Minerals and construction materials	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not requested as part of this application
9-501: Special events	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not requested as part of this application
9-502: Temporary structures	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not requested as part of this application
9-503: Satellite dishes	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not requested as part of this application
9-504: Attached wireless communications devices	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not requested as part of this application
9-505: Freestanding wireless communications structures	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not requested as part of this application
9-506: Child care center	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not requested as part of this application
9-507: Group home	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not requested as part of this application
9-508: Keeping of livestock not on an agricultural operation	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not requested as part of this application
9-509: Camping on individual parcel	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not requested as part of this application
9-600: Essential housing	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not requested as part of this application
10-102: Locational standards for residential development	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, the application is not a subdivision.
10-103: Residential density	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, the application is not a subdivision.
10-104: Locational standards for commercial, industrial or other non-residential uses	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not requested as part of this application
11-102: Voluntary best management practices	No submittal requirements and no standard	
11-103: Development in flood hazard areas	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	The subject parcel and proposed development are not located within a 100-year floodplain.
11-104: Development in geologic hazard areas	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	The subject parcel and proposed development are not in an area of identified geologic hazards.

11-105: Development in wildfire hazard areas	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Portions of the subject parcel are in a high wildfire hazard area. The owner will be required to sign and notarize an acknowledgement and disclaimer document as part of the building permit review.
11-106: Protection of wildlife habitat areas	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	A copy of the application has been referred to the Colorado Division of Parks and Wildlife.
11-107: Protection of water quality	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	There are no water bodies within 125 feet of the proposed development.
11-108: Standards for development on ridgelines	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	The subject parcel is not on a ridgeline.
11-109: Development that affects agricultural lands	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Language shall be included in any recommendation of approval that complies with this Section.
11-110: Development beyond snowplowed access	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	The subject parcel is not beyond snowplowed access.
11-111: Development on Inholdings in national wilderness	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	The subject parcel is not an inholding.
11-112: Development above timberline	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	The subject parcel is not above timberline.
12-103: Road system	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	A referral has been sent to Public Works.
12-104: Trails	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	No public trails exist on the property and no new public trails are contemplated in this application.
12-105: Water Supply	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	The applicant has submitted a copy of Well Permit No. 234114 that is valid for ordinary household purposes inside not more than three single family dwellings, the irrigation of not more than one acre of home gardens and lawns, and the watering of domestic animal.
12-106: Wastewater treatment	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	There is an existing individual sewage disposal system for the primary residence. The owner's representative applied for a second ISDS permit to serve the proposed residence. Gunnison County ISDS Regulations require approval from the Environmental Health Board for more than one ISDS on a parcel; that application has been approved and permitted.
12-107: Fire protection	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	The subject parcel is within the Gunnison Fire District. The applicant has contacted the Fire District for the purpose of being informed of their standards. Fire Marshal Dennis Spritzer, Gunnison Fire Protection District, stated in an email dated 12/9/13 that there are "no fire issues with this proposal as long as the driveway will meet County specifications."
13-102: B.: Location within municipal three-mile plan area	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	The subject parcel is not within a three-mile area.

13-103: General Site Plan Standards And Lot Measurements	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Application meets the minimum requirements of this Section.
13-104: Setbacks From Property Lines And Road Rights-Of-Way	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Proposed development complies with residential setback requirements as identified in this Section.
13-105: Residential Building Sizes And Lot Coverages	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p>This application will expand the proposed, approved aggregate square footage from 13,000 square feet to 13,933 square feet.</p> <p>The applicant received approval in LUC-13-00007 to expand the existing single family residence to 12,500 square feet. The maximum residential square footage allowed without a Land Use Change permit is 10,000 square feet.</p> <p>The applicant exceeds the 12,500 square foot aggregate square footage limitation however it is exempt from the aggregate size threshold per <i>Section 13-105:B.2. Residences Associated with Agricultural, Commercial or Industrial Operations</i> which states, "Residences associated with agricultural, commercial, or industrial operations shall be subject to maximum structure size requirement of this Section. However, the size of accessory structures, the aggregate size of residences and accessory structures, the constraints on coverage and on building envelopes shall not apply to agricultural, commercial or industrial operations."</p> <p>The applicant is required to show that there is no obtrusive visibility which shall include the following elements:</p> <ul style="list-style-type: none"> <li>• Minimize visibility of structure by siting</li> <li>• Minimize visibility of structure by screening</li> <li>• Location of utilities underground.</li> </ul>
13-106: Energy And Resource Conservation	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	The proposed development is a residence and this section does apply and will be reviewed at the time of building permit application.
13-107: Installation Of Solid-Fuel-Burning Devices	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	This section does apply and will be applied at the time of building permit issuance.
13-108: Open Space And Recreation Areas	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	No requirement for open space is required of this application.
13-109: Signs	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	No signs requested as part of this application.

13-110: Off-Road Parking And Loading	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	There is adequate area on the parcel for parking of the vehicles which is depicted on the site plan.
13-111: Landscaping And Buffering	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	The applicant proposes that landscape planting areas be seeded with native dryland grasses.
13-112: Snow Storage	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	The applicants have adequate area for snow storage. The application has been sent to Public Works for review.
13-113: Fencing	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	No fencing is proposed as part of the application.
13-114: Exterior Lighting	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Compliance with this Section is required.
13-115: Reclamation And Noxious Weed Control	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Compliance with this Section is required.
13-116: Grading And Erosion Control	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	If grading of the site is proposed a reclamation permit shall be required.
13-117: Drainage, Construction And Post-Construction Storm Water Runoff	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	The proposed development is not within 100 feet of a water body and does not create more than 10,000 square feet of impervious surface area and therefore this Section is not applicable.
13-118: Water Impoundments	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	No water impoundments are proposed as part of this application.
13-119: Standards To Ensure Compatible Uses	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	To be determined by the Planning Commission during review of the application.



**GUNNISON COUNTY, COLORADO  
 PLANNING DEPARTMENT STAFF REPORT for MINOR IMPACT  
 Bemis Subdivision**

Land Use Change Permit Application: Bemis Subdivision  
 Application No.: LUC #2013-26  
 Date application scheduled with Planning Commission: January 3, 2013  
 Prepared by: Neal Starkebaum, Assistant Director

<b>APPLICANT NAME:</b>	Ted and Kim Bemis 444 Camino Del Rio Gunnison, CO 81230
<b>STATUS OF APPLICATION:</b>	Work session on January 3, 2013
<b>ATTACHED EXHIBITS:</b>	<ul style="list-style-type: none"> <li>▪ Minor Impact Application – (Previously distributed)</li> <li>▪ Gunnison County Public Works comments, December 4, 2013</li> <li>▪ Gunnison County Wildlife Conservation Coordinator comments, December 6, 2013</li> <li>▪ City of Gunnison comments, December 12, 2013</li> <li>▪ Gunnison County Public Works – Utility Division, letter of May 6, 2013</li> </ul>
<b>PLANNING COMMISSION TASKS AT INITIAL WORK SESSION:</b>	<ul style="list-style-type: none"> <li>— Acknowledge receipt of application by applicant name, name of development (if applicable) and date of application</li> <li>— Hear applicant presentation</li> <li>— Identify and consider issues</li> <li>— Determine an initial impact classification, considering both by definition and criteria of Section 3-111: B. 1.</li> <li>— Create list at end of meeting of items to be addressed at next meeting, and the date by which related information is to be submitted</li> <li>— Determine if application is ready to be set for public hearing, or if other work session is required</li> <li>— Set site visit date</li> </ul>
<b>PROJECT DESCRIPTION:</b>	The request is for the subdivision of Lot 8, Dos Rios Home Sites Unit No. 2 Subdivision (3.74-acres) into two single-family residential lots, consisting of Lot 8A – 1.58-acres and Lot 8B – 2.16-acre lots. There is an existing single-family residence on the proposed Lot 8B, served by central water and sewer provided by the Dos Rios Water and Sewer District. Dos Rios Home Sites Unit No. 2 Subdivision was approved by the Board of County Commissioners on October 2, 1962 and was recorded on the same day at Reception No. 252853, with the Gunnison County Clerk and Recorder.

		Covenants for the Dos Rios Home Sites Unit No. 2 Subdivision were approved as part of the subdivision and were recorded October 15, 1962 at Book 637, Page 694, with the Gunnison County Clerk and Recorder. Lot 8A will be served by central water and sewer.
<b>INITIAL IMPACT CLASSIFICATION:</b>		Minor Impact Project, based upon classification found in <i>Section 6-102: Projects Classified as Minor Impact Projects A. 2-4 Units.</i>
<b>AGENCY AND DEPARTMENT REVIEWS:</b>		<ul style="list-style-type: none"> <li>▪ Public Works Department</li> <li>▪ Gunnison County Fire Protection District</li> <li>▪ County Wildlife Conservation Coordinator</li> <li>▪ City of Gunnison</li> </ul>
<b>PROPERTY LOCATION:</b>		The property is located approximately 1 mile southwest of the City of Gunnison, 1/2 mile south of State Highway 50, southeast of County Road 77 (Camino Del Rio)
<b>SURROUNDING LAND USES:</b>		Dos Rios Golf Course Residential – Single-family residences
EA or EIS is required for this project		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Project located in Special Geographic Area		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Phasing proposed		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is a Partially Exempted land use change (Section 1-106)		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>PRE-APPLICATION CONFERENCE:</b>		No pre-application conference was conducted. (Optional)
<b>APPLICABILITY OF LAND USE RESOLUTION STANDARDS:</b>		
<b>STANDARD, BY LUR SECTION, DIVISION AND/OR ARTICLE</b>	<b>Plan complies, or compliance will be determined during review</b>	<b>Staff Comments/ References to specific documentation</b>
9-101: E. and F.: Secondary residences are allowed, and standards are addressed in covenants	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	No secondary residence requested.
9-102: Home occupations	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Allowed, subject to compliance with this Section.
9-103: Bed and breakfast	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not requested as part of this application
9-203: Mobile home communities	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not requested as part of this application
9-302: Farm or ranch stand	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not requested as part of this application

9-303: Dude ranches and resorts	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not requested as part of this application
9-304: Adult-oriented uses	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not requested as part of this application
9-305: Seasonal recreational vehicle parks and campgrounds	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not requested as part of this application
9-400: Minerals and construction materials	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not requested as part of this application
9-501: Special events	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not requested as part of this application
9-502: Temporary structures	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not requested as part of this application
9-503: Satellite dishes	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Permitted as accessory to single-family residence. Installation of dishes required to meet the requirements of this Section.
9-504: Attached wireless communications devices	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not requested as part of this application
9-505: Freestanding wireless communications structures	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not requested as part of this application
9-506: Child care center	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not requested as part of this application
9-507: Group home	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not requested as part of this application
9-508: Keeping of livestock not on an agricultural operation	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Allowed
9-509: Camping on individual parcel	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not requested as part of this application
9-600: Essential housing	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not requested as part of this application
10-102: Locational standards for residential development	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	The request meets the primary residential density standard, being located within the City of Gunnison's municipal three-mile plan area. Comments were received from the City of Gunnison.
10-103: Residential density	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	The proposed subdivision is located within a municipal three-mile area. The lots will be served by central water and sewer.
10-104: Locational standards for commercial, industrial or other non-residential uses	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	No commercial, industrial or other non-residential uses are a part of this application.
11-102: Voluntary best management practices	No submittal requirements and no standard	

11-103: Development in flood hazard areas	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	A small portion of the property, on the banks of the Gunnison River, is within a flood hazard area. The 100-year floodplain has been identified on the plat.
11-104: Development in geologic hazard areas	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	The property is not within a geologic hazard area, as shown on County mapping.
11-105: Development in wildfire hazard areas	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	The site is in a low wildfire hazard area.
11-106: Protection of wildlife habitat areas	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	The property is within Gunnison Sage-grouse habitat. Jim Cochran, County Wildlife Conservation Coordinator, memo of December 6, 2013, notes that the new lot will not adversely impact Gunnison Sage-grouse.
11-107: Protection of water quality	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	A pond is located on the property. The 25' buffer setbacks is incorporated into the subdivision design.
11-108: Standards for development on ridgelines	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	The property is not a ridgeline project.
11-109: Development that affects agricultural lands	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	There are no agricultural lands in the immediate area.
11-110: Development beyond snowplowed access	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	The property is not beyond snowplowed access. County Road 33 (Camino Del Rio) is maintained year round.
11-111: Development on Inholdings in national wilderness	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	The property is not an inholding within national wilderness area.
11-112: Development above timberline	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	The property is not above timberline.
12-103: Road system	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Marlene Crosby, Gunnison County Public Works Director, in comments, December 4, 2013 notes: "The driveway will access CR #33. There is an existing driveway to a barn/shed structure. The applicant was advised that he will either need to upgrade and use that access or close it and build a new drive. Only one driveway will be allowed to access CR #33 from this parcel."
12-104: Trails	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	No trails exist on the property and no new trails are contemplated in this application.
12-105: Water Supply	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	The subdivision will be served by central water, provided by the Dos Rios Water and

		Sanitation District, with an existing water line adjacent to the property. Letter from Mark Templeton, Utility Manager, May 6, 2013.
12-106: Wastewater treatment	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	The subdivision will be served by central sewer, provided by the Dos Rios Water and Sanitation District, with an existing sewer line running through the property. . Letter from Mark Templeton, Utility Manager, May 6, 2013.
12-107: Fire protection	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	The property is within the Gunnison County Fire Protection District. The application has been sent to the Fire District for their review and comment.
13-102: B.: Location within municipal three-mile plan area	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	The property is within the City of Gunnison's three-mile plan area.
13-103: General Site Plan Standards And Lot Measurements	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	The draft subdivision plat identifies a site-specific building envelope on the new lot.
13-104: Setbacks From Property Lines And Road Rights-Of-Way	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	The draft subdivision plat identifies that the building envelope meets the required setback of 40 feet from Camino Del Rio and side lot lines setbacks of 15 feet.
13-105: Residential Building Sizes And Lot Coverages	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Compliance with this Section is required at the time of building permit application. No specific square footage limitations are identified in the covenants
13-106: Energy And Resource Conservation	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Compliance with this Section is required at the time of building permit application.
13-107: Installation Of Solid-Fuel-Burning Devices	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Compliance with this Section is required at the time of building permit application.
13-108: Open Space And Recreation Areas	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	No requirement for open space is required of this application.
13-109: Signs	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	No signs have been requested with this application.
13-110: Off-Road Parking And Loading	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	A minimum of two parking spaces is required for each residence.
13-111: Landscaping And Buffering	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	No landscaping plan is required for new minor impact residential subdivisions.
13-112: Snow Storage	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Adequate area is available for snow storage.
13-113: Fencing	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	No fencing has been identified in the application.
13-114: Exterior Lighting	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Compliance with this Section is required at the time of building permit application.

13-115: Reclamation And Noxious Weed Control	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Compliance with this Section is required at the time of building permit/driveway application.
13-116: Grading And Erosion Control	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Compliance with this Section is required at the time of building permit/driveway application.
13-117: Drainage, Construction And Post-Construction Storm Water Runoff	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable to Minor Impact project.
13-118: Water Impoundments	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	No water impoundments are included in this application
13-119: Standards To Ensure Compatible Uses	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	The proposed use is similar to and compatible with the existing residential uses in the neighborhood.



GUNNISON COUNTY, COLORADO

**PUBLIC WORKS DEPARTMENT STAFF REPORT  
FOR MINOR IMPACT  
LAND USE CHANGE APPLICATION**

DATE REQUESTED COMMENTS BE RETURNED TO PLANNING DEPARTMENT: 12/27/13

LAND USE CHANGE PERMIT APPLICANT:

Kim and Ted Bemis

LUC APPLICATION NO.:

Marlene D. Crosby

PUBLIC WORKS REPORT PREPARED BY:

DATE: 12 /04 /48

**Wastewater treatment and water supply:**

- 1. Is the proposed land use change located in an area served by a water supply or wastewater treatment system administered by the Public Works Department? X Yes  No
  - a. If so, is the proposed land use change located within 400' of the wastewater treatment system?  
X Yes  No
  - b. If so, do the systems have the capacity to serve the proposed land use change? X Yes  No

**Road System:**

- 1. Does the application comply with the applicable standards of the *Standards and Specifications for Road and Bridge Construction*?  
X Yes  No
  - a. If not, what additional information must be submitted, and/or what changes must be made to the plans for them to be in compliance?
- 2. Public Works requires that a traffic study be conducted and submitted as a part of the submittal if (either because the development will generate more than 100 vehicle trips per day or because the Public Works Department believes that a localized transportation safety or capacity deficiency exists or is projected).  Yes X No
- 3. Which County road(s) will be impacted by this proposed land use change?

The driveway will access CR #33. There is an existing driveway to a barn/shed structure. The applicant was advised that he will either need to upgrade and use that access or close it and build a new drive. Only one driveway will be allowed to access CR #33 from this parcel.

- 4. Are current traffic counts available for the impacted roads? X Yes  No. If so, what data is shown for the affected roads?

ADT 623 during peak period (not seasonally adjusted and counts traffic travelling both directions)

- 5. What standards of the Land Use Resolution or the *Specifications for Road and Bridge Construction* are required to be addressed to ensure that road design and construction, and access easements are sufficient for the proposed use(s)?

Section 4.1 of the Specifications

6. What impact mitigations should be addressed by the applicant for this proposed land use change (including any prorated share of improvements and/or dedication of a right-of-way, provision of easement)? What section(s) of either the Land Use Resolution or Gunnison County Road and Bridge Construction regs?

None

7. If snow storage is required, has the Public Works Department approved the design as required by Section 13 112: E. 5. of the *Land Use Resolution*?  Yes  No  None required. If the design is not approved, what must be submitted by the applicant for the design to meet standards?

N/A

8. Is this proposed land use change located beyond snowplowed access?  Yes  No

8. Is the department aware of any access easements that will need to be obtained and/or granted by the applicant for road or other accesses?  Yes  No.

9. Does the proposed land use change conform to the Public Works Department's Strategic Business Plan?

Yes  No If not, how does it not conform?

N/A

10. Are shared access roads or access points necessary?  Yes  No. If yes, describe.

### **Noxious Weed Control and Reclamation**

Comments about requirements for a noxious weed control plan or Reclamation Permits that will be required of this proposed land use change:

Normal permitting

### **Trails:**

1. Is there a public trail on the parcel on which the land use change is proposed?  Yes  No

2. If so, what government entity has jurisdiction over the trail?

3. Is there an issue of a contested, or newly proposed public trail related to the parcel on which the land use change is proposed?  Yes  No

4. Based on existing and proposed public trails in the *Gunnison County Trails Master Plan*, is access over the subject land advisable?  Yes  No



**JAMES O. COCHRAN**

Gunnison County Wildlife Conservation Coordinator  
Phone: (970) 641-7604, Fax: (970) 641-3061  
Email: [jcochran@gunnisoncounty.org](mailto:jcochran@gunnisoncounty.org)  
Website: [www.GunnisonCounty.org](http://www.GunnisonCounty.org)

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TO: Ted and Kim Bemis  
444 Camino Del Rio  
Gunnison, CO 81230

FROM: James O. Cochran  
Wildlife Conservation Coordinator  
Gunnison County

DATE: December 6, 2013

SUBJECT: Sage-grouse Habitat Site Specific Analysis  
Pre-Application Conference Request

Location: 444 Camino Del Rio  
Lot 8 Dos Rios Unit 2  
Parcel No.: 378710004006

Agencies/Departments/Personnel: James O. Cochran, Gunnison County Wildlife Conservation Coordinator

**Notes:** The property owners are proposing to subdivide this 3.95 acre± parcel into two parcels of approximately 2 acres and 1.95 acres. The 2 acre parcel will include the existing single family residence. The smaller parcel will include the existing two car garage.

This parcel is located within the Gunnison River corridor, which is primarily cottonwood/willow/alder habitat and is not actual Gunnison Sage-grouse habitat. The Dos Rios subdivision is an older subdivision with considerable development.

No part of this parcel is within Gunnison Sage-grouse priority habitat (score  $\geq 15$ ) as mapped using the 2012 Habitat Prioritization tool (HPT) (Gunnison Basin Sage-grouse Strategic Committee 2012). The overall Gunnison Sage-grouse habitat scores for this parcel range from a low of -34 to a high of -9, reflecting the location in non-habitat, and the surrounding development.

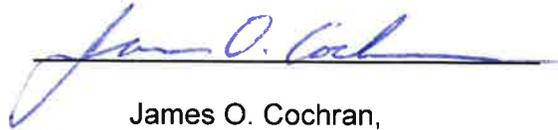
Development on this parcel will be reviewed under the Section 11-106 amendments to the Gunnison County Land Use Resolution as adopted by the Gunnison County Board of County Commissioners on November 5, 2013. There is no Tier 1 habitat on this parcel.

It is my finding that subdivision of this parcel will not adversely impact Gunnison Sage-grouse or their habitats.

To avoid and/or minimize potential offsite impacts to Gunnison Sage-grouse and/or their habitats the following conditions will be applied to all permits issued by Gunnison County for activities on this parcel and any parcels resulting from the proposed subdivision:

- 1) Per Section 11-106 G.3.d.1. of the *Gunnison County Land Use Resolution*, dogs and cats must be kept under appropriate control, by means which may include kenneling or other physically secure methods to ensure that negative effects to wildlife from pets do not occur. This includes construction workers' pets.
- 2) Disturbed areas shall be reseeded with an approved seed mix. CPW and/or NRCS are available to help identify an appropriate seed mix. A Gunnison County Reclamation Permit is required for any land-disturbing activities on this property. It may contain additional site-specific reclamation requirements.
- 3) Property owners must control or attempt to eradicate any noxious weeds that occur on the property. A list of noxious weeds may be found in the Colorado Noxious Weed list: <http://www.colorado.gov/cs/Satellite?c=Page&cid=1174084048733&pagename=Agriculture-Main/CDAGLayout> The Gunnison County Weed District should be contacted (970-641-4393) for additional information and technical assistance.

*Additionally, the applicant is advised that the Gunnison Sage-grouse is proposed for listing under the Federal Endangered Species Act (ESA). If the species is listed, the Federal government may require additional mitigation or other actions beyond those found necessary by Gunnison County for activities that may result in "take" of the species, including loss of or impacts to Gunnison Sage-grouse habitat. Gunnison County has not been informed by the Federal government as to whether a separate Federal permit will be required for this activity if the grouse is listed.*



James O. Cochran,  
Wildlife Conservation Coordinator  
Gunnison County

cc: Neal Starkebaum, Gunnison County Community Development Department  
Marlene Crosby Gunnison County Public Works Department  
J Wenum, Colorado Parks and Wildlife  
Nick Gallowich, Colorado Parks and Wildlife  
Nathan Seward, Colorado Parks and Wildlife  
Charlie Sharp, U.S. Fish and Wildlife Service