A. GUNNISON COUNTY PLANNING COMMISSION

PRELIMINARY AGENDA: Friday, May 1, 2015

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 <u>not scheduled on the day's agenda.</u>

9:00 a.m. **High Cimarron LLC,** public hearing/no action; request for the construction of a road to provide access to eight 35-acre privately owned tracts, a 20-acres lake & nine ponds, and four HOA parcels, ranging in size from 35-acres to 80-acres. The project is located in Sections 22, 27, 28, 33, 34 & 35, Township 47 North, Range 7 West, N.M.P.M.
Application #LUC-14-00028

10:00 a.m. **Vista Business Park, Hal Hearne - Preliminary Plan,** site visit, followed by work session/no action; request is for the subdivision of 28-acres into 13 lots, approximately 1.1 to 2.5 acres in size, to be developed as an industrial and commercial development, with ancillary residential use on some lots. The project is located approximately 4 miles east of the City of Gunnison, south of Highway 50, NW1/4SW1/4 & SW1/4NW1/4 Section 3, Township 49 North, Range 1 East, N.M.P.M.
Application #LUC-11-00035

Lunch

1:00 p.m. **Red Feather Ranch Subdivision, Michael and Renee Wright**, joint public hearing/no action, followed by work session/possible action on recommendation; request is for the subdivision of 18.9-acres into three single-family residential lots. The project is located approximately one mile southeast of the Town of Crested Butte, southeast of County Road 738 (Brush Creek Road), legally described as the S1/2SE1/4NE1/4 Section 12, Township 14 South, Range 86 West, 6th P.M.
Application #LUC-14-00011

Adjourn

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GUNNISON COUNTY PLANNING COMMISSION
REGULAR MEETING
May 1, 2015
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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- A.J. Cattles
Commissioner-Jack Diani
Commissioner- Tom Venard
Alternate Commissioner- Molly Mugglestone

Director of Community Development- Russ Forrest
Assistant Director of Community Development- Neal Starkebaum
Community Development Planner-Cathie Pagano
Community Development Services Manager-Beth Baker
Others present as listed in text

Absent; Commissioner John Messner

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With a quorum present Chairman Kent Fulton opened the March 20, 2015, regular meeting of the Planning Commission.

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8:48:39 AM **High Cimarron LLC:** The Gunnison County Planning Commission conducted a public hearing/no action; request for the construction of a road to provide access to eight 35-acre privately owned tracts, a 20-acres lake & nine ponds, and four HOA parcels, ranging in size from 35-acres to 80-acres. The project is located in Sections 22, 27, 28, 33, 34 & 35, Township 47 North, Range 7 West, N.M.P.M. **LUC-14-00028**

Present representing the application- Jim Aronstein.

Present representing Planning Commission- Kent Fulton, Jeremy Rubingh, A.J. Cattles, Jack Diani, Tom Venard and Molly Mugglestone.

Present representing County staff; Director of Community Development, Russ Forrest and Administrative Services Manager, Beth Baker.

Site Visit Comments- Forrest distributed photos taken at the site visit.

- **Venard**- said the road looks like it could slide again and should be monitored
- **Fulton**-good to see where the old road was and how the new road was constructed
- **Mugglestone-** agreed with Venard. She appreciated the visit, and the applicant's lower density goals.

With a quorum present Chairman Kent Fulton opened the public hearing.

Administrative Services Manager Beth Baker confirmed adequate public notice; the applicant posted the property and submitted the certified mailing receipts and notarized acknowledgement. The Planning office had the public notice published in the Crested Butte News and the Gunnison Country Times.

Aronstein briefly described the application. The property is in three different counties. The family acquired the property in 2004; the majority of it from a logging company. The 210-acre parcel was purchased from the Ergot family, the rest from Inner Mountain. He said before the property could be used they had to clean up the property, because of a decade of commercial logging. They improved the 50-year old rough logging and jeep road, so it would be safer and could be used

in all conditions. The cost of improving the road triggered selling some of the lots. They have decided to divide the larger parcel into 12 lots. He and his partner are each owners of a lot and they will sell the remaining ten lots.

Aronstein said a section of the road was very steep, it was brought down and rerouted. That section of the road had a bad slide in the spring of 2014; a spring in the large switchback caused mud and a slide. They installed a great deal of drainage, it has been reviewed by SGM Engineering.

Aronstein noted that Colorado Geologic Survey (CGS) has commented and made recommendations for further testing, with a goal of determining if a retainage structure should be installed. He said that engineering firm, SGM has recommended careful monitoring and inspections.

Staff-

Forrest had sent the Planning Commission a summary of the project to review for the meeting. He said the key issue is the .56 miles of new, rerouted road. CGS was concerned with a possible mud flow, but were not aware of the secondary access. CGS was concerned with a catastrophic rain event and if the road slides with a car is on it. SGM Engineering found the .56 mile road workable, because there is a secondary access that could be used. Public Works Director, Marlene Crosby, said because there is a secondary access, this should work as constructed. There should be two site inspections, one before grading to look for movement and two pins fixed to determine with a survey if there has been movement.

Aronstein said there is a secondary road access; another way in and out. He added that the home sites will be vacation places for the owners. They will close the site for elk calving yearly from May 1 to June 15. The concern is during runoff; there will be no one using the road during that time. He suggested a termination date for inspections.

Gunnison Fire Protection District recommended a dry hydrant.

Delta- Montrose Electric Association submitted comments. They are concerned about the threshold for power is being exceeded.

Rubingh asked how many open sheds there would be for cars; Aronstein said four for 16 cars.

SGM Engineer, Jerry Burgess said there is a secondary access available, and is unlikely that someone would be stranded. Monitoring is not uncommon in Colorado, and it is a good condition, but how it is done can be a challenge. It seems to be a prudent method as recommended by the engineers.

Rubingh asked how many years it should be monitored; Burgess said once the initial construction is done and it's working for a period of five to seven years, but he added, it could slide at any time. Forrest said there would not be a date certain to terminate inspections, but a body of information that could be reviewed. Aronstein has proposed their engineer will review it monthly until completed and will submit the information to the county.

Cattles noted that a time frame is not reasonable. A large event could change things and then it would need to be reviewed.

Public Comments

Sharon Gildon asked how land is zoned agricultural; Forrest said Gunnison has a performance based land use code, the process for changes in uses are land use changes, not zoning. The Assessor's office makes the taxing value determination.

Joe Hull asked how hunting and grazing will be effected; Aronstein said only a few individuals have access to the property in Hyde Park, the Barrows have a cattle grazing lease. They will continue to have hunting rights on public land.

Outfitter, Kelly Sandberg asked how this development will impact the hunting and trail riding. She was concerned with how this will that impact her business. Aronstein said it is a private road and always has been. They have had issues of trespass with hunters in the past.

Joanne Ergot and Tina Ergot had concerns with the development.

The Planning Commission directed staff to prepare a draft decision of approval for the next meeting of the commission.

Fulton continued the public hearing to May 15th @ 9:00 A.M.

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11:18:29 AM **Vista Business Park;** The Gunnison County Planning Commission conducted a site visit followed by a work session to review the request for the construction of a road to provide access to eight 35-acre privately owned tracts, a 20-acres lake & nine ponds, and four HOA parcels, ranging in size from 35-acres to 80-acres. The project is located in Sections 22, 27, 28, 33, 34 & 35, Township 47 North, Range 7 West, N.M.P.M.

Present representing the application- Hal Hearn

Present representing Planning Commission- Kent Fulton, Jeremy Rubingh, A.J. Cattles, Jack Diani, Tom Venard and Molly Mugglestone.

Present representing County staff; Senior Planner, Cathie Pagano and Administrative Services Manager, Beth Baker.

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

Cattles stated that he had hired Hearn to do some work; he has consulted the County Attorney, who has confirmed there is no conflict.

Site visit comments

Cattles- it is as anticipated
Diani- was glad to see where everything will be
Rubingh-was good to see it in person, he understands the berming aspect more clearly
Mugglestione- agreed with the other commissioners
Fulton- good visualize the change of the road

The commission discussed the uses of the lots and the covenants, city sales tax, and the access road.

A joint public hearing will be scheduled.

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12:09:48 PM **Red Feather Ranch Subdivision:** The Gunnison County Planning Commission conducted a joint public hearing and work session to discuss the request is for the subdivision of 18.9-acres into three single-family residential lots. The project is located approximately one mile southeast of the Town of Crested Butte, southeast of County Road 738 (Brush Creek Road), legally described as the S1/2SE1/4NE1/4 Section 12, Township 14 South, Range 86 West, 6th P.M.

Present representing the application- Mike Wright and attorney Mike Dawson

Present representing Planning Commission- Kent Fulton, Jeremy Rubingh, A.J. Cattles, Jack Diani, Tom Venard and Molly Mugglestone.

Present representing County staff; Senior Planner, Cathie Pagano and Administrative Services Manager, Beth Baker and Board of County Commissioners Paula Swenson, Phil Chamberland and Jonathan Houck.

With a quorum present Chairman Kent Fulton opened the joint public hearing.

Administrative Services Manager Beth Baker confirmed adequate public notice; the applicant posted the property and submitted the certified mailing receipts and notarized acknowledgement. The Planning office had the public notice published in the Crested Butte News and the Gunnison Country Times.

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Wright briefly explained his project. He reviewed the site plan, noting the location of the proposed building envelopes. The density surrounding the project is many smaller lots. The goal was to keep the project lower density. Owners can have several horses.

Staff had no comments

Dawson added the Upper Gunnison Conservancy District will provide water augmentation and there will be individual wells, and septic systems.

Swenson asked if all the buildings would be within the building envelopes; Wright said yes.

Fulton asked how the building envelope locations and size were determined. Wright said they are trying to be the least restrictive as possible, but tried to keep the view corridors open.

Site Visit comments

Mugglestone- it was helpful to see the property
Rubingh- it was straight forward and matched the maps
Venard- agreed with Rubingh
Cattles- Larkspur is very high density and in close proximity
Fulton- agreed with Cattles and added there could have been much higher density

Wright said they had pushed a building envelope back 50 ft. to create a buffer for the Crawford's lot. He added the neighbor will be able to see this project from their deck. The people most impacted would be the Crawford's, so they have tried to give them some extra space.

Public comment

Laura Winniger resident of Butte Pasture Subdivision was concerned with the definition of height and none of the maps shows any topography. Pagano explained the county definition of ridgeline; this application does comply with the ridgeline standards.

Wright said this is likely the highest spot on the property, but it is not on any ridgeline.

Scott Crawford suggested the home next to his property be built right up next to the driveway.

Beth Crawford wanted more space between her existing home and the new building envelopes. Wright said he understands the neighbors' concerns. He said they have proposed a much less dense development than they could have.

Pagano suggested the building envelope could be moved; Wright said no that was not the intention.

Winniger pointed out there is no restriction of commercial activity on these lots. She asked if Wright put business vehicles in his garage; Wright said no.

Jeff Issac mentioned the low density component is appreciated. He is not opposed to the subdivision, his concern is the appearance of the whole area and the disturbing of his view corridor. He said decreasing the size of the building envelopes would benefit his view corridor.

Rubingh asked about reducing lot one building envelope size; Wright was not in favor of the idea. There is value in how it is currently proposed.

Dawson said with a larger building envelopes you avoid a massing issue.

Fulton closed the public hearing at 145 PM.

Work Session-

The commissioners reviewed the draft recommendation of approval.

Moved by Cattles seconded by Venard to approve the recommendation of approval to the Board of County Commissioners – Red Feather Ranch Subdivision – LUC-14-00011, as amended. The motion passed unanimously.

PROJECT SUMMARY:
Mike and Renee Wright have submitted a land use change application for the subdivision of 18.9-acres into three 6.3-acre single-family residential lots. An existing residence and detached garage, constructed in 2001, is located on proposed lot Ranch 3. Each lot would be served by an individual well, (an existing well and wastewater treatment system is located on proposed lot Ranch 3) and by individual on-site wastewater systems. Access to all of the parcels will be via the existing Wright Ranch Road, from County Road 738 (Brush Creek Road).

The applicants have submitted protective covenants, titled *Declaration of Protective Covenants Red Feather Ranch Subdivision (Covenants)* and Design Guidelines for Red Feather Ranch, which identify specific design standards and limitations on each lot. Second residences are permitted under the covenants.

LOCATION:
The property is located approximately one mile southeast of the Town of Crested Butte, southeast of County Road 738 (Brush Creek Road), legally described as the S1/2SE1/4NE1/4 Section 12, Township 14 South, Range 86 West, 6th P.M., consisting of 18.9-acres.

SURROUNDING LAND USES:
West – Gunnison County - 17-acre parcel; vacant
North – Residential common area and single-family lots within the Larkspur Subdivision; most of the closest lots are vacant
East – Lot 8, Butte Pasture – 9-acres; vacant
South – residential parcels ranging in size from 3-acres to 13-acres; two with existing residences

IMPACT CLASSIFICATION:
Minor Impact Project, based upon the impact classification found in *Section 6-102: Projects Classified as Minor Impact Projects A. 2-4 Units*.

PLANS/REPORTS/SUBMITTALS:
Plans, reports, and other submittal documents informing this Decision include, but are not limited to:
- Minor Impact Land Use Change Application – Red Feather Ranch Subdivision
- Vicinity Map – Exhibit D, Site Plan - Exhibit E, and Subdivision Plat – Exhibit F, prepared by Stephen Jessoe, PLS, All County Survey, January 2015

MEETING DATES:
The Planning Commission held meetings on the following dates:
- April 3, 2015 Work Session
- May 1, 2015 Joint Public Hearing
- May 1, 2015 Work Session

SITE VISIT:
The Planning Commission conducted a site visit on April 3, 2015, at which time the Commission viewed the neighborhood, the property and the location of the lot lines and building envelopes.

PUBLIC HEARING:
The Planning Commission and the Board of County Commissioners conducted a joint public hearing on May 1, 2015. Laura Winiger, resident of Butte Pastures, was concerned with the definition of building height, as it related to visual impacts, and no prohibition on commercial activities. Scott Crawford requested that the building envelopes be moved north. Beth Crawford requested more space between their house and the building envelopes. Jefferey Isaac, requested a smaller building envelope to minimize impacts his views.

Email received from Jefferey Isaac, April 30, 2015, noting suggestions regarding the location of the building envelopes and visual impacts.

Email received from Scott Crawford, April 30, 2015, noting his family's objection to the location of the building envelopes.

All testimony, both written and oral, is hereby incorporated as part of this record of review and evaluation.

REVIEW AGENCY REFERRAL COMMENTS:
Comments were received from the following agencies:

- **Colorado Division of Wildlife** – J Wenum, Gunnison Area Wildlife Manager, Colorado Division of Wildlife, letter of March 13, 2015. Excerpts include:
  "My staff has reviewed the Red Feather Ranch subdivision request submitted by Michael and Renee Wright, which proposes dividing one 18.9 acre parcel into three 6+ acre parcels. They have also visited the site, which is composed of low rolling, sage brush dominated hills. The site is located on the south side of Wright Ranch Road, Gunnison County Colorado.

  The proposed subdivision is located within a mapped elk winter concentration area and migration corridor, Canada goose production area, and black bear human conflict area (CPW Species Activity Mapping, 2007). Prairie dogs, cotton tail rabbits, striped skunks, red fox, and coyotes would also be expected to inhabit the area, along with numerous other small mammals and an occasional mountain lion.

  During winter months, elk utilize southern facing slopes and valleys for feeding and loafing. The south eastern exposure of Mt. Crested Butte, to the north and east of the proposed subdivision, is one such example of suitable elk winter range. Although the Red Feather Ranch parcel is mapped as elk winter range, and is labeled as critical habitat, the suitability of this parcel of land for wintering elk is negligible. As a consequence of development in mapped elk winter range, residents should not be allowed to chase, scare, disturb, or otherwise harass elk in an attempt to move them off open space areas within the development during the winter months.

  Black bears will likely be the most significant wildlife concern with this development. The adjacent community of Skyland has a history of human/bear conflicts. Both Skyland and the Town of Crested Butte (1.8 miles north) host several "resident" bears, which will check trash cans and dumpsters nightly in search of an easy meal. The resulting conflicts are directly linked to the communities' management of outside pet food, bird feeders, and the careless storage of household and commercial (food service) waste. To avoid human/bear encounters, the proper storage and handling of trash should be given a high priority.

  Fences should be minimized to facilitate wildlife movements, optimize habitat availability, and reduce ·wildlife mortality. We recommend that fence construction. whether of wire, wood, electric, or synthetic, be wildlife friendly (not exceed 42 inches in height, and not restrict movement of deer or elk).

  As the Gunnison Basin continues to develop, habitat available for use by wildlife is incrementally lost and conflicts with wildlife will increase. Although this project in itself affects only a small fragment of available habitat, the effects of "minimal impact"' projects such as this are cumulative, and should be considered as such. We strongly encourage the proponent to advise potential property owners of wildlife that inhabits the area, and ways to avoid and reduce human/wildlife conflicts."

- **Colorado Division of Water Resources** –Megan Sullivan, P.E., Water Resource Engineer, letter of March 20, 2015. Excerpts include:
  "We have reviewed the above subdivide a parcel of approximately 18.9 acres into three approximately equally sized parcels. The applicant proposes to supply water through three individual on-lot wells, however the use of the three wells was not specified such as the number of dwellings per lot including any accessory dwelling units, number of domestic animals/livestock, if any, and amount of lawn and garden, again if any. Sewage disposal is to be provided through individual sewage disposal systems.

  …… it is our opinion, pursuant to CRS 30-28-136(1)(h)(I), that the proposed water supply is expected to be physically adequate provided the production of the existing well and the proposed wells are similar to the results of the well test conducted in 2007 for Permit no. 207669. However material injury will occur to decreed water rights unless the applicant obtains and maintains valid well permits for all the wells, including the existing well, pursuant to a court approved plan for augmentation, such as the one approved for Upper Gunnison River Water Conservancy District. We

recommend that prior to final approval of the subdivision, the County requires the applicant to provide copies of valid permits issued pursuant to an approved augmentation plan, for all the lots."

- **Crested Butte Fire Protection District** –Scott Wimmer, Fire Inspector and Ric Ems, Fire Chief/Fire Marshal, March 19, 2015. The comments note:
  "The Fire Division of the Crested Butte Fire Protection District has received your proposal for the above noted project. After reviewing the proposal for compliance with adopted codes and ordinances we have no objections to the proposal."

- **Gunnison County Environmental Health Office** - Crystal Lambert, Environmental Health Official, memo of March 18, 2015. Her comments note:
  "The Environmental Health Office has received a request to review the application for the Red Feather Ranch Land Use Change. The applicants are proposing a three parcel subdivision. Each of the three proposed parcels will be approximately 6.3 Acres and each parcel will contain a building envelope of varying sizes ranging from 1.72 to 2.3 acres.

  Connection to central sewer could be explored by the property owners. The nearest manhole serviced by the East River Sanitation District and the Larkspur Subdivision Home Owners Association is approximately 200 feet to the north (in the Lexie Ct. turn around). However, according to the East River Sanitation District, connection to the central sewer system would not be allowed unless the following is achieved:

1. An agreement between Red Feather Ranch and the Larkspur HOA would need to be made for utilization of the Larkspur Subdivision's infrastructure.
2. Red Feather Ranch would need to become part of the East River Sanitation District.
3. A utility easement through private property may need to be attained for a closest path, straight-line connection.

  The proposed Ranch 3 already has an existing on-site wastewater treatment system (OWTS) and single family residence. With conscientious site planning of well, septic and structure locations it is feasible that the remaining proposed parcels, Ranches 1 and 2, may be able to each receive approval for OWT systems.

  Currently, the Gunnison County OWTS Regulations do not prohibit the installation of OWT systems for the proposed parcels. The proposed subdivision property boundary is within 400 feet of a central sewer system, however, the property is not located within the sanitation district."

- **Gunnison County Public Works Department** – Marlene Crosby, Public Works Director, email of March 23, 2015. She notes that:
  "You are correct that the existing road for Mike Wright's lots will be adequate."

- **Town of Crested Butte** – Michael Yerman, Town Planner, Town of Crested Butte, noted in a conversation with staff that:
  "The Town will not be providing comments on this application."

COMPLIANCE WITH APPLICABLE SECTIONS OF THE *GUNNISON COUNTY LAND USE RESOLUTION:*

Section 9-508: Keeping of Livestock not on an Agricultural Operation.
The applicant proposes to allow livestock on the property.
Covenants. Section 6.1.9. require compliance with NRCS recommendations and noxious weed management.

Section 10-102: *Locational Standards for Residential Development.*
The proposed subdivision meets the primary locational standard, as it is within a municipal three mile plan (Town of Crested Butte). Comments were requested from the Town of Crested Butte. Michael Yerman, Town Planner, Town of Crested Butte, in conversation with staff, noted that the Town will not be submitting comments on this subdivision application.

Section 10-103: *Residential Density.*

The proposed subdivision meets the density standard as the lot sizes and lot density are substantially similar to adjacent parcels. The subdivision will consist of three 6.3-acres lots, and with allowed second residences, the density is 3.15-acres/unit. The residential density of the lots fall into a midrange of the adjacent parcel sizes and densities. Adjacent lots range in size from 3.4-acres to 13-acres in size. Two residences are permitted, with a land use change, on the adjacent lots, including Lot 8 in Butte Pastures, if augmentation water is available from the Upper Gunnison River Conservancy District.

Section 11-103: *Development in Areas Subject to Flood Hazards*.
The property contains a flood hazard area, identified as Zone A on FEMA Panel 08051CO0727D, as shown on the site plan. The building envelopes are located outside of the floodplain, which is a seasonal drainage, containing no live water.

Section 11-104: *Development in Areas Subject to Geologic Hazards*.
The property is not within a geologic hazard area, according to County mapping.

Section 11-105: *Development in Areas Subject to Wildfire Hazards.*
The subject property is within an area with low wildfire hazard, as identified by County mapping.

Section 11-106: *Protection of Wildlife Habitat Areas.*
The property is not within Gunnison Sage-grouse habitat. Comments from J Wenum, Area WL Manager, Colorado Division of Wildlife, letter of March 13, 2015, indicate that the proposal will not result in significant additional impacts to wildlife.

Section 11-107: *Protection of Water Quality*.
Not applicable. The property is not located within 125 feet of any identified wetlands or waterbodies.

Section 11-108: *Standards for Development on Ridgelines.*
The property is not located on a ridgeline.

Section 11-109: *Development that Affects Agricultural Lands.*
Not applicable. The site is not adjacent to agricultural land or within proximity to agricultural lands.

Section 11-110: *Development of Land beyond Snowplowed Access*.
Not applicable, the site is not located beyond snowplowed access.

Section 11-111: *Development on Inholdings in the National Wilderness.*
Not applicable, the site is not located on a National Wilderness inholding.

Section 11-112: *Development on Property above Timberline.*
Not applicable, the site is not located above timberline.

Section 12-103: *Road System*.
The proposed lots and existing house are accessed by the existing Wright Ranch Road, 80' easement for access to the Wright property, recorded at Reception No. 568257, August 21, 2006, in the Office of the Gunnison County Clerk and Recorder. The easement also provides access to Lot 8, Butte Pastures Subdivision.

Staff discussion with Marlene Crosby, Public Works Director, email of March 23, 2015, indicate that the existing road complies with the minimum requirements under the Gunnison County Specifications for Road and Bridge Construction and that no additional improvements to the existing road are required.

Section 12-104: *Public Trails*.
There is no public trail existing or proposed.

Section 12-105: *Water Supply*.
An existing well is located on the property, permitted by the Colorado Division of Water Resources, Well Permit No. 207669, drilled on February 5, 1999. (Located on proposed Ranch 3) The applicant proposes to purchase sufficient augmentation water, (10 base units of augmentation water) from the Upper Gunnison River Water Conservancy District to provide the legal water supply for the potential residences in the subdivision. Comments from Megan Sullivan, P.E., Water Resource Engineer, Colorado Division of Water Resources, letter of March 20, 2015, note approval of the proposed water

supply plan. She recommends that prior to final approval of the subdivision, the County require the applicant to provide copies of valid well permits, issued pursuant to an approved augmentation plan, for all the lots. Issuance of individual well permits is under the authority of the Colorado Division of Water Resources and subject to the requirements of the Division.

Section 12-106: *Sewage Disposal/Wastewater Treatment.*
An Individual Sewage Disposal System is proposed for each individual residence, on each lot. An On-site Wastewater Treatment System is proposed for Ranch 1 and Ranch 2. The proposed density is one unit/3.15-acres. This meets the density requirement of one acre minimum parcel size for installation of individual onsite wastewater systems. While there is an existing central sewer collection manhole on the Lexie Court cul-de-sac, in the Larkspur Subdivision, within 200 feet of the Wright property, it is currently not feasible to connect to the East River Sanitation District. Crystal Lambert, Environmental Health Official, memo of March 18, 2015, notes feasibility of installation of on-site wastewater treatment systems.

Covenants. Section 6.2.2. requires that at such time that the sanitation district is willing and able to provide central sewer to the development, the lot owners will connect.

Section 12-107: *Fire Protection*.
1. The property is served by the Crested Butte Fire Protection District. Scott Wimmer, Fire Inspector, Crested Butte Fire Protection District, letter of March 19, 2015, notes that the District has no objection to the proposal.
2.
3. **Section 13-103: *General Site Plan Standards and Lot Measurements.***

The site plan for the subdivision complies with the standards of this Section.

Section 13-104: *Setbacks from Property Lines and Road Rights-of-Way.*
The building envelopes meet the setback requirements.

Section 13-105: *Residential Building Sizes and Lot Coverages.*
Building envelopes have been delineated on the lots. All structures will be located within the building envelopes.
Section 13-106: *Energy and Resource Conservation.*
All structures to be constructed within the development will be subject to the standards of this Section at the time of building permit application.

Section 13-107: *Installation of Solid Fuel-Burning Devices*
Installation of solid fuel-burning devices is subject to the standards of this Section at the time of building permit application.

Covenants. Section 6.2.11 Fireplaces.

Section 13-108: *Open Space and Recreation Areas*
Not applicable. Open space dedication is not required for minor impact projects.

Section 13-109: *Signs.*
There are no signs proposed as part of the submitted application.

Section 13-110: *Off-Road Parking and Loading.*
A minimum of two parking spaces is required for each single-family residence.

Section 13-111: *Landscaping and Buffering.*
Landscaping is not required for minor impact projects.

Section 13-112: *Snow storage*.
Adequate area is available for snow storage on each lot.

Section 13-113: *Fencing*
All new fencing shall comply with this Section.

Covenants. Section 7.7 Fencing.

Section 13-114: *Exterior Lighting.*

All new structures are required to comply with this section.
Covenants. Section 6.2.17 Exterior Lighting.

Section 13-115: *Reclamation and Noxious Weed Control.*
A reclamation permit is required for driveway construction, home site clearing and berm construction.
Covenants. Section 7.6 Landscaping and Weed Management Control.

Section 13-116: *Grading and Erosion Control.*
Grading activities are required to secure a Reclamation Permit from the Public Works Department, pursuant to Section 13-115: *Reclamation and Noxious Weed Control*.

Section 13-117: *Drainage, Construction and Post-Construction Stormwater Runoff.*
The one minor drainage on the property is outside of the building envelopes and will not be affected by development on the lots.

Section 13-118: *Water Impoundments.*
Not applicable, this project does not propose a water impoundment.

Section 13-119: Standards to Ensure Compatible Uses.
Specific design standards and limitations on the uses on each lot are identified in the protective covenants, *Declaration of Protective Covenants Red Feather Ranch Subdivision and Design Guidelines*, to ensure the residential uses are compatible with the existing residential neighborhood.

Section 15-103: *Right-to-Ranch Policy*.
This Section is applicable to all land use change permits.

FINDINGS:
The Commission finds that:

4. The Planning Commission has classified the application as a Minor Impact Project, based upon the impact classification found in *Section 6-102: Projects Classified as Minor Impact Projects A. 2-4 Units*.

5. The land use change complies with all applicable requirements of the *Gunnison County Land Use Resolution* and *Section 6-10: Standards of Approval for Minor Impact Projects*.

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.

RECOMMENDATION:
The Gunnison County Planning Commission, having considered the submitted plans, exhibits, site specific mitigation, site observations and public testimony, has reached the above Findings and recommends to the Board of County Commissioners that LUC No. 2014-11 Red Feather Ranch Subdivision, be approved with the following conditions:

1. This permit is limited to activities described within the "Project Summary" 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. A mylar subdivision plat, in compliance with Section 6-105, *Gunnison County Land Use Resolution*, shall be provided to the Community Development Department, for signature by the Board of County Commissioners. Approval shall not be effective until and unless the plat is recorded with the Office of the Gunnison County Clerk and Recorder.

3. The approval shall be memorialized by Board Resolution. Approval shall not be effective until the Resolution is recorded with the Office of the Gunnison County Clerk and Recorder.

4. Prior to scheduling the application before the Board of County Commissioners, the applicant shall provide evidence of the purchase of the augmentation water from the Upper Gunnison River Water Conservancy, pursuant to an approved augmentation plan, for all of the lots, to the Community Development Department.

5. The applicant shall provide three copies of the recorded subdivision plat, fourteen (14) by seventeen (17) inches in size, to the Building Official, for inclusion into the rural addressing system.

6. The following shall be completed upon recordation of the Plat:
   1) The applicant shall provide two copies of the final plat designating County addresses for each lot, to the appropriate office of Century Link.
   2) The applicant shall provide one copy of the final plat, designating County addresses for each lot, to the U.S. Postal Service.

7. 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.

8. 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.

9. Approval of this use 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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Fulton adjourned the meeting at 2:30 .

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/S/ Beth Baker
Community Development Department Services Manager
Gunnison County Community Development Department

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