TO:	**Planning Commission**
SUBJECT:	**Planning Commission Draft Decision** **Slate River Holdings** **LUC-15-00032**
DATE:	**December 18, 2015**
PREPARED BY:	**Cathie Pagano, Senior Planner**
APPLICANT:	**Slate River Holdings, LLC represented by Scott Hargrove**

PROJECT DESCRIPTION:
The applicant proposes an 8,000 square foot, two story, heated storage facility. The building will consist of one 500 square foot shop bay and 58 individual storage spaces for rent in various sizes (6'x10'; 10'x25'). The applicant estimates five vehicle trips per day, once construction is complete. The proposed development is an in existing industrial park that was previously approved by Gunnison County. The subject parcel is legally described as Lot 16, Riverland Industrial Park, Filing 2.

IMPACT CLASSIFICATION:
The project, by definition, is a minor impact pursuant to *Section 6-102* and the Board of County Commissioners approval of the Riverland Industrial Park

MEETING DATES:
The Planning Commission held work sessions and public hearings to discuss the Fialkoff application on the following dates:

- November 20, 2015 Work session
- December 18, 2015 Public Hearing and work session

SITE VISIT:
The Planning Commission determined that a site visit was not necessary for this application. Commissioners expressed general familiarity with the Riverland development.

PUBLIC HEARING:
The Planning Commission conducted a public hearing on December 18, 2015. Public comment included:

REVIEW AGENCY REFERRAL COMMENTS:
A copy of the complete application was sent via electronic mail to the following agencies: Colorado Parks and Wildlife, Gunnison County Public Works, Gunnison County Environmental Health, and Crested Butte Fire Protection District. Agency comments are noted in appropriate section below.

COMPLIANCE WITH APPLICABLE SECTIONS OF THE *GUNNISON COUNTY LAND USE RESOLUTION:*
Section 9-100: *Uses Secondary to a Primary Residence.*
Not applicable. No secondary uses are proposed as part of this application.

Section 9-200: *Special Residential Uses.*
Not applicable. No special residential uses are proposed as part of this application.

Section 9-300: *Commercial and Industrial Uses.*
Applicable, the proposed use is a commercial and the standards of this Section apply. The applicant has not proposed any uses that are not in compliance with this Section. The proposed use is an existing, approved industrial park development.

Section 9-400: ***Exploration, Extraction and Processing of Minerals and Construction Materials.***
Not applicable. No exploration, extraction or processing of materials is proposed.

Section 9-500: ***Miscellaneous Uses and Activities.***
Not applicable. No miscellaneous uses or activities are proposed.

Section 10-102: ***Locational Standards for Residential Development.***
Not applicable, no residential development (subdivision or multi-family development) is proposed as part of this application.

Section 10-103: ***Residential Density.***
Not applicable, no residential development (subdivision or multi-family development) is proposed as part of this application.

Section 10-104: Locational Standards for Commercial, Industrial or Other Non-Residential Uses.
Not applicable, proposed development is in existing, platted industrial park.

Section 11-103: ***Development In Areas Subject to Flood Hazards*****.**
Not applicable, the subject parcel is not in the 100-year floodplain.

Section 11-104: ***Development in Areas Subject to Geologic Hazards*****.**
Not applicable, the proposed development is not in an area of geologic hazard, according to Gunnison County mapping.

Section 11-105: ***Development In Areas Subject to Wildfire Hazards.***
Not applicable, the proposed development is not in an area of high wildfire hazard, according to Gunnison County mapping.

Section 11-106: ***Protection of Wildlife Habitat Areas.***
Applicable, the development is subject to the standards of this Section. No comments were received from the Colorado Division of Parks and Wildlife. Since the proposed use is an existing industrial park it is expected that additional impacts to wildlife will be minimal or non-existent.

Section 11-107: ***Protection of Water Quality*****.**
Applicable, proposed development is within 125 feet of a water body. The applicant has submitted a water quality protection plan identifying the location of materials storage, silt fencing and protection measures for the water body. The applicant has agreed to eliminate snow storage from the western portion of the parcel that is at the top of a steep bank which should reduce the possibility of sedimentation of the water body.

Section 11-108: ***Standards For Development On Ridgelines.***
Not applicable. The site is not located on a ridgeline.

Section 11-109: ***Development That Affects Agricultural Lands.***
Not applicable, the subject parcel will not directly affect 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*.
Applicable, a copy of the application was referred to Gunnison County Public Works. Public Works did not comment on the application but will require a driveway permit prior to construction of the driveway and/or building.

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

Section 12-105: *Water Supply*.
Lots in Riverland Industrial Park are served by a central well for which this parcel is entitled to share.

Section 12-106: *Sewage Disposal/Wastewater Treatment.*
Applicable, the applicant has proposed an onsite wastewater treatment system for the project. A copy of the application was referred to the Gunnison County Environmental Health Official. Lambert noted in an email dated November 13, 2015 that, "An OWTS for Commercial, Industrial, or Multi-family dwelling uses are required to receive authorization by rule or a class V underground injection permit from the US EPA before an application for an OWTS permit is approved (Section 5-120 of the Gunnison County OWTS Regulations)."

Section 12-107: *Fire Protection*.
The proposed development is located within the Crested Butte Fire Protection District. A letter from the District, dated November 24, 2015 notes, "Pursuant to Gunnison County Resolution 08-47, a monitored automatic fire suppression system shall be required due to lack of central water supply capable of providing the required fire flows."

Section 13-103: *General Site Plan Standards And Lot Measurements.*
The site plan for this proposed development must meet the site plan criteria of this section, including proposed and existing roads, driveways, lot lines, building sites, and natural features of the site. The site plan prepared by Alpine Dwelling and dated June 11, 2015, meets these criteria.

Section 13-104: *Setbacks from Property Lines and Road Rights-of-Way.*
This section applies; the proposed improvements meet the setback requirements.

Section 13-105: *Residential Building Sizes and Lot Coverages.*
Not applicable, no residential development is proposed as part of this application.

Section 13-106: *Energy and Resource Conservation.*
Not applicable, no residential development is proposed as part of this application.

Section 13-107: *Installation of Solid Fuel-Burning Devices*
This section applies and any solid fuel-burning devices proposed shall comply with this section.

Section 13-108: *Open Space And Recreation Areas*
Not applicable, no requirement of open space is required for this application.

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

Section 13-110: *Off-Road Parking And Loading.*
The number of parking spaces complies with Appendix Table 3 and this section.

Section 13-111: *Landscaping And Buffering.*

A landscaping plan is required and has been submitted as part of the site plan. The applicant proposes the installation of fifteen 1.5" diameter aspen trees, three 6' evergreen trees, four 8' evergreens, and twelve dogwood shrubs.

Section 13-112: *Snow storage*.
The applicant has identified snow storage locations on the site plan and has agreed not to snow store at the top of the bank on the west side of the parcel so as to prevent sedimentation of the water body below.

Section 13-113: *Fencing*
Applicable, this section applies and any fencing proposed shall comply with this section.

Section 13-114: *Exterior Lighting.*
Applicable, this section applies and any exterior lighting proposed shall comply with this section.

Section 13-115: *Reclamation And Noxious Weed Control.*
A reclamation permit is required for road cutting and/or construction, homesite clearing and berm construction greater than 10,000 square feet.

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.*
Applicable, a commercial or industrial use is required to comply with the standards of this Section, including the submittal of a letter from a Colorado licensed engineer certifying that the projects complies with the standards of this Section.

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

Section 13-119: *Standards to Ensure Compatible Uses.*
The proposed development has been designed in a manner that will not adversely affect the character and tranquility of nearby residential or public use areas. The project's location in an existing industrial park ensures compatibility of uses.

Article 15: *Right-to-Ranch Policy*.
This section is not applicable; there are no agricultural lands that will be affected by the uses on the subject parcel.

FINDINGS:
The Gunnison County Planning Commission finds that:

1. This project is classified as a Minor Impact.

2. The applicant has submitted a water quality protection plan, "Water Quality Protection and Construction Management Plan," prepared by Alpine Dwelling and dated November 12, 2015 with the exception that snow storage shall not be located along the top of the bank on the western side of the parcel.

3. This application is consistent with the standards and requirements of this *Resolution*.

4. This review and decision incorporates, but is not limited to, all the documentation submitted to the County and included within the Community Development file relative to this application; including all exhibits, references and documents as included therein.

DECISION:
The Gunnison County Planning Commission, having considered the submitted plan, site observations and public testimony, has reached the above Findings and recommends that LUC-15-00032 be classified as a Minor Impact, and be approved with the following conditions:

1. This permit is limited to activities described within the "Project Description" of this application, and as depicted on the 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 standards of Section 11-107: *Protection of Water Quality* and install the water quality protection measures as identified on "Water Quality Protection and Construction Management Plan," prepared by Alpine Dwelling and dated November 12, 2015 with the exception that snow storage shall not be located along the top of the bank on the western side of the parcel.

3. The applicant shall obtain a Class V underground injection well permit from the EPA prior to issuance of any building permit application on the parcel.

4. The applicant shall submit certification from a Colorado licensed engineer that the proposed development complies with the standards of Section 13-117: *Drainage, Construction and Post-Construction Storm Water Runoff* prior to the recordation of the Minor Impact Certificate of approval for this project.

5. The applicant shall comply with all applicable local, State and Federal requirements and regulations.

6. This approval is founded on each individual requirement. Should the applicant successfully challenge any such finding or requirement, this approval is null and void.

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.