GUNNISON COUNTY, COLORADO
PLANNING OFFICE STAFF REPORT
Sciortino Subdivision

Land Use Change Permit Application:	Sciortino Subdivision
Application No.:	LUC #2016-00038
Date application scheduled with Planning Commission:	January 6, 2017
Prepared by:	Neal Starkebaum, Assistant Director

OWNER:	Caleb Brewer and Chad Anderson 318 Elk Crested Butte, CO 81224
APPLICANT NAME:	Warren Anthony Sciortino P.O. Box 3713 Crested Butte, CO 81224 Under contract from Brewer and Anderson
REPRESENTED BY:	Marcus Lock and Jacob With Law of the Rockies 525 N. Main Street Gunnison, CO 81230
STATUS OF APPLICATION:	Work session on January 6, 2017
ATTACHED EXHIBITS:	▪ Minor Impact Application
PLANNING COMMISSION TASKS AT INITIAL WORK SESSION:	— Acknowledge receipt of application by applicant name, name of development (if applicable) and date of application — Hear applicant presentation — Identify and consider issues — Determine an initial impact classification, considering both by definition and criteria of Section 3-111: B. 1. — 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 — Determine if application is ready to be set for public hearing, or if other work session is required

PROJECT DESCRIPTION:		In 2006, the previous owner, Tad Puckett conveyed 35-acres from a 60-acre parcel, to Bersaw LLC, resulting in the creation of two parcels, one of 35-acres and one of 25-acres. This conveyance created an illegal subdivision of land pursuant to Colorado CRS 30-28-101(10)(b) and the Gunnison County Land Use Resolution. The 25-acre parcel is currently under contract. The applicant is requesting to legitimize the conveyance of the 25-acre parcel as a legal, subdivided lot.
INITIAL IMPACT CLASSIFICATION:		Minor Impact Project, based upon classification found in *Section 6-102: Projects Classified as Minor Impact Projects A. 2-4 Units*.
OTHER CRITERIA OF IMPACT CLASSIFICATION (SEC. 3-111. B. 1.)		**Demand for public services.** 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. **Impacts on impact area and the environment.** The proposed land use change is expected to generate a minor or a major impact on the impact area. **Impacts related to all existing and proposed development and proposed development in impact area.** 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.
AGENCY AND DEPARTMENT REFERRALS:		The following entities were sent a copy of the application, with a request to provide comment: ▪ Brooke Vasquez, NRCS, Sage-grouse review comments, December 15, 2016
PROPERTY LOCATION:		The property is located directly east of Highway 135, approximately 18.5 miles north of the City of Gunnison. The property is legally described as being within the SW1/4NW1/4 Section 2 and the SE1/4NE1/4 Section 3, Township 15 South, Range 85 West, 6th P.M, consisting of 25.32-acres.
SURROUNDING LAND USES:		West – Reserve on the East River 35+ acre parcels, vacant (across Highway 135) North – CDOT Exempt Parcel – 23-acres; vacant - (part of 1, Section 3, the other part of Lot 1, Section 3 is a 12-acre CDOT parcel across Highway 135 – 35-acres) East – USFS – National Forest South – 35+ acre parcel; 35+ acre parcels in Roaring Judy Ranch
EA or EIS is required for this project	☐ Yes ☒ No	
Project located in Special Geographic Area	☐ Yes ☒ No	
Phasing proposed	☐ Yes ☒ No	
Is a Partially Exempted land use change (Section 1-106)	☐ Yes ☒ No	
PRE-APPLICATION CONFERENCE:		No pre-application conference was conducted. (Optional)

APPLICABILITY OF *LAND USE RESOLUTION* STANDARDS:		
STANDARD, BY LUR SECTION, DIVISION AND/OR ARTICLE	**Plan complies, or compliance will be determined during review**	**Staff Comments/ References to specific documentation**
9-101: E. and F.: Secondary residences are allowed, and standards are addressed in covenants	☐ Yes ☐ No ☒ N/A	The application does not contemplate a second residence.
10-102: Locational standards for residential development	☐ Yes ☒ No ☐ N/A	A. The parcel is not part of an agricultural operation
	☐ Yes ☒ No ☐ N/A	B. 1. The parcel is not adjacent to an existing population center.
	☐ Yes ☒ No ☐ N/A	2. The parcel is not within a municipal three mile plan area.
	☐ Yes ☐ No ☒ TBD	3. Creates no significant net adverse impacts.

10-103: Residential density	☐ Yes ☐ No ☒ TBD	The applicant is requesting to legitimize the illegal subdivision of a 25-acre parcel. C. 1. The proposed parcel is not located within a municipal three- mile area. 2. The proposed density is one unit/25-acres; The applicant shows a 2.5-acre developable area on the parcel. 3. Unless exempted, lot size and lot density shall be substantially similar to neighborhood parcels unless the standards of (a) or (b) are met: **a. CONDITIONS ARE APPROPRIATE FOR SMALLER LOTS OR GREATER DENSITY**. The project shall be considered for smaller lots or greater density when all of the following four requirements are met: **1. DEVELOPMENT SERVED BY PUBLIC WASTEWATER TREATMENT SYSTEM.** The development is or will be served by a public wastewater treatment system, by approval of the subject application pursuant to *Section 12-106: Sewage Disposal/Wastewater Treatment.* **2. DEVELOPMENT SERVED BY OTHER SERVICES AND FACILITIES.** To the maximum extent feasible, the development is or will be served by a public water supply, public transportation and other public services and facilities by approval of the subject application. **3. COMPATIBLE WITH NEIGHBORHOOD**. The development is compatible with the neighborhood existing when the Land Use Change Permit application is submitted. Methods of ensuring compatibility may include, but are not limited to:

		a. PERMANENT COVENANTS TO ENSURE CONTINUED COMPATIBILITY WITH NEIGHBORHOOD USES AND DENSITIES. The proposed development includes permanent protective covenants that, at a minimum, address the following, to ensure that, if approved, it remains compatible with the neighborhood uses and densities that exist as of the date of approval of the Land Use Change Permit: **1. DESIGN STANDARDS**. Building exterior design standards. **2. LANDSCAPING**. Landscaping requirements. **3. OUTSIDE PARKING AND STORAGE**. Standards and limitations on outside parking and storage. **4. COMPATIBILITY OF USES**. Conditions pursuant to *Section 13-119: Standards to Ensure Compatible Uses.* **5. BUILDING SIZE**. Building size. **b. SITE LAYOUT AND DESIGN.** The proposed development shall locate buildings and lots to minimize to minimize visual impact. The nearest parcel smaller than 35+ acres is 1.2 miles to the south. Compliance with the standards of this Section will be determined during the review process
11-103: Development in flood hazard areas	☐ Yes ☐ No ☒ N/A	Not applicable. No water bodies on parcel.
11-104: Development in geologic hazard areas	☐ Yes ☐ No ☒ TBD	The entire parcel is within a rock fall hazard area, according to County mapping.
11-105: Development in wildfire hazard areas	☐ Yes ☐ No ☒ TBD	The area defined as area proposed for development is located in a high to extreme wildfire hazard area, according to County mapping.

11-106: Protection of wildlife habitat areas	☒ Yes ☐ No ☐ N/A	The property is within Gunnison Sage-grouse habitat. See Brooke Vasquez, NRCS, Sage-grouse review comments, December 15, 2016.
11-107: Protection of water quality	☐ Yes ☐ No ☒ N/A	Not applicable. No water bodies are present on the property.
12-103: Road system	☒ Yes ☐ No ☐ N/A	The parcel would be accessed via driveway from State Highway 135.
12-104: Trails	☐ Yes ☐ No ☒ N/A	No trails exist on the property and no new trails are contemplated in this application.
12-105: Water Supply	☐ Yes ☐ No ☒ TBD	A water supply plan would be required.
12-106: Wastewater treatment	☐ Yes ☐ No ☒ TBD	Installation of OWTS
12-107: Fire protection	☒ Yes ☐ No ☐ N/A	The property is within the Gunnison County Fire Protection District.
13-102: B.: Location within municipal three-mile plan area	☐ Yes ☒ No ☐ N/A	The property is not located within a municipal three-mile plan area.
13-103: General Site Plan Standards And Lot Measurements	☒ Yes ☐ No ☐ N/A	The draft site plan shows a 2.5-acre developable area.
13-104: Setbacks From Property Lines And Road Rights-Of-Way	☒ Yes ☐ No ☐ N/A	The draft site plan shows a 2.5-acre developable area.
13-105: Residential Building Sizes And Lot Coverages	☒ Yes ☐ No ☐ N/A	Compliance with this Section is required at the time of building permit application.
13-108: Open Space And Recreation Areas	☐ Yes ☐ No ☒ N/A	No requirement for open space.
13-109: Signs	☐ Yes ☐ No ☒ N/A	No signs have been requested with this application.
13-110: Off-Road Parking And Loading	☒ Yes ☐ No ☐ N/A	A minimum of two parking spaces is required for each residence.
13-111: Landscaping And Buffering	☐ Yes ☐ No ☒ N/A	No landscaping plan is required.
13-112: Snow Storage	☒ Yes ☐ No ☐ N/A	Adequate snow storage is required.
13-113: Fencing	☐ Yes ☐ No ☒ N/A	No fencing has been requested in the application.

13-114: Exterior Lighting	☒ Yes ☐ No ☐ N/A	Compliance with this Section is required at the time of building permit/driveway application.
13-115: Reclamation And Noxious Weed Control	☒ Yes ☐ No ☐ N/A	Compliance with this Section is required at the time of building permit/driveway application.
13-116: Grading And Erosion Control	☐ Yes ☐ No ☒ 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	☐ Yes ☐ No ☐ N/A	Compliance with this Section is required at the time of building permit/driveway application.
13-118: Water Impoundments	☐ Yes ☐ No ☒ N/A	No water impoundments are included in this application
13-119: Standards To Ensure Compatible Uses	☐ Yes ☐ No ☒ TBD	Planning Commission may determine that the proposed development meet the requirements of this Section, or that additional conditions/covenants may be necessary.