GUNNISON COUNTY, COLORADO
PLANNING OFFICE STAFF REPORT
Free Subdivision

Land Use Change Permit Application:	Free Subdivision
Application No.:	LUC #2016-00040
Date application scheduled with Planning Commission:	January 6, 2017
Prepared by:	Neal Starkebaum, Assistant Director

APPLICANT NAME:	James C. Free 14920 6000 Road Montrose, CO 81403
OWNER:	James and Shirley Bruck P.O. Box 213 Cimarron, CO 81220
REPRESENTATIVE:	Jim Free
STATUS OF APPLICATION:	Work session on January 6, 2017
ATTACHED EXHIBITS:	▪ Minor Impact Review 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:	The applicant is requesting the subdivision of 32.428-acres into two single-family lots: Lot 1, 5.898-acres (with existing cabin) and Lot 2, 26.53-acres (with three existing cabins) to settle a family estate. All of the cabins are served by exiting springs and pit privies. Existing access is from Hampton Road, via County #858 (Big Cimarron Road). No covenants are proposed, and no changes to the existing developed property is contemplated. The existing cabins date back to the early/mid 20th century. The 32-acre legal parcel was created as a remainder tract, during the subdivision of Silverjack Subdivision, in 1973.

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 comments: ▪ Colorado Division of Water Resources
PROPERTY LOCATION:		The property is located approximately 14 miles south of Highway 50, directly west of County Road #858 (Big Cimarron Road), adjacent to Silverjack Subdivision. The property is legally described as being situated in U.S. Government Lots 9, 10, 15 & 16, Section 5, Township 46 North, Range 6 West, N.M.P.M.
SURROUNDING LAND USES:		West – developed residential lots within Silverjack Subdivision, ranging in size from 5 – 10 acres. North – 165-acre tract, agricultural East –410-acre tract (across CR#858), agricultural South – developed residential lots within Bearclaw Subdivision
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	Not applicable.
9-102: Home occupations	☒ Yes ☐ No ☐ N/A	Allowed, subject to compliance with this Section.
9-103: Bed and breakfast	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
9-203: Mobile home communities	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
9-302: Farm or ranch stand	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
9-303: Dude ranches and resorts	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
9-304: Adult-oriented uses	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
9-305: Seasonal recreational vehicle parks and campgrounds	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
9-400: Minerals and construction materials	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
9-501: Special events	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
9-502: Temporary structures	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
9-503: Satellite dishes	☒ Yes ☐ No ☐ N/A	Permitted as accessory to single-family residence.
9-504: Attached wireless communications devices	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
9-505: Freestanding wireless communications structures	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
9-506: Child care center	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
9-507: Group home	☐ Yes ☐ No ☒ N/A	Not requested as part of this application

9-508: Keeping of livestock not on an agricultural operation	☒ Yes ☐ No ☐ N/A	Keeping of livestock is allowed.
9-509: Camping on individual parcel	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
9-600: Essential housing	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
10-102: Locational standards for residential development	☐ Yes ☒ No ☐ N/A	The proposed subdivision is not located adjacent to an existing population area or within a municipal three-mile area.
10-103: Residential density	☐ Yes ☐ No ☒ N/A	The parcel has existing residences.
10-104: Locational standards for commercial, industrial or other non-residential uses	☐ Yes ☐ No ☒ 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	☐ Yes ☐ No ☒ N/A	The property contains a narrow floodplain on Big Cimarron Creek, according to County mapping. No impact to existing development.
11-104: Development in geologic hazard areas	☐ Yes ☐ No ☒ N/A	The property contains no geologic hazards, according to County mapping.
11-105: Development in wildfire hazard areas	☒ Yes ☐ No ☐ N/A	The property is located in a low wildfire hazard area, according to County mapping.
11-106: Protection of wildlife habitat areas	☐ Yes ☐ No ☒ N/A	The property is not within Gunnison Sage-grouse habitat.
11-107: Protection of water quality	☐ Yes ☐ No ☒ N/A	No impact from existing residences.
11-108: Standards for development on ridgelines	☐ Yes ☐ No ☒ N/A	The property is not a ridgeline project.
11-109: Development that affects agricultural lands	☐ Yes ☐ No ☒ N/A	There are agricultural lands in the immediate area.
11-110: Development beyond snowplowed access	☐ Yes ☐ No ☒ N/A	The property is not beyond snowplowed access. Montrose County provides winter plowing of CR #858.

11-111: Development on Inholdings in national wilderness	☐ Yes ☐ No ☒ N/A	The property is not an inholding within national wilderness area.
11-112: Development above timberline	☐ Yes ☐ No ☒ N/A	The property is not above timberline.
12-103: Road system	☒ Yes ☐ No ☐ N/A	The proposed lots and existing cabins are accessed by existing driveways from Hampton Road.
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 ☐ N/A	The water supply for the parcels are supplied by existing decreed springs.
12-106: Wastewater treatment	☒ Yes ☐ No ☐ N/A	Existing residences use historical pit privies.
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 development is not within a municipal three-mile plan area.
13-103: General Site Plan Standards And Lot Measurements	☒ Yes ☐ No ☐ N/A	Existing residences.
13-104: Setbacks From Property Lines And Road Rights-Of-Way	☒ Yes ☐ No ☐ N/A	Existing residences.
13-105: Residential Building Sizes And Lot Coverages	☒ Yes ☐ No ☐ N/A	Existing residences.
13-106: Energy And Resource Conservation	☐ Yes ☐ No ☒ N/A	Compliance with this Section is required at the time of building permit application.
13-107: Installation Of Solid-Fuel-Burning Devices	☐ 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 is required of this application.
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	Existing.

13-111: Landscaping And Buffering	☐ Yes ☐ No ☒ N/A	No landscaping plan is required for new minor impact residential subdivisions.
13-112: Snow Storage	☒ Yes ☐ No ☐ N/A	Adequate snow storage is available within the lots.
13-113: Fencing	☐ Yes ☐ No ☒ N/A	No fencing has been requested in the application.
13-114: Exterior Lighting	☐ Yes ☐ No ☒ N/A	Applicable at time of building permit application.
13-115: Reclamation And Noxious Weed Control	☐ Yes ☐ No ☒ N/A	Reclamation and noxious weed control required at time of building permit 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	No covenants are proposed. Planning Commission may determine that the proposed development meets the requirements of this Section, or that additional conditions/covenants may be necessary.