

1 - July 12, 2022 BOCC Work Session agenda

2 - 7th Judicial Community Corrections Board interview_Mike King

3 - Manufactured Housing Strategy

4 - Wildfire Policy Discussion

GUNNISON COUNTY BOARD OF COMMISSIONERS
MEETING NOTICE

DATE: Tuesday, July 12, 2022

Page 1 of 1

PLACE: Board of County Commissioners' Meeting Room at the Gunnison County Courthouse
200 E. Virginia Avenue; Gunnison, CO 81230
(REMOTE OPTION BELOW)

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS WORK SESSION:

- 8:30 am
 - Call to Order
 - Gunnison County Boards and Commissions Interview:
 - 1. 7th Judicial Community Corrections Board
 - 8:30 am: Mike King
- 8:45
 - Manufactured Housing Strategy
- 9:20
 - Wildfire Policy Discussion

Please Note: Packet materials for the above discussions will be available on the Gunnison County website at <http://www.gunnisoncounty.org/meetings> prior to the meeting.

ZOOM MEETING DETAILS:

Join Zoom Meeting: <https://us02web.zoom.us/j/82753657556?pwd=MjNDbTZHTFNrRVdDemZJdC91aVBIZz09>

Meeting ID: 827 5365 7556

Passcode: 471302

One tap mobile

+12532158782,,82753657556#,,,,*471302# US (Tacoma)

+13462487799,,82753657556#,,,,*471302# US (Houston)

AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Gunnison County Boards and Commissions Interview:

Action Requested: Discussion

Parties to the Agreement:

Term Begins:

Term Ends:

Grant Contract #:

Summary:

Applicant to interview for an out-of-cycle appointment to the 7th Judicial Community Corrections Board

Fiscal Impact: n/a

Submitted by: Melanie Bollig

Submitter's Email Address: mbollig@gunnisoncounty.org

Finance Review:

Required

Not Required

Comments:

Reviewed by:

Discharge Date:

County Attorney Review:

Required

Not Required

Comments:

Reviewed by:

Discharge Date:

Certificate of Insurance Required

Yes No

County Manager Review:

Comments:

Reviewed by: GUNCOUNTY1\mbirmie

Discharge Date: 7/8/2022

Consent Agenda

Regular Agenda

Worksession

Time Allotted: 15

Agenda Date: 7/12/2022

Melanie Bollig

Subject: FW: 7th Judicial District Community Corrections Board

From: Mike King <mjking@western.edu>

Sent: Tuesday, June 14, 2022 2:39:31 PM

To: Elizabeth K. Smith <EKSmith@gunnisoncounty.org>

Subject: Re: 7th Judicial District Community Corrections Board

[EXTERNAL SENDER - USE CAUTION]

Liz,

I would be interested in serving on the 7th Judicial District Community Corrections Board.

I look forward to discussing the responsibilities and expectations when I return to Gunnison.

Sincerely,

Mike

AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Manufactured Housing Strategy

Action Requested: Discussion

Parties to the Agreement:

Term Begins:

Term Ends:

Grant Contract #:

Summary:

Gunnison County Manufactured Housing Strategy Recommendation presented by Megan Miles for CU Capstone Project

Fiscal Impact:

Submitted by: Cathie Pagano

Submitter's Email Address: cpagano@gunnisoncounty.org

Finance Review:

Required

Not Required

Comments:

Reviewed by:

Discharge Date:

County Attorney Review:

Required

Not Required

Comments:

Reviewed by:

Discharge Date:

Certificate of Insurance Required

Yes No

County Manager Review:

Comments:

Reviewed by: GUNCOUNTY1\mbirmie

Discharge Date: 5/12/2022

Consent Agenda

Regular Agenda

Worksession

Time Allotted: 30 minutes

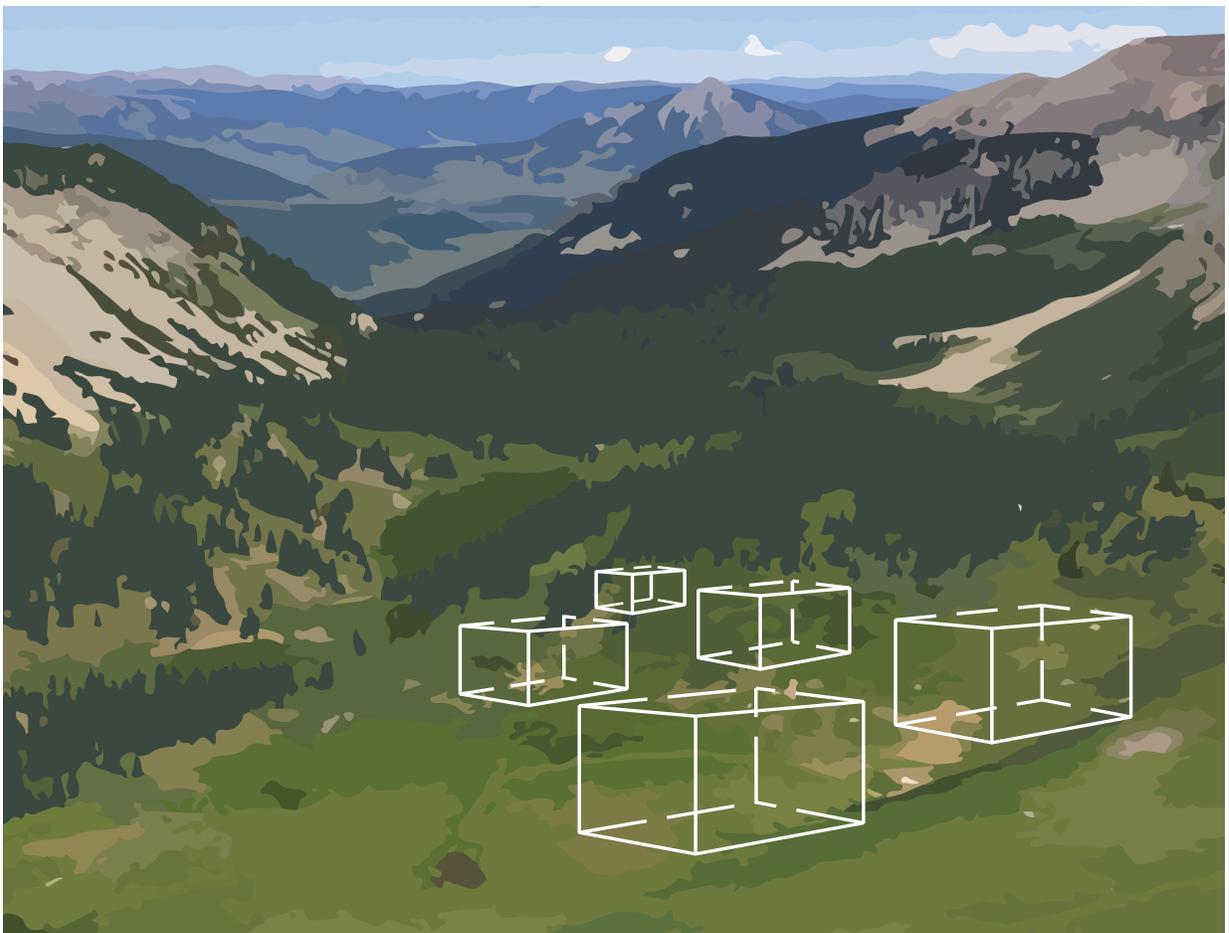
Agenda Date: 7/12/2022

Gunnison County

Manufactured Housing

Strategy

A capstone project by Megan Miles



PREPARED FOR:

Cathie Pagano
Director, Community & Economic
Development, Gunnison County

SUBMITTED :

May 12, 2022

**University of Colorado at Denver
College of Architecture and Planning**

Gunnison County Manufactured Housing Strategy

By

Megan Miles

A Capstone Project for Cathie Pagano with
The Community and Economic Development Department of
Gunnison County
Submitted to the College of Architecture and Planning of
The University of Colorado at Denver
In Partial Fulfillment
Of the Requirements for the Degree of
Masters of Urban and Regional Planning

May 12, 2022

Contents

Executive summary

Introduction	1
Background & context	3
Mobile Homes in the United States	3
Mobile Homes in Colorado	5
Gunnison County Context	6
Key issues & opportunities for action	9
Methodology	9
Recommendations	13
Stabilization	
A. Preserve existing mobile home parks.	15
B. Support alternative ownership structures.	19
C. Help mobile home park residents stay in place.	22
Quality	
D. Improve habitability and energy efficiency.	24
E. Work towards park infrastructure upgrades.	26
Conclusion	28
References	29
Appendix A: PiER Survey Results	31

Exhibits

Summary: Key challenges	executive summary
Summary: Recommendations & implementation	executive summary
Registered mobile home parks in Gunnison	7
Key challenges in Gunnison MHPs	12
Recommendations	14
Implementation	27

Executive summary

Mobile homes are a critical source of affordable housing and low-income homeownership opportunities. In Colorado, mobile home parks house more than 100,000 people, including many low-wage workers, immigrants, seniors, and families. Mobile home residents face unique challenges that can make them particularly vulnerable to housing insecurity and displacement. As demand for affordable housing surges in Colorado, some communities are beginning to explore how to preserve existing mobile home parks and stabilize park residents.

This capstone project presents targeted and actionable recommendations to preserve and protect Gunnison County's mobile home communities, improve residents' quality of life, and increase the capacity of residents to better advocate for themselves. This manufactured housing strategy is intended to be used as a resource for local policy makers, government leaders, and service providers, including the Gunnison County Board of Commissioners, Community and Economic Development Department, and the Gunnison Valley Regional Housing Authority.

To develop these recommendations, I researched common challenges faced by mobile home residents, then met with key stakeholders and park residents to better understand the specific challenges and context of Gunnison County. I also incorporated data from a 2021-2022 survey of park residents conducted by Partners in Evaluation and Research (PiER), a research group affiliated with Kaiser Permanente that is studying the impact of statewide mobile home park policies. After identifying key challenges, I conducted an analysis of emerging best practices to develop recommendations for Gunnison County.

This project offers a way to better understand and support an integral but often overlooked source of affordable housing. Manufactured housing strategies are a new and innovative tool that can provide local governments with a framework of supports and resources for some of their most vulnerable residents. Findings from this project address issues of housing insecurity, social equity, community capacity building, and engagement of historically marginalized communities and will be relevant to many communities, urban and rural.

Summary: Key challenges in Gunnison County mobile home parks



Summary: Recommendations & implementation

Category		#	Recommendation	outcome					implementation			
				preserve MHPs	resident protections	affordability	improved quality	improved relationships	Level of Effort	staff	funding	outside resource
Stability	Preserve existing mobile home parks.	A1	Explore land use strategies for park preservation.	x					high	x		
		A2	Work with City of Gunnison to explore joint opportunities for preservation.	x					medium	x		
		A3	Work with park owners to preserve mobile home parks and affordability.	x	x	x		x	high	x		
		A4	Develop a displacement plan in case of mobile home park closure.		x	x			medium	x		
		A5	Update the Gunnison County Strategic Plan to explicitly reflect the preservation of mobile home park as a priority.	x					low	x		
		A6	Continue to pursue the development of other sources of affordable housing that could serve current mobile home park residents.	x		x			high	x	x	
	Pursue opportunities to align land and homeowner interests.	B1	Pursue opportunities for resident ownership of for-sale parks.	x	x			x	medium	x	x	x
		B2	Pursue opportunities for nonprofit ownership of for-sale parks.	x	x	x		x	medium	x		x
		B3	Provide financial and technical support to help mobile home park residents organize and create and maintain resident associations.	x			x		high	x	x	
	Help mobile home park residents stay in place.	C1	Adopt local ordinances that protect residents' rights.		x				medium	x		
		C2	Provide public, translated resident resources, help connect residents to legal representation and mediation services, and support "know your rights" trainings.		x				low	x		x
		C3	Develop a model lease.		x			x	low	x		x
		C4	Connect residents to emergency rental assistance funds and other emergency supports.		x	x			low	x		x
		C5	Advocate for improvements to the State Mobile Home Park Act.		x	x		x	low			x
	Quality	Improve habitability and energy efficiency of mobile homes.	D1	Create mobile home repair or replacement program for income-eligible mobile home park residents.			x	x		high	x	x
D2			Continue energy efficiency and weatherization programs such as GV-HEAT.			x	x		medium	x	x	
Upgrade park infrastructure.		E1	Support park owners in making infrastructure, quality of life, and accessibility improvements to parks.			x	x		high	x	x	
		E2	Modify land use regulations to require roads to be brought up to standard.				x		high	x		

Introduction

Approximately twenty million Americans, or one out of every 18 people, live in mobile homes*, and nationally they account for one out of every seven new housing units built (Pierce et al. 2018; Aman & Yarnal, 2010). Mobile homes comprise the largest source of unsubsidized affordable housing – and one of the largest sources of affordable homeownership – in the country (Sullivan et al., 2021). Although mobile homes provide critical housing stock for low-income Americans, particularly in urban metro areas, they often go unacknowledged as part of a community’s range of affordable housing solutions. Mobile home parks have long been stigmatized as undesirable, and many jurisdictions have encouraged the redevelopment of mobile home parks for other land uses or implemented zoning restrictions that limit where mobile home parks can be located (Sullivan, 2018).

However, as housing prices skyrocket across the country, pricing out critical members of the workforce – a 2021 study by the National Low Income Housing Coalition found that there was no state in the country where a person working a full-time minimum wage job could afford a two-bedroom apartment – more municipalities and local governments are recognizing mobile home

Mobile home – a preconstructed home built before 1976

Manufactured home – a preconstructed home built in 1976 or later, which must adhere to federal standards for construction & performance

communities as a valuable source of naturally occurring affordable housing and are seeking opportunities and strategies to protect and preserve these communities.

Mobile home parks are increasingly being purchased as investment opportunities by large corporations, who may close parks, evict residents, or raise rents upon purchasing a park (Sullivan, 2018). Many mobile home parks operate using a land-lease model in which residents own their home but rent the lots on which their homes sit, creating opportunities for exploitation and leading to tenuous living situations for many residents. Colorado has recently enacted new protections for mobile home residents, including an “opportunity to purchase” provision that requires park owners to give residents 90 days’ notice before any significant change in park ownership or use and to negotiate in good faith with residents who make an offer on their park. However, to date few resident communities have been successful in purchasing parks; since HB 20-1201 was signed, only four out of at least 80 parks that have been put on the market have been successfully purchased by residents (Waddell, 2022).

* The terms “mobile home” and “manufactured home” are often used when referring to housing located within mobile home parks (MHPs). Both are correct and apply different categories of home in MHPs. Homes built before to June 15, 1976 are called “mobile homes.” Homes built after that date, which must follow Housing and Urban Development (HUD) standards for construction, design, performance and installation, are termed “manufactured homes.” Both terms are used interchangeably in this document.

Gunnison County is a mountainous county centrally located in Colorado, 200 miles south of Denver. It is the fifth largest county in Colorado, with an estimated 2020 population of 16,910 people and population density of 5.2 people per square mile. The county includes Gunnison National Forest, the White River National Forest, and several national wilderness areas, as well as the popular ski destination of Crested Butte. Its economy is primarily based on agriculture, ranching, and tourism.

Gunnison County and the City of Gunnison include a number of mobile home communities. Over the past several years residents of those communities have expressed to their elected officials concerns related to their treatment from landlords, adequacy of infrastructure, health and safety of their homes, fears of losing their homes, and numerous other challenges. Development and support of workforce housing has been a goal of the Gunnison County Strategic Plan since 2016; like many mountainous regions in Colorado, Gunnison County is in the midst of a housing crisis that has been exacerbated by the COVID-19 pandemic and is disproportionately impacting vulnerable populations, including low-wage and seasonal workers. Gunnison County seeks to preserve mobile home communities as an important part of the County's affordable and workforce housing stock, and the County Commissioners have made it a priority to support and improve these communities in ways that align with residents' desires and needs.

The goal of this capstone project is to create a manufactured housing strategy that presents targeted and actionable recommendations to preserve and protect Gunnison County's mobile home communities,

improve residents' quality of life, and increase the capacity of residents to better advocate for themselves. This project has been developed in coordination with County staff, local mobile home residents, and advocates working to organize and support park residents in Gunnison County. Recommendations draw from best practices in other communities but are targeted towards the specific needs of Gunnison County. The manufactured housing strategy is intended to be used as a resource for local policy makers, government leaders, and service providers, including the Gunnison County Board of Commissioners, Community and Economic Development Department, and the Gunnison Valley Regional Housing Authority.

This project offers a way to better understand and support an integral but often overlooked source of affordable housing. Manufactured housing strategies are a new and innovative tool that can provide local governments with a framework of supports and resources for some of their most vulnerable residents. This project reviews key information about manufactured housing in the United States, including its role in the housing market, the history of manufactured housing and the development of mobile home park communities, and common challenges experienced by mobile home park residents. This project also identifies issues specific to manufactured housing within Colorado and Gunnison County and reviews Gunnison County's current policies addressing manufactured housing. Findings from this project address issues of housing insecurity, social equity, community capacity building, and engagement of historically marginalized communities and will be relevant to many communities, urban and rural.

Background & context

Mobile Homes in the United States

Mobile homes comprise the largest source of unsubsidized affordable housing in the United States (Sullivan et al., 2021). Nationally they account for one out of every seven new housing units built (Pierce et al., 2018; Aman & Yarnal, 2010). Three quarters of households living in mobile homes earn \$50,000 or less, and approximately 80% of mobile home residents own their home, making them one of largest sources of affordable homeownership in the country (Sullivan, 2018). In 2011, manufactured homes made up a third of new homes sold under \$200,000, half of new homes under \$150,000, and nearly three quarters of homes sold under \$125,000 (Sullivan et al., 2021).

Although mobile homes provide critical housing stock for low-income Americans, particularly in urban metro areas, they are rarely included in conversations about affordable housing solutions. In fact, mobile home communities have been stigmatized in many communities, zoned out of municipal areas or redeveloped into higher-value real estate (Sullivan, 2018). Mobile homes have also not been widely studied in academic circles; much of the research that does exist has focused on crime within mobile home communities, their role as emergency and temporary housing, and the disadvantages of mobile home ownership. It is only relatively recently that mobile homes have been analyzed through a social justice lens (Pierce et al., 2018). These exclusions may be partially attributable to the

fact that mobile homes did not originate as housing, but rather as accessories for automobiles; they continue to be perceived as transitory housing despite most remaining in one location for the duration of their use.

As mobile homes became an increasingly common form of housing in the post-World War II era, more regulations evolved to monitor where and how they could be built. In 1976, the U.S. Department of Housing and Urban Development (HUD) instituted the Manufactured Home Construction and Safety Standards (the “HUD code”). This code established federal standards for manufactured housing, including regulations for design and construction, strength and durability, fire resistance, ability to be transported, energy efficiency, and performance standards. Homes built after the establishment of this code are classified as manufactured housing instead of mobile homes, a name that also implies more permanence by de-emphasizing their mobility (Sullivan, 2018).

Despite the stigma often associated with mobile homes, residents who live in them tend to be happy with their choice. Aman and Yarnal (2010) found in one study of Pennsylvania mobile home residents that survey respondents were overwhelmingly satisfied with their choice of housing; 89% replied that they were either very satisfied or somewhat satisfied with their living arrangements. Thirty-eight percent had lived in a mobile home for more than 20 years. Residents noted their affordability and ability to be sited in places where

construction was expensive or materials were limited. They also cited their home's layout, low cost of maintenance, and the surrounding community as reasons they liked their mobile home, a finding that has been repeated in other communities (Sullivan, 2018). However, mobile home residents also contend with unique challenges, including the following:

Financing

Even though mobile homes primarily function as permanent housing, they continue to be financed like cars, usually through chattel loans with interest rates up to five percentage points higher than traditional mortgages (Aman & Yarnal, 2010). They are not typically eligible for financing support or subsidies from the federal government, which prioritizes more "permanent" forms of housing despite the fact that mobile home owners are less likely to move than renters or owners of site-built homes (Sullivan, 2018). Most mobile homes depreciate in value and may include hidden costs, such as higher energy and repair costs. They can also be repossessed in as few as 30 days if the owner misses a payment, while site-built homes go through a much longer foreclosure process (Aman & Yarnal, 2010).

The Evolution of Mobile Homes as Affordable Housing

In the 1920s, "covered wagon" trailers designed to be hauled behind a car began to gain popularity, both as luxury items for the upper class and as temporary housing for lower-income Americans. Some of these lower-income residents, whose trailers were usually homemade, began to settle in municipal campgrounds originally designed for vacationers; during the Great Depression, these areas morphed into "parks" filled with trailers, which functioned as affordable housing for displaced people in search of work, including migrant workers fleeing the Dust Bowl. Over time, some of these squatters' camps developed into more permanent settlements on the outskirts of cities, drawing criticism from middle- and upper-class residents who viewed the newcomers as seedy, immoral, and drains on community resources. Public outcry over new settlements prompted City Councils to enact policies and ordinances prohibiting mobile homes and/or restricting where they could be parked (Sullivan, 2018).

World War II reignited the mobile home industry by creating a surge in demand for housing near the country's defense plants, ultimately leading to more relaxed regulations and recognition of mobile homes as permanent housing. New models were developed, including ten- and twelve-foot-wide trailers that could no longer be pulled behind a standard vehicle, marking a shift in emphasis from "mobile" to "homes." Many of the mobile home parks and trailers that were built during this mid-century boom continue to be in operation today. Driven in part by cuts to federal housing assistance, along with rising rents and housing costs, mobile homes have maintained popularity amongst low- and moderate-income Americans looking for an opportunity at homeownership; they represented the fastest-growing form of new housing in the country at the beginning of the twenty-first century (Sullivan, 2018).

Siting and location

Residents in the first trailer parks were derided as “gasoline gypsies” in the press and seen as destabilizing influences on local economies (Sullivan, 2018); in many places they continue to be perceived as having a negative impact on real estate and social character (Aman & Yarnal, 2010). This stigma is reinforced through zoning regulations and planning policies that often limit mobile home parks to urban edges on less desirable land, including in commercial and industrial areas and require them to be separated from single-family and other residential zones and screened from view by walls or shrubberies. One analysis of Los Angeles mobile homes found that more than 40% were located in areas zoned for commercial or industrial purposes and were more likely to be located in areas with environmental hazards (Pierce et al., 2018). Mobile homes tend to be located further from community services and employment opportunities and are more likely to be located in flood zones (Aman & Yarnal, 2010; Pierce et al., 2018; Sullivan et al., 2021). Because many places do not consider mobile home parks to be the “highest or best use” of land in a densifying urban real estate market, municipalities are frequently willing to rezone them to different land uses, often leading to the mass eviction and displacement of residents (Sullivan, 2018).

Land tenure

Although approximately 80% of mobile home residents own their home, only 14% of residents own the land under their units, creating a tenuous ownership structure that disadvantages mobile home owners, who do not have the same protections or “bundle of rights” as traditional homeowners. Most mobile homes are not structurally sound enough to be moved multiple times, and moving can be extremely costly. Mobile home

owners can be evicted if their park is sold or closed, and residents whose homes are too old or expensive to move may be forced to abandon them (Sullivan, 2018). Mobile home owners are therefore at the mercy of park owners, who may raise rents and/or underinvest in maintenance without the threat of losing tenants. This structure benefits companies looking to invest in mobile home parks as cash-generating operations; in 2017, Frank Rolfe, a Colorado Springs-based entrepreneur who co-founded Mobile Home University to support potential investors in purchasing parks, described a typical mobile home park as “a Waffle House where customers are chained to their booths” (Kolhatkar, 2021).

Mobile Homes in Colorado

More than 100,000 people live in more than 900 mobile home parks across Colorado. In 2019, the *Colorado Sun* brought together a coalition of more than a dozen local newsrooms to report on mobile home communities across the state. The project, entitled “Parked: Half the American Dream,” found that mobile home residents in Colorado faced significant challenges, including increasing tensions between mobile home residents and park owners fueled in part by the consolidation of mobile home park ownership from local “mom and pops” to private equity investors and corporations, which was leading to displacement, redevelopment of existing parks, and worse quality of life for residents. Mobile homes often serve as housing for workers in the hospitality and tourism industries, including immigrants and undocumented residents, vulnerable populations particularly at risk of exploitation (Brown & Simpson, 2019).

Mobile home parks are regulated in Colorado through the 1985 Mobile Home Park Act. The Colorado State

Legislature has recently passed several bills to protect and extend the rights of mobile home residents:

House Bill 19-1309 (2019) allows local governments to enact laws for the safe and equitable operation of mobile home parks in their jurisdictions and permits county governments to enact local laws that protect mobile home residents in unincorporated areas of the county and to establish agreements with adjoining counties and municipalities within their jurisdiction. It created a mobile home park registry, a process to resolve disputes between park owners and residents, and a complaint database to document complaints against park owners. The act also added some eviction protections for tenants, including extending the eviction timeline from 48 hours to 30 – or in some cases, 60 – days.

House Bill 20-1196 (2020) provided several updates to the Mobile Home Park Act, including extending timelines for evictions, clarifying management’s duties concerning maintenance and repair of utilities, and prohibiting retaliation by management.

House Bill 20-1201 (2020) gives mobile home owners the opportunity to make an offer to buy their park if the landlord puts it for sale. It increases the notice of park closure or redevelopment to park residents from six to 12 months and requires owners to give residents 90 days’ notice before a change in ownership. It also requires owners to engage in good faith negotiations with resident groups who attempt to purchase the park.

In addition, the Colorado legislature is considering two bills in 2022 that would further strengthen mobile home residents’ legal rights and protections.

House Bill 22-1287 would provide first right of refusal to purchase for public entity working with a resident-owned community group, extend the opportunity to purchase from 90 to 180 days, strengthen enforcement mechanisms for complaints filed with the Colorado Mobile Home Oversight Program, require landlords to attend up to two public meetings with residents per year, and require landlords to compensate residents who are displaced after a change in use of park.

Senate Bill 22-160 would establish a revolving loan and grant program to provide assistance and financing to mobile home owners seeking to organize and purchase their mobile home parks.

Gunnison County Context

Gunnison County, like many mountain communities, is experiencing an acute housing crisis. In 2016, the Gunnison Valley Regional Housing Authority commissioned a Housing Needs Assessment, which identified the need for 1,000 new affordable housing units. There are not enough homes on the market to meet a surging demand, in part because existing housing stock is being increasingly used for second homes and vacation rentals. The median home price in Crested Butte reached \$1 million in 2020, an increase of 38% over the previous year. In the city of Gunnison, previously a relatively affordable alternative for valley service workers, home prices have risen 57% and average monthly rental prices have increased by \$400 since 2016 (Rees et al., 2016).

To better understand mobile homes in Gunnison County, I cross-referenced park registration data from the Department of Local Affairs (DOLA) Mobile Home Park Oversight Program with Gunnison County Assessor data. Records may be incomplete and should be used as an estimate only.

Registered mobile home parks in Gunnison County

Park name	Address	City	# of units	% pre-1976 units	% owner-occupied units	Jurisdiction
50 High Trailer Park	1006 W Tomichi Ave	Gunnison	17	94%	0%	city
Carolyn Kulhanek Mobile Home Park	614 W Gunnison Ave	Gunnison	5	80%	100%	city
CCNB Properties, LLC	912 W Gunnison Ave	Gunnison	12	100%	0%	city
Cottonwood Parque, LLC	700 W Hwy 50	Gunnison	13	77%	0%	city
Country Meadows (Ski Town Village)	2388 State Highway 135	Gunnison	57	81%	95%	county
E & F Trailer Court	220 N Boulevard	Gunnison	17	53%	71%	city
Gunnison Lakeside Cabins & RV Park	28357 US Highway 50	Gunnison	23	61%	91%	county
Holden Village	1010 West Virginia Ave	Gunnison	40	95%	0%	city
Mountain High Park	507 W New York Ave	Gunnison	3	67%	100%	city
Park-It Mobile Homes	314 S Reed St	Gunnison	30	80%	27%	city
Rio Grande Mobile Home Park	404 W Rio Grande Ave	Gunnison	17	82%	82%	city
Rio Grande Trailer Park	404 Rio Grande Ave	Gunnison	n/a	n/a	n/a	city
Slate River Park	1215 W New York Ave	Gunnison	10	0%	90%	city
Three Rivers Resort Mobile Home Park	95 George Bailey Dr	Almont	44	64%	77%	county
Twin Pines Mobile Home Park	301 S 2nd St	Gunnison	74	36%	62%	city
Wildwood Mobile Home Park	1313 W Ohio Ave	Gunnison	39	54%	60%	city

Total units: 401

Percent of units built pre-1976: 66%

Percent of owner-occupied units: 61%

Gunnison County includes 16 registered mobile home parks with approximately 400 units, the majority of which are located within the City of Gunnison. As of 2016, mobile homes made up 3.6% of occupied housing units in the Gunnison Valley. They comprise a larger share of housing in the South Valley, which includes the city of Gunnison and surrounding area, where they make up 4.4% of total housing units, 3.5% of owners and 5.4% of renters. Fifteen percent of residents planning to move identified mobile homes as one of their top three housing choices, though none reported them as the top choice (Rees et al., 2016). Many mobile homes in Gunnison are rentals, and they house a number of Gunnison's immigrant and undocumented population. Gunnison's Housing Needs Assessment found that the majority of participants in a Spanish-speaking focus group lived in mobile homes. These residents reported rapid rises in housing costs due to increasing monthly rents that doubled their housing costs over the course of three years. Spanish-speaking participants reported discrimination, difficulty acquiring loans, unresponsive landlords, and a lack of tenant rights as their main housing problems (Rees et al., 2016).

Gunnison County has several plans that address affordable housing, though not all of them explicitly address mobile homes as an affordable housing strategy. The One Valley Prosperity Project, a collaborative initiative that includes Gunnison County, the City of Gunnison, the Town of Crested Butte, and the Town of Mt. Crested Butte, developed a regional plan in 2016 to guide collaborative efforts and economic development and investment in the Gunnison Valley. The plan, called the One Valley Prosperity Strategy, included affordable housing as one of four key categories for action, and identified ten strategies to increase the availability of affordable housing in the region, including maintaining

the permanent supply of affordable housing. The Gunnison Valley Housing Needs Assessment (2016) explicitly recommends learning from and replicating successful efforts in other communities to redevelop mobile home parks, possibly involving the sale of lots to mobile home owners. The Gunnison Valley Housing Plan (2020) cites mobile home preservation as a tool currently in use by the City of Gunnison but no other jurisdiction in the valley. The plan also recommends that the Gunnison Valley Regional Housing Authority expand its mobile home repair and revitalization programs. The Gunnison County Strategic Plan, which is updated every two years, includes goals related to ensuring sound infrastructure, protecting the environment, promoting prosperous, collaborative, and healthy communities, and delivering high-quality services. The 2019 update to the Strategic Plan only includes one strategy related to affordable housing: facilitating the construction of 200 new workforce housing units by December 2022.

Gunnison County uses a performance-based land use resolution to guide growth and development. The Gunnison County Land Use Resolution includes some regulations related to mobile homes and mobile home communities. Mobile homes in Gunnison are required to be certified according to the National Manufactured Housing Construction and Safety Standards Act of 1974 and are not allowed to have been manufactured prior to 1976; the majority of mobile homes in Gunnison County do not meet these criteria and are therefore not legally allowed to be moved. Mobile home parks are required to have open space, storage space, landscaping and screening and to promote high quality living environment through varied layouts and the promotion of natural terrain. A land use change permit is required to establish a new mobile home park.

Key issues & opportunities for action

Methodology

The recommendations included in this strategy were shaped through input from residents, community advocates, and County staff with extensive experience working with and supporting mobile home residents. I conducted interviews with key stakeholders in Gunnison County to identify critical challenges, suggestions for moving forward, and potential barriers to implementation. I attended monthly meetings of the Organización de Nueva Esperanza (O.N.E.), the resident board of the Country Meadows Mobile Home community located in Gunnison County, which is organizing around the purchase of their mobile home community. I also participated in monthly coordination meetings with Partners in Evaluation and Research (PiER), a research group affiliated with Kaiser Permanente that is currently conducting a two-year study in Gunnison County and other communities across the state to explore the impact of three recently passed statewide mobile home park policies on housing security, safety, and affordability. PiER concluded its Year One survey of residents of Gunnison's mobile home communities in February 2022; their findings informed this mobile home strategy and are summarized below.

In late March, I visited Gunnison County to meet with residents and stakeholders in person. In addition to meeting with County staff, I held a focus group with residents to refine my understanding of key challenges and prioritize issues indicated in the PiER survey findings. I presented residents with a series of problem statements I had developed describing the key challenges faced by mobile home residents in Gunnison County, and asked the residents to review, approve, and prioritize them. I then conducted an analysis of strategies that have been or could be used to address the problem statements and make recommendations for Gunnison County, keeping in mind capacity and funding restrictions.

Stakeholders who provided input on this project included:

- **Cathie Pagano**, Director of Community and Economic Development for Gunnison County
- **Loren Ahonen**, Temporary Disaster Recovery Coordinator, Community and Economic Development of Gunnison County
- **Gesa Michel**, GV Heat and Rehab Loan Coordinator for Gunnison Valley Regional Housing Authority

- **Liz Smith**, Gunnison County Commissioner
- **Marketa Zubkova**, director of the Hispanic Affairs Project (Gunnison Valley Region)
- Residents on the **Organización de Nueva Esperanza** (O.N.E.), the resident board of the Country Meadows Mobile Home community in Gunnison County
- **PiER Community Connectors**, mobile home residents in Gunnison County and the City of Gunnison
- **Cynthia Molina Saenz**, Multicultural Resources Coordinator for Gunnison Health and Human Services
- **Annie Beall**, on-the-ground coordinator and consultant working with the O.N.E. resident board

*Summary of Findings**

The PiER research team conducted a survey of 70 residents in four mobile homes located in Gunnison County and the City of Gunnison. Paper surveys were implemented in English and Spanish. Local resident Community Connectors went door to door in the mobile home parks talking with residents and explaining the survey. Connectors helped residents complete the survey if needed or left the survey with the resident to be returned at a later date. The survey did not ask for residents' names or addresses so the responses were anonymous.

Sixty-four of the 70 survey respondents had lived in the

“Yes, mobile home parks are affordable compared to other places. But they are not affordable for the quality of housing or the condition of the parks.”

Gunnison County mobile home resident

park for more than one year, with an average residence of 7.5 years. Forty-two of the 70 respondents had children living in the house; an average of two to three

* See Appendix A for graphic summaries of some survey responses created by the PiER research team.

“Living in a mobile home is not my first choice. But there is nowhere else to go.”

Gunnison County mobile home resident

adults lived in each mobile home household. Two-thirds of respondents preferred Spanish as their primary language.

Survey respondents indicated that their top concerns included park appearance, water and sewage systems, access to open space, rent and utility bills, and difficulty communicating with park management. Some residents expressed fearing retaliation from park management if they complained or spoke out about challenges at the parks. Nearly one-quarter responded that their housing situation was stressful from day-to-day.

Seventy-nine percent of respondents stated that the top reason they liked living in the mobile home park was the affordability of their home. However, Community Connectors who attended a follow-up meeting to discuss the results of the survey clarified that recent increases in rent were making the parks feel unaffordable and contributing to a sense of instability. Residents in one park reported that their pad rent had increased \$300 after a recent change in management, and residents in multiple parks reported being asked to pay for maintenance that was actually the responsibility of park management. Only one-quarter of survey respondents felt safe from being evicted.

In the focus group I conducted with five residents from parks in both Gunnison County and the City of Gunnison, participants overwhelmingly stressed the instability and precariousness of their housing situation as their primary housing concern. Residents feared that their parks could be sold, rent could be increased, or that they could be displaced at any time, and felt that they had few options if they needed to move. The majority of units in Gunnison mobile home parks are decades old and need significant repairs. Many homes were built prior to the 1976 HUD standards and cannot be legally moved to another area in the county. Those units that can be legally relocated may not survive a move, or the cost of moving would be prohibitively expensive. Focus group participants worried about investing money in critical repairs to their homes without a long-term guarantee of stability, leading some to live in substandard conditions – a concern shared by County staff who worked with residents to install energy efficiency upgrades. Participants also expressed concern over the lack of other affordable housing options in the area; one person shared that she had been looking for an apartment for months but could not find anything in her price range, despite having a stable full-time job.

Key challenges in Gunnison mobile home parks

Category	Challenge	
Stability	Preservation of mobile home parks	County has limited strategies for preserving mobile home parks through zoning and land use regulation.
		Park owners may close parks, evict residents, or raise rents significantly, leading to the displacement of park residents.
		Divided asset ownership results in less housing security and can lead to conflict of interest between MHP residents and owners.
		Mobile home parks are being increasingly targeted by large corporations as investment opportunities. These corporations have the resources to outbid resident and nonprofit offers on for-sale parks.
		Many mobile homes in Gunnison County were built prior to 1976 HUD code and cannot be relocated within the county. Others cannot be moved due to aging infrastructure or prohibitive costs.
	Resident protections	Mobile home residents fear evictions and are not always aware of their rights.
		Many residents, especially undocumented and Latino residents, fear retaliation from park owner if they speak up about problems.
		There is no standard lease; many residents do not have leases or leases in their preferred language.
	Affordability	Mobile home residents may have pad rents increased significantly and without warning. Owners may pass on costs of infrastructure improvements and other maintenance costs to residents.
		Maintenance, repairs, and energy costs are typically higher per sq ft for mobile home owners due to aging of substandard building materials.
Mobile home residents may lack resources or be more reluctant to invest in maintenance and repairs without a guarantee of long-term housing stability, and many live substandard conditions.		
Lending options for mobile homes are limited and less favorable than for site-built homes.		
Quality	Habitability and energy efficiency, & park infrastructure	Parks are very poorly maintained, especially after weather events such as snow storms.
		Residents do not have enough warning when changes are made to park.
		Residents are dissatisfied with routine maintenance and appearance of parks, including lighting and signage.
		Residents are sometimes asked to complete maintenance that should be the responsibility of park owners.
		Roads in the parks are unpaved and not well-maintained.
	Resident-owner relations	Residents do not have clear lines of communication with park managers.
		Park management does not respond to requests/complaints in a timely manner or adequately address problems.
		Though DOLA has established a mobile home oversight and complaint process, there are limited mechanisms for enforcing penalties on park owners who do not comply with regulations.

Recommendations

The following recommendations are divided into two categories: stabilization and quality.

Stabilization refers to recommendations that are primarily focused on preserving mobile home parks and helping park residents stay in place. This includes pursuing opportunities to create alternative ownership structures that better align resident and landowner priorities and providing supports to residents at risk of displacement. These recommendations are prioritized based on input from residents who cited housing stability as the root of their housing concerns.

Quality refers to recommendations that are primarily focused on improving quality of life within the parks, including park infrastructure, maintenance, owner-resident relations, and quality of housing. These recommendations are critical to the day-to-day experience of park residents, but do not fundamentally alter the power imbalance inherent in the land-lease tenancy model that contributes to housing instability and the risk of resident displacement.

Recommendations

			outcome					
Category	#	Recommendation	preserve MHPs	resident protections	affordability	improved quality	improved relations	
Stability	Preserve existing mobile home parks.	A1	Explore land use strategies for park preservation.	x				
		A2	Work with City of Gunnison to explore joint opportunities for preservation.	x				
		A3	Work with park owners to preserve mobile home parks and maintain affordability.	x	x	x		x
		A4	Develop a displacement plan in case of mobile home park closure.		x	x		
		A5	Update the Gunnison County Strategic Plan to explicitly reflect the preservation of mobile home parks as a priority.	x				
		A6	Continue to pursue the development of other sources of affordable housing that could serve current mobile home park residents.	x		x		
	Pursue opportunities to align land and homeowner interests.	B1	Pursue opportunities for resident ownership of for-sale parks.	x	x			x
		B2	Pursue opportunities for nonprofit ownership of for-sale parks.	x	x	x		x
		B3	Provide financial and technical support to help mobile home park residents organize and create and maintain resident associations.	x			x	
	Help mobile home park residents stay in place.	C1	Adopt local ordinances that protect residents' rights.		x			
		C2	Provide public, translated resident resources, help connect residents to legal representation and mediation services, and support "know your rights" trainings.		x			
		C3	Develop a model lease.		x			x
		C4	Connect residents to emergency rental assistance funds and other emergency supports.		x	x		
		C5	Advocate for improvements to the State Mobile Home Park Act.		x	x		x
	Quality	Improve habitability and energy efficiency of mobile homes.	D1	Create mobile home repair or replacement program for income-eligible mobile home park residents.			x	x
D2			Continue energy efficiency and weatherization programs such as GV-HEAT.			x	x	
Upgrade park infrastructure.		E1	Support park owners in making infrastructure, quality of life, and accessibility improvements to parks.			x	x	
		E2	Modify land use regulations to require roads to be brought up to standard.				x	

Stabilization

A. Preserve existing mobile home parks.

■ ■ ■ ■ A1. EXPLORE LAND USE STRATEGIES FOR PARK PRESERVATION.

Some cities and towns across the country are beginning to explore land use solutions to protect and preserve mobile home parks, sometimes reversing historically exclusionary zoning that prevented the expansion of mobile home parks or limited where they could be located. Some emerging best practices are discussed below; Gunnison County staff will need to explore whether and how these strategies could be applied in Gunnison*.

Revise exclusionary zoning policies

Some jurisdictions have historically used zoning policies to exclude mobile homes and mobile home communities from residential districts, or even entirely. Colorado state law prohibits jurisdictions from completely excluding mobile homes but does not require them to be allowed in single-family districts. The National Consumer Law Center recommends that strong local ordinances allow manufactured homes on fee-simple land in all residential districts, including all single-family districts and do not require a conditional use permit or other special approval for manufactured housing (National Consumer Law Center, 2010).

Create a Manufactured / Mobile Home Park zoning district

One of the primary ways local governments are preserving mobile home parks is through the creation of a zoning district or zoning overlay that is specifically designated for mobile home parks. These

* For more examples of local-level policies that support manufactured housing, see [this list](#) curated by Prosperity Now.

are typically applied to existing parks in order to preserve their land use but can also be used for the creation of new mobile home parks. These zone districts typically only allow mobile home parks and closely related uses such as clubhouses and pools, but do not allow other types of commercial or residential uses (Lauder, 2020). Gunnison County uses a performance-based land use resolution to guide growth and development decisions and County staff will need to evaluate whether there are opportunities to implement a similar policy within the County's regulatory system.

Require a special permit to redevelop existing manufactured home parks

Under Colorado law, local jurisdictions can adopt permit systems to control specific land use activities when they do not use zoning districts. Gunnison County could require a special permit, approved by the Board of County Commissioners, to redevelop existing mobile home parks. The County would need to develop objective standards for the county commissioners to use when making their decision to allow conversion or development (Don Elliott, personal communication, April 25, 2022).

Place conditions on the closure of a mobile home community

Some local ordinances require that a mobile home park owner provide a plan for relocation of residents prior to the approval of a land use change. This might include requiring the owner to present a relocation plan, pay for the relocation of residents' homes or compensate residents whose homes cannot be moved, and pay relocation expenses to residents (National Consumer Law Center, 2010). This policy could potentially be included as a requirement for receiving a permit to redevelop a mobile home park.

■ ■ ■ ■ A2. WORK WITH CITY OF GUNNISON TO EXPLORE JOINT OPPORTUNITIES FOR PRESERVATION.

The City of Gunnison is home to 13 of 16 registered mobile home parks located within Gunnison County. The City of Gunnison may be able to more easily implement land use tools for mobile home park preservation, including zoning solutions described above. City and County staff should consider establishing a joint task force to evaluate options for park preservation in both jurisdictions, including how the joint land use review process established in the Three Mile Plan could be used to protect and preserve existing parks.

■ ■ ■ ■ **A3. WORK WITH PARK OWNERS TO PRESERVE MOBILE HOME PARKS AND AFFORDABILITY.**

The County could explore offering tax breaks or other financial incentives to mobile home park owners in exchange for agreements to keep the park open, voluntary restrictions in lot rents, or first right of refusal for purchase if a park goes for sale. Some local governments offer grant or loan funds to invest in infrastructure upgrades and maintenance, including paving roadways, upgrading water and sewer systems, improving site draining, and other improvements that could extend the life of the park. (See recommendations D1 and E2 for more information about potential funding sources).

■ ■ ■ ■ **A4. DEVELOP A DISPLACEMENT PLAN IN CASE OF MOBILE HOME PARK CLOSURE.**

Some communities have developed displacement plans to prepare for the event of a mobile home park closure. These plans may detail financial assistance and organizations that can assist with household relocation as well as policy recommendations and proactive measures to prevent displacement. Some examples of recommendations include requiring a relocation report prior to park closure and developing a local ordinance that extends the notice-of-closure periods (Lauder 2020)*.

* For two examples of displacement plans, see the [City of Fort Collins](#) and [Chapel Hill, NC](#).

■ ■ ■ ■ **A5. UPDATE THE GUNNISON COUNTY STRATEGIC PLAN TO EXPLICITLY REFLECT THE PRESERVATION OF MOBILE HOME PARKS AS A PRIORITY.**

The 2019 Strategic Plan includes one housing-related goal, under the category *D. Deliver High Quality Services*: “By December 31, 2022, Gunnison County will increase the availability of housing by facilitating the construction of 200 new workforce housing units from the 2016 baseline.” Gunnison

County should consider the addition of language that supports the preservation of existing parks*.

* For an example of policy language that could be used, the City of Boulder’s comprehensive plan includes the following policy: **7.08 Preservation and Development of Manufactured Housing** - *Recognizing the importance of manufactured housing as an option for many households, the city and county will encourage the preservation of existing mobile home parks and the development of new manufactured home parks, including increasing opportunities for resident- owned parks. If an existing mobile home park is found to have health or safety issues, every reasonable effort will be made to reduce or eliminate the issues, when feasible, or to help mitigate for the loss of housing through re- housing of affected households.*

■ ■ ■ ■ **A6. CONTINUE TO PURSUE THE DEVELOPMENT OF OTHER SOURCES OF AFFORDABLE HOUSING THAT COULD SERVE CURRENT MOBILE HOME PARK RESIDENTS.**

Mobile home residents shared that there were few, if any, other housing options in the Gunnison Valley that met their household and income needs. Preservation of mobile home parks should be pursued in coordination with the development of other affordable housing to ensure that a broad range of high-quality affordable housing options are available to Gunnison residents.

B. Support ownership structures that align park resident and owner interests.

The land-lease model that is commonly used in mobile home parks, in which a resident owns their mobile home but not the land upon which it sits, can create opportunities for exploitation and lead to instability for residents, who have few options for relocation if rent is increased, the park is not adequately maintained, or if the park is closed or redeveloped. While many mobile home park owners operate well-run and profitable parks, ownership structures that are not based profit motive can better align the interests of park owners and residents.

■ ■ ■ ■ B1. PURSUE OPPORTUNITIES FOR RESIDENT OWNERSHIP OF FOR-SALE PARKS.

National nonprofits such as ROC-USA have popularized resident ownership of mobile home parks through the formation of resident cooperatives to help residents have more control over the park where they live. ROC-USA partners with nonprofit housing providers including Thistle Communities, headquartered in Boulder, to provide financial and technical assistance to residents interested in purchasing their park. The Colorado Mobile Home Act currently requires park owners to provide a 90-day notice to residents when a park goes up for sale in order to give residents the opportunity to organize, pursue financing, and make an offer. Several bills under consideration in the 2022 Colorado legislative session would provide additional supports to residents interested in purchasing their parks; House Bill 22-1287 would extend the opportunity to purchase to 180 days, and Senate Bill 22-160 would establish a revolving loan and grant program to provide assistance and financing to mobile home owners seeking to organize and purchase their mobile home parks.

■ ■ ■ ■ **B2. PURSUE OPPORTUNITIES FOR NONPROFIT OWNERSHIP OF FOR-SALE PARKS.**

Community land trusts (CLTs) are community-based, nonprofit organizations that buy and keep land in trust to create permanent affordable homeownership opportunities and community assets. Community land trusts and other nonprofits provide an alternative to resident ownership that is still guided by the interests of residents, while potentially bringing property management experience and additional financing opportunities.

One example of how a CLT model can be adapted to mobile home parks comes from Elevation Community Land Trust (ECLT), a community land trust that specializes in providing affordable homeownership opportunities for Colorado residents. ECLT is exploring how to transform mobile home ownership by adapting the traditional land-lease structure to a shared appreciation model. After purchasing a park on behalf of residents, ECLT would begin a resident-driven redevelopment, eventually replacing existing mobile homes with new housing units. Redevelopment is phased to avoid displacing residents, who maintain ownership of their units and guide development through a co-op board. Because of ECLT's cash flow structure and ability to access additional grant opportunities and subsidies, they can purchase and invest in park improvements without raising lot rents, which resident-owned communities must typically do to cover their debt service after purchasing a park. ECLT is also responsible for property management and maintenance, which can be a challenge in resident-owned parks.

ECLT is piloting this approach at the Westside Mobile Home Park outside of Durango, which it was recently able to purchase on behalf of residents. With financial assistance from the County, regional banks, and nonprofits, ECLT and Westside residents were able to raise \$5.6 million in cash and closing fees in just five days to beat out a cash offer from an investor (Waddell 2022). La Plata County played a critical role in financing, providing a \$1.5 million zero-interest loan to make up the difference in purchase price, part of which went towards earnest money, and paying for due diligence of the site. Nonprofits and residents are typically competing with large investment companies to purchase parks, and Stefka Fanchi, Executive Director of ECLT, recommends that municipalities and counties looking to support nonprofit ownership of parks consider offering 30 or 45 day loans to allow for extra financing time, identifying park infrastructure and maintenance needs before parks are put on the market, or even purchasing parks in the short term in order to bring infrastructure and roads up to standard (S. Fanchi, personal communication, May 9, 2022).

B3. PROVIDE FINANCIAL AND TECHNICAL SUPPORT TO HELP MOBILE HOME PARK RESIDENTS ORGANIZE AND CREATE AND MAINTAIN RESIDENT ASSOCIATIONS.

To achieve resident ownership goals, mobile home park residents need to build collective buy-in and trust amongst their neighbors. Under current Colorado law, residents only have 90 days' notice when their park is put on the market, which leaves them little time to organize, obtain financing, and put together an offer to purchase their park. Well-organized residents can also more effectively push back on unfair or unsafe conditions in their park. Sixty percent of PiER survey respondents who did not already live in a park with a resident association said they would be interested in starting one, while 26% were unsure; Community Connectors who administered the survey reported that many residents were confused about what benefits resident associations might offer or how much it would cost to participate in one. Mobile home park residents have also expressed feeling that their voices do not matter and that they do not have enough support to make a difference. Community advocates say that mobile home park residents need support with communications, technology, outreach, and community organizing to effectively drive change in their communities.

The County may consider contracting with an organizing consultant to provide support to residents to develop resident associations and/or address unfair or unsafe conditions in mobile home parks*. The County could also provide community mini-grants to fund organizing efforts or events that support community resilience or improvements, and ensure that residents have access to public spaces to meet and access technology**.

* Two examples of organizations in Colorado that may be able to support with mobile home resident organizing efforts are [9 to 5 Colorado](#) and the [Colorado Coalition of Manufactured Home Owners](#).

** All Parks Alliance for Change, based in Minnesota, has created a [Community Organizing Manual](#) for mobile home residents.

C. Help mobile home park residents stay in place.

■ ■ ■ ■ **C1. ADOPT LOCAL ORDINANCES THAT PROTECT RESIDENTS' RIGHTS.**

Some communities have passed local ordinances that provide additional resident protections and local means of enforcement. The City of Boulder created ordinances that limit park owners' and other parties' abilities to prohibit the sale of mobile homes constructed prior to establishment of HUD safety standards, put limitations on required upgrades to existing mobile homes, assign responsibility for tree maintenance to park owners and their agents, establish residents' right to privacy, prohibit retaliation by park owners against mobile home owners, and require dispute mediation. Suffolk County, New York, passed a series of ordinances that protected basic rights of manufactured home owners, including the right to organizing a homeowners' association (Lauder, 2020). Local jurisdictions can also set standards for physical appearance and maintenance through their land use regulations.

■ ■ ■ ■ **C2. PROVIDE PUBLIC, TRANSLATED RESIDENT RESOURCES, HELP CONNECT RESIDENTS TO LEGAL REPRESENTATION AND MEDIATION SERVICES, AND SUPPORT "KNOW YOUR RIGHTS" TRAININGS.**

The County can help residents access resources by creating a website that includes helpful links in English and Spanish, including a guide to residents' rights, how to file a complaint against a landlord, and contact information of free or affordable legal services. Providing hard copies of translated resources in a consistent location could benefit residents without access to the internet. Additionally, a bilingual resident liaison or community connector could provide direct support to residents, answer questions, and help connect them to appropriate resources.

The County may want to consider establishing permanent fund for legal services or providing mediation services for residents and park owners. The County could also help coordinate or provide space for "know your rights" trainings, which are provided by a number of nonprofit organizations, including the Colorado Poverty Law Project, which specializes in supporting mobile home residents.

■ ■ ■ ■ **C3. DEVELOP A MODEL LEASE.**

Many residents are not receiving leases at all or have leases in a language they cannot understand. The PiER resident survey found that 28 out of 70 respondents (40%) had not received a lease in a language they understood; some residents reported having lease agreements on sticky notes. Residents without leases are more vulnerable to eviction and have fewer protections; a model lease with standardized language helps protect residents' rights*.

* As an example, the City of Boulder developed a model lease for use that can be found [here](#).

■ ■ ■ ■ **C4. CONNECT RESIDENTS TO EMERGENCY RENTAL ASSISTANCE FUNDS AND OTHER EMERGENCY SUPPORTS.**

Programs such as the statewide Emergency Rental Assistance Program (ERAP) and Emergency Mortgage Assistance Program (EMAP) can help residents with a temporary financial emergency avoid eviction. These applications can be complicated and challenging to fill out. Sharing information and providing access to a resident liaison who can help complete applications and upload documentation could help residents in crisis avoid eviction.

■ ■ ■ ■ **C5. ADVOCATE FOR IMPROVEMENTS TO THE STATE MOBILE HOME PARK ACT.**

Proposed changes include providing a first right of refusal to purchase a for-sale park to a public entity working with a resident cooperative, expanding the opportunity to purchase from 90 to 180 days. An initial draft of House Bill 22-1287 prohibited a landlord from increasing rent on a mobile home lot by an amount that exceeds the greater of inflation or 3 percentage points in any 12-month period, but it was removed under threat of veto by the Governor.

Quality

D. Improve habitability and energy efficiency of mobile homes.

■ ■ ■ ■ D1. CREATE MOBILE HOME REPAIR OR REPLACEMENT PROGRAM FOR INCOME-ELIGIBLE MOBILE HOME PARK RESIDENTS.

Many mobile homes in Gunnison County are forty or more years old and do not meet HUD health and safety standards. Financing for manufactured housing is limited and often includes unfavorable terms such as higher interest rates, shorter loan terms, and fewer consumer protections when compared to conventional mortgage loans. In addition, mobile home owners may not be able to afford improvements to aging structures, or they may be reluctant to invest in improvements when they do not have stable land tenure. The County should consider opportunities to help income-qualified residents invest in upgrades, improvements, or the purchase of new manufactured homes. Some potential funding sources are described below .

Community Development Block Grants (CDBG)

In Colorado, the Department of Local Affairs administers the federal Community Development Block Grant (CDBG) program for non-entitlement municipalities and counties to carry out community development activities. Eligible uses of funds include acquisition, design/engineering, construction, reconstruction, rehabilitation or installation of public improvements or public facilities. Examples of projects include sewer and water systems, commercial streetscape improvements, community centers, food banks, shelters, and health clinics. The funds must be used for activities that either benefit low- and moderate-income persons, or prevent or eliminate slums or blight. CDBG funds have been used to upgrade infrastructure in mobile home parks where the majority of residents are low- or moderate-income and to replace existing substandard manufactured homes with new units. They can also be passed directly to homeowners as loan subsidies and closing costs or down payment assistance (National Consumer Law Center, 2010).

HOME Investment Partnership Program

HOME, which specifically includes manufactured housing in its definition of affordable housing, is the largest federal block grant to state and local governments to create affordable housing. Examples of how funds have been used include purchasing or rehabilitating manufactured homes, purchasing the land upon which the home is located, providing rental assistance to residents to rent the home or the lot, and paying relocation assistance. HOME funds are administered by the Department of Local Affairs.

Housing Development Grant Funds

Created by the Colorado state treasury, the Housing Development Grant Fund (HDG) is administered by the Division of Housing (DOH). HDG provides funds for acquisition, rehabilitation, and new construction through a competitive application process to improve, preserve or expand the supply of affordable housing, to finance foreclosure prevention activities in Colorado, and to fund the acquisition of housing and economic data necessary to advise the State Housing Board on local housing conditions.

■ ■ ■ ■ D2. CONTINUE ENERGY EFFICIENCY AND WEATHERIZATION PROGRAMS SUCH AS GV-HEAT.

The Gunnison Valley Home Energy Advancement Team (GV-HEAT) provides a home energy efficiency program that helps households in Gunnison County invest in energy efficiency and weatherization upgrades. Mobile homes tend to have higher energy costs than standard-built homes and are important beneficiaries of GV-HEAT's services.

E. Work towards park infrastructure upgrades.

■ ■ ■ ■ E1. SUPPORT PARK OWNERS IN MAKING INFRASTRUCTURE, QUALITY OF LIFE, AND ACCESSIBILITY IMPROVEMENTS TO PARKS.

Gunnison County could apply to federal or state funding sources, including those described above, to create an infrastructure improvement fund for mobile home park residents. Park owners could apply for funds to make improvements to infrastructure or other public improvements to parks; this program could be coupled with recommendations in A3 to secure further stability or other benefits for park residents.

■ ■ ■ ■ E2. MODIFY LAND USE REGULATIONS TO REQUIRE ROADS TO BE BROUGHT UP TO STANDARD.

The majority of respondents to the PiER resident survey indicated they were dissatisfied with the quality of roads in their park, particularly following significant weather events. Most mobile home park roads are currently unpaved, and Gunnison County may want to consider updating land use regulations to require roads to be brought up to standard. However, the County must be particularly careful to think through requirements and implementation, especially if they are not paired with financial assistance, as park owners may choose to pass on the cost of upgrades to residents through pad rent increases or choose to sell parks instead of investing in upgrades.

Implementation

				implementation			
Category	#	Recommendation	Level of Effort	staff	funding	outside resource	
Stability	Preserve existing mobile home parks.	A1	Explore land use strategies for park preservation.	high	x		
		A2	Work with City of Gunnison to explore joint opportunities for preservation.	medium	x		
		A3	Work with park owners to preserve mobile home parks and affordability.	high	x		
		A4	Develop a displacement plan in case of mobile home park closure.	medium	x		
		A5	Update the Gunnison County Strategic Plan to explicitly reflect the preservation of mobile home park as a priority.	low	x		
		A6	Continue to pursue the development of other sources of affordable housing that could serve current mobile home park residents.	high	x	x	
	Pursue opportunities to align land and homeowner interests.	B1	Pursue opportunities for resident ownership of for-sale parks.	medium	x	x	x
		B2	Pursue opportunities for nonprofit ownership of for-sale parks.	medium	x		x
		B3	Provide financial and technical support to help mobile home park residents organize and create and maintain resident associations.	high	x	x	
	Help mobile home park residents stay in place.	C1	Adopt local ordinances that protect residents' rights.	medium	x		
		C2	Provide public, translated resident resources, help connect residents to legal representation and mediation services, and support "know your rights" trainings.	low	x		x
		C3	Develop a model lease.	low	x		x
		C4	Connect residents to emergency rental assistance funds and other emergency supports.	low	x		x
		C5	Advocate for improvements to the State Mobile Home Park Act.	low			x
	Quality	Improve habitability and energy efficiency of mobile homes.	D1	Create mobile home repair or replacement program for income-eligible mobile home park residents.	high	x	x
D2			Continue energy efficiency and weatherization programs such as GV-HEAT.	medium	x	x	
Upgrade park infrastructure.		E1	Support park owners in making infrastructure, quality of life, and accessibility improvements to parks.	high	x	x	
		E2	Modify land use regulations to require roads to be brought up to standard.	high	x		

Conclusion

As demand for affordable housing rises across the country, communities are recognizing the important role that manufactured housing, long stigmatized, plays in their housing market. Mobile home residents face unique challenges that can make them especially vulnerable to housing insecurity and displacement, including:

- a land-lease model that disproportionately favors park owners
- unpredictable lot rent increases
- few or no options to move if a park is closed
- outdated or degraded infrastructure
- higher energy and repair costs per square foot than site-built homes

The protection and preservation of mobile home parks is an emerging field in urban planning, and best practices are still evolving. Innovation and creativity are needed to identify solutions, especially in rural communities that may not have the same land use powers or staff and funding capacity as larger municipalities.

This manufactured housing strategy suggests strategies to preserve existing mobile home parks, stabilize residents, and improve the quality of housing and infrastructure in parks. It also suggests considering opportunities to transform the mobile home park model from one that relies on wealth extraction to a resident-led, shared wealth model. These recommendations are just a starting point; each will need to be assessed and developed by County staff to determine its feasibility and opportunities for implementation.

Mobile home residents should continue to drive conversations and decisions about their communities. The County should continue to support residents' efforts to organize and listen and respond to their concerns, while also considering how to work in partnership with park owners and landlords to develop solutions that benefit all.

The preservation of mobile home parks will benefit the entire Gunnison community and support the County's goal of promoting prosperous, collaborative, and healthy communities.

References

- Aman, D. D., & Yarnal, B. (2010). Home sweet mobile home? Benefits and challenges of mobile home ownership in rural Pennsylvania. *Applied Geography*, 30(1), 84–95. <https://doi.org/10.1016/j.apgeog.2009.09.001>
- Brown, J., & Simpson, K. (2019, September 16). Parked: Mobile Homes are Colorado's affordable housing crutch, but they're disappearing as land becomes more precious. *The Colorado Sun*. Retrieved February 20, 2022, from <https://coloradosun.com/2019/09/15/parked-colorado-mobile-homes-disappearing/>
- City of Boulder, & Launder, C., *Manufactured Housing Strategy and 2019-2021 Action Plan* (2019). Boulder, CO.
- City of Fort Collins, Clarion Associates, & National Manufactured Home Owners Association, *Affordable Housing Redevelopment Displacement Mitigation Strategy* (2013). Fort Collins, CO.
- Brautigam, J. S., Carr, T., Driskell, D., Yegian, J., Sugnet, J., & Launder, C. (2015, September 17). Mobile and manufactured homes [Memorandum]. City of Boulder City Council. https://documents.bouldercolorado.gov/WebLink/0/edoc/130309/9.17.15%20Mobile%20Home%20Park%20SS%20Final.pdf?_ga=2.256513355.175333127.1562598304-240540749.1552586534
- Gunnison County, *Gunnison County Strategic Plan* (2019).
- Gunnison County, *Gunnison County Land Use Resolution* (1978).
- Kolhatkar, S. (2021, March 8). What happens when investment firms acquire trailer parks. *The New Yorker*. Retrieved May 10, 2022, from <https://www.newyorker.com/magazine/2021/03/15/what-happens-when-investment-firms-acquire-trailer-parks>
- Launder, C. (2020). Preserving manufactured home communities. *American Planning Association*. Retrieved May 9, 2022, from <https://www.planning.org/publications/document/9203905/>

National Consumer Law Center (2010). *Manufactured housing resource guide: accessing public resources for homes and communities*. Retrieved May 9, 2022, from https://www.nclc.org/images/pdf/manufactured_housing/accessing-public-resources.pdf

National Consumer Law Center (2018). *Manufactured housing resource guide: advocating at the local level*. Retrieved May 9, 2022, from https://www.nclc.org/images/pdf/manufactured_housing/accessing-public-resources.pdf

One Valley Prosperity Project, *One Valley Prosperity Strategy* (2016).

One Valley Prosperity Project, *State of the Valley* (2018).

Pierce, G., Gabbe, C. J., & Gonzalez, S. R. (2018). Improperly-zoned, spatially-marginalized, and poorly-served? an analysis of mobile home parks in Los Angeles County. *Land Use Policy*, 76, 178–185. <https://doi.org/10.1016/j.landusepol.2018.05.001>

Rees, M., Sullivan, W., & Williford, W., *Gunnison Valley Housing Needs Assessment* (2016). Gunnison, CO; Gunnison Valley Regional Housing Authority.

Sullivan, E. (2018). *Manufactured insecurity: Mobile Home Parks and Americans' tenuous right to place*. University of California Press.

Sullivan, E., Makarewicz, C., & Rumbach, A. (2021). Affordable but marginalized. *Journal of the American Planning Association*. <https://doi.org/10.1080/01944363.2021.1952477>

The Uprooted Project. 8 Tools for Preserving Mobile Home Parks (2022). Retrieved May 9, 2022, from <https://sites.utexas.edu/gentrificationproject/8-tools-for-preserving-mobile-home-parks/>

Waddell, B. (2022, April 5). Save mobile home parks – and affordable housing. *Colorado Politics*. Retrieved April 15, 2022, from https://www.coloradopolitics.com/opinion/save-mobile-home-parks-and-affordable-housing/article_eee52d80-b471-11ec-8a33-6f2be0e8be5e.html

Appendix A: PiER Survey Summary

The following graphics and information were created by the Partners in Evaluation and Research (PiER) research team. They summarize some relevant responses to their 2021-2022 mobile home resident survey in Gunnison County, which informed the recommendations and findings included in this document. They are included here with the permission of the research team.

Gunnison Mobile Home Community Survey 2021

Purpose:

To explore the impact of 3 recently passed statewide mobile home park policies on housing security, safety, and affordability.

Background:

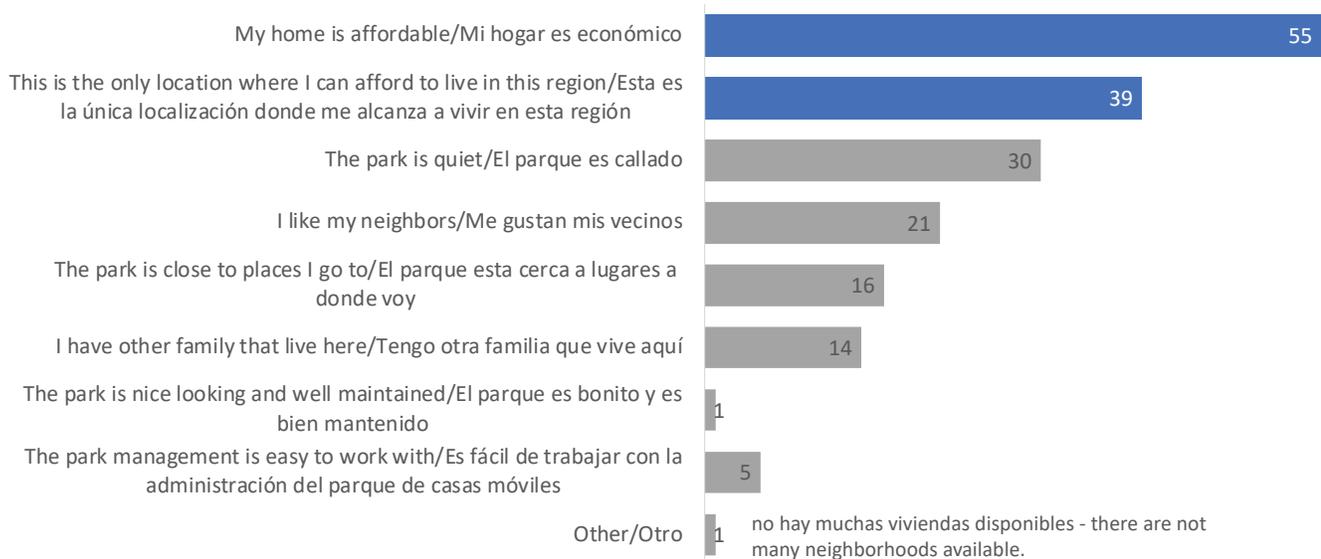
In the past few years, Colorado has passed statewide legislation specific to mobile home parks and their residents. In 2019-20, the Mobile Home Park Act (HB19-1306 and HB20-1196) added protections for residents, including extending the time to secure rent payment, extending the time for eviction after notice, and creating a dispute resolution system where residents or owners can file complaints with the Department of Local Affairs (DOLA). In 2020, the Mobile Home Park Residents Opportunity to Purchase (HB20-1201) was passed given residents the opportunity to purchase the park if the owner puts it up for sale.

With these policies in mind, the PiER Center at Kaiser Permanente's Institute for Health Research wrote a grant proposal to the Robert Wood Johnson Foundation (RWJF) to study the impacts of these policies on mobile home park residents in three different communities across Colorado (Gunnison, Fort Collins, and Rifle). In Gunnison, PiER Center partnered with the Gunnison Valley Regional Housing Authority (GVRHA) and Hispanic Affairs Project. Together, they collaborated with community connectors on understanding their day-to-day experience living in a mobile home park and developed a survey to gather views from the broader community of residents related to their housing, park management, infrastructure, and affordability. The survey was implemented from August – October 2021.

Methods:

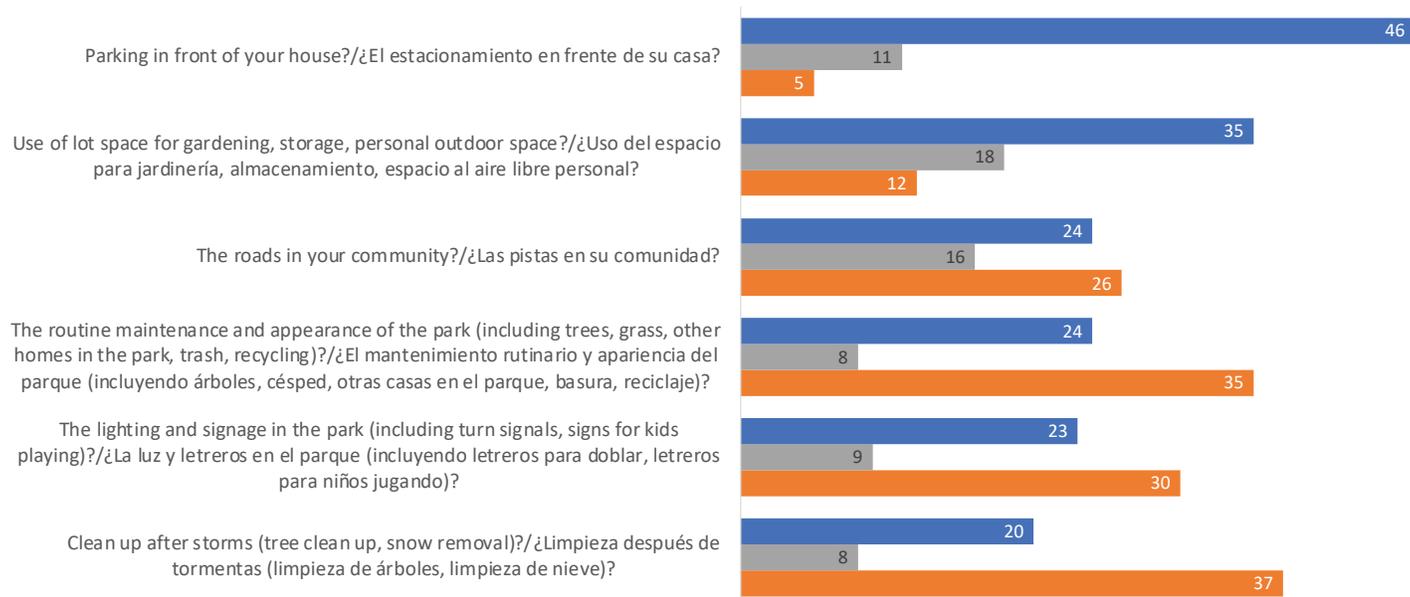
Paper surveys were implemented in English and Spanish. Community connectors went door to door in the mobile home parks talking with residents and explaining the survey. Connectors helped residents complete the survey if needed or left the survey with the resident to be returned at a later date. The survey did not ask for residents' names or addresses so the responses were anonymous.

Please tell us why you like living in your mobile home park/ Por favor díganos por que le gusta vivir en su parque de casa móviles

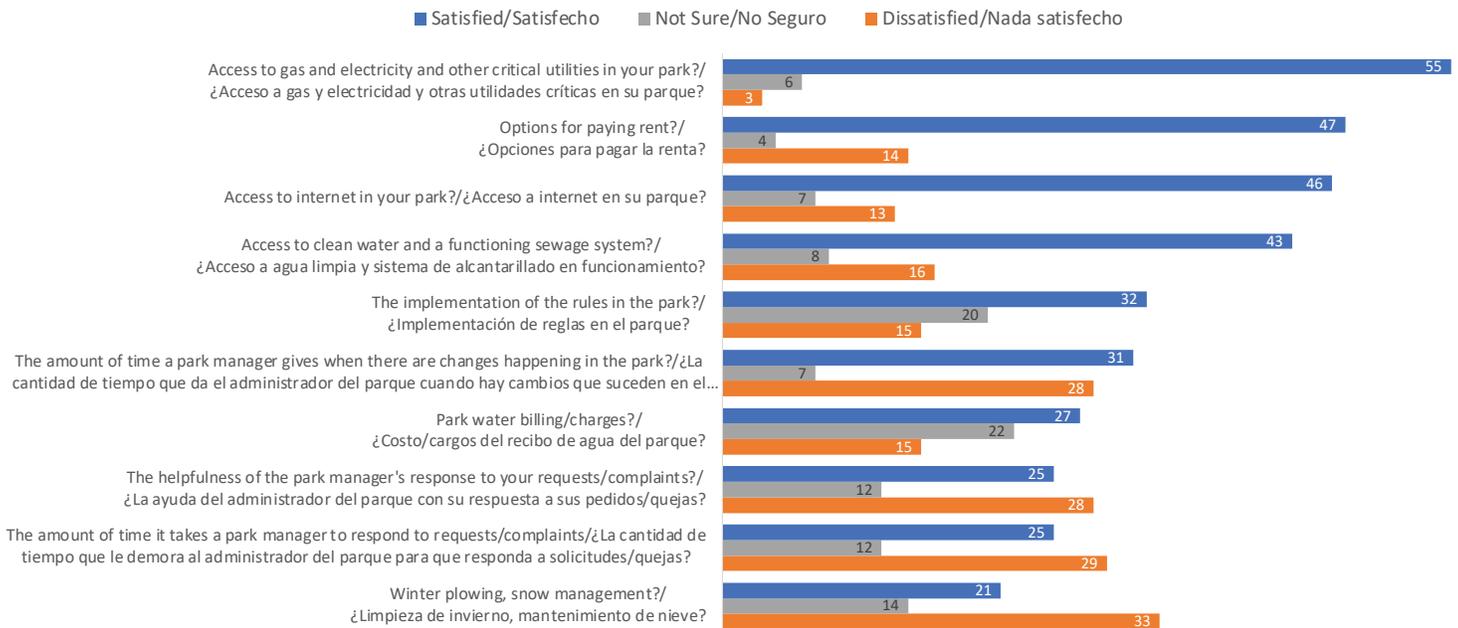


Satisfaction with appearance and function of your park/ Satisfecho con la apariencia y función de su parque

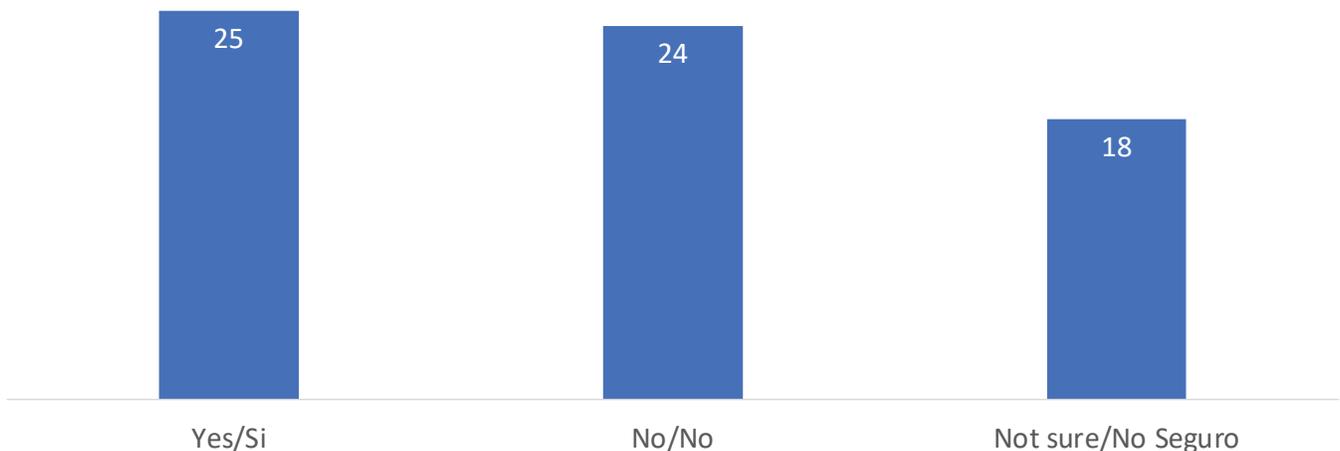
■ Satisfied/Satisfecho ■ Not sure/No Seguro ■ Dissatisfied/Nada satisfecho



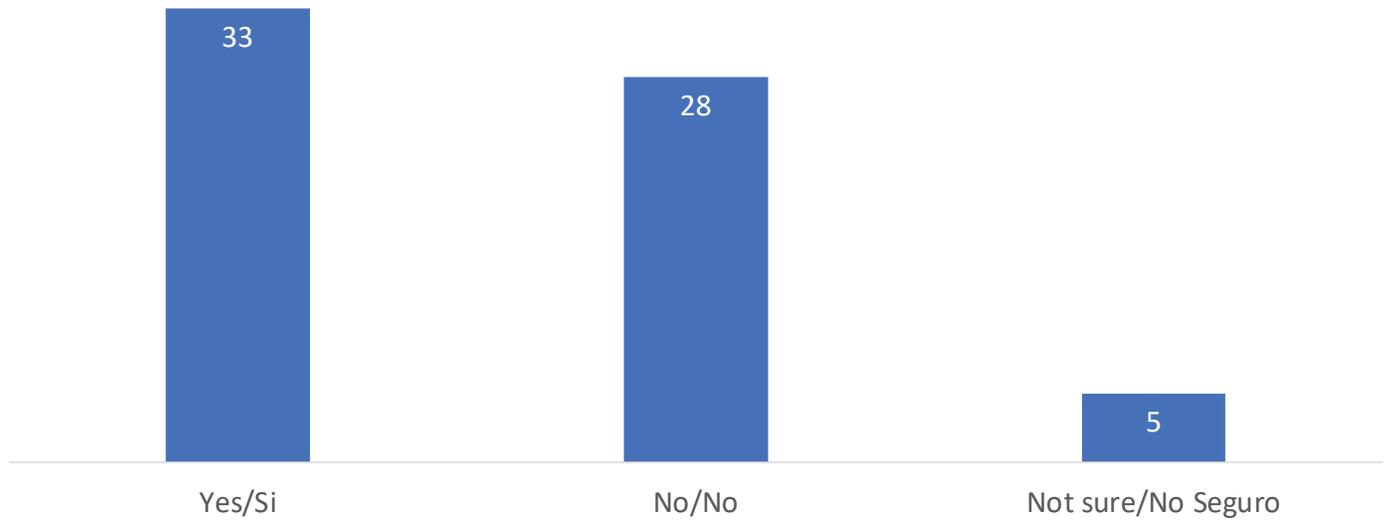
Satisfaction with Park Management/Satisfecho con la administración del parque de casas móviles



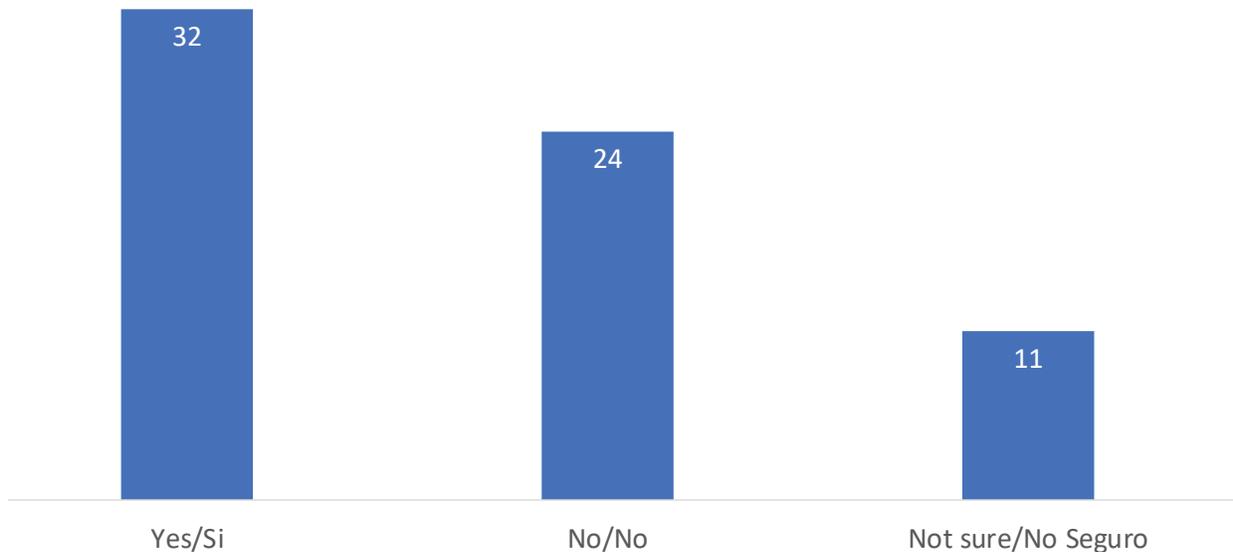
Does the park manager give you 48 hours notice when they need to access your home? / ¿El administrador del parque le avisa 48 horas previas, cuando necesita acceso a su hogar?



Was your lease shared with you in a language you can understand? / ¿El contrato de alquiler fue compartido con usted en un idioma que entiende?

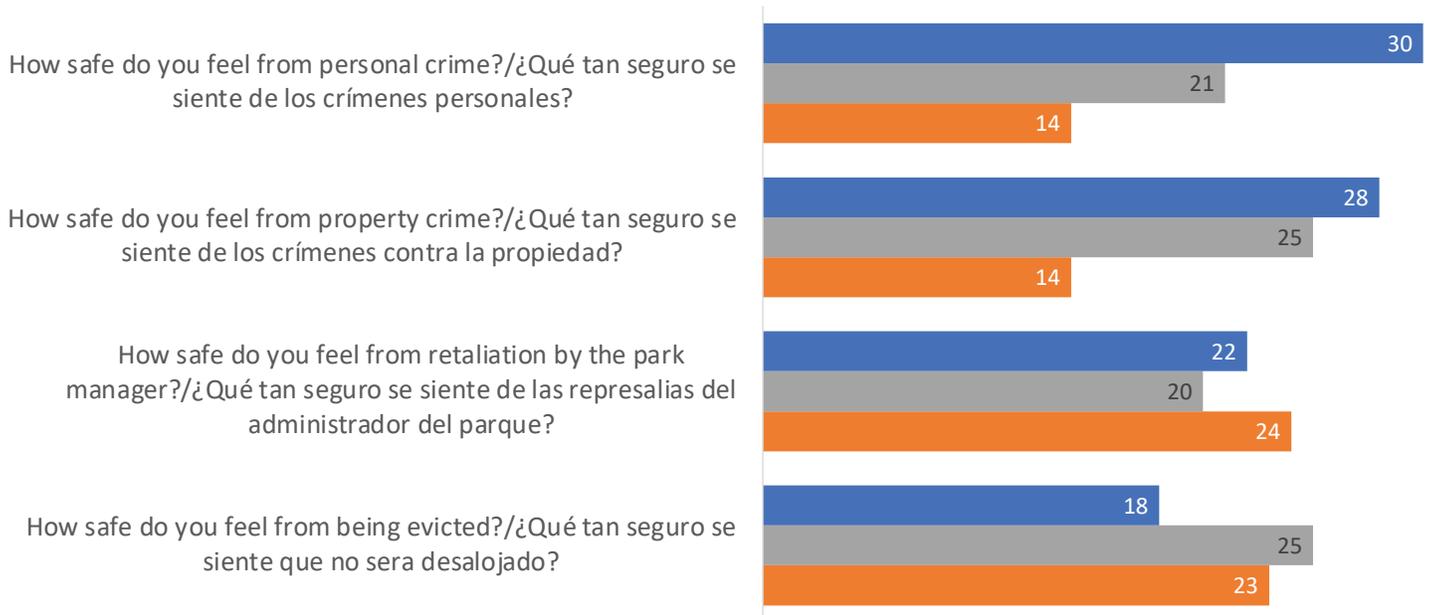


Were you able to ask questions about your lease before signing it? / ¿Fueron consideradas sus preguntas antes de firmar su contrato de alquiler?

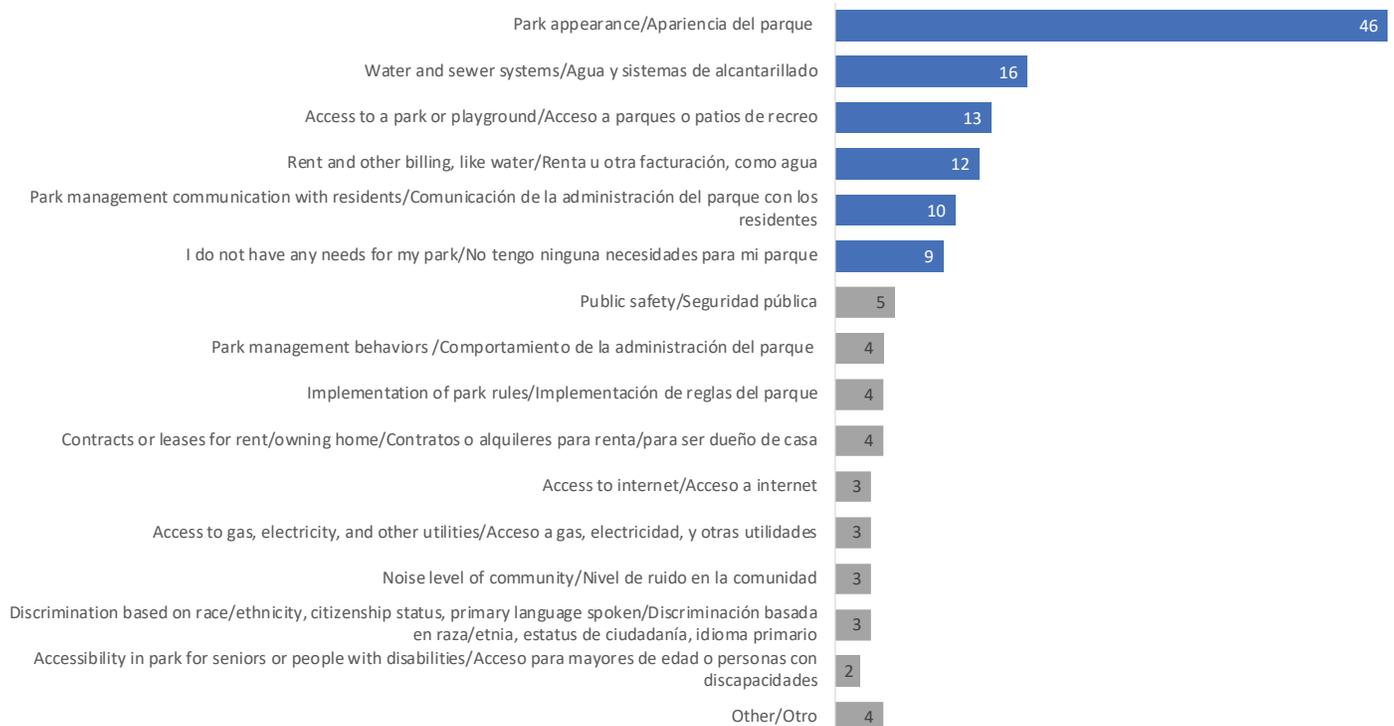


How safe you feel/ Que seguro te sientes

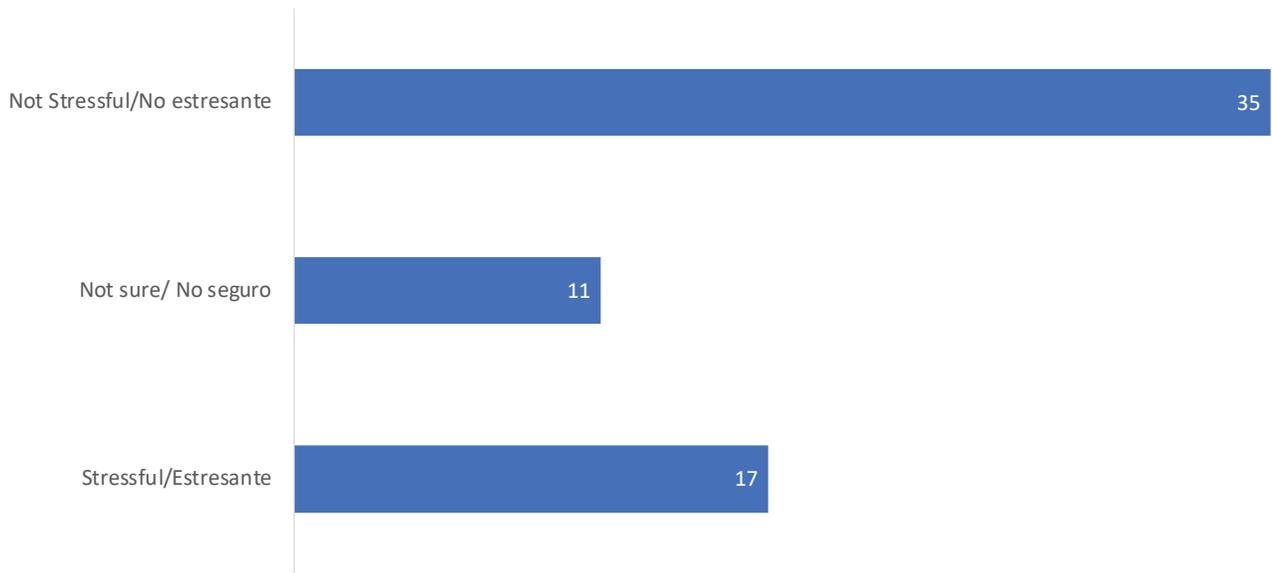
■ Safe/Seguro ■ Not sure/No sé ■ Not Safe/No seguro



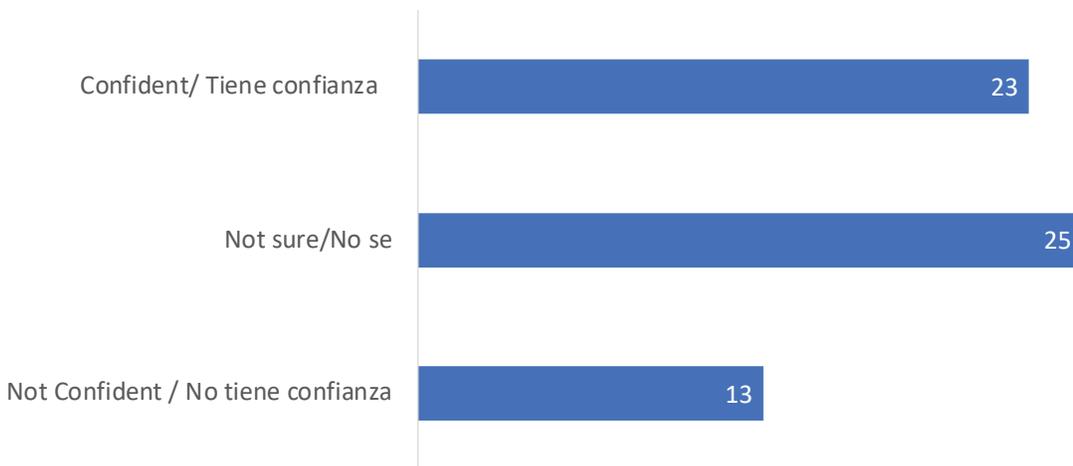
Top 3 needs for your park/Las 3 principales necesidades para su parque



How stressful is your housing situation from day-to-day? /
¿Qué tan estresante es su situación de vivienda en general?



How confident are you about being able to live here for the length of time you desire? / ¿Que tan seguro se siente que pueda vivir aquí por la cantidad de tiempo que desea?



AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Wildfire Policy Discussion

Action Requested:

Parties to the Agreement:

Term Begins:

Term Ends:

Grant Contract #:

Summary:

Discussion of Planning Commission recommendation for adoption of the 2021 International Wildland Urban Interface Code and amendments to the IUIR

Fiscal Impact:

Submitted by: Cathie Pagano

Submitter's Email Address: cpagano@gunnisoncounty.org

Finance Review:

Required

Not Required

Comments:

Reviewed by:

Discharge Date:

County Attorney Review:

Required

Not Required

Comments:

Appears legally sufficient. MRH

Reviewed by: GUNCOUNTY1\mhoyt

Discharge Date: 7/7/2022

Certificate of Insurance Required

Yes No

County Manager Review:

Comments:

Reviewed by: GUNCOUNTY1\mbirmie

Discharge Date: 7/8/2022

Consent Agenda Regular Agenda Worksession

Time Allotted: 60 minutes

Agenda Date: 7/12/2022



Gunnison County, CO
Community Development Department
221 N. Wisconsin St. Ste. D, Gunnison, CO 81230
Phone: (970) 641-0360
Website: www.gunnisoncounty.org
Email: planning@gunnisoncounty.org

From: Cathie Pagano, Assistant County Manager for Community and Economic Development
To: Wildfire Stakeholders
Date: April 21, 2022
Re: Wildfire Policy Recommendations

Community Planning Assistance for Wildfire Technical Assistance

In 2019, Gunnison County received a technical assistance award to participate in the Community Planning Assistance for Wildfire (CPAW) program. County staff worked with a team from Headwaters Economics, Wildfire Planning International, and USDA Forest Service, Rocky Mountain Research Station. The year-long process included multiple stakeholder engagement opportunities and the general public participated in the discussions. Stakeholder participants include: U.S. Forest Service, Colorado State Forest Service, West Region Wildfire Council, County GIS staff, Crested Butte Fire Protection District, Gunnison Fire Protection District, County Emergency Management, Gunnison County Board of Realtors, property managers, and members of the public.

The CPAW team prepared a report titled, "Community Planning Assistance for Wildfire, Final Recommendations for Gunnison County, CO, 2019" (the CPAW report). In addition to the report the team worked with local fire professionals and stakeholders to develop and update wildfire mapping for the entirety of Gunnison County, along with a table of mitigation difficulty classes and descriptions and a "CPAW Mitigation Difficulty/International Wildland Urban Interface Code (IWUIC) Hazard Crosswalk." The International Code Council has released the [2021 International Wildland Urban Interface Code](#) and Gunnison County proposes that the County and the municipalities within the County consider adoption of the IWUIC cooperatively and within the same year. Historically, the County and the municipalities have adopted the updated building codes in the same year to maintain consistency and reduce confusion across jurisdictional boundaries.

Wildfire in Gunnison County and Colorado

Gunnison County has been fortunate in the past 40 years that we have not experienced a large-scale, catastrophic wildfire. Many other counties and communities across the State of Colorado have experienced

devastating consequences from wildfire, most recently the Marshal fire, along the front-range in Superior and Louisville, became the most devastating fire in state history destroying nearly 1,000 structures across 6,000 acres in just hours. The firestorm was spread by embers through high winds that whipped through suburban subdivisions far from forests. The Colorado Sun noted, “The Marshall fire...didn’t need trees. It didn’t even travel on the ground. It moved through the air, fanning embers across long spans in seconds” (Blevins, et al. 2022). The Marshal fire is an example of the risk and threat that our residents and community face. Gunnison County has experienced multiple fires of less than 1,500 acres in the past twenty years—most have been successfully suppressed. The CPAW Report explains:

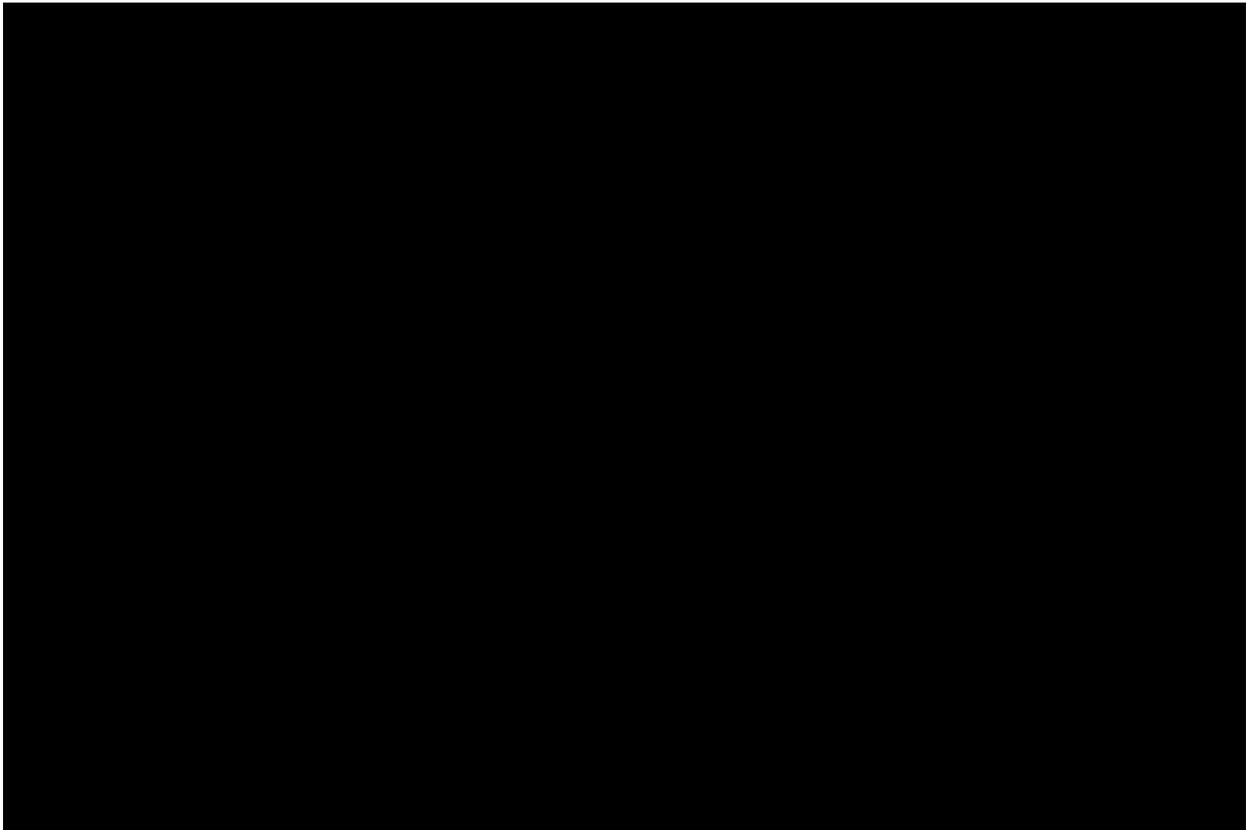
“...successful suppression is a driver in forest encroachment into the open grasslands and increasing fuel loads in the forest fuel types. Compounding the issue are extensive mountain pine beetle and spruce bark beetle infestations across the county, resulting in a significant threat of standing dead and down forest fuels capable of supporting extremely aggressive fire behavior if exposed to ignition sources. The additional elements of complex and often steep topography coupled with the dispersed residential home development pattern common throughout the county present an extremely complex wildfire protection challenge. The county regularly experiences the weather conditions that can support extreme fire behavior, with only the ignition source missing.”

Land managers including the U.S. Forest Service and the Colorado State Forest Service have increased their work in the past three years to mitigate the impacts of beetle infestations in the County including the 400-acre Wilder-Highlands Mountain Pine Beetle Response project in the Taylor Canyon and Lost Canyon areas to eliminate the infestations in those areas. These proactive measures support a healthier forest and can reduce some wildfire risk. However, the risk of wildfire and destruction of life and property is exacerbated by rural development patterns and the construction of structures that are not fire resistant.

Governor Polis has directed the Colorado Fire Commission and its associated WUI subcommittee to develop recommendations from the IWUIC. Members of the State Legislature have indicated that they intend to propose legislation in 2022 that may include adoption of a state-wide building code including the IWUIC. The WUI subcommittee is working to develop broadly supported recommendations from the IWUIC that will be presented to the legislature before passage of legislation. Recommendations are expected this year and adoption of new regulations would impact the entire state. The state has been ineligible for significant (tens of millions) federal funding because it lacks an adopted building code. Additionally, Gunnison County has seen its Insurance Service Office (ISO) rating drop in recent years because we have not yet adopted the 2021 International Building Codes nor have we adopted the IWUIC. This drop in our rating causes local insurance rates to increase.

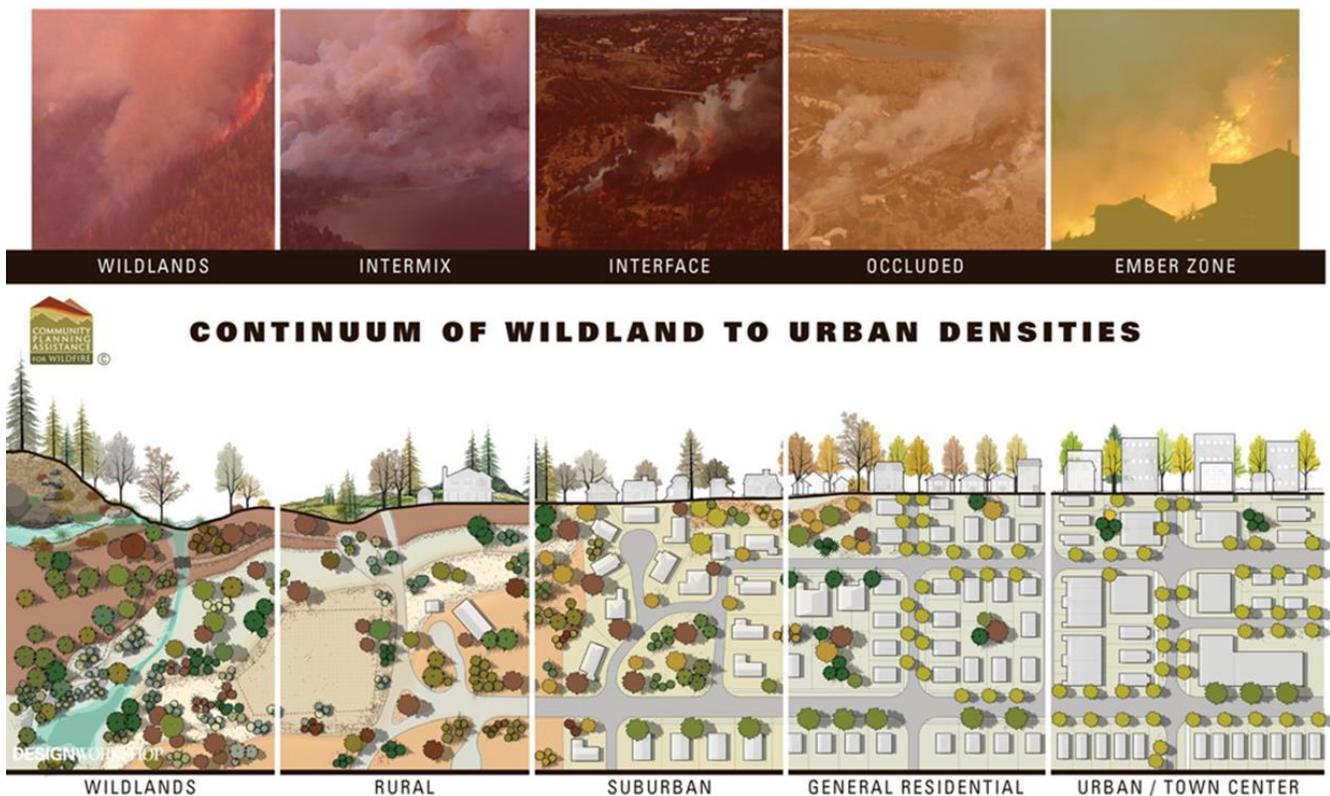
Wildfire Risk and Mitigation

The climate, topography, landscape, and persistent drought in Gunnison County lends itself to high wildfire risk. The CPAW report identifies multiple challenges in Gunnison County including: existing subdivisions that may not be designed with wildfire safety and protection features; increases in part-time residents and transient populations that may be less familiar with wildfire prevention and safety; regulatory gaps and enforcement; and lack of community engagement on wildfire issues. The following video (<https://vimeo.com/505411007>) illustrates the challenges of development in the wildland urban interface and solutions to reduce risk and protect lives and property.



Significant research has been done on wildfire risk and mitigation. As noted in the video, wildfire destruction of property and lives today is similar to building and factory fires in the early 19th century in Chicago and San Francisco—now urban areas are designed with fire hydrants, interior sprinklers, fire alarms and emergency exits. We can design and building structures to resist wildfires—we just haven’t wholly adopted the techniques yet. Reduction of wildfire risk requires active management of public lands and improved mitigation measures and risk reduction tools on private lands. The report “[Home Survival in Wildfire-Prone Areas: Building Materials and Design Consideration](#)” (Quarles, et al. 2010) found:

“Embers are the most important cause of home ignition. Recent research indicates that two out of every three homes destroyed during the 2007 Witch Creek fire in San Diego County were ignited either directly or indirectly by wind-dispersed, wildfire-generated, burning or glowing embers (Maranghides and Mell 2009) and not from the actual flames of the fire. These embers are capable of igniting and burning your home in several ways. In order to have a wildfire-safe home, two equally important factors must be implemented: 1) the wise selection of building materials and designs that will help the home resist the wildfire and 2) the home must have adequate defensible space, based on the wise selection, placement, and maintenance of near-home vegetation. There is a direct link between some survival, the vegetation management required in developing adequate defensible space around the home, and the building materials and design used to construct the home.”



Additional [findings](#) from the Forest Sciences Laboratory, Rocky Mountain Research Station of the US Forest Service found:

“Recent fire seasons in the western United States are some of the most damaging and costly on record. Wildfires in the wildland urban interface on the Colorado Front Range, resulting in thousands of homes burned and civilian fatalities, although devastating, are not without historical reference. These fires are consistent with the characteristics of large, damaging, interface fires that

threaten communities across much of the western United States. Wildfires are inevitable, but the destruction of homes, ecosystems, and lives is not...Overcoming perceptions of wildland urban interface fire disasters as a wildfire control problem rather than a home ignition problem, determined by home ignition conditions, will reduce home loss” (Calkin et al. 2013).

The same report goes on to analyze the benefit of fuel treatments aimed at reducing wildfire activity and finds that those are beneficial but that if the home ignition zone (HIZ) or the susceptibility of homes to fire are not addressed the fuel treatment will be inefficient:

*“For example, a wildland fuel treatment within the 2007 Angora fire in California reduced fire intensities for Jeffrey pine (*Pinus jeffrey*) survival (43) but did not reduce the HIZ ignition potential of adjacent homes, resulting in high loss. Last, given a sustained home ignition (or ignitions), the probability of home destruction is influenced by the effectiveness of fire protection efforts in suppressing the structure fire. The disaster sequence shows that, although some WUI fire protection tactics might succeed, these standard response tactics fail to prevent residential fire disasters with highly ignitable communities. Areas of high-density suburban development can lead to additional fire risk through home-to-home ignition. Thus, effective fire protection depends on ignition resistant homes during extreme wildfires” (Calkin et al. 2013)*

While the general public often has expected that wildfire risk mitigation should be the responsibility of government land managers—risk reduction can only be accomplished when there is a dynamic and ongoing partnership between land managers and private property owners. Fuel treatments on public and private lands, defensible space on private lands, ignition resistant construction, and ongoing property maintenance over time are all critical to creating an environment that reduces catastrophic threats to life and property. We are fortunate in Gunnison County that multiple agencies including the U.S. Forest Service, Colorado State Forest Service, West Region Wildfire Council, Crested Butte Fire Protection District, and others support the active management and treatment of fuel on public and private lands.

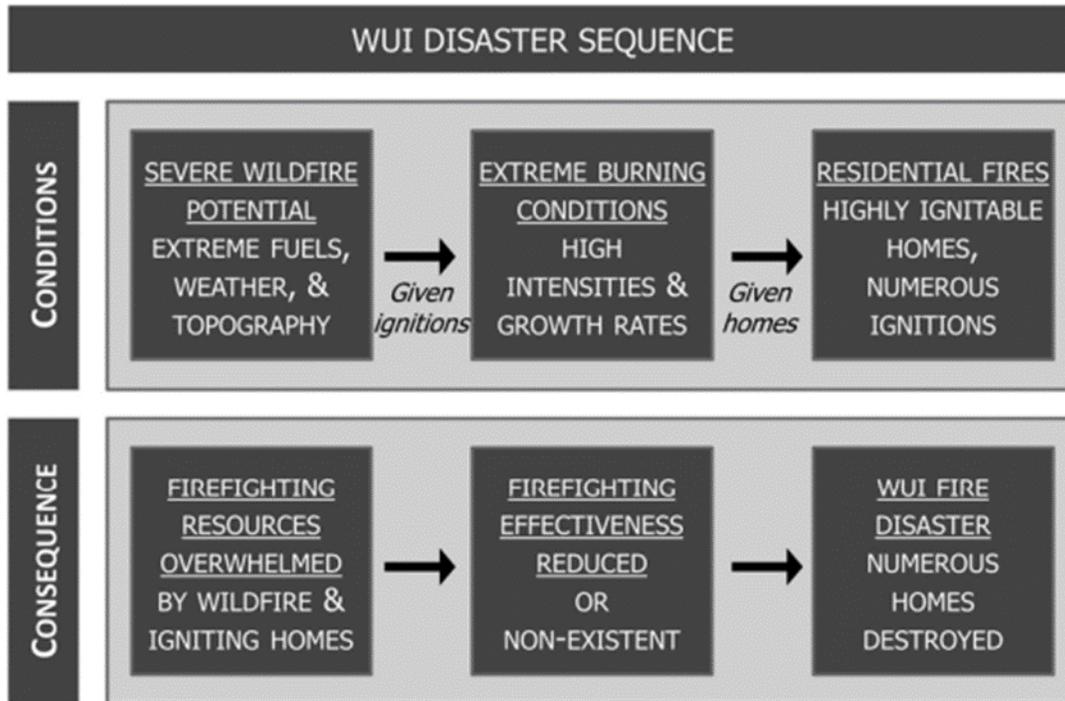


Fig. 2. WUI disaster sequence. Each box corresponds to a factor that critically contributes to high numbers of destroyed homes during a WUI fire. Note that, if homes are ignition-resistant and numerous home ignitions do not occur (step 3), structure protection effectiveness is greater for home ignitions that do occur, thereby preventing disastrous losses.

A common misconception that was clearly evident by so many (fire professionals included) in the Marshal Fire, is that urban communities such as the City of Gunnison are far enough removed from the forests to have little threat from wildfire. Unfortunately, this is not true and we've seen the evidence many times that it is not a forest fire that burns through a community but the embers from a fire that may be miles away. Embers and firebrands cause significant destruction and are one of the most important threats to address. The adoption of methods of ignition resistant construction as required and standardized by the IWUIC can prevent embers from starting home fires. The following video (<https://youtu.be/DvsjNBGwoFo>) from the Insurance Institute for Building and Home Safety demonstrates the effectiveness of ignition resistant construction.



Costs

Anytime a new code is proposed for adoption there are questions and concerns related to increased costs of construction to property owners. Gunnison County is currently experiencing increased construction costs, a construction boom, and a significant lack of affordable and attainable housing for the local workforce. Cost is an important consideration in the adoption of building codes. Headwaters Economics led the development of "[Building A Wildfire-Resistant Home: Codes and Costs](#)" in 2018. The study analyzed the cost of new construction and remodeling expenses for a three-bedroom, 2,500 square-foot, single-story, single-family residence in southwest Montana which the study notes is one of the fastest growing regions in the country. The study reviewed the components of the home that are most susceptible to fire: the roof, exterior walls, decks, and landscaping. The study found that the use of fire-resistant materials in compliance with wildfire building codes resulted in a cost decrease of 2% with the largest savings being attributed to the use of fiber cement siding rather than cedar plank siding in exterior walls.

New Construction Cost Comparison



The full report and specific analysis, along with a detailed excel spreadsheet of the cost comparison, are linked above. The study highlights the following findings:

“Wildfire disasters will be more common if unmitigated home development continues in the wildland-urban interface.

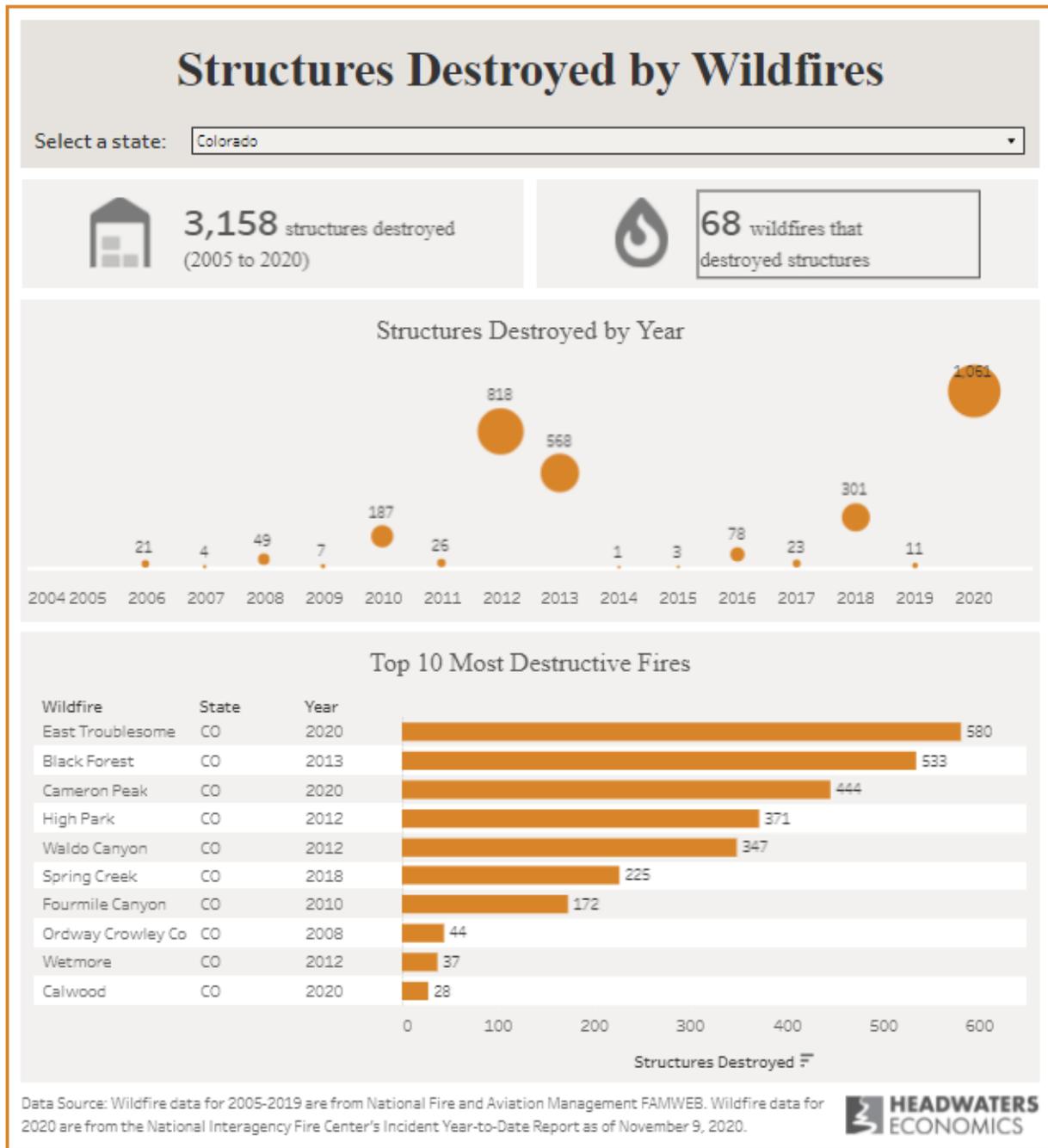
- A new home built to wildfire-resistant codes can be constructed for roughly the same cost as a typical home.

-Costs vary for retrofitting an existing home to be wildfire-resistant, with some components such as the roof and walls having significant expense. Some of these costs can be divided and prioritized into smaller projects.

-Technology and standards exist today that will make communities safer. Cities, counties, and other jurisdictions can implement wildfire-resistant building codes to reduce their vulnerability to wildfire.”

Staff has analyzed the cost impacts of the ignition resistant construction materials prescribed in the IWUI and found that, with thoughtful planning at the design phase, the impacts to the cost of construction can be negligible for a typical dwelling.

It is important to recognize that there are enormous costs to individuals, local government, and communities that experience a wildfire. In 2020, 1,061 structures were destroyed in Colorado and we know that in 2021 nearly 1,000 structures were destroyed in the Marshal fire alone.



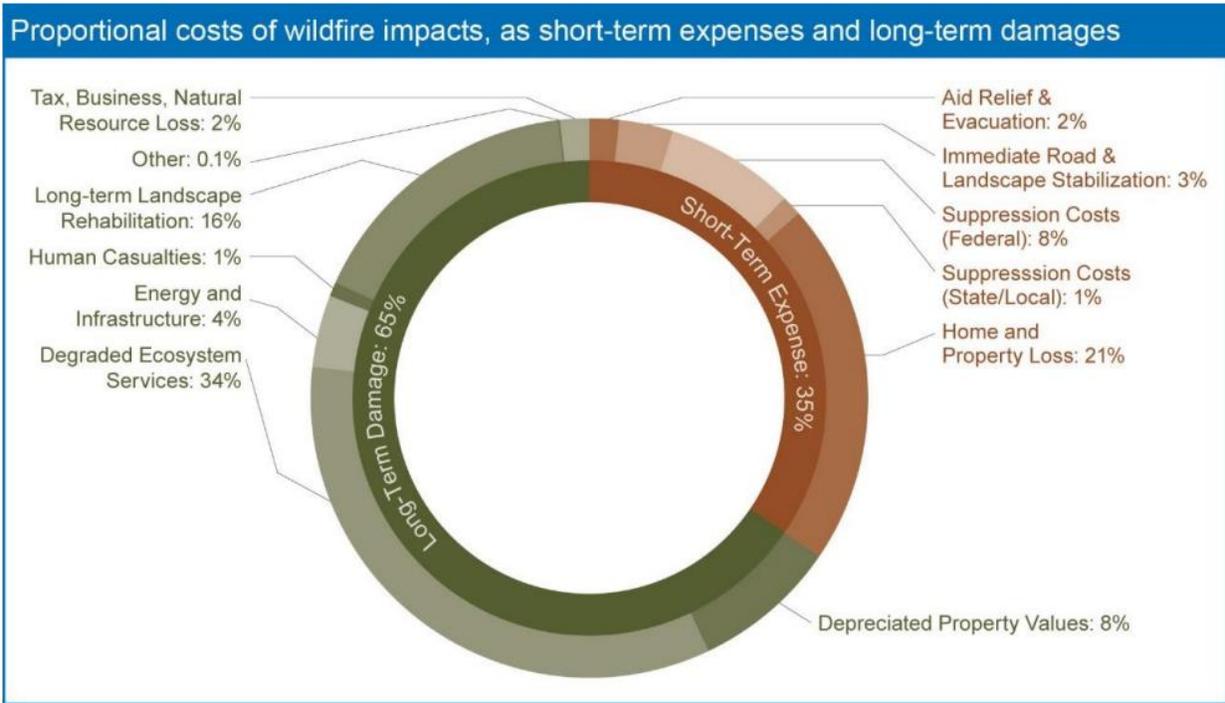
When a fire occurs the short-term and long-term costs can have substantial impacts to property owners, local and federal government. [The Full Community Costs of Wildfire](#), prepared by Headwaters Economics analyzed the short and long-term costs of wildfire and reviewed four case studies including the Hayman

Fire (2002) in Colorado. The report found:

“Analysis of the literature suggests nearly half of all wildfire costs are paid at the local community level by government agencies, non-governmental organizations, businesses, and homeowners. Almost all wildfire costs accrued at the local level are the result of long-term damages such as landscape rehabilitation, lost business and tax revenues, degraded ecosystem services, depreciated property values, and impacts to tourism and recreation.

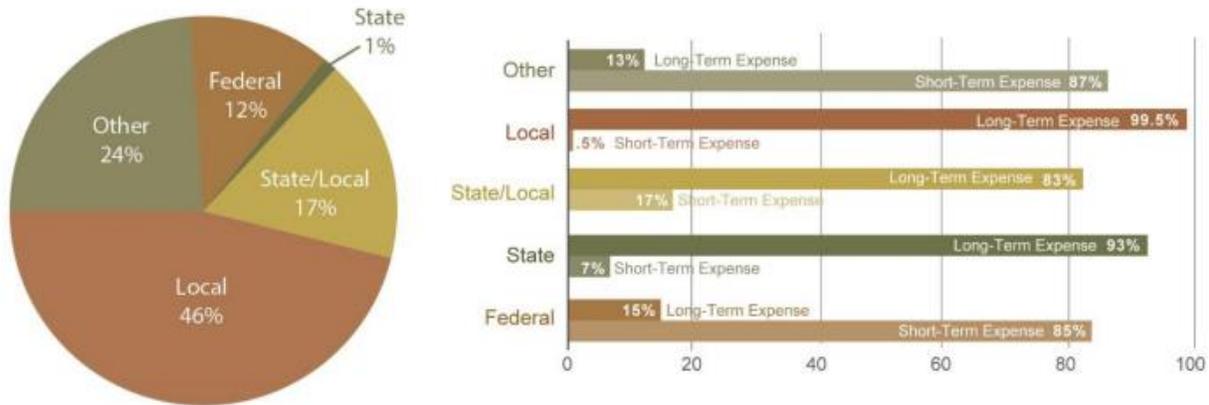
The remaining wildfire costs are paid at the state and federal level, or are paid by a combination of local, state, and federal organizations. State and federal agencies are responsible for paying the bulk of suppression costs. While substantial, suppression costs comprise only nine percent of total wildfire costs; additional short-term expenses and long-term damages account for 91 percent of total wildfire costs. Overall, short-term expenses such as relief aid, evacuation services, and home and property loss comprise around 35 percent of total wildfire costs. Related costs from long-term damages, which can take years to fully manifest, account for approximately 65 percent of total wildfire costs.

Wildfire costs greatly vary depending on factors within the built and unbuilt environment. Socioeconomic context, housing density, the duration and size of a wildfire, and other variables influence the overall cost of a wildfire. In general, upward trends in urban growth and development in areas at risk to wildfires suggest a parallel rise in total wildfire costs” (Barrett, 2018).



Short-term costs include relief aid (Red Cross), insurance claims, flood damage, grants and loans for uninsured property, federal fire suppression, state and local fire suppression. Long-term costs include human casualty, utility line replacement, soil erosion rehabilitation, damaged public facilities, loss of property tax revenue, loss of business revenue, loss of natural resources, loss of wildlife habitat, recovery and water quality mitigation, infrastructure repair, etc. The costs to individuals, communities and government are long and often take years to resolve. As the figure below from the report shows the long-term costs of fire are mostly born by the local community (local government, businesses, individuals and citizens).

Figure 5: Summary of proportional costs paid at the local, state, and federal level and how these costs are distributed as short-term expenses or long-term damages.



The report finds that land use tools such as zoning and regulations can help control “how, when and where development occurs in wildfire-prone areas” (Barrett, 2018) and that adoption of codes that require structures built in high hazard areas to be constructed of ignition-resistant building materials reduce the risk.

Insurance costs are often described as one method to deter construction in high wildfire hazard areas. Headwaters Economics prepared a report, “[Do Insurance Policies and Rates Influence Home Development on Fire-Prone Lands?](#)” in 2016. The report finds that insurance rates are rising, but not enough to discourage development: “Insurance rates and policies currently do not appear to consistently drive decisions about whether or not to build homes in wildfire-prone areas. Insurance costs are increasing, but those who can afford it and who value the amenities of living on forested mountainsides with sweeping views of the valley below will continue to build. Insurance carriers are denying homeowner insurance in a few high-risk areas, but homeowners can still find insurance on the alternative market, albeit at a greater cost.” Homeowners may have greater difficulty finding insurance coverage in high hazard areas particularly in California. The report indicates that the amenities that drive an individual to purchase property in a wildfire hazard areas such as mountain views and wooded lots outweigh the perceived risk of wildfire, at least in the short term.

Outreach

Gunnison County Community Development staff, along with the CPAW team, conducted significant community outreach in 2019 including multiple stakeholder and public meetings. In 2022, Community Development staff conducted additional outreach to bridge the gap between the CPAW work in 2019 and today. County staff convened a meeting which included staff from the City of Gunnison, Town of Crested, and the Town of Mt. Crested Butte along with staff from Gunnison Fire Protection District, Crested Butte

Fire Protection District, West Region Wildfire Council, and the Colorado State Forest Service. The purpose of the meeting was to discuss regional adoption of the 2021 IWUIC. Each of the municipalities attended and identified adoption of the IWUIC as something that they were currently considering or would begin to work toward. Staff expects that it will be important for the County to lead the way on adoption which often enables the municipalities to follow and create model programs based on a County-wide program. There was strong support from the fire professionals to adopt the IWUIC.

In March 2022, the County held a public meeting to discuss our analysis and recommendations related to wildfire risk and policy. This meeting was advertised in the newspapers, social media, and via email blasts to County contractor stakeholder lists (~approximately 400 addresses). Approximately 40 people attended the meeting and provided comment on the matter. At that meeting there were no public comments that discouraged adoption of the IWUIC or other policies to reduce wildfire risk. Additionally, the County did briefly discuss wildfire hazard at our annual spring contractor meeting in April 2022.

Recommendation

After analysis and stakeholder outreach, County staff recommends adoption of the 2021 IWUIC and adoption of the updated mapping included in the CPAW report including:

- **Gunnison County Landscape Wildfire Hazard:** “This scale (120-m pixel resolution) represents the likelihood (probability) of a fire occurring and the intensity of the fire at the landscape level based on the inherent landscape characteristics, including broad existing vegetation, biophysical settings, fire regimes, and fire histories. To provide the assessment in a format that is easily interpreted by the expected users (public, developers, land use planners), the pixelated display was summarized to polygon boundaries based on the U.S. Geological Survey Hydrological Unit Code (HUC) 12 (sub-watershed) boundaries. The landscape-level hazard assessment (Figure 10) is delineated into the following rankings: moderate, high, very high. The factors influencing these rankings can be used to determine the potential landscape-level exposure that a development will be subject to. The ranking at this scale is difficult to change at the local/parcel level. Mitigation affecting change at this scale is typically done by large-scale disturbances such as insect mortality, fires, or landscape-level mitigation” (CPAW, 2019)
- **Gunnison County Local Wildfire Hazard:** “This scale (90-m pixel resolution) is based on an extreme event (worst fire days). To provide the assessment in a format that is easily interpreted by the expected users (public, developers, land use planners), the pixelated display was summarized to polygon boundaries based on the catchment boundaries within the HUC 12 boundaries (Figure 11). This does not show the likelihood of a fire occurring but does show where fires are likely to burn at high intensity” (CPAW, 2019)

- **Gunnison County Wildfire Mitigation Difficulty:** “The Mitigation Difficulty component (30-m pixel resolution) uses the life form (grass, shrubs, trees), slope, and crown fire potential to classify the potential mitigation success of any given 30-m pixel on the map (Figure 12). This is represented by nine categories” (CPAW, 2019)
- **Gunnison County Wildland Urban Interface:** *“A general WUI definition used across all policies, plans, and regulations should account for the “set of conditions” where vegetation (wildland fuels) and structures or infrastructure (built fuels) are influenced by weather and topography to allow fire to ignite and spread through the WUI environment. To provide the basis for a true understanding of the risk that Gunnison County faces, the WUI should be more accurately defined as: ‘Any developed area where conditions affecting the combustibility of both wildland and built fuels allow for the ignition and spread of fire through the combined fuel complex.’*
In order to provide a spatial reference in defining the WUI, the CPAW/ RMRS team modified SILVIS lab’s approach for spatially defining the WUI. The SILVIS lab approach originated in the Federal Register report 16 on WUI communities at risk from fire. This approach was modified by the CPAW/RMRS team to the following parameters:
 - *WUI Intermix: Areas with ≥1 house per acre and ≥50 percent cover of wildland vegetation. These areas have a potential for exposure to radiant and convective heat, as well as airborne embers.*
 - *WUI Interface: Areas with ≥1 house per acre and ≤50 percent cover of vegetation and within 1.5 mi of area with ≥ 75% wildland vegetation.*
 - *Non- WUI Vegetated (no housing): Areas with ≥50 percent cover of wildland vegetation and no houses (e.g., protected areas, steep slopes, mountain tops).*

Based on these definitions, most of the developed areas (areas currently with habitable structures, or platted subdivisions without structures (potential WUI) within Gunnison County have been classed as WUI Intermix with some small areas of WUI Interface, mostly within the City of Gunnison and Town of Crested Butte (Figure 13). All areas outside of federal land ownership—including areas currently defined as “state, county, or local land ownership (grey areas on map)” —also have the potential to become WUI if development is planned. Although these areas of land ownership are not currently developed, the county should consider including these areas as the spatially defined WUI.”

- **Gunnison County Wildfire Hazard Severity Map:** Mike Pelletier, Gunnison County GIS Manager has created a wildfire hazard severity map based on criteria set forth in IWUIC.

County staff recommends the adoption of all these maps into applicable codes and regulations as a basis for informing decision making for regulators and as a baseline for general understanding of possible wildfire hazard and risk at the parcel level for property owners. The maps shall be used as an informational baseline

not as final determination of actual hazard at a specific parcel. County staff would need to analyze the mapping, mitigation difficulty classes and descriptions, aerial photos, any vegetation management proposed, and local knowledge of a parcel to make a determination of standards of the IWUIC that shall be applied to an individual property. There are some shortcomings of the above maps--namely that the vegetation layer that informs much of the mapping is not as accurate as preferred. It is unlikely that this layer will be improved soon--for this reason it is recommended that the maps are considered one tool in assessing risk on a parcel level. Adoption of the 2021 IWUIC is recommended for all jurisdictions. Construction of fire-resistant structures is one of the most important levers that local government can use to effect and reduce wildfire risk to structures and people.

County staff does not recommend adoption of the "CPAW Mitigation Difficulty/International Wildland Urban Interface Code (IWUIC) Hazard Crosswalk." Our analysis has concluded that this crosswalk is overly onerous and will require high levels of home hardening or defensible space potentially in locations that do not exhibit a relative high risk. This analysis has included input from fire professionals including Crested Butte Fire Protection District, West Region Wildfire Council, and the Colorado State Forest Service. For example, the CPAW Crosswalk grouped together water supply and defensible space as either conforming or not conforming versus the IWUIC which separates the two, providing for some credit if one or both can be achieved.

Possible amendments to the Gunnison County *Land Use Resolution*:

- Update the mapping references in Section 1-112: *Use of Maps* and Section 11-105: B.
- Define the Wildland Urban Interface in Article 2: *Definitions* as: "Any developed area where conditions affecting the combustibility of both wildland and built fuels allow for the ignition and spread of fire through the combined fuel complex." Define minimum qualification requirements for wildland fire professionals providing wildfire mitigation plans for individual property owners.
- Potential amendment to Section 12-105: Water Supply to refer to IWUIC Section 404 and NFPA 1142. Staff recommends the Planning Commission discuss Section 404 of the IWUIC; this section requires a conforming water supply and storage of water on site for fire protection purposes. This requirement has benefits to the community and may also propose challenges for some property owners who wish to subdivide.
- Section 12-107: *Fire Protection* review access standards
- Update Section 11-105: *Development in Areas Subject to Wildfire Hazard* to reflect update mapping tools, adoption of IWUIC, reference to Community Wildfire Protection Plan, and Hazard Mitigation Plan. Require wildfire mitigation plan for any new development including subdivisions. Require protective covenants to address maintenance of vegetation as part of wildfire mitigation plan.

The Planning Commission may also consider amendments to the IWUIC as part of this review and analysis.

County staff proposes the following implementation and program:

- A phased implementation may need to be considered. If the IWUIC is adopted in the spring it is expected that many property owners will have been working with designers and HOAs to obtain approval for their plans and may be negatively impacted by an immediate adoption. The County may consider at least a 6-month delay of some portions of the IWUIC.
- Gunnison County works with West Region Wildfire Council, CBFPD, and potentially Gunnison Fire Protection District to develop a program for site visits and fuel/vegetation treatment plans. Site visits are not expected to be required for every parcel but will be determined based on the level of hazard, complexity of the site, and mitigation proposed by the applicant. Parcels in areas with known high hazards (e.g. Trapper's Crossing, Quartz Creek properties, Marble ski area filings) are expected to require on site visits. Areas with lesser hazards (Castle Mountain, CB South) may only require a staff review of mapping and plans in office.
- Once an application for development is submitted it shall be reviewed initially for its hazard and mitigation difficulty and compliance with the IWUIC and Gunnison County *Land Use Resolution*. If staff determines that an on-site visit is necessary the applicant shall be referred to the appropriate entity (CBFPD, WRWC, GFPD) for initial consultation and review. The applicant shall pay any associated fees to the referral agency and work with the agency to identify a mitigation and defensible space plan for the parcel.

Additional Programming Opportunities

Currently programs from West Region Wildfire Council and Colorado State Forest Service offer funding and technical assistance to property owners to conduct site visits and complete vegetation management treatments (defensible space). Neither of those programs specifically addresses retrofits for existing construction to create additional ignition resistance. There are grant opportunities that exist that may be able to support a program and funding for retrofits---application and program development would need to be review and approved by the Board of County Commissioners. However, it is unlikely that the County would receive grant funding without adoption of IWUIC or some other type of wildfire mitigation program.

There are several bills currently proposed in the State legislature related to wildfire including:

- HB22-1007 which proposes a wildfire mitigation resources and best practices grant program.
- HB22-1012 which proposes to create the wildfire mitigation and recovery grant program.
- SB22-007 which would require the Colorado State Forest Service to convene a working group to consider how best to conduct enhanced wildfire awareness month outreach campaigns in 2023

and 2024 as well as other outreach efforts that inform and motivate residents in the WUI to engage in more wildfire risk mitigation.

Next Steps

- Planning Commission shall identify additional information, questions, or concerns that should be addressed by staff prior to the next work session.
- Staff will outline an agenda for next work session that may include review of specific sections of the IWUIC and invite fire professionals to attend to give feedback.
- Identify any other outstanding issues that should be addressed.

Resources

Barrett, Kimiko. 2018. The Community Costs of Wildfire. <https://headwaterseconomics.org/wp-content/uploads/full-wildfire-costs-report.pdf>.

Blevins, Paul, and Simpson. 2022. "Where do we go to escape this?" *The Marshall fire is Colorado's new reality*. The Colorado Sun. <https://coloradosun.com/2022/01/02/marshall-fire-climate-change-new-reality/>.

Calkin, et al. 2013. *How Risk Management Can Prevent Future Wildfire Disasters in the Wildland-Urban Interface*. https://www.fs.fed.us/rm/pubs_other/rmrs_2014_calkin_d002.pdf.

Community Wildfire Planning Center. 2021. *Land Use Planning Approaches in the Wildland-Urban Interface. An analysis of four western states: California, Colorado, Montana, and Washington*. https://www.communitywildfire.org/wp-content/uploads/2021/08/CWPC_Land-Use-WUI-Report_Final_2021_August_web-version.pdf.

Headwaters Economics. 2014. *Reducing Wildfire Risks to Communities: Solutions for Controlling the Pace, Scale, and Pattern of Future Development in the Wildland-Urban Interface*. <https://headwaterseconomics.org/wp-content/uploads/Paper-Reducing-Wildfire-Risk.pdf>

Headwaters Economics. 2016. *Do Insurance Policies and Rates Influence Home Development on Fire-Prone Lands?* <https://headwaterseconomics.org/wp-content/uploads/Insurance-Wildfire-Home-Development.pdf>

Headwaters Economics. 2018. *The Full Community Costs of Wildfire*. 2018. <https://headwaterseconomics.org/wp-content/uploads/full-wildfire-costs-report.pdf>

Hersher and Kellman. 2019. *Step 1: Build A House. Step 2: Set It On Fire*. <https://www.npr.org/2019/04/02/704854496/step-1-build-a-house-step-2-set-it-on-fire>.

Quarles et al. 2010. *Home Survival in Wildfire-Prone Areas: Building Materials and Design Considerations*. 2010. University of California, Agricultural and Natural Resources. <https://anrcatalog.ucanr.edu/pdf/8393.pdf>

Quarles and Pohl. 2018. *Building a Wildfire-Resistant Home: Codes and Costs*. <https://headwaterseconomics.org/wp-content/uploads/building-costs-codes-report.pdf>

Quarles and Cohen. *Reducing Wildfire Risk to Homes*. 2020.

<https://www.youtube.com/watch?v=1VsGgtiU2rE>.

Sommer, Laura. *Rebuilding After a Wildfire? Most States Don't Require Fire-Resistant Materials*. 2020.

<https://www.npr.org/2020/11/25/936685629/rebuilding-after-a-wildfire-most-states-dont-require-fire-resistant-materials>.

Wildfire Planning International, LLC and Wildland Professionals Solutions, Inc. 2019. *Community Planning Assistance for Wildfire. 2019. Final Recommendations for Gunnison County, CO*.



Gunnison County, CO
Community Development Department
221 N. Wisconsin St. Ste. D, Gunnison, CO 81230
Phone: (970) 641-0360
Website: www.gunnisoncounty.org
Email: planning@gunnisoncounty.org

From: Cathie Pagano, Assistant County Manager for Community and Economic Development
To: Board of County Commissioners
Date: July 7, 2022
Re: Wildfire Policy Recommendations

The Planning Commission have been reviewing the 2021 International Wildland Urban Interface Code (IWUIC) and the Community Planning Assistance for Wildfire (CPAW) wildfire policy recommendations. The Planning Commission has heard from fire professionals including: U.S. Forest Service, Colorado State Forest Service, West Region Wildfire Council, Gunnison County Emergency Management, Crested Butte Fire Protection District, and Gunnison Fire Protection District. The fire professionals have expressed their concerns about wildfire risk and their support for adoption of the 2021 IWUIC. Staff has conducted public outreach on the matter and since 2019 has held multiple public meetings, a showing of the movie "The Era of Mega-Fire" and direct outreach to large property/homeowner's associations and property managers. Additionally, local media has covered the wildfire policy meetings extensively.

The Planning Commissioner recommends the adoption of the 2021 IWUIC with amendments and amendments to the Gunnison County *Land Use Resolution* (LUR). The adoption of a new building code, such as the IWUIC, requires a recommendation from the Planning Commission to the Board of County Commissioners (BOCC) and that the BOCC hold a public hearing on the possible adoption. Amendment of the LUR is governed by Section 1-113: *Amending This Land Use Resolution* and requires Planning Commission review and that the Planning Commission make a recommendation to the BOCC. The BOCC shall conduct a public hearing on the proposed amendments and decide on adoption.

In compliance with Section 1-113: B.2. of the LUR, the Planning Commission recommends adoption of the IWUIC and amendments to the LUR to create policy and standards that reduce

wildfire risk and mitigate wildfire hazards to public and private property in Gunnison County. Wildfires and wildfire hazards have increased throughout the west and Gunnison County is currently experiencing a drought. Wildfire risk can be mitigated and reduced through the creation of defensible space and use of ignition resistant construction materials, along with design practices for new development and subdivisions that increase public safety.

Staff has attached the following documents for your review and reference:

- Planning Commission recommendation for the adoption of the 2021 IWUIC and amendment of the LUR
- Draft amendments, “Exhibit A,” to the 2021 IWUIC (both a clean copy and redline are attached for your reference)
- Draft amendments, “Exhibit B,” to the Gunnison County *Land Use Resolution* (both a clean copy and redline are attached for your reference)
- Memo to Wildfire Stakeholders dated April 21, 2022 providing context and information regarding wildfire risk and policy

These amendments were developed in collaboration with staff from Colorado State Forest Service, West Region Wildfire Council, Gunnison County Public Works, Gunnison Fire Protection District, and Crested Butte Fire Protection District. Please feel free to contact me with any questions, thank you.

TO: Board of County Commissioners

FROM: Gunnison County Planning Commission

SUBJECT: Planning Commission Recommendation
Gunnison County *Land Use Resolution* Amendments and adoption of
the 2021 International Wildland Urban Interface Code

DATE: July 7, 2022

PREPARED BY: Cathie Pagano, Assistant County Manager for Community &
Economic Development

Commissioner Baca made a motion to approve the as presented, Schwartz seconded, the motion passed unanimously.

Project Description:

The Planning Commission have been reviewing the 2021 International Wildland Urban Interface Code (IWUIC) and the Community Planning Assistance for Wildfire (CPAW) wildfire policy recommendations. The Planning Commission has heard from fire professionals including: U.S. Forest Service, Colorado State Forest Service, West Region Wildfire Council, Gunnison County Emergency Management, Crested Butte Fire Protection District, and Gunnison Fire Protection District. The fire professionals have expressed their concerns about wildfire risk and their support for adoption of the 2021 IWUIC. Staff has conducted public outreach on the matter and since 2019 has held multiple public meetings, a showing of the movie “The Era of Mega-Fire” and direct outreach to large property/homeowner’s associations and property managers. Additionally, local media has covered the wildfire policy meetings extensively.

In 2019, Gunnison County received a technical assistance award to participate in the Community Planning Assistance for Wildfire (CPAW) program. County staff worked with a team from Headwaters Economics, Wildfire Planning International, and USDA Forest Service, Rocky Mountain Research Station. The year-long process included multiple stakeholder engagement opportunities and the general public participated in the discussions. Stakeholder participants include: U.S. Forest Service, Colorado State Forest Service, West Region Wildfire Council, County GIS staff, Crested Butte Fire Protection District, Gunnison Fire Protection District, County Emergency Management, Gunnison County Board of Realtors, property managers, and members of the public.

The CPAW team prepared a report titled, “Community Planning Assistance for Wildfire, Final Recommendations for Gunnison County, CO, 2019” (the CPAW report). In addition to the report the team worked with local fire professionals and stakeholders to develop and update wildfire mapping for the entirety of Gunnison County. The International Code Council has released the 2021 *International Wildlife Urban Interface Code* and Gunnison County proposes that the County and the municipalities within the County consider adoption of the IWUIC cooperatively and within the same year. Historically, the County and the municipalities have adopted the updated building codes in the same year to maintain consistency and reduce confusion across jurisdictional boundaries.

Gunnison County has been fortunate in the past 40 years that we have not experienced a large-scale, catastrophic wildfire. Many other counties and communities across the State of Colorado have experienced devastating consequences from wildfire, most recently the Marshal fire, along the front-range in Superior and Louisville, became the most devastating fire in state history destroying nearly 1,000 structures across 6,000 acres in just hours. The firestorm was spread by embers through high winds that whipped through suburban subdivisions far from forests. The Marshal fire is an example of the risk and threat that our residents and community face. Gunnison County has experienced multiple fires of less than 1,500 acres in the past twenty years—most have been successfully suppressed. The CPAW Report explains:

“...successful suppression is a driver in forest encroachment into the open grasslands and increasing fuel loads in the forest fuel types. Compounding the issue are extensive mountain pine beetle and spruce bark beetle infestations across the county, resulting in a significant threat of standing dead and down forest fuels capable of supporting extremely aggressive fire behavior if exposed to ignition sources. The additional elements of complex and often steep topography coupled with the dispersed residential home development pattern common throughout the county present an extremely complex wildfire protection challenge. The county regularly experiences the weather conditions that can support extreme fire behavior, with only the ignition source missing.”

Land managers, including the U.S. Forest Service and the Colorado State Forest Service, have increased their work in the past three years to mitigate the impacts of beetle infestations in the County including the 400-acre Wilder-Highlands Mountain Pine Beetle Response project in the Taylor Canyon and Lost Canyon areas to eliminate the infestations in those areas. These

proactive measures support a healthier forest and can reduce some wildfire risk. However, the risk of wildfire and destruction of life and property is exacerbated by rural development patterns and the construction of structures that are not fire resistant.

The climate, topography, landscape, and persistent drought in Gunnison County lends itself to high wildfire risk. The CPAW report identifies multiple challenges in Gunnison County including: existing subdivisions that may not be designed with wildfire safety and protection features; increases in part-time residents and transient populations that may be less familiar with wildfire prevention and safety; regulatory gaps and enforcement; and lack of community engagement on wildfire issues.

MEETING DATES:

The Planning Commission held work sessions on the following dates:

- April 21, 2022 Work Session
- May 5, 2022 Work Session
- May 19, 2022 Work Session
- June 16, 2022 Work Session
- July 7, 2022 Work Session

No public hearing is required of the Planning Commission by Section 1-113: *Amending this Land Use Resolution*. A public hearing will be conducted by the Board of County Commissioners.

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

*Please note LUR language is in italics; response on compliance is in plain text.

Section 1-113: C. REVIEW STANDARDS. *The decision to amend the text of this Resolution is at the legislative discretion of the Board and is not controlled by any one factor. The Board shall consider the following in determining whether to adopt a proposed amendment, adopt a proposed amendment with modifications, table it for further study or deny it:*

1. CONSISTENCY WITH ANY COMPREHENSIVE PLAN ADOPTED BY GUNNISON COUNTY. *Consistency of the proposed amendment with any applicable comprehensive plan adopted by Gunnison County;*

The Gunnison County Comprehensive Plan: Crested Butte/Gunnison Corridor Plan (the Corridor Plan) was adopted October 7, 2005. Additionally, the Board of County Commissioners

have included the adoption of the Wildland Urban Interface Code as a goal in their 2022 Strategic Plan.

2. CHANGED CONDITIONS. *Changed conditions, including the economy of Gunnison County;*

The climate of the western United States and Gunnison County continues to change and become hotter and drier. Gunnison County is currently experiencing a drought and, in the spring of 2022, has experienced higher than normal winds. These conditions lead to higher wildfire risk and likelihood. Catastrophic fires that damage life and property have been seen across the western U.S. These conditions necessitate a regulatory response that addresses wildfire hazard reduction and mitigation.

3. EFFECT ON THE NATURAL ENVIRONMENT. *Effect of the proposed amendment on the natural environment;*

The proposed amendments are expected to have a positive impact on the environment. The requirements for defensible space, development design, and ignition resistant construction are expected to reduce wildfire risk and hazard and may lower spread of wildfire in Gunnison County. While wildfire is an important part of natural ecosystems, with current conditions in the wildland urban interface they can quickly grow out of control and threaten life and property.

4. COMMUNITY NEEDS. *Community needs;*

The community has expressed interest in and general support for addressing wildfire hazards in Gunnison County.

5. DEVELOPMENT PATTERN. *Development pattern;*

Development has continued to encroach and spread into the wildland urban interface which increases the risk to life and property. As developments spread into farther reaches of the County is critical to address the safety and risk that they face through the adoption of wildfire policy.

6. CHANGES IN APPLICABLE LAW. *Changes in applicable law;*

Not applicable, no changes in other laws have prompted this amendment.

7. PUBLIC HEALTH, SAFETY AND WELFARE. *Public health, safety and welfare;*

Wildfires present a significant risk to public health, safety, and welfare. The adoption of wildfire policies will address these risks and require mitigation to reduce the risk.

8. COMPLIANCE WITH ANY APPLICABLE INTERGOVERNMENTAL AGREEMENTS ADOPTED BY GUNNISON COUNTY. *Compliance with any applicable intergovernmental agreements adopted by Gunnison County.*

Not applicable.

RECOMMENDATION:

The Gunnison County Planning Commission recommends the Board adopt the 2021 *International Wildland Urban Interface Code* and the amendments attached as Exhibit A and the following amendments attached in Exhibit B to the Gunnison County *Land Use Resolution* in consideration and compliance with the above standards and hold a public hearing as is required.

Exhibit A
2021 International Wildland Urban Interface Code
Proposed Gunnison County Amendments

Section 402.1.1 Access. Delete entire section. The current access requirements and standards throughout Gunnison County will continue to be utilized.

Section 402.2 Individual structures. Delete “Section 402.2.1 and”. Current access requirements will continue to be utilized.

Section 402.2.1 Access. Delete entire section. Current access requirements will continue to be utilized.

Section 403 Access. Delete the following sections: 403.1 Restricted access, 403.2 Driveways, 403.2.1 Dimensions, 403.2.2 Length, 403.2.3 Service limitations, 403.2.4 Turnarounds, 403.2.5 Turnouts, 403.2.6 Bridges, 403.3 Fire apparatus access road, 403.7 Grade.

Section 404.2 Water sources. Amend to the following and delete everything else: “The water source location shall be reviewed and approved by the code official.”

Section 404.6 Fire department. Delete entire section.

Section 502.1 General. Amend to say the following: The fire hazard severity of building sites for building hereafter constructed, modified or relocated into wildland-urban interface areas shall be established in accordance with the *Community Planning Assistance for Wildfire “Final Recommendations for Gunnison, CO 2019”* report, specifically the *Local-Level Wildfire Hazard data and map*.

Table 502.1 Fire Hazard Severity. Delete table.

Section 502.2 Fire hazard severity reduction. Amend to say the following: The fire hazard severity identified through Section 502.1 is allowed to be reduced by implementing a vegetation management plan in accordance with Appendix B.

Section 502.2 Fire hazard severity reduction. Add the following sentence:

It is strongly encouraged that a vegetation management plan prepared by a qualified wildfire professional, including but not limited to, the Colorado State Forest Service, West Region Wildfire Council, and local fire districts.

Table 503.1 Ignition-Resistant Construction. Replace “Extreme Hazard” with “Very High Hazard”. This is to ensure consistent terminology with the *Community Planning Assistance for Wildfire “Final Recommendations for Gunnison, CO 2019”* report.

Add new **Section 603.2.4 Hardened zone.** 0-5 feet minimum from the structure shall be a hardened zone designed to prevent flames from coming in direct contact with the structure. Use nonflammable, hard surface materials in this zone, such as rock, gravel, sand, cement, bare earth or stone/concrete pavers.

Table 603.2 Required Defensible Space. Replace “Extreme hazard” with “Very High hazard”.

Appendix B Vegetation Management Plan. Adopt Appendix B and add the following sentence to Section B101.1: It is strongly encouraged that a vegetation management plan prepared by a qualified wildfire professional, including but not limited to, the Colorado State Forest Service, West Region Wildfire Council, and local fire districts.

Exhibit A

2021 International Wildland Urban Interface Code

Proposed Gunnison County Amendments

Section 402.1.1 Access. Delete entire section. The current access requirements and standards throughout Gunnison County will continue to be utilized.

Section 402.2 Individual structures. Delete “Section 402.2.1 and”. Current access requirements will continue to be utilized.

Section 402.2.1 Access. Delete entire section. Current access requirements will continue to be utilized.

Section 403 Access. Delete the following sections: 403.1 Restricted access, 403.2 Driveways, 403.2.1 Dimensions, 403.2.2 Length, 403.2.3 Service limitations, 403.2.4 Turnarounds, 403.2.5 Turnouts, 403.2.6 Bridges, 403.3 Fire apparatus access road, 403.7 Grade.

Section 404.2 Water sources. Amend to the following and delete everything else: “The water source location shall be reviewed and approved by the code official.”

Section 404.6 Fire department. Delete entire section.

Section 502.1 General. Amend to say the following: The fire hazard severity of building sites for building hereafter constructed, modified or relocated into wildland-urban interface areas shall be established in accordance with the *Community Planning Assistance for Wildfire “Final Recommendations for Gunnison, CO 2019”* report, specifically the *Local-Level Wildfire Hazard data and map*.

Table 502.1 Fire Hazard Severity. Delete table.

Section 502.2 Fire hazard severity reduction. Amend to say the following: [The identified fire hazard severity may be reduced by implementing a vegetation management plan in accordance with Appendix B.](#)

Section 502.2 Fire hazard severity reduction. Add the following sentence:

~~It is strongly encouraged that a vegetation management plan be prepared by a qualified wildfire professional, including but not limited to, the Colorado State Forest Service, West Region Wildfire Council, and local fire districts.~~

~~Any vegetation management plan shall be prepared by a qualified wildfire professional, including but not limited to, the Colorado State Forest Service and West Region Wildfire Council.~~

Commented [CP1]: West Region Wildfire Council recommends that a vegetation management plan only be prepared by a qualified professional.

Table 503.1 Ignition-Resistant Construction. Replace “Extreme Hazard” with “Very High Hazard”. This is to ensure consistent terminology with the *Community Planning Assistance for Wildfire “Final Recommendations for Gunnison, CO 2019”* report.

Add new **Section 603.2.4 Hardened zone.** 0-5 feet minimum from the structure shall be a hardened zone designed to prevent flames from coming in direct contact with the structure. Use nonflammable, hard surface materials in this zone, such as rock, gravel, sand, cement, bare earth or stone/concrete pavers.

Table 603.2 Required Defensible Space. Replace “Extreme hazard” with “Very High hazard”.

Appendix B Vegetation Management Plan. Adopt Appendix B and add the following sentence to Section B101.1: It is strongly encouraged that a ~~V~~vegetation management plan be prepared by a qualified wildfire professional, including but not limited to, the Colorado State Forest Service, West Region Wildfire Council, and local fire districts.

EXHIBIT B
GUNNISON COUNTY LAND USE RESOLUTION
DRAFT AMENDMENTS

SECTION 1-112: USE OF MAPS

Gunnison County uses the following maps as general sources of information to provide initial guidelines for siting development, and for alerting the County, the applicant and the public about the physical characteristics of a parcel and the area in which it is located. Site-specific studies may be required of individual parcels to determine individual characteristics more definitively, and how they may affect a development proposal.

- A. MAPS ADOPTED.** Gunnison County hereby adopts the following maps in this *Resolution*, as if they were actually included as illustrations in the *Resolution*. These maps may be updated from time to time, pursuant to Section 1-112: B: *Adoption of New or Updated Maps*.
1. **FLOODPLAIN MAPS.** National Flood Insurance Rate Maps (FIRM) prepared by the Federal Emergency Management Agency May 16, 2013, and as more specifically adopted in Section 11-103: E: *Official Maps*.
 2. **GUNNISON COUNTY ROAD MAINTENANCE MAPS.** Maps of roads within Gunnison County, designating roads maintained and/or plowed by Gunnison County (dated April 1997, as amended).
 3. **GUNNISON SAGE-GROUSE HABITAT MAP.** Gunnison County map that depicts private lands located within areas defined as Gunnison Sage-grouse habitat, as currently adopted by the Board.
- B. ADOPTION OF NEW OR UPDATED MAPS.** New or updated maps may be adopted by Gunnison County from time-to-time to reflect new studies, to correct map designations, or to otherwise replace or augment the floodplain, road maintenance and other maps. The adoption of a new map or the amendment of any adopted map shall be accomplished by amending or adding the reference to the map in this Section and by following the process and standards of Section 1-113: *Amending This Land Use Resolution*.
- C. MAPS TO BE USED AS REFERENCES.** Gunnison County may use the following and other maps as they may be amended as general references. Amendment or other update by the agencies that prepared them requires no action by the County.
1. **WILDFIRE HAZARD MAPS.** Wildfire Hazard Maps prepared by Community Planning Assistance for Wildfire (CPAW) and as they may be amended from time to time.
 2. **SOILS MAPS.** Soil Survey Maps prepared by the Natural Resource Conservation Service (Soil Conservation Service).
 3. **GEOLOGIC HAZARD MAPS.** Geologic Hazard Maps prepared by the Colorado Geologic Survey.
 4. **WILDLIFE MAPS.** The Wildlife Resource Information System (WRIS) and National Diversity Information Source (NDIS) maps available from the Colorado Division of Parks and Wildlife, and the Gunnison Basin Sage Grouse Habitat Maps (in the *Gunnison Sage Grouse Conservation Plan*), or their successors.
 5. **WETLANDS MAPS.** Wetlands identification maps for lands around the Town of Crested Butte prepared by David Cooper, PhD: Ecologist, in cooperation with the U.S. Environmental Protection Agency.

ARTICLE 2: DEFINITIONS

WILDFIRE HAZARD AREA means an area where potential wildfire phenomenon is so adverse to past, current or foreseeable construction or development that it constitutes a significant potential hazard to public health and safety or to property. Such areas may be shown on maps pursuant to Section 1-112: C: *Maps*

To Be Used As References :

- **LANDSCAPE-LEVEL WILDFIRE HAZARD** This scale represents the likelihood (probability) of a fire occurring and the intensity of the fire at the landscape level based on the inherent landscape characteristics, including broad existing vegetation, biophysical settings, fire regimes, and fire histories. The landscape-level hazard assessment is delineated into the following rankings:
 - MODERATE
 - HIGH
 - VERY HIGH

The factors influencing these rankings can be used to determine the potential landscape-level exposure that a development will be subject to. The ranking at this scale is difficult to change at the local/parcel level. Mitigation affecting change at this scale is typically done by large-scale disturbances such as insect mortality, fires, or landscape-level mitigation.

- **LOCAL-LEVEL WILDFIRE HAZARD** This scale is based on an extreme event (worst fire days). This does not show the likelihood of a fire occurring but does show where fires are likely to burn at high intensity. For example, a fire that starts in an area where the local hazard is high can spread fast and burn at high intensity creating significant wildfire exposure to any structures in the area. The same rankings used at the landscape scale are used at this local scale:
 - MODERATE
 - HIGH
 - VERY HIGH

WILDFIRE-RELATED TERMS INCLUDE:

- **FIRE CHIMNEY** means a steep, narrow drainage or ravine that generally confines smoke and heat along with natural convection currents and thus causes rapid upward increases in fire spread and intensity.
- **FUEL** means vegetation, debris, or other substances that will support combustion in a wildfire hazard area.
- **FUELBREAK** means a strategically-located strip of land that may vary in width, on which vegetation and other fuels have been modified to reduce the rate of potential fire spread, so that fire suppression forces can be used in relative safety to control a wildfire. Examples of fuel-breaks include provision for all-wheel-drive access, greenbelts, open space, forest openings, riding and hiking trails, and underground utility corridors.
- **LADDER FUELS** means fuels arranged between two separate fuel layers, including between the forest floor and tree canopies that provide vertical continuity, and thereby support fire spread in a vertical direction.
- **SLASH** means vegetative debris left after cutting or clearing operations in forest or brush areas that require treatment to reduce wildfire hazard.

WILDLAND URBAN INTERFACE (WUI) means any developed area where conditions affecting the combustibility of both wildland and built fuels allow for the ignition and spread of fire through the combined fuel complex. The WUI is illustrated in the CPAW map titled, "Gunnison County Wildland Urban Interface."

- **WUI Intermix:** Areas with ≥ 1 house per acre and ≥ 50 percent cover of wildland vegetation. These areas have a potential for exposure to radiant and convective heat, as well as airborne embers.
- **WUI Interface:** Areas with ≥ 1 house per acre and ≤ 50 percent cover of vegetation and within 1.5 mi of area with $\geq 75\%$ wildland vegetation.
- **Non- WUI Vegetated** (no housing): Areas with ≥ 50 percent cover of wildland vegetation and no houses (e.g., protected areas, steep slopes, mountain tops).

Section 7-201: I.2.d. **WILDFIRE HAZARD MAPS.** Wildfire Hazard Maps prepared by Community Planning Assistance for Wildfire (CPAW).

11-104: G.6.e. DEVELOPMENT PROHIBITED. Development shall be prohibited on any slope in excess of 30 percent that is also located in an area that is determined to be a very high wildfire hazard area, pursuant to Section 11-104: C: *Applicability.*

SECTION 11-105: DEVELOPMENT IN AREAS SUBJECT TO WILDFIRE HAZARDS

A. PURPOSE. There are certain types of lands in Gunnison County that may be hazardous to human life and safety and to property due to their potential for wildfire. The purpose of this Section is to

ensure that development avoids these hazard areas whenever possible. When avoidance is not possible, to provide standards to reduce or minimize the potential threats that wildfire may pose to the safety of occupants, their property, and emergency service personnel.

- B. APPLICABILITY.** The requirements of this Section shall apply to any development in areas designated as wildfire hazard areas on the Wildfire Hazard Maps, and in areas where the Colorado State Forest Service or the designated fire district determines that there is the potential for a proposed development to be threatened by a wildfire hazard.
- C. MAPS INCORPORATED.** The Gunnison County Wildfire Hazard Maps, prepared by Community Planning Assistance for Wildfire, and Gunnison County GIS, shall be used as references for determining when parcels are located within wildfire hazard areas, pursuant to Section 1-112: *Use of Maps*. Where areas have not been mapped, review and analysis by the Colorado Forest Service shall determine the status of wildfire hazards. Copies of the maps are available on www.gunnisoncounty.org.
- D. REFERRAL TO AND REVIEW BY COLORADO STATE FOREST SERVICE.** The Community Development Department may submit any application to the Colorado State Forest Service, West Region Wildfire Council, or local fire district for review and comment, to use the expertise and judgment of that agency to evaluate the severity of potential wildfire hazards related to the proposed land use change, and to determine the appropriate avoidance or mitigation.
- E. REFERRAL TO AND REVIEW BY APPLICABLE FIRE PROTECTION DISTRICT.** When a Land Use Change Permit is sought in an area located within a specific fire protection district the Community Development Department may submit the application to that District for review and comment to use the District's expertise and judgment to evaluate whether the development has included design elements compatible with adopted District standards, and to recommend how the development can best provide fire prevention and suppression.
- F. STANDARDS.** The following standards shall apply to land use changes in all wildfire hazard areas:
 - 1. GENERAL STANDARD.** All new construction, substantial improvement, use, fill, encroachments, alteration, fuel modification or treatment, except utility lines, on or over any portion of a wildfire hazard area, shall be designed so it does not increase the potential intensity or duration of a wildfire, or adversely affect wildfire behavior or fuel composition. Development that subjects persons (including emergency service personnel and residents of neighboring properties) to undue dangers, or that will result in substantial public expenses required to mitigate hazardous conditions, respond to emergencies created by such conditions, or rehabilitate infrastructure or lands, or that cannot otherwise be accomplished in a manner that the applicant demonstrates will be safe, shall be prohibited.
 - 2. PROHIBITED LOCATIONS FOR DEVELOPMENT.** Development shall not be located in any area designated as having very high wildfire hazard that also has slopes greater than 30 percent. Development shall also not be located in a fire chimney, as identified by the Colorado State Forest Service.
 - 3. DEMONSTRATE COMPLIANCE WITH THE *INTERNATIONAL WILDLAND URBAN INTERFACE CODE (IWUIC)*, AS ADOPTED AND AMENDED BY GUNNISON COUNTY.** All land use change applications shall comply with the standards set forth in the County-adopted version of the *International Wildland Urban Interface Code*.
 - a. NOT CAUSE ADVERSE IMPACTS.** When mitigating a wildfire hazard pursuant to this Section, applicants shall not cause soil erosion, remove existing vegetation, thin trees or create adverse impacts to wildlife to an extent beyond that which is necessary to mitigate the hazard effectively.
 - 4. LOCATION IN A FIRE PROTECTION DISTRICT.** All developments located in a specific fire protection district shall comply with the fire suppression requirements of that District, when those requirements are recommended by the District, and when determined by the County to be appropriate. When the District's standards conflict with County standards, the County shall only enforce the County standards.

- 6. WILDFIRE PREVENTION STANDARDS TO BE ADDRESSED IN PROTECTIVE COVENANTS.** Development shall comply with the following standards. Assurances as to compliance with these standards shall be addressed in a recorded, permanent protective covenant enforceable by the County.
- a. FUEL MODIFICATIONS.** If the proposed development includes areas that are within a wildfire hazard area as mapped on Gunnison County Wildfire Hazard Maps, that can be reduced to lower hazard ratings, in accordance with the adopted International Wildland Urban Interface Code, through thinning, clumping, reduction of “ladder” fuels (vegetation that may allow a fire to burn from ground level to lower tree branches), removal of hanging limbs near chimneys, creation of defensible space around structures, or other such modifications, then such modifications shall be accomplished and maintained by the applicant and or applicable homeowner’s association.
 - b. FUEL BREAKS.** Practical fuel break systems shall be installed as needed in locations that are approved by the Colorado State Forest Service.
 - c. IGNITION RESISTANT CONSTRUCTION MATERIALS.** If the proposed development includes areas that are within a wildfire hazard area as mapped on Gunnison County Wildfire Hazard Maps, construction materials that are ignition resistant shall be allowed and encouraged within the protective covenants.
- 7. SAFETY AREAS IN RESIDENTIAL DEVELOPMENT.** Areas designated by the applicable fire protection district as temporary public evacuation areas during fires shall be indicated by permanent signs along roads in developments. These areas shall also be designated on a final subdivision plat or final development plan for any development that is classified as a Major Impact Project.
- 8. CUL-DE-SACS.** Cul-de-sacs shall not cross major draws, canyons, or gullies conducive to fire spread, nor shall cul-de-sacs terminate in such draws, canyons or gullies. Cul-de-sacs shall have a turn-around pad at the end with a minimum radius of 45 feet and an all-weather gravel or paved surface of a minimum of 45 feet. Dead end roads without turn-around areas shall be prohibited.
- 9. ROAD RIGHT-OF-WAY CLEARING.** All roads shall be cleared and maintained four feet from each edge of the road surface in the right-of-way, so they are free from all living or dead flammable materials.
- 10. ROAD GRADE.** All dedicated roads shall meet the minimum and maximum grade standards pursuant to the *Gunnison County Standards and Specifications for Road and Bridge Construction*.
- 11. CLEAN-UP OF SLASH.** To minimize wildfire hazards and to avoid insects and diseases, the following actions shall be accomplished:
- a. ROAD SLASH.** All cut combustible materials, vegetative residues, including fallen or cut trees and shrubs, pulled stumps, or other such flammable debris shall be disposed of by either chipping or removal from development roadside strips. These strips shall be 100-foot wide areas that parallel each side of the road, measured outward from the edge of the road right-of-way.
 - b. SLASH AROUND HOMES.** All vegetative residue, slashing, branches, limbs, stumps, roots, or other flammable debris shall be disposed of from around the home site areas by either chipping or removal before final building inspection approval. Home site areas shall include all areas of the lot in which the materials are generated or deposited.
 - c. FILLS.** Compacting slash and debris into roadbed fill areas shall be prohibited, but such materials may be buried in the road right-of-way outside the roadbed provided that the burial is done to minimize the potential for erosion.
- 12. COMPLY WITH FIRE PROTECTION STANDARDS.** Developments in wildfire hazard areas shall also comply with the standards of Section 12-107: *Fire Protection*.
- G. WARNING AND DISCLAIMER.** As a condition of approval of the proposed land use change, the applicant shall sign the following warning and disclaimer that shall be included on the Final Plat of a subdivision, or within the applicable recorded document that approves the Land Use Change Permit:

WARNING AND DISCLAIMER OF WILDFIRE HAZARDS

AFFECTING USE AND OCCUPANCY OF THIS PROPERTY

“I/We _____ (owner(s) of property) on behalf of myself/ourselves and all successors, heirs and assigns, hereby acknowledge having been informed by Gunnison County of the existence of wildfire hazard areas that may affect the use and occupancy of the property, and any improvements thereto. I/We acknowledge that the County's approval of this land use change does not guarantee the safety of the property, or in any way imply that areas outside of the designated hazard areas will be free from hazards and hereby agrees to indemnify, defend and save harmless the County, its agents, officers and employees from and against any and all liability, expense including defense costs and legal fees, and claims for damages of any nature whatsoever, including bodily injury, death, personal injury, or property damage arising from or connected with any activity related to these hazards, including any suits, liability, or expense.”

- H. OWNERS SHALL BE RESPONSIBLE.** Property owners who develop in, or have access through, areas subject to wildfire hazards shall be required to construct, implement, maintain, monitor, improve and bear the cost of their development's proportionate share of all reasonable measures necessary to mitigate any wildfire-related hazard created by such development.

SECTION 12-105: WATER SUPPLY

- A. GENERAL STANDARD.** All land use changes for Minor or Major Impact Projects, for which water is a required and necessary element of the development, shall provide a water supply that is legally and physically adequate in terms of quality, quantity, dependability, and pressure for the proposed development. In making its determination as to whether the proposed water supply will be adequate for the proposed use, the decision-making body shall consider the recommendations of the Colorado Division of Water Resources, the Gunnison County Environmental Health Official and other County staff, or consultants engaged by the County and the applicant.
- B. CONNECTION TO EXISTING SYSTEMS.** It is the policy of Gunnison County to encourage land use changes to use existing water supply systems, especially those paid for in whole or in part by the sale of municipal, county, special district, or other political subdivision bonds. When an existing water supply system can provide a documented legal and physically sufficient source of water for a proposed use pursuant to this *Resolution*, an applicant for a Land Use Change Permit shall be required to connect to the existing system and to install those water lines and other appurtenances necessary to make the water supply available at the property line of each lot in the development in the following circumstances:
- 1. LOCATED WITHIN 400'.** The proposed land use change is located within 400 feet of a component of an available existing water supply system; or
 - 2. LOCATED WITHIN AN URBAN SERVICE AREA.** The proposed land use change is located in a designated urban service area and it is determined that it is feasible, logical, and consistent with applicable municipal, district and county plans, to connect the development to the water supply system serving the area. If it is determined that it is premature to connect the development to the system at the time of the Land Use Change Permit approval, the County may require, as a condition of approval, that assurances be given, including granting of easements, and/or commitments to pay for or construct specified improvements, to ensure that when it is timely to connect the development to the water supply system, this can feasibly occur.
- C. EXISTING SYSTEM NOT ACCESSIBLE.** Where an existing water supply system approved by the Colorado Department of Public Health and Environment is not reasonably accessible or connection to it is not feasible, the applicant shall implement one of the following options:
- 1. INSTALL WATER SUPPLY SYSTEM.** Install a water supply system, with water lines to each lot, the design, construction, maintenance and operation of which complies with the County's regulations and with the standards of the Colorado Department of Public Health and Environmental Resources; or
 - 2. SUBMIT EVIDENCE OF ADEQUACY OF INDIVIDUAL SUPPLIES.** Submit evidence satisfactory to the County that adequate individual water supplies that comply with the standards of the Colorado

Department of Public Health and Environment and Gunnison County will be available to each lot in the proposed development. The County may refer the application to the Colorado Division of Water Resources for comments on the adequacy of the proposed supply.

D. CALCULATION OF ADEQUACY OF SUPPLY. The legal and physical adequacy of the water supply for a proposed water supply for a land use change proposed as a Major Impact shall be calculated based on the total planned development at full buildout, and for year-round use, using standard engineering practices. Fire flow requirements shall be related to the location and character of the development, and shall comply with the standards of Section 12-107: *Fire Protection*. Calculation shall be based on the following:

1. **ESTIMATED AVERAGE DAILY DEMAND.** Estimated average daily demand of the entire service area and the proposed development. Demand calculations are to be based on 350 gallons per day (gpd) per residence.
2. **ESTIMATED MAXIMUM DAILY DEMAND.** Estimated maximum daily demand based on using three times the average daily demand.
3. **ESTIMATED PEAK HOUR DEMAND.** Estimated peak hour demand based on using six times the average daily demand.
4. **ESTIMATED AVERAGE DAILY DEMAND FOR COMMERCIAL / INDUSTRIAL USES.** The estimated average daily demand for commercial and industrial uses will be reviewed based on the anticipated demand of the proposed development. Appropriate multipliers may be used in calculating the amount, based on standards as may be required for a specific use by the Colorado Department of Public Health and Environment, or other applicable agency or industry standard.
5. **WATER SUFFICIENT FOR LANDSCAPING.** As may be required by Section 13-111: *Landscaping and Buffering* each use shall have adequate water to supply required landscaping. Amounts shall be calculated using the irrigation water criteria in Section 12-105: D. 5. a. 1: *Estimated Demand*.
 - a. **IRRIGATION WATER CRITERIA.** The following shall be considered in calculating requirements for the use of irrigation in new development, and shall not apply to agricultural operations in existence as of the effective date of this *Resolution*.
 1. **ESTIMATED DEMAND.** Estimated irrigation demand based on information supplied by the Natural Resources Conservation Service. The information shall take into account the type of vegetation to be maintained, the soil characteristics, the historic yield, and the available water rights.
 2. **ESTIMATED ACREAGE.** Estimated acreage to be irrigated.
6. **ADEQUATE AND RELIABLE WATER SUPPLY.** A water supply that is sufficient and accessible year-round to control and extinguish anticipated fires in the development. This standard shall identify minimum requirements for water supplies for structural and wildland fire-fighting purposes in rural and suburban areas of the county.
 - a. **COMPLIANCE WITH International Wildland Urban Interface Code (IWUIC) WATER SUPPLY REQUIREMENTS.** The applicant shall provide evidence that the proposed water supply complies with the applicable standards of the IWUIC.
 - b. **NFPA CLASSIFICATIONS MAY BE REFERENCED.** To determine the requirements for an adequate and reliable water supply specific to the development, the County may refer to current standards as published by the National Fire Protection Association including the *Occupancy Hazard Classification and Construction Classification Tables* within the *Standard on Water Supplies for Suburban and Rural Fire Fighting*.
 - b. **COMPLIANCE WITH FIRE PROTECTION DISTRICT REQUIREMENTS.** The applicant shall provide evidence that the distribution system and storage system are capable of meeting the requirements of the applicable fire protection district, and shall be located on the same site for which

development is proposed. When the District's standards conflict with County standards, the County shall only enforce the County standards.

- c. **MINIMUM REQUIREMENTS MAY BE INCREASED IF CONDITIONS ARE UNIQUE.** The County may determine during the permit application review that additional water supplies are required for fire suppression purposes, considering particular conditions such as the following:
 - 1. **LIMITED FIRE DEPARTMENT RESOURCES.** Available equipment is not sufficient to provide suppression for proposed heights of buildings, or there are similar limitations.
 - 2. **EXTENDED FIRE DEPARTMENT RESPONSE TIME.** The time reasonably expected for response from the closest fire protection district facility will likely exceed the amount of time in which a structure may be saved.
 - 3. **LIMITED ACCESS.** Existing roadways are narrow, of particularly steep grade, existing bridges are not constructed to accommodate emergency vehicles, or no traversable roadways exist from collector roads.
 - 4. **HAZARDOUS VEGETATION.** Vegetation that because of its physical characteristics is likely to contribute to the intensity or quick travel of fire.
 - 5. **UNUSUAL TERRAIN.** Slope, aspect and elevation create chimneys or similar configurations such that fire is likely to travel quickly.
 - 6. **SPECIAL USES.** Uses proposed within the Land Use Change Permit application involve hazardous products, or processes.
- d. **IDENTIFYING WATER SOURCES.** An indicator, reasonably visible in winter and approved by the applicable fire protection district, shall be installed at each location where water may be extracted, and identifying the site for fire protection district emergency use.
- e. **SECONDARY WATER SUPPLY.** Determination that a secondary water supply is necessary for purposes of fire suppression may be requested from the applicable fire protection district; the County will decide whether that secondary supply shall be required.

SECTION 12-107: FIRE PROTECTION

- A. **APPLICANT SHALL CONTACT FIRE PROTECTION DISTRICT.** It is required that an applicant for a land use change permit that is located in a specific fire protection district contact the district before submitting the application, for the purpose of being informed of the District's design and construction standards that will apply to the application.
 - 1. **PROTECTIVE COVENANTS.** When a land use change that is a subdivision is proposed within a specific fire protection district, subdivision protective covenants shall include language ensuring compliance with the requirements of the applicable fire protection district and giving the applicable district the authority to enforce those provisions.
 - 2. **COUNTY STANDARDS APPLY.** When the District's standards conflict with County standards, the County shall only enforce the County standards.
 - 3. **PROPOSED LAND USE CHANGE OUTSIDE OF ANY DISTRICT.** When a proposed land use change lies outside of any District boundaries, then the applicant shall contact the nearest such District.
 - a. **MAJOR IMPACT PROJECT.** As a condition of approval of a proposed Major Impact Project outside of District boundaries, the County may require the applicant to provide evidence that the property will be annexed to the applicable District, or that a service agreement has been entered into between the applicant and the District.
 - b. **MINOR IMPACT PROJECT.** As a condition of approval of a proposed Minor Impact Project outside of District boundaries, the County may require the applicant to provide evidence that the property will be annexed to the applicable District, or that a service agreement has

been entered into between the applicant and the District, or the applicant shall meet one of the following requirements:

1. **INSTALL SPRINKLER SYSTEM.** The applicant shall install a sprinkler system in any structure proposed for habitation, subject to standards of and approval by the applicable fire protection district; or
2. **SUBMIT WAIVER OF LIABILITY.** The applicant shall submit a signed Warning and Waiver of Liability releasing the County and the applicable fire protection district as part of the application.

B. STANDARDS FOR VEHICLE ACCESS. All sites proposed for land use changes shall provide access that is sufficient for emergency vehicles, and for service and other vehicles that need access to the property, except when the site is a patented mining claim, is an inholding within state or federal lands, or it was created before the effective date of this *Resolution*;

1. **SEPARATED TWO POINTS OF ACCESS ON PRIMARY ROADS.** All subdivision filings shall provide two or more points of dedicated access on primary roads that permit adequately separated ingress/egress, unless an alternative design for a single access point can afford similarly safe access.
2. **CULVERTS AND BRIDGES.** Any culverts or bridges that are installed or built as part of a development shall be capable of supporting the maximum legal load allowed by Colorado Department of Transportation load factor ratings.
3. **TURNAROUNDS.** A turn-around of 45' radius shall be included if determined by the applicable fire protection district to be necessary to accommodate emergency vehicles.

C. SIGNAGE AND ADDRESSING. All sites for proposed land use changes shall be signed and marked with address markers in accordance with the standards of the IWUIC.

D. FIRE SUPPRESSION. All development shall comply with the standards of the International Wildland Urban Interface Code including NFPA 1141 and 1142.

E. OTHER FIRE SUPPRESSION SYSTEMS. Other fire suppression systems may be required as necessary, after consultation with the applicable fire protection district.

F. FITTINGS AND CONNECTIONS. All fittings and connections for the components of the fire protection system shall be provided at the cost of the developer and shall be compatible with specifications established by the applicable fire protection district. All such equipment shall be required to be tested in accordance with the Development Improvement Agreement and in cooperation with the applicable fire protection district.

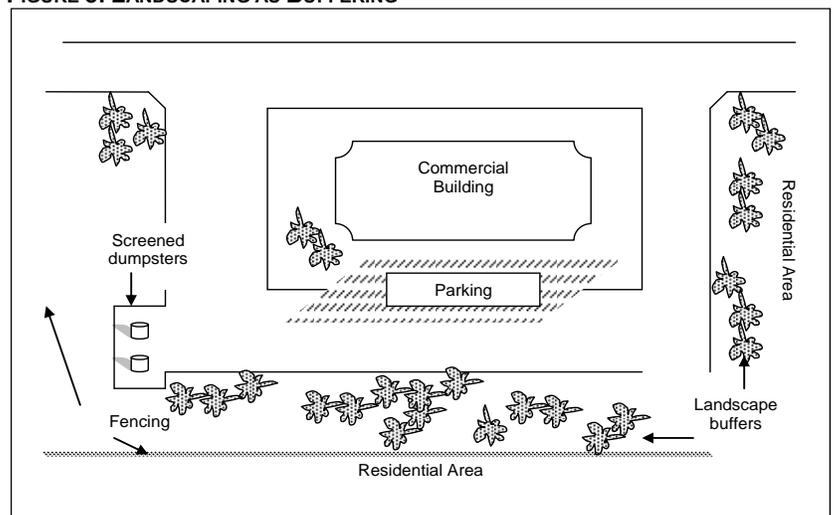
G. WILDFIRE HAZARD AREAS. Developments proposed in areas that may be subject to wildfire hazards shall also comply with the applicable standards of Section 11-105: *Development in Areas Subject to Wildfire Hazards*.

SECTION 13-111: LANDSCAPING AND BUFFERING

A. APPLICABILITY. This Section shall apply to all Land Use Change Permits except for mining operations.

- B. GENERAL.** Proposed land use changes shall integrate the elements of the site plan and design, so that the land use change preserves and enhances the unique identity of the site. Landscaping may include plant materials including trees, shrubs, ground covers, perennials and annuals, and other materials including rocks, walls, fences, planters, and paving materials.
- C. NEW RESIDENTIAL LAND USE CHANGES.** Plant materials or landscaping elements shall be required throughout any new residential subdivision where desirable or necessary for privacy or buffering from other land uses.
- D. NON-RESIDENTIAL LAND USE CHANGES.** To the maximum extent feasible, areas of the site that are not occupied by buildings and required improvements shall be landscaped by retaining, maintaining, or planting native grasses, ground cover, shrubs, and trees.
- E. LANDSCAPING PLAN.** Applicants for a land use change shall prepare a landscaping plan if the land use change is a residential development that is classified as a Major Impact Project, or any multiple-family residential development, mobile home community or recreational vehicle park, or commercial, industrial or other non-residential use that is classified as either a Minor or Major Impact Project, pursuant to Section 3-111: *Classification of Impact*. Information is available from the Colorado State Forest Service to assist in designing a landscaping plan that minimizes the potential for wildfire hazard. The landscaping plan shall comply with the standards of the Gunnison County adopted International Wildland Urban Interface Code. The plan shall indicate the type and location of vegetation to be included on the site. The plan shall also contain a planting schedule and a plan for maintenance of all landscaping to be installed.
- 1. AMOUNT OF LANDSCAPING REQUIRED.** At least one tree and three shrubs shall be provided per each 500 sq. ft. of the area that is shown as being landscaped on the landscaping plan. All landscape planting areas that are not dedicated to trees or shrubs shall be landscaped with grass, ground cover, or other appropriate landscape treatment.
 - 2. PROTECTION OF EXISTING VEGETATION.** No material or temporary soil stockpiling shall be placed within four feet of existing shrubs or in the drip line of trees. During construction, temporary protective barriers or tree wells shall be installed around each plant and/or group of plants that are to remain onsite. Protective barriers should be of a durable material that will last until construction is completed. Snow fences and silt fences are examples of acceptable barriers.
 - 3. RESTORATION WITH NATIVE PLANT MATERIAL.** The County requires native plant materials in the portion of the East River Corridor to the Gothic Townsite, as delineated within a map that can be obtained from the Public Works Department, but otherwise may require planting native trees or other native plant material where natural trees or vegetation are destroyed by grading or other construction work, or where existing vegetation is inadequate to mitigate visual impacts of a land use change. Substantial disturbances of the land created by construction of structures, roads, water, or wastewater treatment facilities, drainage control systems, installation of utilities, or other improvements shall be restored, pursuant to Section 13-115: *Reclamation and Noxious Weed Control*.

FIGURE 8: LANDSCAPING AS BUFFERING



4. **VISIBILITY.** To avoid landscape materials from blocking driver sight distances at intersections, no material greater than 30 inches in height shall be located within 15 feet of a driveway or road edge.
5. **ALLOWANCE FOR SNOW STORAGE AND PLOWING.** All landscaping design shall provide adequate space for snow plowing and areas for snow storage, that shall be indicated on the landscaping plan.

F. SITE PROTECTION.

1. **TOPSOIL PRESERVATION.** Topsoil moved during construction shall be stockpiled and redistributed on all re-graded surfaces in order to provide an even cover to all disturbed areas of the land use change. Such surfaces shall be stabilized by seeding or planting.
2. **REMOVAL OF DEBRIS.** All stumps, other tree parts, litter, brush, weeds, excess or scrap construction materials, or other debris should be removed from the site within six months of substantial completion of construction and disposed of pursuant to requirements of the Gunnison County Landfill, or by other means pursuant to any applicable regulation.
 - a. **RETAINING DEADWOOD FOR WILDLIFE HABITAT.** All dead or dying trees should be removed from the site, unless those trees are to be retained for wildlife habitat, upon the recommendation of the Colorado Division of Parks and Wildlife or the Colorado State Forest Service. If trees and limbs are reduced to chips, they may be used as mulch in landscaped areas.
3. **SLOPE PLANTINGS.** Landscaping of all cuts and fills and/or terraces shall be sufficient to prevent erosion. All roadway slopes steeper than one foot vertical to three feet horizontal (1': 3') shall be planted with ground cover appropriate for soil conditions, water availability, and environment, and pursuant to Section 13-115: *Reclamation and Noxious Weed Control*.

G. PLANTING SPECIFICATIONS.

1. **MINIMUM TREE/SHRUB SIZES.** When landscaping is included as an element of site design, and/or required by the County in the approval of a Land Use Change Permit, deciduous trees shall have at least a two-inch caliper at planting. Sizes of evergreens and shrubs shall be allowed to vary depending upon the characteristics of the land use change and its location and the types of shrubs proposed. Trees shall be staked upon planting and provision made by the developer for regular watering and maintenance until they are established. Dead and dying plants shall be replaced by the developer no later than the following planting season.
2. **PLANT SPECIES.** A mixture of plants, evergreen, and deciduous shrubs may be planted. Evergreen trees should be located on the perimeter of the lot for screening.

H. TIMING. All landscaping shall be installed no later than one growing season after substantial completion of the development or land use change.

I. SITE-SPECIFIC SELECTION. The type and amount of landscaping shall be allowed to vary with the type, size and impact classification of land use change proposed. Plants or other landscaping material(s) that best serve the intended function of the land use should be selected, in consideration of site-specific environment, soil conditions, and the legal and physical availability of water. Appropriateness of any proposed phasing, as well as short and long-term impacts of the landscaping plan, should be considered.

J. WATER CONSERVING LANDSCAPING. Use of xeriscape plantings is recommended when suitable to the altitude and location of the proposed land use change.

K. USE OF NON-TREATED WATER. Use of water that has not been processed through a water treatment plant is encouraged.

L. LANDSCAPE ADJACENT TO BUILDINGS. Landscape elements may be located adjacent to buildings except that when sites that are designated as wildfire hazard areas, landscaping must be designed considering the need for defensible space required by the Gunnison County adopted International Wildland Urban Interface Code.

EXHIBIT AB
GUNNISON COUNTY LAND USE RESOLUTION
DRAFT AMENDMENTS

SECTION 1-112: USE OF MAPS

Gunnison County uses the following maps as general sources of information to provide initial guidelines for siting development, and for alerting the County, the applicant and the public about the physical characteristics of a parcel and the area in which it is located. Site-specific studies may be required of individual parcels to determine individual characteristics more definitively, and how they may affect a development proposal.

- A. MAPS ADOPTED.** Gunnison County hereby adopts the following maps in this *Resolution*, as if they were actually included as illustrations in the *Resolution*. These maps may be updated from time to time, pursuant to Section 1-112: B: *Adoption of New or Updated Maps*.
1. **FLOODPLAIN MAPS.** National Flood Insurance Rate Maps (FIRM) prepared by the Federal Emergency Management Agency May 16, 2013, and as more specifically adopted in Section 11-103: E: *Official Maps*.
 2. **GUNNISON COUNTY ROAD MAINTENANCE MAPS.** Maps of roads within Gunnison County, designating roads maintained and/or plowed by Gunnison County (dated April 1997, as amended).
 3. **GUNNISON SAGE-GROUSE HABITAT MAP.** Gunnison County map that depicts private lands located within areas defined as Gunnison Sage-grouse habitat, as currently adopted by the Board.
- B. ADOPTION OF NEW OR UPDATED MAPS.** New or updated maps may be adopted by Gunnison County from time-to-time to reflect new studies, to correct map designations, or to otherwise replace or augment the floodplain, road maintenance and other maps. The adoption of a new map or the amendment of any adopted map shall be accomplished by amending or adding the reference to the map in this Section and by following the process and standards of Section 1-113: *Amending This Land Use Resolution*.
- C. MAPS TO BE USED AS REFERENCES.** Gunnison County may use the following and other maps as they may be amended as general references. Amendment or other update by the agencies that prepared them requires no action by the County.
1. **WILDFIRE HAZARD MAPS.** ~~Wildfire Area Hazard Maps prepared by the Colorado State Forest Service~~ [Wildfire Hazard Maps prepared by Community Planning Assistance for Wildfire \(CPAW\)](#) and as they ~~may be amended from time to time.~~
 2. **SOILS MAPS.** Soil Survey Maps prepared by the Natural Resource Conservation Service (Soil Conservation Service).
 3. **GEOLOGIC HAZARD MAPS.** Geologic Hazard Maps prepared by the Colorado Geologic Survey.
 4. **WILDLIFE MAPS.** The Wildlife Resource Information System (WRIS) and National Diversity Information Source (NDIS) maps available from the Colorado Division of Parks and Wildlife, and the Gunnison Basin Sage Grouse Habitat Maps (in the *Gunnison Sage Grouse Conservation Plan*), or their successors.
 5. **WETLANDS MAPS.** Wetlands identification maps for lands around the Town of Crested Butte prepared by David Cooper, PhD: Ecologist, in cooperation with the U.S. Environmental Protection Agency.

ARTICLE 2: DEFINITIONS

WILDFIRE HAZARD AREA means an area where potential wildfire phenomenon is so adverse to past, current or foreseeable construction or development that it constitutes a significant potential hazard to public

health and safety or to property. Such areas may be shown on maps pursuant to Section 1-112: C: *Maps To Be Used As References* and may include:

- **LANDSCAPE-LEVEL WILDFIRE HAZARD** This scale represents the likelihood (probability) of a fire occurring and the intensity of the fire at the landscape level based on the inherent landscape characteristics, including broad existing vegetation, biophysical settings, fire regimes, and fire histories. The landscape-level hazard assessment is delineated into the following rankings:
 - MODERATE
 - HIGH
 - VERY HIGH

The factors influencing these rankings can be used to determine the potential landscape-level exposure that a development will be subject to. The ranking at this scale is difficult to change at the local/parcel level. Mitigation affecting change at this scale is typically done by large-scale disturbances such as insect mortality, fires, or landscape-level mitigation.

- **LOCAL-LEVEL WILDFIRE HAZARD** This scale is based on an extreme event (worst fire days). This does not show the likelihood of a fire occurring but does show where fires are likely to burn at high intensity. For example, a fire that starts in an area where the local hazard is high can spread fast and burn at high intensity creating significant wildfire exposure to any structures in the area. The same rankings used at the landscape scale are used at this local scale:
 - MODERATE
 - HIGH
 - VERY HIGH
- **LOW HAZARD AREA** means any area that is partially covered by fuel other than oak brush, but that has ground coverage of less than 30 percent of conifer crown coverage. Fuels may include grasses, brush (other than oak), sage, aspen, cottonwood, willow, scattered or open conifer stands, and deadwood contacting the ground.
- **MEDIUM FIRE HAZARD AREA** means any area that is substantially covered by fuels but that has a 35-55 percent conifer crown coverage with a slope of less than 30 percent; including fuels of medium density, conifer stands with a surface fuel mainly of herbage and litter, and some patches of reproduction and deadwood. Areas may also be designated as being within a medium fire hazard area that have a timber density of less than 35 percent crown coverage but with other fuels of medium density including grasses and brush (other than oak), sage, aspen, cottonwood, willow, deadwood contacting the ground, and/or ladder fuels.
- **SEVERE TREE FIRE HAZARD AREA** means any area that has a timber density of greater than 55 percent conifer crown coverage or a timber density of 35 percent to 55 percent conifer crown coverage on a slope of 30 percent or greater; including fuels and medium density stands with severe brush hazard fuels or large amounts of deadwood from blowdown, bug kill, or logging. A medium hazard area that has an accumulation of slash from logging operations and/or significant amounts of ladder fuels shall also be considered to be within this hazard area.
- **SEVERE BRUSH FIRE HAZARD AREA** means any area that has a dense to moderately dense coverage of high brush or conifer saplings with a timber density of more than 35 percent conifer crown coverage. Fuels include Gamble oak, large sage brush, conifer reproduction, abundant litter, or herbaceous fuels.

WILDFIRE-RELATED TERMS INCLUDE:

- **FIRE CHIMNEY** means a steep, narrow drainage or ravine that generally confines smoke and heat along with natural convection currents and thus causes rapid upward increases in fire spread and intensity.
- **FUEL** means vegetation, debris, or other substances that will support combustion in a wildfire hazard area.
- **FUELBREAK** means a strategically-located strip of land that may vary in width, on which vegetation and other fuels have been modified to reduce the rate of potential fire spread, so that fire suppression forces can be used in relative safety to control a wildfire. Examples of fuel-breaks include provision for all-wheel-drive access, greenbelts, open space, forest openings, riding and hiking trails, and underground utility corridors.
- **LADDER FUELS** means fuels arranged between two separate fuel layers, including between the forest floor and tree canopies that provide vertical continuity, and thereby support fire spread in a vertical direction.
- **SLASH** means vegetative debris left after cutting or clearing operations in forest or brush areas that require treatment to reduce wildfire hazard.

WILDLAND URBAN INTERFACE (WUI) means any developed area where conditions affecting the combustibility of both wildland and built fuels allow for the ignition and spread of fire through the combined fuel complex. The WUI is illustrated in the CPAW map titled, "Gunnison County Wildland Urban Interface."

- **WUI Intermix:** Areas with ≥ 1 house per acre and ≥ 50 percent cover of wildland vegetation. These areas have a potential for exposure to radiant and convective heat, as well as airborne embers.
- **WUI Interface:** Areas with ≥ 1 house per acre and ≤ 50 percent cover of vegetation and within 1.5 mi of area with

[>= 75% wildland vegetation.](#)

- [Non- WUI Vegetated \(no housing\): Areas with ≥50 percent cover of wildland vegetation and no houses \(e.g., protected areas, steep slopes, mountain tops\).](#)

Section 7-201: I.2.d. **WILDFIRE HAZARD MAPS.** ~~Wildfire Area Hazard Maps prepared by the Colorado State Forest Service~~[Wildfire Hazard Maps prepared by Community Planning Assistance for Wildfire \(CPAW\).](#)

11-104: G.6.e. DEVELOPMENT PROHIBITED. Development shall be prohibited on any slope in excess of 30 percent that is also located in an area that is determined to be a ~~severe~~[very high](#) wildfire hazard area, pursuant to Section 11-104: C: *Applicability*.

SECTION 11-105: DEVELOPMENT IN AREAS SUBJECT TO WILDFIRE HAZARDS

- A. PURPOSE.** There are certain types of lands in Gunnison County that may be hazardous to human life and safety and to property due to their potential for wildfire. The purpose of this Section is to ensure that development avoids these hazard areas whenever possible. When avoidance is not possible, to provide standards to reduce or minimize the potential threats that wildfire may pose to the safety of occupants, their property, and emergency service personnel.
- B. APPLICABILITY.** The requirements of this Section shall apply to any development in areas designated as wildfire hazard areas on the Wildfire Hazard Maps, and in areas where the Colorado State Forest Service [or the designated fire district](#) determines that there is the potential for a proposed development to be threatened by a wildfire hazard.
- C. MAPS INCORPORATED.** The Gunnison County Wildfire Hazard Maps, prepared by ~~the Colorado State Forest Service~~[Community Planning Assistance for Wildfire, and Gunnison County GIS](#), shall be used as references for determining when parcels are located within wildfire hazard areas, pursuant to Section 1-112: *Use of Maps*. Where areas have not been mapped, review and analysis by the Colorado Forest Service shall determine the status of wildfire hazards. Copies of the maps are available [for public review in the Community Development Department during normal business hours on www.gunnisoncounty.org.](#)
- D. REFERRAL TO AND REVIEW BY COLORADO STATE FOREST SERVICE.** The Community Development Department may submit any application to the Colorado State Forest Service, [West Region Wildfire Council, or local fire district](#) for review and comment, to use the expertise and judgment of that agency to evaluate the severity of potential wildfire hazards related to the proposed land use change, and to determine the appropriate avoidance or mitigation.
- E. REFERRAL TO AND REVIEW BY APPLICABLE FIRE PROTECTION DISTRICT.** When a Land Use Change Permit is sought in an area located within a specific fire protection district the Community Development Department may submit the application to that District for review and comment to use the District's expertise and judgment to evaluate whether the development has included design elements compatible with adopted District standards, and to recommend how the development can best provide fire prevention and suppression.
- F. STANDARDS.** The following standards shall apply to land use changes in all wildfire hazard areas:
- 1. GENERAL STANDARD.** All new construction, substantial improvement, use, fill, encroachments, alteration, fuel modification or treatment, except utility lines, on or over any portion of a wildfire hazard area, shall be designed so it does not increase the potential intensity or duration of a wildfire, or adversely affect wildfire behavior or fuel composition. Development that subjects persons (including emergency

service personnel and residents of neighboring properties) to undue dangers, or that will result in substantial public expenses required to mitigate hazardous conditions, respond to emergencies created by such conditions, or rehabilitate infrastructure or lands, or that cannot otherwise be accomplished in a manner that the applicant demonstrates will be safe, shall be prohibited.

2. **PROHIBITED LOCATIONS FOR DEVELOPMENT.** Development shall not be located in any area designated as having ~~severe~~ very high wildfire hazard that also has slopes greater than 30 percent. Development shall also not be located in a fire chimney, as identified by the Colorado State Forest Service.
3. **DEMONSTRATE COMPLIANCE WITH THE INTERNATIONAL WILDLAND URBAN INTERFACE CODE (IWUIC), AS ADOPTED AND AMENDED BY GUNNISON COUNTY.** All land use change applications shall comply with the standards set forth in the County-adopted version of the *International Wildland Urban Interface Code*.
- ~~3.~~ **WILDFIRE MITIGATION PLAN.** ~~A wildfire mitigation plan addressing wildland urban interface design and land maintenance shall be required when a parcel is located within any wildfire hazard area as mapped by the Colorado State Forest Service (CSFS), and shall incorporate applicable methods of fire prevention as recommended within publications of the CSFS. The plan shall, at a minimum, include:~~
 - ~~a.~~ **CREATION OF DEFENSIBLE SPACE.** ~~The inclusion of language in protective covenants enforceable by Gunnison County, or other similar recordable document, that refers property owners to publications of the CSFS, the Gunnison County Weed Specialist, the Gunnison County Public Works Department, or by Colorado State University regarding creating defensible space, using methods including but not limited to thinning around homes or other structures.~~
 - ~~ba.~~ **NOT CAUSE ADVERSE IMPACTS.** When mitigating a wildfire hazard pursuant to this Section, applicants shall not cause soil erosion, remove existing vegetation, thin trees or create adverse impacts to wildlife to an extent beyond that which is necessary to mitigate the hazard effectively.
44. **LOCATION IN A FIRE PROTECTION DISTRICT.** All developments located in a specific fire protection district shall comply with the fire suppression requirements of that District, when those requirements are recommended by the District, and when determined by the County to be appropriate. When the District's standards conflict with County standards, the County shall only enforce the County standards.
56. **WILDFIRE PREVENTION STANDARDS TO BE ADDRESSED IN PROTECTIVE COVENANTS.** Development shall comply with the following standards. Assurances as to compliance with these standards shall be addressed in a recorded, permanent protective covenant enforceable by the County.
 - a. **FUEL MODIFICATIONS.** If the proposed development includes areas that ~~have medium to severe fire hazard ratings, as determined by the Colorado State Forest Service~~ are within a wildfire hazard area as mapped on Gunnison County Wildfire Hazard Maps, that can be reduced to lower hazard ratings, in accordance with the adopted International Wildland Urban Interface Code, through thinning, clumping, reduction of "ladder" fuels (vegetation that may allow a fire to burn from ground level to lower tree branches), removal of hanging limbs near chimneys, creation of defensible space around structures, or other such modifications, then such modifications shall be accomplished and maintained by the applicant and or applicable homeowner's association.
 - b. **FUEL BREAKS.** Practical fuel break systems shall be installed as needed in locations that are approved by the Colorado State Forest Service.
 - c. **IGNITION RESISTANT CONSTRUCTION MATERIALS.** If the proposed development includes areas that are within a wildfire hazard area as mapped on Gunnison County Wildfire Hazard Maps, construction materials that are ignition resistant shall be allowed and encouraged within the protective covenants.
 - ~~c.~~ **ROOF MATERIALS AND DESIGN.** ~~Roof materials shall be made of noncombustible "Class A" materials and roofs shall employ a design that is pitched.~~
67. **SAFETY AREAS IN RESIDENTIAL DEVELOPMENT.** Areas designated by the applicable fire protection district as temporary public evacuation areas during fires shall be indicated by permanent signs

along roads in developments. These areas shall also be designated on a final subdivision plat or final development plan for any development that is classified as a Major Impact Project.

78. CUL-DE-SACS. Cul-de-sacs shall not cross major draws, canyons, or gullies conducive to fire spread, nor shall cul-de-sacs terminate in such draws, canyons or gullies. Cul-de-sacs shall have a turn-around pad at the end with a minimum radius of 45 feet and an all-weather gravel or paved surface of a minimum of 45 feet. Dead end roads without turn-around areas shall be prohibited.

89. ROAD RIGHT-OF-WAY CLEARING. All roads shall be cleared and maintained four feet from each edge of the road surface in the right-of-way, -so they are free from all living or dead flammable materials.

910. ROAD GRADE. All dedicated roads shall meet the minimum and maximum grade standards pursuant to the *Gunnison County Standards and Specifications for Road and Bridge Construction*.

4011. CLEAN-UP OF SLASH. To minimize wildfire hazards and to avoid insects and diseases, the following actions shall be accomplished:

a. **ROAD SLASH.** All cut combustible materials, vegetative residues, including fallen or cut trees and shrubs, pulled stumps, or other such flammable debris shall be disposed of by either chipping or removal from development roadside strips. These strips shall be 100-foot wide areas that parallel each side of the road, measured outward from the edge of the road right-of-way.

b. **SLASH AROUND HOMES.** All vegetative residue, slashing, branches, limbs, stumps, roots, or other flammable debris shall be disposed of from around the home site areas by either chipping or removal before final building inspection approval. Home site areas shall include all areas of the lot in which the materials are generated or deposited.

c. **FILLS.** Compacting slash and debris into roadbed fill areas shall be prohibited, but such materials may be buried in the road right-of-way outside the roadbed provided that the burial is done to minimize the potential for erosion.

4112. COMPLY WITH FIRE PROTECTION STANDARDS. Developments in wildfire hazard areas shall also comply with the standards of Section 12-107: *Fire Protection*.

G. WARNING AND DISCLAIMER. As a condition of approval of the proposed land use change, the applicant shall sign the following warning and disclaimer that shall be included on the Final Plat of a subdivision, or within the applicable recorded document that approves the Land Use Change Permit:

**WARNING AND DISCLAIMER OF WILDFIRE HAZARDS
AFFECTING USE AND OCCUPANCY OF THIS PROPERTY**

"I/We _____ (owner(s) of property) on behalf of myself/ourselves and all successors, heirs and assigns, hereby acknowledge having been informed by Gunnison County of the existence of wildfire hazard areas that may affect the use and occupancy of the property, and any improvements thereto. I/We acknowledge that the County's approval of this land use change does not guarantee the safety of the property, or in any way imply that areas outside of the designated hazard areas will be free from hazards and hereby agrees to indemnify, defend and save harmless the County, its agents, officers and employees from and against any and all liability, expense including defense costs and legal fees, and claims for damages of any nature whatsoever, including bodily injury, death, personal injury, or property damage arising from or connected with any activity related to these hazards, including any suits, liability, or expense."

H. OWNERS SHALL BE RESPONSIBLE. Property owners who develop in, or have access through, areas subject to wildfire hazards shall be required to construct, implement, maintain, monitor, improve and bear the cost of their development's proportionate share of all reasonable measures necessary to mitigate any wildfire-related hazard created by such development.

SECTION 12-105: WATER SUPPLY

A. GENERAL STANDARD. All land use changes for Minor or Major Impact Projects, for which water is a required and necessary element of the development, shall provide a water supply that is legally

and physically adequate in terms of quality, quantity, dependability, and pressure for the proposed development. In making its determination as to whether the proposed water supply will be adequate for the proposed use, the decision-making body shall consider the recommendations of the Colorado Division of Water Resources, the Gunnison County Environmental Health Official and other County staff, or consultants engaged by the County and the applicant.

B. CONNECTION TO EXISTING SYSTEMS. It is the policy of Gunnison County to encourage land use changes to use existing water supply systems, especially those paid for in whole or in part by the sale of municipal, county, special district, or other political subdivision bonds. When an existing water supply system can provide a documented legal and physically sufficient source of water for a proposed use pursuant to this *Resolution*, an applicant for a Land Use Change Permit shall be required to connect to the existing system and to install those water lines and other appurtenances necessary to make the water supply available at the property line of each lot in the development in the following circumstances:

1. **LOCATED WITHIN 400'.** The proposed land use change is located within 400 feet of a component of an available existing water supply system; or
2. **LOCATED WITHIN AN URBAN SERVICE AREA.** The proposed land use change is located in a designated urban service area and it is determined that it is feasible, logical, and consistent with applicable municipal, district and county plans, to connect the development to the water supply system serving the area. If it is determined that it is premature to connect the development to the system at the time of the Land Use Change Permit approval, the County may require, as a condition of approval, that assurances be given, including granting of easements, and/or commitments to pay for or construct specified improvements, to ensure that when it is timely to connect the development to the water supply system, this can feasibly occur.

C. EXISTING SYSTEM NOT ACCESSIBLE. Where an existing water supply system approved by the Colorado Department of Public Health and Environment is not reasonably accessible or connection to it is not feasible, the applicant shall implement one of the following options:

1. **INSTALL WATER SUPPLY SYSTEM.** Install a water supply system, with water lines to each lot, the design, construction, maintenance and operation of which complies with the County's regulations and with the standards of the Colorado Department of Public Health and Environmental Resources; or
2. **SUBMIT EVIDENCE OF ADEQUACY OF INDIVIDUAL SUPPLIES.** Submit evidence satisfactory to the County that adequate individual water supplies that comply with the standards of the Colorado Department of Public Health and Environment and Gunnison County will be available to each lot in the proposed development. The County may refer the application to the Colorado Division of Water Resources for comments on the adequacy of the proposed supply.

D. CALCULATION OF ADEQUACY OF SUPPLY. The legal and physical adequacy of the water supply for a proposed water supply for a land use change proposed as a Major Impact shall be calculated based on the total planned development at full buildout, and for year-round use, using standard engineering practices. Fire flow requirements shall be related to the location and character of the development, and shall comply with the standards of Section 12-107: *Fire Protection*. Calculation shall be based on the following:

1. **ESTIMATED AVERAGE DAILY DEMAND.** Estimated average daily demand of the entire service area and the proposed development. Demand calculations are to be based on 350 gallons per day (gpd) per residence.
2. **ESTIMATED MAXIMUM DAILY DEMAND.** Estimated maximum daily demand based on using three times the average daily demand.
3. **ESTIMATED PEAK HOUR DEMAND.** Estimated peak hour demand based on using six times the average daily demand.

4. **ESTIMATED AVERAGE DAILY DEMAND FOR COMMERCIAL / INDUSTRIAL USES.** The estimated average daily demand for commercial and industrial uses will be reviewed based on the anticipated demand of the proposed development. Appropriate multipliers may be used in calculating the amount, based on standards as may be required for a specific use by the Colorado Department of Public Health and Environment, or other applicable agency or industry standard.
5. **WATER SUFFICIENT FOR LANDSCAPING.** As may be required by Section 13-111: *Landscaping and Buffering* each use shall have adequate water to supply required landscaping. Amounts shall be calculated using the irrigation water criteria in Section 12-105: D. 5. a. 1: *Estimated Demand*.
 - a. **IRRIGATION WATER CRITERIA.** The following shall be considered in calculating requirements for the use of irrigation in new development, and shall not apply to agricultural operations in existence as of the effective date of this *Resolution*.
 1. **ESTIMATED DEMAND.** Estimated irrigation demand based on information supplied by the Natural Resources Conservation Service. The information shall take into account the type of vegetation to be maintained, the soil characteristics, the historic yield, and the available water rights.
 2. **ESTIMATED ACREAGE.** Estimated acreage to be irrigated.
6. **ADEQUATE AND RELIABLE WATER SUPPLY.** A water supply that is sufficient and accessible year-round to control and extinguish anticipated fires in the development. This standard shall identify minimum requirements for water supplies for structural and wildland fire-fighting purposes in rural and suburban areas of the county.
 - a. [COMPLIANCE WITH International Wildland Urban Interface Code \(IWUIC\) WATER SUPPLY REQUIREMENTS. The applicant shall provide evidence that the proposed water supply complies with the applicable standards of the IWUIC.](#)
 - b. **NFPA CLASSIFICATIONS MAY BE REFERENCED.** To determine the requirements for an adequate and reliable water supply specific to the development, the County may refer to current standards as published by the National Fire Protection Association including the *Occupancy Hazard Classification and Construction Classification Tables* within the *Standard on Water Supplies for Suburban and Rural Fire Fighting*.
 - b. **COMPLIANCE WITH FIRE PROTECTION DISTRICT REQUIREMENTS.** The applicant shall provide evidence that the distribution system and storage system are capable of meeting the requirements of the applicable fire protection district, and shall be located on the same site for which development is proposed. When the District's standards conflict with County standards, the County shall only enforce the County standards.
 - c. **MINIMUM REQUIREMENTS MAY BE INCREASED IF CONDITIONS ARE UNIQUE.** The County may determine during the permit application review that additional water supplies are required for fire suppression purposes, considering particular conditions such as the following:
 1. **LIMITED FIRE DEPARTMENT RESOURCES.** Available equipment is not sufficient to provide suppression for proposed heights of buildings, or there are similar limitations.
 2. **EXTENDED FIRE DEPARTMENT RESPONSE TIME.** The time reasonably expected for response from the closest fire protection district facility will likely exceed the amount of time in which a structure may be saved.
 3. **LIMITED ACCESS.** Existing roadways are narrow, of particularly steep grade, existing bridges are not constructed to accommodate emergency vehicles, or no traversable roadways exist from collector roads.
 4. **HAZARDOUS VEGETATION.** Vegetation that because of its physical characteristics is likely to contribute to the intensity or quick travel of fire.

- 5. **UNUSUAL TERRAIN.** Slope, aspect and elevation create chimneys or similar configurations such that fire is likely to travel quickly.
- 6. **SPECIAL USES.** Uses proposed within the Land Use Change Permit application involve hazardous products, or processes.
- d. **IDENTIFYING WATER SOURCES.** An indicator, reasonably visible in winter and approved by the applicable fire protection district, shall be installed at each location where water may be extracted, and identifying the site for fire protection district emergency use.
- e. **SECONDARY WATER SUPPLY.** Determination that a secondary water supply is necessary for purposes of fire suppression may be requested from the applicable fire protection district; the County will decide whether that secondary supply shall be required.

SECTION 12-107: FIRE PROTECTION

- A. **APPLICANT SHALL CONTACT FIRE PROTECTION DISTRICT.** It is required that an applicant for a land use change ~~permit classified as a Major or Minor Impact Project~~ that is located in a specific fire protection district contact the district before submitting the application, for the purpose of being informed of the District's design and construction standards that will apply to the application.
 - 1. **PROTECTIVE COVENANTS.** When a land use change that is a subdivision is proposed within a specific fire protection district, subdivision protective covenants shall include language ensuring compliance with the requirements of the applicable fire protection district and giving the applicable district the authority to enforce those provisions.
 - 2. **COUNTY STANDARDS APPLY.** When the District's standards conflict with County standards, the County shall only enforce the County standards.
 - 3. **PROPOSED LAND USE CHANGE OUTSIDE OF ANY DISTRICT.** When a proposed land use change lies outside of any District boundaries, then the applicant shall contact the nearest such District.
 - a. **MAJOR IMPACT PROJECT.** As a condition of approval of a proposed Major Impact Project outside of District boundaries, the County may require the applicant to provide evidence that the property will be annexed to the applicable District, or that a service agreement has been entered into between the applicant and the District.
 - b. **MINOR IMPACT PROJECT.** As a condition of approval of a proposed Minor Impact Project outside of District boundaries, the County may require the applicant to provide evidence that the property will be annexed to the applicable District, or that a service agreement has been entered into between the applicant and the District, or the applicant shall meet one of the following requirements:
 - 1. **INSTALL SPRINKLER SYSTEM.** The applicant shall install a sprinkler system in any structure proposed for habitation, subject to standards of and approval by the applicable fire protection district; or
 - 2. **SUBMIT WAIVER OF LIABILITY.** The applicant shall submit a signed Warning and Waiver of Liability releasing the County and the applicable fire protection district as part of the application.
- B. **STANDARDS FOR VEHICLE ACCESS.** All sites proposed for land use changes shall provide access that is sufficient for emergency vehicles, and for service and other vehicles that need access to the property, except when the site is a patented mining claim, is an inholding within state or federal lands, or it was created before the effective date of this *Resolution*;

1. **SEPARATED TWO POINTS OF ACCESS ON PRIMARY ROADS.** All subdivision filings shall provide two or more points of dedicated access on primary roads that permit adequately separated ingress/egress, unless an alternative design for a single access point can afford similarly safe access.
2. **CULVERTS AND BRIDGES.** Any culverts or bridges that are installed or built as part of a development shall be capable of supporting the maximum legal load allowed by Colorado Department of Transportation load factor ratings.
3. **TURNAROUNDS.** A turn-around of 45' radius shall be included if determined by the applicable fire protection district to be necessary to accommodate emergency vehicles.

C. SIGNAGE AND ADDRESSING. All sites for proposed land use changes shall be signed and marked with address markers in accordance with the standards of the IWUIC.

CD. FIRE SUPPRESSION. All development shall comply with the standards of the International Wildland Urban Interface Code including NFPA 1141 and 1142. —

~~**FIRE HYDRANTS.** Any residential development that is a Major Impact Project, or that uses a central water supply system may be required to install a fire hydrant system that meets the current standards of the applicable fire protection district. Commercial and industrial development may also be required to install a hydrant system, based upon the nature of the proposed use, and subject to approval by the County.~~

- ~~1. **INSTALLATION OF HYDRANTS.** Hydrants shall be installed no more than 1,000 feet apart and shall be fully charged with water and tested before issuance of a Building Permit within a new subdivision. Fire hydrants shall be located as specified by the applicable fire protection district. Generally, fire hydrants shall be located in the public right-of-way, at road intersections.~~

~~**D. CISTERNS AND DRY HYDRANTS.** In those developments where a fire hydrant system is not required, water cisterns that meet current standards of the applicable fire protection district may be used and shall be shown on the Final Plan or plat. Dry hydrants that meet current standards of the applicable fire protection district may be installed in lieu of cisterns where available fire suppression water supplies can meet or exceed those of proposed cisterns. The installer of the dry hydrant shall comply with specifications established by the applicable fire protection district.~~

- ~~1. **MINIMUM CAPACITY.** Capacity shall comply with the requirements of the applicable fire protection district.~~
- ~~2. **LOCATION AND ACCESS.** The location and design of the cisterns or dry hydrants shall be subject to the requirements of the applicable fire protection district; the Colorado State Forest Service can assist in the determination of such locations. The location of the fire protection facilities shall be easily accessible to fire protection personnel and vehicles and shall be identified with a visible sign. Access to the facilities shall be dedicated to Gunnison County for use by the applicable fire protection district, subject to such interagency agreements as may affect such facilities.~~
- ~~3. **CONSTRUCTION AND MAINTENANCE WITHIN A SUBDIVISION.** The developer of a subdivision shall construct and maintain the cisterns until responsibilities for their maintenance is assumed by the homeowners or property owners association as provided by the declaration of protective covenants. Thereafter, the property or homeowners association for the development shall provide care and maintenance, and shall be charged with such responsibility consistent with protective covenants governing the association. Specific language shall be included in the protective covenants assigning that responsibility to the association.~~

EE. OTHER FIRE SUPPRESSION SYSTEMS. Other fire suppression systems may be required as necessary, after consultation with the applicable fire protection district.

F. FITTINGS AND CONNECTIONS. All fittings and connections for the components of the fire protection system shall be provided at the cost of the developer and shall be compatible with specifications established by the applicable fire protection district. All such equipment shall be

required to be tested in accordance with the Development Improvement Agreement and in cooperation with the applicable fire protection district.

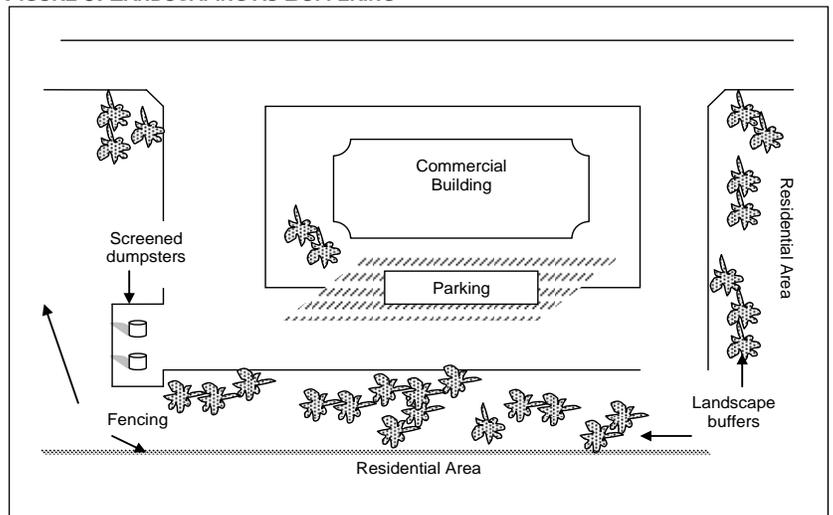
- G. WILDFIRE HAZARD AREAS.** Developments proposed in areas that may be subject to wildfire hazards shall also comply with the applicable standards of Section 11-105: *Development in Areas Subject to Wildfire Hazards*.

SECTION 13-111: LANDSCAPING AND BUFFERING

- A. APPLICABILITY.** This Section shall apply to all Land Use Change Permits except for mining operations.
- B. GENERAL.** Proposed land use changes shall integrate the elements of the site plan and design, so that the land use change preserves and enhances the unique identity of the site. Landscaping may include plant materials including trees, shrubs, ground covers, perennials and annuals, and other materials including rocks, walls, fences, planters, and paving materials.
- C. NEW RESIDENTIAL LAND USE CHANGES.** Plant materials or landscaping elements shall be required throughout any new residential subdivision where desirable or necessary for privacy or buffering from other land uses.
- D. NON-RESIDENTIAL LAND USE CHANGES.** To the maximum extent feasible, areas of the site that are not occupied by buildings and required improvements shall be landscaped by retaining, maintaining, or planting native grasses, ground cover, shrubs, and trees.
- E. LANDSCAPING PLAN.** Applicants for a land use change shall prepare a landscaping plan if the land use change is a residential development that is classified as a Major Impact Project, or any multiple-family residential development, mobile home community or recreational vehicle park, or commercial, industrial or other non-residential use that is classified as either a Minor or Major Impact Project, pursuant to Section 3-111: *Classification of Impact*. Information is available from the Colorado State Forest Service to assist in designing a landscaping plan that minimizes the potential for wildfire hazard. [The landscaping plan shall comply with the standards of the Gunnison County adopted International Wildland Urban Interface Code.](#) The plan shall indicate the type and location of vegetation to be included on the site. The plan shall also contain a planting schedule and a plan for maintenance of all landscaping to be installed.

- 1. AMOUNT OF LANDSCAPING REQUIRED.** At least one tree and three shrubs shall be provided per each 500 sq. ft. of the area that is shown as being landscaped on the landscaping plan. All landscape planting areas that are not dedicated to trees or shrubs shall be landscaped with grass, ground cover, or other appropriate landscape treatment.
- 2. PROTECTION OF EXISTING VEGETATION.** No material or temporary soil stockpiling shall be placed within four feet of existing shrubs or in the drip line

FIGURE 8: LANDSCAPING AS BUFFERING



of trees. During construction, temporary protective barriers or tree wells shall be installed around each plant and/or group of plants that are to remain onsite. Protective barriers should be of a durable material that will last until construction is completed. Snow fences and silt fences are examples of acceptable barriers.

3. **RESTORATION WITH NATIVE PLANT MATERIAL.** The County requires native plant materials in the portion of the East River Corridor to the Gothic Townsite, as delineated within a map that can be obtained from the Public Works Department, but otherwise may require planting native trees or other native plant material where natural trees or vegetation are destroyed by grading or other construction work, or where existing vegetation is inadequate to mitigate visual impacts of a land use change. Substantial disturbances of the land created by construction of structures, roads, water, or wastewater treatment facilities, drainage control systems, installation of utilities, or other improvements shall be restored, pursuant to Section 13-115: *Reclamation and Noxious Weed Control*.
4. **VISIBILITY.** To avoid landscape materials from blocking driver sight distances at intersections, no material greater than 30 inches in height shall be located within 15 feet of a driveway or road edge.
5. **ALLOWANCE FOR SNOW STORAGE AND PLOWING.** All landscaping design shall provide adequate space for snow plowing and areas for snow storage, that shall be indicated on the landscaping plan.

F. SITE PROTECTION.

1. **TOPSOIL PRESERVATION.** Topsoil moved during construction shall be stockpiled and redistributed on all re-graded surfaces in order to provide an even cover to all disturbed areas of the land use change. Such surfaces shall be stabilized by seeding or planting.
2. **REMOVAL OF DEBRIS.** All stumps, other tree parts, litter, brush, weeds, excess or scrap construction materials, or other debris should be removed from the site within six months of substantial completion of construction and disposed of pursuant to requirements of the Gunnison County Landfill, or by other means pursuant to any applicable regulation.
 - a. **RETAINING DEADWOOD FOR WILDLIFE HABITAT.** All dead or dying trees should be removed from the site, unless those trees are to be retained for wildlife habitat, upon the recommendation of the Colorado Division of Parks and Wildlife or the Colorado State Forest Service. If trees and limbs are reduced to chips, they may be used as mulch in landscaped areas.
3. **SLOPE PLANTINGS.** Landscaping of all cuts and fills and/or terraces shall be sufficient to prevent erosion. All roadway slopes steeper than one foot vertical to three feet horizontal (1': 3') shall be planted with ground cover appropriate for soil conditions, water availability, and environment, and pursuant to Section 13-115: *Reclamation and Noxious Weed Control*.

G. PLANTING SPECIFICATIONS.

1. **MINIMUM TREE/SHRUB SIZES.** When landscaping is included as an element of site design, and/or required by the County in the approval of a Land Use Change Permit, deciduous trees shall have at least a ~~two~~two-inch caliper at planting. Sizes of evergreens and shrubs shall be allowed to vary depending upon the characteristics of the land use change and its location and the types of shrubs proposed. Trees shall be staked upon planting and provision made by the developer for regular watering and maintenance until they are established. Dead and dying plants shall be replaced by the developer no later than the following planting season.
2. **PLANT SPECIES.** A mixture of plants, evergreen, and deciduous shrubs may be planted. Evergreen trees should be located on the perimeter of the lot for screening.

H. **TIMING.** All landscaping shall be installed no later than one growing season after substantial completion of the development or land use change.

I. **SITE-SPECIFIC SELECTION.** The type and amount of landscaping shall be allowed to vary with the type, size and impact classification of land use change proposed. Plants or other landscaping material(s) that best serve the intended function of the land use should be selected, in consideration of site-specific environment, soil conditions, and the legal and physical availability of water.

Appropriateness of any proposed phasing, as well as short and long-term impacts of the landscaping plan, should be considered.

J. WATER CONSERVING LANDSCAPING. Use of xeriscape plantings is recommended when suitable to the altitude and location of the proposed land use change.

K. USE OF NON-TREATED WATER. Use of water that has not been processed through a water treatment plant is encouraged.

I. —LANDSCAPE ADJACENT TO BUILDINGS. Landscape elements may be located adjacent to buildings except that when sites that are designated as wildfire hazard areas, landscaping must be designed considering the need for defensible space ~~as recommended by the Colorado Forest Service~~ required by the Gunnison County adopted International Wildland Urban Interface Code.