

**GUNNISON COUNTY PLANNING COMMISSION  
REGULAR MEETING MINUTES  
Thursday, December 21, 2023**

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The Gunnison County Planning Commission conducted a regular meeting in the Planning Commission Meeting Room in the Blackstock Government Center, 221 N. Wisconsin, Gunnison, Co. and on Zoom

**Present:**

Chairperson-Andy Sovick Commissioner-Roland Mason Commissioner- Matt Schwartz Commissioner-Fred Niederer Alt. Commissioner-Eric Phillips Commissioner – Julie Baca (called in)	Director of Planning - Hilary Seminick Planning Technician – Jena Greene
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**Absent:** Alt. Commissioner Annie Beal

**Recused:** none

**Zoom:** Fred Niederer, Julie Baca

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**8:48 a.m. Call to Order:** With a quorum present Chairperson Sovick opened the December 21, 2023, regular meeting of the Planning Commission at 8:48 a.m.

The Planning Commission reviewed the December 7, 2023, meeting minutes.

**Moved by** Commissioner Mason and seconded by Commissioner Sovick to approve the Planning Commission meeting minutes, dated December 7, 2023, with the recommended changes of correcting spelling for commissioner Mason’s and Commissioner Niederer names. The motion passed unanimously.

There were no unscheduled citizens.

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**8:50 a.m. Work Session: LUC-23-00015 Minor Impact: Spezze Subdivision**

Seminick introduced the project. This is a proposed subdivision for a parcel east of Gunnison off of state Highway 114. The applicant Tom Spezze submitted an application to subdivide the portion of the property that is on the west side of the highway into a 3-acre lot (Lot 1) and a 4.842-acre lot (lot 2) and place the remaining 27 acres on the east side of the of the highway into a conservation agreement. Lot 2 already had a single-family residence and all of the appropriate well permits and access permits have been obtained to allow for a residence to be built in the future on Lot 1. Since the proposal for the subdivision didn’t meet locational standards and did not fall within the 3-mile plan, nor was it adjacent to any population centers, Mr. Spezze got creative and proposed the conservation of the 27-acre parcel in exchange for development rights on Lot 1. This would cluster development on the west side of the highway and make use of the existing ag access on Lot 1, and the designation of the conservation parcel would keep development out of an area where development wasn’t appropriate and help to protect a known Elk migration corridor. Staff was supportive of the proposed subdivision. Staff had reviewed the convenience with the county attorneys, but they hadn’t been fully reviewed at the time of the meeting.

Mr. Spezze attended the meeting in person. He added that when he and his wife purchased the full 40 plus acre parcel, they never intended to develop or subdivide it. This changed when he wanted to give his son an opportunity to build a home in the Gunnison Valley. After discussing different conservation projects around the county with Seminick, Spezze further realized that the 27-acre conservation parcel was a “donut hole” in an otherwise continuous conservation effort along the Cochetopa river. His intent was to donate the value of the conservation parcel in exchange for the Lot 1 development rights, in addition to creating covenants to ensure the protection of the land.

Planning Commission Discussion: Commissioner Mason stated that he was impressed with Spezze’s report and commitment to the project, noting that it had been in progress since 2019 and had been delayed because of COVID. He confirmed with Seminick that the proposals met the intent of the LUR, which allowed for some flexibility in circumstances like this one. He added that he thought staff had worked through all of the issues.

Commissioner Schwartz echoed Commissioner Mason’s comments on the application. He noted that the proposed development and conservation seemed to match the neighborhood context. Commissioners Philips and Niederer agreed with Mason and Schwartz.

Chairperson Sovick asked if there were any comments from CPW. Seminick brought up the email from Nick Gallowich which stated that they had no significant concerns about the subdivision.

Seminick presented a zoomed-out map of the area, to help give more context to the “Donut Hole” that Spezze mentioned. It showed how all of the land along the Cochetopa Creek to the north and south of the Spezze parcel was in either a conservation easement or a pending conservation easement, therefore, dedicating the 27-acre parcel created continuity in the conservation efforts along that entire section of the creek. Spezze chimed in, explaining his professional experience working for the Parks and Wildlife, and all of the ecosystem improvement work he had done for the conservation of the wildlife corridor on the parcel. He added that the covenances were crafted to allow him to continue that work in the area. Chairperson Sovick noted that it was refreshing to read covenants that were focused on conservation and ecology.

Chairperson Sovick asked if a site visit was needed. The commissioners agreed that a site visit was not needed. The chairperson asked staff to draft a recommendation for a joint public hearing with the Board of County Commissioners, which was decided to be scheduled for March 7<sup>th</sup>, 2024.

Chair Sovick adjourned the meeting at 9:09 a.m.

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**To: Gunnison Board of County Commissioners and the County Planning Commission**

**Re: LUC-23-00052 Elk Ranch Homestead Subdivision | Minor Impact Review**

**From: Hillary Iza Seminick, Planning Director**

**Date: December 29, 2023**

**Date of Joint Hearing: January 4, 2024**

1. Project Summary

The proposed Elk Ranch Homestead Subdivision would subdivide a 14.2-acre undeveloped parcel into three lots: Lot 1, 5.85 acres; Lot 2, 5.85 acres; Lot 3, 2.5 acres. This parcel is subject to a restrictive covenant on the warranty deed which states "...run with the land, limiting the property conveyed hereby to agricultural and residential uses with not to exceed three (3) single family houses, and necessary utility buildings and customary agricultural buildings".

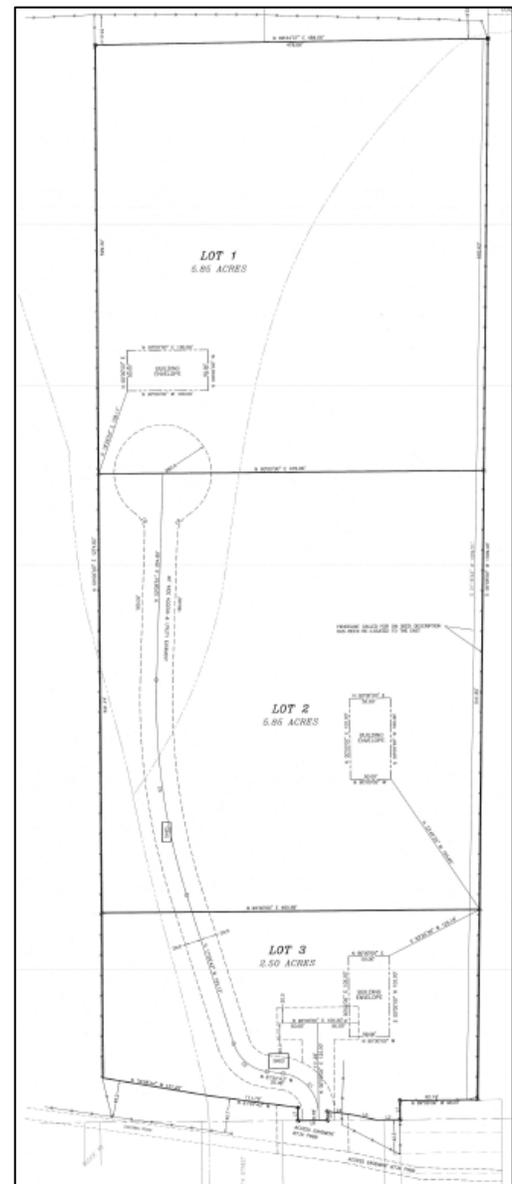
The subdivision will be served by a single access and utility easement. Access is from the south through an existing access easement north of Knowles Ranch Way from Denver Avenue and 8th Street in the City of Gunnison.

The Applicant and City are actively negotiating an agreement for future annexation to the City. This would allow the City to serve the development with domestic water. To comply with the requirement of the LUR and state statute, the Applicant has obtained adequate water rights for three single family residences. The subdivision will be connected to City sewer.

2. Public Notice

Public notice was published in the Gunnison Country Times and the Crested Butte News on November 30, 2023 and December 1, 2023, respectively. An affidavit of posting of notice was provided by the Applicant on December 1<sup>st</sup>, 2023 and certified mailing to property owners within 500' of the subject property occurred on December 5<sup>th</sup>, 2023. Staff has confirmed that adequate public notice for the joint hearing and proof of notice can be found in the project file.

Figure 1. Subdivision Map



### 3. Land Use Resolution Compliance

*Section 10-102 Locational Standards for Residential Development* require a new subdivision be adjacent to an existing population center or within a municipal three mile plan area. The subject property has a contiguous parcel boundary to the City of Gunnison and is located within the Three Mile Plan and Intergovernmental Agreement Area. The proposal may not result in a significant net adverse impact to the neighborhood; including existing uses, wildlife, visual quality, air or water quality, and impacts from a proliferation of Onsite Wastewater Treatment Systems and/or wells. The standards of *Section 10-103 Residential Density* require compliance with the existing three mile plan, consideration of sewage disposal requirements, and the proposed parcel lots and density are substantially similar to surrounding parcels.

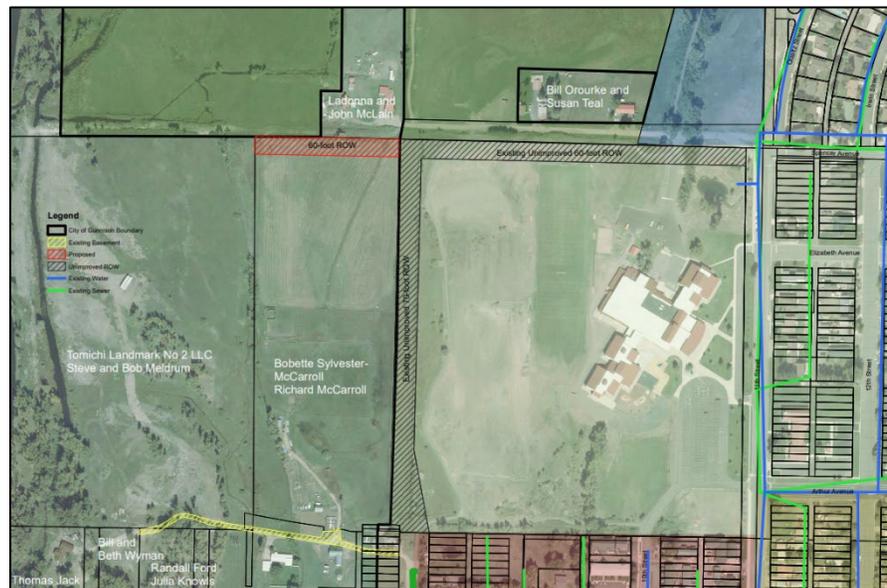
The Applicant obtained adequate water rights for three individual wells to serve the subdivision because in initial conversations the City of Gunnison was not interested in annexing the parcel, which would make it ineligible to connect to City water. Dialogue has since evolved between the Applicant and the City and the parties have negotiated a draft pre-annexation agreement included in the “City of Gunnison Memo and Draft Pre-Annexation Agreement”. The agreement includes the process to connect the subdivision to municipal water, sewer services, and a public right-of-way dedication. It acknowledges water connection may not be economically feasible and use of individual wells will not preclude annexation eligibility. The subdivision will be served by municipal sewer in accordance with the “Wastewater Treatment Facility Agreement” IGA between the City and County, which requires the City to provide these services to the parcel, regardless of annexation eligibility.

The current Three Mile Plan did not contemplate future development in this area. There are efforts underway to update the 1997 plan, which will include this parcel and the surrounding area. The parcel encumbered by a 1993 restrictive covenant, which the County is not party to, limiting the parcel to three single family homes and accessory structures. Three residences would generally create similar need for public services, have similar traffic and transit demands, result in similar visual and environmental impacts, and would require similar degrees of sewage treatment and water supply. The draft agreement would secure a 60-foot wide ROW to be conveyed to the City of Gunnison along the north portion of the proposed subdivision. The ROW area would align with an existing (unimproved) 60-foot ROW north of the Community School and south of County Road 15; serving as an important future connection in this area.

Figure 2. Proposed Right-of-Way

The draft plat requires minor revisions to ensure consistency and compliance with *Section 6-105.K Specifications for Subdivision Plats*; however, these are not substantive changes that change the nature of the proposal.

Comprehensive staff comments are provided in Exhibit A. Staff Report.



4. Exhibits

- A. Staff Report
- B. Draft Plat

To view the entire application, visit <https://permitdb.gunnisoncounty.org/citizenaccess/>, navigate to *Projects*, select *Application Number*, and search for "LUC-22-00052".



## GUNNISON COUNTY, COLORADO COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT STAFF REPORT for MINOR IMPACT

Land Use Change Permit Application: LUC-22-00052,  
Elk Ranch Homestead Subdivision  
Date application scheduled with Planning Commission: October  
19, 2023  
Prepared by: Hillary Iza Seminick, AICP, Planning Director

<b>Applicant Name:</b>	Bobette Sylvester- McCarroll
<b>Property Owner Name:</b>	Bobette Sylvester- McCarroll
<b>Project Description:</b>	<p>The proposed Elk Ranch Homestead Subdivision would subdivide a 14.2-acre undeveloped parcel into three lots: Lot 1, 5.85 acres; Lot 2, 5.85 acres; Lot 3, 2.5 acres. This parcel is subject to a restrictive covenant on the warranty deed which states “...run with the land, limiting the property conveyed hereby to agricultural and residential uses with not to exceed three (3) single family houses, and necessary utility buildings and customary agricultural buildings”.</p> <p>The subdivision will be served by a single access and utility easement. Access is from the south through an existing access easement north of Knowles Ranch Way from Denver Avenue and 8<sup>th</sup> Street in the City of Gunnison.</p> <p>The Applicant and City are actively negotiating an agreement for future annexation to the City. This would allow the City to serve the development with domestic water. To comply with the requirement of the LUR and state statute, the Applicant has obtained adequate water rights for three single family residences. The subdivision will be connected to City sewer.</p>
<b>Property Location:</b>	Parcel No. <a href="#">3701-350-00-027</a> , the parcel does not have an address, which are generally assigned only after a property is developed. Please click on the parcel number to see the property record card. Legal Description: 14.2 acres in SE1/4, NW ¼ of Section 35, Township 50N, Range 1W, N.M.P.M.
<b>Surrounding Land Uses:</b>	Residential, agricultural, educational.
<b>Agency and Department Review:</b>	<p>A copy of the application was sent to the following referral agencies by email on September 20, 2023. Substantive comments are included in applicable section(s).</p> <ul style="list-style-type: none"> <li>• City of Gunnison Planning and Zoning- Andie Ruggera</li> <li>• City of Gunnison Fire Marshall – Hugo Ferchau</li> <li>• Gunnison County Public Works – Martin Schmidt</li> <li>• Gunnison County Environmental Health Official – Crystal Lambert</li> </ul>

	<ul style="list-style-type: none"> <li>• Colorado Parks and Wildlife – Brandon Diamond</li> <li>• Colorado State Division of Water Resources – Megan Sullivan</li> <li>• Colorado Geologic Survey – Amy Crandall</li> </ul>
<b>Pre-Application Conference:</b>	Yes
<b>Status of Application:</b>	Minor Impact Land Use Change
<b>Attached Exhibits:</b>	The application is available at: <a href="https://www.gunnisoncounty.org/436/Permit-Database">https://www.gunnisoncounty.org/436/Permit-Database</a> . Select “projects” and type LUC-22-00052 in the application number field.
<b>Planning Commission Tasks at Initial Work Session:</b>	<ul style="list-style-type: none"> <li>— Acknowledge receipt of application by applicant name, name of development (if applicable) and date of application</li> <li>— Hear applicant presentation</li> <li>— Identify and consider issues</li> <li>1. Determine impact classification, considering both by definition and criteria of Section 3-111: B. 1.</li> <li>— Create list at end of meeting of items to be addressed at next meeting, and the date by which related information is to be submitted</li> <li>— Set site visit date</li> <li>— Determine if application is ready to be set for public hearing, or if other work session is required</li> </ul>
<b>Initial Impact Classification:</b>	Minor Impact Project, based upon classification found in <i>Section 6-102: Projects Classified as Minor Impact Projects</i>
<b>Other Criteria of Impact Classification: (Sec. 3-111. B. 1.)</b>	<p><b>Demand for public services.</b> The proposed land use change is expected to generate a minor or a major demand for public services, including roads, transit, schools, water supply, sewage disposal, fire and police protection, and emergency services.</p> <p><b>Impacts on impact area and the environment.</b> The proposed land use change is expected to generate a minor or a major impact on the impact area.</p> <p><b>Impacts related to all existing and proposed development and proposed development in impact area.</b> The impacts of the proposed land use change, when considered in conjunction with existing and proposed land use changes in the impact area, are expected to be minor.</p>
<b>6-103: STANDARDS FOR APPROVAL OF MINOR IMPACT PROJECTS</b>	<p>ALL APPLICABLE STANDARDS. The proposed land use change shall comply with, and the burden shall be on the applicant to demonstrate through competent evidence that the proposed land use change complies with all applicable requirements of this Resolution;</p> <p>and B. COMPATIBILITY WITH COMMUNITY CHARACTER. The proposed land use change shall be compatible with, or an enhancement of, the character of existing land uses in the area, and shall not adversely impact the future development of the surrounding area; and</p> <p>C. COMPLIANCE WITH SPECIFIC STANDARDS. In addition, the following standards shall apply to individual types of Minor Impact Projects:</p>

		<p>1. ADDITIONAL STANDARDS APPLICABLE TO VACATION, AMENDMENT OR REPLAT OF SUBDIVISION PLATS. The Board may approve a Minor Impact application to vacate, amend or replat any recorded subdivision plat if all of the following additional standards are met: a. LEGAL PLAT OF RECORD. The plat to be vacated, amended or replatted shall be a legal plat of record; when the plat is proposed to be vacated the applicant(s) shall be the owner of all the lands identified on the plat to be vacated.</p> <p>b. VACATION SHALL NOT DENY ACCESS. Vacation, amendment or replatting of all or part of the plat shall not interfere with the use of, nor deny access by public thoroughfare to public land, adjoining properties, utility service, or other improvements. In granting a vacation, the Board may reserve easements for access, and for the installation or maintenance of utilities, ditches, and similar improvements.</p> <p>c. NOT DAMAGE ANY LOT OWNER. The plat vacation, amendment or replat shall not result in damage to any individual lot owner.</p>
EA or EIS is required for this project	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Project located in Special Geographic Area	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Phasing proposed	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Is a Partially Exempted land use change (Section 1-106)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>APPLICABILITY OF LAND USE RESOLUTION STANDARDS:</b>		
<b>STANDARD, BY LUR SECTION, DIVISION AND/OR ARTICLE</b>	<b>Plan complies, or compliance will be determined during review</b>	<b>Staff Comments/ References to specific documentation</b>
9-101: E. and F: Secondary residences are allowed, and standards are addressed in covenants	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Applicable. Permitted use in the Elk Ranch Homestead Declaration of Covenants, Section 4.1.General Use state that "Accessory dwellings are permitted as part of any outbuilding or detached garage".
9-102: Home occupations	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Applicable, Home Occupations are permitted, see Elk Ranch Homestead Declaration of Covenants, Section 4.1.General Use.

9-103: Bed and breakfast	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application
9-203: Mobile home communities	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application
9-302: Farm or ranch stand	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application
9-303: Dude ranches and resorts	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application
9-304: Adult-oriented uses	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application
9-305: Seasonal recreational vehicle parks and campgrounds	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application
9-400: Minerals and construction materials	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Not applicable, not requested as part of this application
9-501: Special events	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Not applicable, not requested as part of this application
9-502: Temporary structures	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Not applicable, not requested as part of this application
9-503: Satellite dishes	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Not applicable, not requested as part of this application.
9-504: Attached wireless communications devices	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Not applicable, not requested as part of this application.
9-505: Freestanding wireless communications structures	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Not applicable, not requested as part of this application.
9-506: Child care center	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Not applicable, not requested as part of this application
9-507: Group home	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application
9-508: Keeping of livestock not on an agricultural operation	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
9-509: Camping on individual parcel	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
9-600: Essential housing	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
10-102: Locational standards for residential development	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Applicable.  Section 10-102.B. <i>Locational Standards</i> : An application for a new subdivision shall initially be reviewed for its location relative to existing development and shall be located:

		<p>1. Adjacent to Existing Population Center; or 2. Within a Municipal Three Mile Plan Area.</p> <p>Applicant's response: <i>"This parcel is within the Three Mile Plan Area for the City of Gunnison. The City of Gunnison is currently working on a collaborative Three Mile Plan with Gunnison County and details are yet to be decided. The City of Gunnison Planning Department has in the past acknowledged that this parcel is within the Three Mile Plan and indicated that this parcel, being west of Gunnison, would not have time due to more pressing properties and staff time for approximately five years to address any concerns in this area."</i></p> <p>Staff response: The proposal is adjacent to the City of Gunnison and is within the City of Gunnison Three Mile Plan area. The City, County, and Applicant have an agreement to provide City sewer services to the development.</p> <p>The Applicant and City are actively negotiating an agreement for future annexation to the City. Without an annexation agreement, the City cannot provide water to the subdivision. This would allow the City to serve the development with water in the future. As a fallback measure, and to comply with the requirement of the LUR and state statute, the Applicant has obtained adequate water rights for three single family residences. If additional density was created in the future and the development did not have access to City water, additional water rights would need to be obtained. This annexation agreement would include a 60-foot, east-west ROW on the northern boundary of the subdivision, establishing an important transportation and utility connection. The City provided the exhibit "Proposed ROW Map" and the following written comment:</p> <p><i>"The City has agreed to provide wastewater service in accordance with the Intergovernmental Agreement with the County of Gunnison to the Elk Ranch Homestead Subdivision. The City is also working</i></p>
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		<p><i>with the applicant to enter into an Agreement for the future inclusion of the property into the City of Gunnison and to compensate the applicant for the dedication of the right-of-way (ROW) described below. The Agreement will take some time to prepare and finalize; however, one of the important factors will be securing a 60 foot ROW to the City of Gunnison along the north portion of the proposed subdivision. The ROW area would align with an existing (unimproved) 60 foot ROW north of the Community School and south of County Road 15.</i></p> <p><i>The City is agreeable to this subdivision application with the modification of the subdivision plat to secure a 60 foot ROW and the opportunity to enter into an Annexation Agreement with the property owner that would set a future date for annexation into the City, utility service connections and other items agreeable to both parties.”</i></p> <p>A draft annexation agreement was provided to the County on December 28, 2023 and is available in the project file.</p> <p>Section 10-102. C. <i>Location Results In No Significant Net Adverse Impact to the Neighborhood.</i> When the applicant has demonstrated that a proposed residential development cannot satisfy the locational standard, the location may be approved if the Board finds that in addition to meeting all of the applicable requirements of this Resolution, the cumulative impacts of the proposed development and existing development will result in no significant net adverse impact to neighborhood lands or land uses, wildlife, visual quality, air or water quality, including impacts caused by a proliferation of On-Site Wastewater Treatment Systems and/or individual water wells.</p> <p>Applicant’s response: <i>“There is no significant Net Adverse Impact to the Neighborhood.”</i></p> <p>Staff response: The parcel is located adjacent to a residential neighborhood and the Gunnison River.</p>
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		<p>Colorado Parks and Wildlife did not express concerns regarding potential wildlife impacts. A portion of the property is in a FEMA regulatory floodplain and there are a few small wetlands; however, no development is proposed in these areas. The subdivision will be served by City sewer; therefore, there are no concerns regarding proliferation of Onsite Wastewater Treatment Systems. The pending agreement with the City would enhance transportation and utility connectivity, and allow for the development to connect to City water in the future.</p>
<p>10-103: Residential density</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>	<p>Applicable. The purpose of Residential Density Standards is to “prevent sprawl and leapfrog development and to allow for flexibility in residential subdivision design.”</p> <p>The application for subdivision must meet Section 10-103.C <i>Primary Residential Lot Size and Density Standards</i>.</p> <p><i>C.1. Compliance with Municipal Three Mile Plan Area:</i>  The applicant’s response states,  <i>“The applicant has provided covenants for this subdivision to assure compatibility with neighbors. Per the General Warranty Deed, this parcel has a restrictive covenant to run with the land, limiting the property to Agriculture and residential uses not to exceed three single family houses and necessary utility buildings and customary agricultural buildings. The three lots of this subdivision are Lot 1 is 5.85 acres, Lot 2 is 5.85 acres and Lot 3 is 2.5 acres. All of these are compatible with the adjoining properties.”</i></p> <p>Staff findings: This proposal is within a Three Mile Plan Area of the City of Gunnison; therefore, the standard does apply. Section 10-102: Locational Standards for Residential Development outlines how the project comports with the plan.</p> <p><i>C.2. Determination of Density Considers Sewage Disposal Requirements:</i></p>

		<p>This requires that the density, location, and configuration shall be determined based on the feasibility of use of an Onsite Wastewater Treatment System (OWTS).</p> <p>Staff findings: This standard does not apply as the proposed subdivision will tie into City of Gunnison sewer lines.</p> <p><i>C.3. Lot Size and Lot Density Considerations.</i> Lot size and lot density must be substantially similar to neighborhood parcels, unless the proposal can meet either standard (a) or (b).</p> <p>The applicant's response states, <i>"This parcel is compatible with parcels in the neighborhood. The proposed parcel is of a similar size to parcels located nearby."</i></p> <p>Staff findings: This parcel is subject to a restrictive covenant, as listed on the warranty deed, to "run with the land, limiting the property conveyed hereby to agricultural and residential uses with not to exceed three (3) single family houses, and necessary utility buildings and customary agricultural buildings".</p>
10-104: Locational standards for commercial, industrial or other non-residential uses	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
11-102: Voluntary best management practices	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Applicable, the standards are voluntary.
11-103: Development in flood hazard areas	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Applicable. According to Gunnison County GIS mapping there is a small area in the southwest corner that is mapped as a floodplain. There are no building envelopes within the designated flood hazard area.
11-104: Development in geologic hazard areas	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not Applicable. According to Gunnison County GIS mapping there are no geologic hazards in this area. The application was referred to the Colorado Geologic Survey (CGS) as required by state statute. CGS did not express concerns regarding the subdivision; however, did note that high groundwater

		would potentially incur the ability to have basements and/or crawlspaces.
11-105: Development in wildfire hazard areas	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Applicable. The subdivision and surrounding area are located in a Very High wildfire hazard area. Development will need to comply with Gunnison County Building Codes, which include the Wildland Urban Interface Code, in effect at time of building permit application.
11-106: Protection of wildlife habitat areas	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Applicable. A certificate of Administrative Review for Gunnison Sage-grouse habitat assessment has been recorded as of January 14, 2022. This report states that, "the proposed activity will not adversely impact the Gunnison sage-grouse or their habitats beyond that which has already occurred."  CPW did not express concerns regarding impact to wildlife.
11-107: Protection of water quality	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Applicable. Unless otherwise exempted, this Section shall apply to all Land Use Change Permit applications that involve uses within 125 feet of water bodies and mudflow hazard areas in unincorporated areas of Gunnison County, except as exempted in Section 11-107: C. 1.: Exempt, and Section 11-107: C. 2.: Partially Exempt. Wetlands are considered a waterbody.  Staff findings: Based on the provided wetland delineation and the SGM Site Plan dated February 8, 2023 currently there is no development proposed in any of the delineated wetlands, including roads.
11-108: Standards for development on ridgelines	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable.
11-109: Development that affects agricultural lands	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable.
11-110: Development beyond snowplowed access	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable.
11-111: Development on Inholdings in national wilderness	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable.
11-112: Development above timberline	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable.
12-103: Road system	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Applicable. Per Section 12-103: Road System B. <i>Compliance with Municipal Standards.</i> Applicant's response, "The applicant has met with the Gunnison County Public Works Department to discuss

		<p><i>the roadway system for this subdivision. They were advised by Martin Schmidt, Gunnison County Public Works Director that a driveway design was sufficient for the project and the three residences could share one drive. The access off West Denver Ave is 39.6 feet wide, 20 feet is sufficient for two drive lanes, for Gunnison County standards. As this parcel is restricted to three residences, there is no potential to add more residences to this. Mr. Schmidt also told the applicant that one access point was sufficient for the application. The driveway will be constructed to Gunnison County Regulations. Meeting with the Gunnison Fire Department, the comment was that if Gunnison County Regulations were followed and adequate emergency rescue turnarounds were installed the fire department would be able to use this system without issue.”</i></p> <p>Prior to application submittal, the Applicant coordinated the proposed access with Gunnison County Public Works to ensure compliance with their standards; therefore, Public Works did not have additional comment on the application. The application was referred to the Gunnison Fire Protection District and the District did not have additional comments. The contemplated 60’ ROW is compliant with City standards.</p>
12-105: Water Supply	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p>Applicable. B. <i>Connection to existing systems.</i></p> <p>Applicant’s response, <i>“There is not an existing water system for this project to connect to. The City of Gunnison has indicated that they need to move away for using any wells for the water for the City of Gunnison, they have indicated that they will not be drilling more wells. While the City of Gunnison is contemplating a new water system that may be in the future available, at this time it is only speculation of where the water system may eventually be</i></p>

		<p><i>located. The applicant has drilled a well and had a well Yield Test complete.”</i></p> <p>Staff Findings: There may be ability to connect to City water in the future, See Section 10-102: Locational Standards for Residential Development.</p> <p><i>C. Existing System Not Accessible</i>  Applicant’s response, <i>“The applicant has chosen to install water supply, has had wells dug and had a Well Yield Test completed, in April of 2023. Based on that the applicant has entered into a third-party Agreement for the Purchase of Aspinall Unit Storage Water for Long-Term Water Service for each lot.”</i></p> <p>Staff Findings: The appropriate water augmentation has been purchased from the Upper Gunnison River Water Conservancy District, the documents have been provided as part of this application. There may be ability to connect to City water in the future, See Section 10-102: Locational Standards for Residential Development.</p>
12-106: Wastewater treatment	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p>Applicable. B. <i>Connection to existing systems.</i></p> <p>Staff findings. The development will be served by City Sewer.</p>
12-107: Fire protection	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p>Applicable. B.1. Separated Two Points of Access on Primary Roads.</p> <p>Applicants response, <i>“As discussed with Hugo Ferchau from the Gunnison Fire Department, that they do not require nor need secondary accesses, as long as the Gunnison County regulations followed. Fire Protection can be addressed by installing a hammer head turn around at each resident or have a circle drive so that fire apparatus can turn around at any residence. Two of the parcels will use the hammer head turn around and one will have a circle drive. The current access from Knowles Ranch Road is 39’ wide, allowing for up to two lanes of traffic flow into this parcel and roadways to each resident. Though the north entrance would still be a possibility;</i></p>

		<p><i>not having it allows for additional agriculture use on the property, which is a requirement of the parcel.”</i></p> <p>Staff findings: Prior to application submittal, the Applicant coordinated the proposed access with the District to ensure compliance; therefore, the District did not have additional comments.</p>
<p>13-102: B: Location within municipal three-mile plan area</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>	<p>Applicable. The project is adjacent to an existing population center and is within the City of Gunnison’s three mile plan.</p> <p>Applicants response, <i>“An agreement between the City of Gunnison, Gunnison County, and the applicant for this Land Use Change permit to be connected to the City of Gunnison wastewater system is being reviewed by the County Planning Department. As in the past, the applicant will continue to work with the City of Gunnison and Gunnison County as needed. Since this application was first applied for in November 2021, the City of Gunnison has put out a Request for Qualifications and have chosen a company to assist them with the development of a Three-Mile Plan. The City of Gunnison does not currently have a Three-Mile Plan. Discussions between the applicant and the City Planning has indicated that when the Three-Mile Plan is completed adopted that the focus will be on the east side and the Highway 135 corridor and not west Gunnison.</i></p> <p>Staff findings: The City of Gunnison has an adopted <a href="#"><u>three mile plan</u></a> and <a href="#"><u>Intergovernmental Agreement</u></a> with Gunnison County for development in the three mile area that were in effect at the time of application. The application was referred to the City of Gunnison to ensure the application comports with the adopted plan and IGA. City comment is provided in Section 10-102: Locational Standards for Residential Development of this memo.</p>
<p>13-103: General Site Plan Standards And Lot Measurements</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>	<p>Applicable. Elk Creek Ranch Homestead draft plat has been submitted along with a new <i>“Overall Site Plan”</i> from SGM dated February 8, 2023.</p>

13-104: Setbacks From Property Lines And Road Rights-Of-Way	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Applicable. Elk Creek Ranch Homestead draft plat has been submitted along with a new "Overall Site Plan" from SGM dated February 8, 2023. All setbacks comply at this time.
13-105: Residential Building Sizes And Lot Coverages	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p>Applicable. No building on a parcel equal to or larger than 6,500 sq. ft. shall exceed 5,000 sq. ft. and the aggregate of all structures shall not exceed 7,000 sq. ft.</p> <p>Applicant's response, "No building on a Lot that is equal to or larger than 6,500 square feet shall exceed 5,000 square feet and the aggregate of all structures on such a Lot shall not exceed 7,000 square feet. Notwithstanding the foregoing, however, agricultural structures shall not be subject to the 5,000 square foot limitation and the square footage of agricultural structures shall not be included or otherwise considered in calculating the aggregate square footage of all structures on the Lot."</p> <p>Staff findings: The standards of this section have been met and this language has been added to the restrictive covenants.</p>
13-107: Installation Of Solid-Fuel-Burning Devices	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Applicable. Compliance for this standard will be met at the time of construction.
13-108: Open Space And Recreation Areas	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p>Applicable. G. Residential Uses.</p> <p>Applicant's response, "This project is deed restricted to no more than 3 residential areas with agricultural buildings and requires the parcel to remain agricultural. This project is 3 residential areas: 2 lots that are acres and acres with a third lot of 2.5 acres. 1 acre = 43,560 square feet. Lot 1 and 2 are 5.85 acres, which is about 254,826 square feet if the aggregate of all buildings is 7,000 square feet then approximately 2% of the land is used on lots 1 and 2. Lot 3 is 2.5 acres which is approximately 6% of the land is used. Approximately 5% of the total area will be used for residential homes and driveways."</p>

		Staff findings: The standards of this section have been met and this language has been added to the restrictive covenants.
13-109: Signs	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable. No signs have been proposed in this application.
13-110: Off-Road Parking And Loading	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Applicable. Elk Creek Ranch Homestead draft plat has been submitted along with a new "Overall Site Plan" from SGM dated February 8, 2023. All setbacks comply at this time. Compliance of this standard will be confirmed at the time of building permit.
13-111: Landscaping And Buffering	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Applicable. 13-111.C. <i>New residential land use changes</i> . 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.  Staff comments: Natural vegetation will be utilized in meeting this standard. Additional vegetation may be established along the driveway entrance to shield existing houses from the new use but shall not restrict access by emergency service vehicles.
13-112: Snow Storage	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Applicable. Compliance of this standard will be reviewed at the time of building permit applications.
13-113: Fencing	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Applicable. Applicant's response, <i>"The parcel is currently has barbed-wire fencing around the entire perimeter of the property, with the exemption of the north part abutting the residential area which is fenced with iron fencing and the south entrance. The applicant has covenants established, see Exhibit E-7.a which address fencing."</i>  Staff comments: Fencing is addressed in the draft covenants and the covenants comply with Gunnison County regulation, which does not allow fences to exceed six feet in height. There are no limitations on fence materials in Gunnison County; however, fences should be constructed to be wildlife-friendly.
13-114: Exterior Lighting	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not Applicable. Not part of the application.

13-115: Reclamation And Noxious Weed Control	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Applicable. A reclamation permit will be required for construction of the road servicing the subdivision or any other ground-disturbing activities in excess of 10,000 sq. ft.
13-116: Grading And Erosion Control	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Applicable. Compliance at the time of building permits.
13-117: Drainage, Construction And Post-Construction Storm Water Runoff	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p>Applicable. Per Section 13-1117. Drainage. D.4. Avoidance of direct discharge to water bodies. Since this proposal is located near wetlands, ditches and in an area that has a high water table drainage and water run-off plans will be crucial to implement for the building sites and access road(s).</p> <p><i>Applicant's response, "All buildings will be positioned and situated so that all direct runoff with on-site Management will detain or infiltrate to vegetated areas to avoid direct discharge into bodies of water, for all drainage, construction, and post-construction. This will include preservation with minimal disturbance of areas outside of the building envelopes, restoration of any disturbed areas. This parcel is already vegetated with hay meadow and native grasses, areas of erosion are minimal given the relative flatness of the topography."</i></p> <p>Staff findings; Compliance of this standard will be reviewed at the time of building permit application.</p>
13-118: Water Impoundments	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
13-119: Standards To Ensure Compatible Uses	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p>Applicable.</p> <p>A. <i>General.</i> Proposed land use changes shall be designed, constructed, and maintained in a manner that will not adversely affect the character and tranquility of nearby residential or public use areas, as well as the following:</p> <ol style="list-style-type: none"> <li>1. <i>Hazards Or Nuisances.</i> Land use changes shall not subject other uses to undue noise, dust, fumes, odor, explosion, aircraft flight patterns, or other hazards or nuisances, whether the result of design, location, basic character, or of planned or reasonably expected growth.</li> </ol>

		<p>2. <i>Adverse impacts to adjoining land.</i> Land use changes shall eliminate or minimize or mitigate conflicts between adjoining land uses and to the maximum extent feasible, avoid changes that will result in significant net adverse impact to adjoining land.</p> <p>B. <i>Additional Compatibility Requirements</i> are not applicable as this is a three lot subdivision and not a change to an industrial or commercial use.</p> <p>Staff findings: the application is for a residential subdivision within a residential area. These standards are intended to address potential land use change permits that may propose a use that conflicts with residential uses.</p>
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**ELK CREEK RANCH HOMESTEAD**  
 WITHIN THE SE1/4NW1/4  
 SECTION 35, T50N, R1W, N.M.P.M.  
 GUNNISON COUNTY, COLORADO

**CERTIFICATE OF DEDICATION AND OWNERSHIP**

Know all men by these presents, that the undersigned, being all of the Owner(s), Mortgagee(s) and Lien-holder(s) of certain lands in Gunnison County, Colorado, described as follows:

A tract of land within the SE1/4NW1/4 of Section 35, Township 50 North, Range 1 West, New Mexico Principal Meridian, Gunnison County, Colorado; said tract being more particularly described as follows:

Commencing at the northwest corner of said Section 35; thence South 62°45'01" West 2889.02 feet to a point on the north boundary of said SE1/4NW1/4, said point also being on an existing fence line and also being the POINT OF BEGINNING for the herein described tract; thence the following courses around said tract:

1. South 01°18'43" West 1309.51 feet along said existing fence line to a point on the Stieler property, (as described in Book 730 at Page 704 of the records of Gunnison County);
2. North 89°58'09" West 82.16 feet along the north boundary of said Stieler property to the northwest corner of said Stieler property;
3. South 00°01'51" West 24.00 feet along the west boundary of said property to the southwest corner of said Stieler property, said corner also being on the north boundary of WEST GUNNISON AMENDED, and also being on the east-west center section line of said Section 35;
4. North 89°58'09" West 29.33 feet along said north boundary and along said center section line;
5. North 76°53'33" West 29.61 feet;
6. North 81°57'43" West 31.88 feet;
7. SOUTH 11.14 feet to a point on said north boundary and on said center section line, said point bears South 34°44'00" East 7.02 feet from the southeast corner of an existing barn;
8. North 89°58'09" West 36.25 feet along said north boundary and along said center section line;
9. NORTH 16.24 feet;
10. North 81°57'43" West 111.79 feet;
11. North 79°58' 44" West 131.22 feet;
12. NORTH 1274.82 feet to a point on the north boundary of said SE1/4NW1/4;
13. North 89°34'41" East 478.06 feet along said boundary to a point on an existing fence line, said point also being the POINT OF BEGINNING of the herein described tract.

AND

A tract of land within the SE1/4NW1/4 of Section 35, Township 50 North, Range 1 West, New Mexico Principal Meridian, Gunnison County, Colorado; said tract being more particularly described as follows:

Commencing at the northwest corner of said Section 35; thence South 62°41'48" West 2883.67 feet to the northeast corner of said SE1/4NW1/4 of Section 35, said corner also being the POINT OF BEGINNING for the herein described tract; thence the following courses around said tract:

1. South 00°58'06" West 1309.40 feet along the north-south center section line of said section 35 to a point on the north boundary of the Stieler property, (as described in Book 730 at Page 704 of the records of Gunnison County);
2. North 89°58'10" West 13.86 feet along said boundary to a point on an existing fence line;
3. North 01°18'43" East 1309.51 feet along said fence line to a point on the north boundary of said SE1/4NW1/4;
4. North 89°34'40" East 6.00 feet along said boundary to the CN1/16 corner of said Section 35, said corner also being the POINT OF BEGINNING of the herein described tract.

in Gunnison County, Colorado, under the name of Sylvester Subdivision, have laid out, platted and/or subdivided the same as shown on this plat and do hereby dedicate and convey to the owners of lots, tracts, or parcels within this subdivision and their guests, but not to the public at large, the common right to use streets, alleys, roads and other public areas as shown hereon and hereby dedicate those portions of land labeled as easements for the installation and maintenance of public utilities as shown hereon.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

OWNERS: \_\_\_\_\_ LIEN HOLDER: \_\_\_\_\_

By: \_\_\_\_\_ Northpoints Bank  
 Bobbette Kay Sylvester McCarroll

By: \_\_\_\_\_ (sign)  
 Richard Brian McCarroll \_\_\_\_\_ (name)

STATE OF COLORADO )  
 ) ss. \_\_\_\_\_ (title)  
 COUNTY OF GUNNISON )

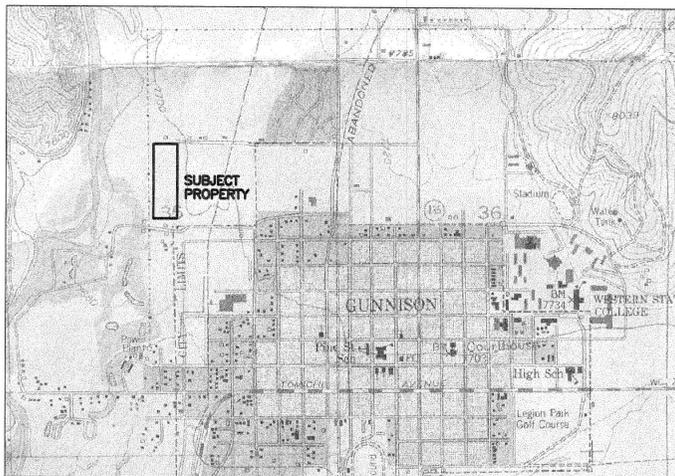
The foregoing instrument was acknowledged and executed before me this \_\_\_\_\_ day of \_\_\_\_\_, 2023, by Bobbette Kay Sylvester McCarroll and Richard Brian McCarroll.

Witness my hand and official seal. \_\_\_\_\_  
 Notary Public

STATE OF COLORADO )  
 ) ss. \_\_\_\_\_  
 COUNTY OF GUNNISON )

The foregoing instrument was acknowledged and executed before me this \_\_\_\_\_ day of \_\_\_\_\_, 2023, by \_\_\_\_\_ as \_\_\_\_\_

Witness my hand and official seal. \_\_\_\_\_  
 Notary Public



VICINITY MAP

**COMMENTS**

1. The owner of each Lot shall have a common right of usage of the utility easements to provide utility service to each Lot
2. All homeowners acknowledge the requirements of Colorado's "Fence Out" law, CRS SS 35-46-101 et seq., and the Right-to-Ranch Policy adopted by Gunnison County, as may be amended.

**Plat Notes:**

Pursuant to Section 5-209 H. of the Gunnison County Land Use Resolution:

**Confinement of Domestic Animals:** Each Lot Owner within this subdivision acknowledges and agrees that domestic animals must be controlled by kenneling, leash, fencing, or other physical constraint and that any expense of enforcement of the domestic animal control restrictions by the County shall be at the expense of the responsible individual.

**Colorado's Fence Out Requirements:** A property owner is required to construct and maintain fencing in order to keep livestock off his/her property in accordance with C.R.S. 35-46-101 et seq.

**Irrigation Ditch Maintenance:** An irrigation ditch owner has the right to enter the designated irrigation ditch maintenance easement, maintain the ditch, and may leave natural debris on the bank.

**SURVEYOR'S CERTIFICATE**

I, Timothy E. Pearson, a registered land surveyor in the State of Colorado, certify that this plat and the survey referred to herein were made under my direction and control and that both are true and correct to the best of my knowledge.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_.

\_\_\_\_\_  
 Timothy E. Pearson  
 Colorado L.S. No. 34979

**TITLE CERTIFICATE**

I, Jacob A. With, an attorney at law duly licensed to practice before the Courts of Record in the State of Colorado, certify that I have examined title to all lands herein dedicated and shown upon this plat, and title to such lands is in the dedicator free and clear of all liens, taxes and encumbrances except as follows:

1. All matters shown hereon.
2. 2022 and subsequent years' taxes, a lien not yet due and payable.
3. Inclusion within any special taxing district.
4. Patent recorded October 5, 1882 in book 45 at page 9.
5. Easement recorded June 8, 1948 in book 278 at page 219.
6. Resolution recorded November 5, 1993 in book 734 at page 711.
7. Easements and restrictive covenant set forth in deed recorded November 5, 1993 in book 734 at page 689 and in corrective deed recorded April 13, 2021 at reception number 675047.
8. Deed of trust recorded at reception number 681580.
9. Certificate of Administrative review recorded at reception number 682441.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
 Attorney at Law

**GUNNISON COUNTY PLANNING COMMISSION APPROVAL**

The Planning Commission of Gunnison County, Colorado, hereby recommends \_\_\_\_\_ approval of this plat of the above subdivision, such recommendation being made at a meeting of said Commission held on this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_.

\_\_\_\_\_  
 Chairperson

**BOARD OF COUNTY COMMISSIONERS APPROVAL**

The within plat of ELK CREEK RANCH HOMESTEAD is approved this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_ and the private dedication of roads and common areas is approved on the condition that such roads and common areas shall be maintained and snowplowed, by and at the expense of the lot owners and not by Gunnison County or any other public agency.

ATTEST: \_\_\_\_\_  
 Chairperson

\_\_\_\_\_  
 County Clerk

**GUNNISON COUNTY CLERK AND RECORDER'S ACCEPTANCE**

This plat was accepted for filing in the office of the Clerk and Recorder of Gunnison County, Colorado on this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_, Reception Number \_\_\_\_\_, Time \_\_\_\_\_.

\_\_\_\_\_  
 County Clerk and Recorder

By: Deputy

<b>ELK CREEK RANCH HOMESTEAD</b> WITHIN THE SE1/4NW1/4 SECTION 35, T50N, R1W, N.M.P.M. GUNNISON COUNTY, COLORADO STREET ADDRESS: TBD W. DENVER AVE.	
PEARSON SURVEYING P.O. BOX 652 GUNNISON, CO 81230 970-641-2910 PROJECT # 22-1-1	DATE : 6/29/22 LATEST REVISION DATE : 6/12/23
<b>SHEET 1 OF 2</b>	

ELK CREEK RANCH HOMESTEAD  
 WITHIN THE SE1/4NW1/4  
 SECTION 35, T50N, R1W, N.M.P.M.  
 GUNNISON COUNTY, COLORADO

CITY OF GUNNISON

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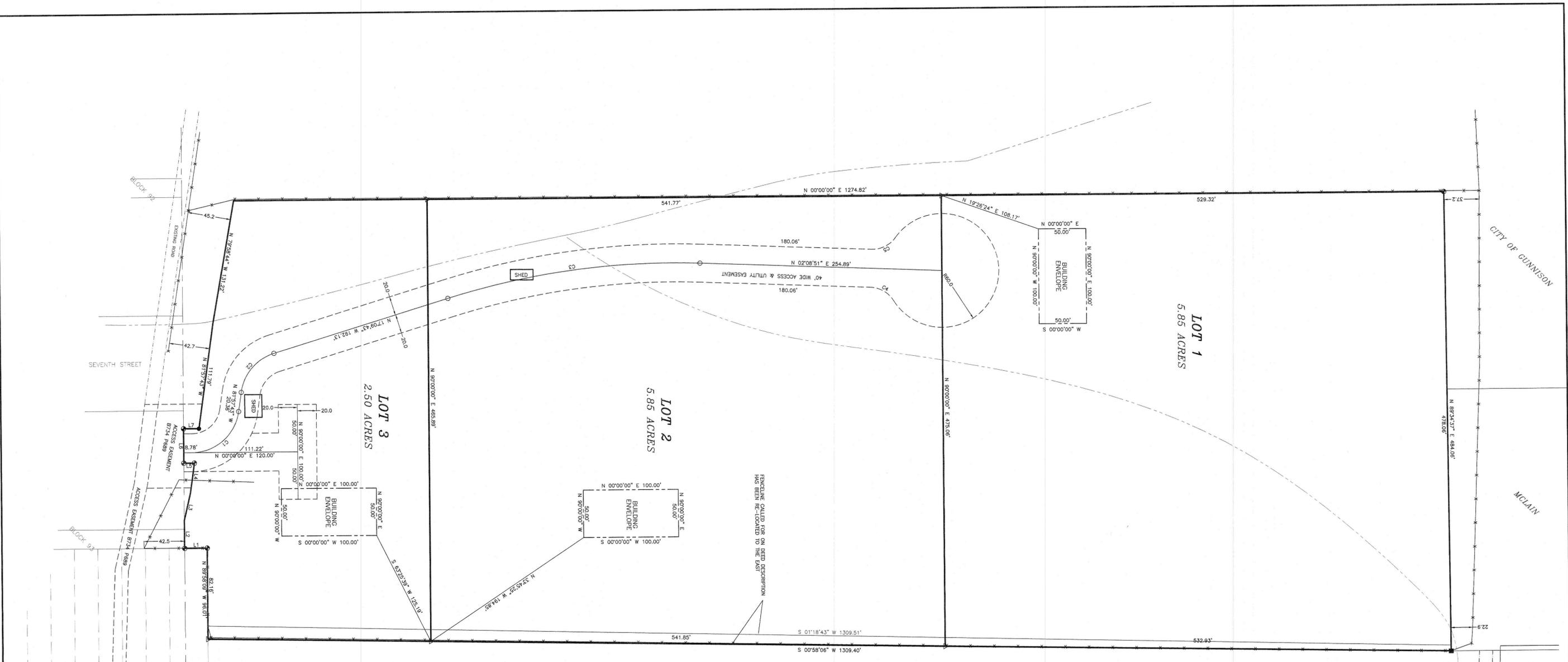
COUNTY ROAD NO. 15

GUNNISON WATERSHED  
 10000  
 DISTRICT

LOT 1  
 5.85 ACRES

LOT 2  
 5.85 ACRES

LOT 3  
 2.50 ACRES



FENCELINE CALLED FOR ON DEED DESCRIPTION  
 HAS BEEN RE-LOCATED TO THE DASH

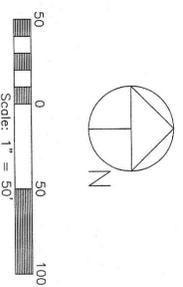
**CURVE TABLE**

NUMBER	ARC LENGTH	CHORD	DIRECTION	CHORD EXTENSION
C1	46.50'	50.00'	N 89°00'00" E	53.96'
C2	209.81'	600.00'	N 87°30'00" W	268.34'
C3	29.46'	50.00'	N 87°30'41" W	28.28'

**LINE TABLE**

NUMBER	DIRECTION	DISTANCE
L1	S 00°01'51" W	24.60'
L2	N 89°58'09" W	29.23'
L3	N 87°30'41" W	31.88'
L4	N 81°57'43" W	11.14'
L5	S 00°00'00" W	36.25'
L6	N 89°58'09" W	16.24'
L7	N 00°00'00" E	16.24'

- LEGEND**
- Found rebar with aluminum cap T.S. 23502\*
  - ▲ Found rebar with aluminum cap T.S. 11250†
  - △ Found rebar with plastic cap T.S. 34979\*
  - Fence
  - - - Easement boundary
  - - - Ditch



ELK CREEK RANCH HOMESTEAD  
 WITHIN THE SE1/4NW1/4  
 SECTION 35, T50N, R1W, N.M.P.M.  
 GUNNISON COUNTY, COLORADO  
 STREET ADDRESS: 18D W. DENVER AVE.

PEARSON SURVEYING  
 P.O. BOX 652  
 GUNNISON, CO 81230  
 970-641-2910  
 PROJECT # 22-1-1

DATE : 2/5/22  
 LATEST REVISION DATE : 6/12/23

SHEET 2 OF 2



COMMUNITY & ECONOMIC  
DEVELOPMENT

Rachael Blondy, Planner I

(970) 641-7932

rblondy@gunnisoncounty.org

www.GunnisonCounty.org

To: Gunnison County Planning Commission

RE: LUC-23-00052 Minor Impact Review Ridgeline Vantage, Lot 3, Red Mountain Ranch Estates Subdivision, Impact Classification Reduction Request

Meeting Date: January 4, 2024

Memo Date: December 28, 2023

### 1) Summary

The Applicant, Steve Ladik, represented by Jim Jose of SHM Architects, submitted a Building Permit and Onsite Wastewater Treatment System (OWTS) (BP-23-00234 & OWTS-23-00235) for [Lot 3 of Red Mountain Ranch Estates](#), which is a 35-acre subdivision opposite of Crested Butte South. Initial analysis revealed the single-family residence with attached garage is proposed within the CO 135 Ridgeline Vantage, and requires a Minor Impact Review and Detailed Analysis of visual impacts pursuant to Land Use Resolution (LUR) *Section 11-108 Standards for Development on Ridgelines* to approve the building permit as proposed in the existing Building Envelope. LUC-22-00046 approved construction of a driveway to vacant land to the proposed building site, which was constructed in 2023. There was an oversight in the review of the driveway to vacant land request, which did not identify the Ridgeline Vantage from CO-135.

Figure 1. Project Location



The Applicant is requesting an Impact Classification Reduction from a Minor Impact Project according to Land Use Resolution (LUR) *Section 6-102 – Projects Classified as Minor Impact Projects* to an *Administrative Review Project* to an Administrative Review Project under *Section 5-102 – Projects Classified as Administrative Review Projects That Require Land Use Change Permits*. The Planning Commission shall evaluate the Impact Classification reduction request and determine if the proposal meets all of the standards found in LUR *Section 3-111:B – Criteria for Classifying Impact*. Staff has summarized compliance with *Section 11-108 Standards for Development on Ridgelines* and the *Classification of Impact* standards below, and all applicable LUR standards are addressed in Exhibit A. Staff Report.

## 2) Compliance with Section 11-108 Standards for Development on Ridgelines

The Building Envelope and proposed building site is located in a meadow surrounded by a mixed aspen-conifer forest. The parcel is situated north-south, with CO-135 at the valley bottom and sloping topography climbing through and beyond the subject property. The surrounding mature aspen stand obscures the silhouette of the structure from piercing the sky, however, there is no visible topography behind the structure and the residence would be visible from CO-135 Mile Marker 20.66.

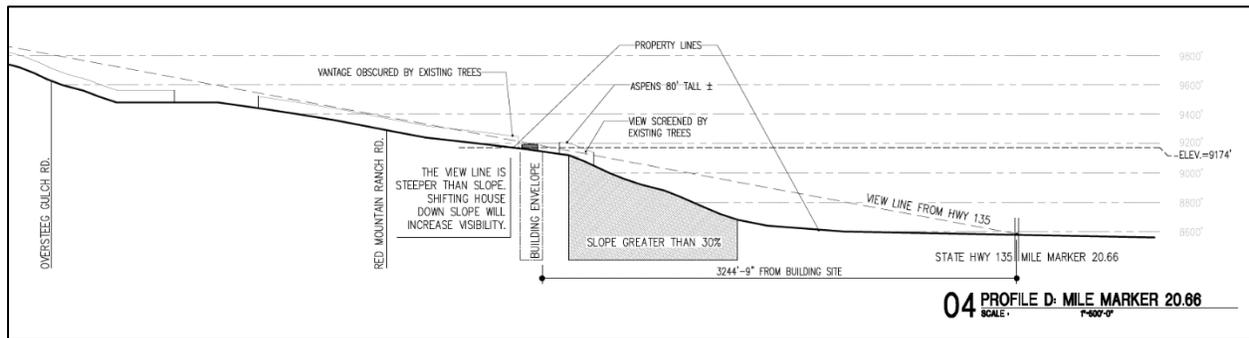


Figure 2. Ridgeline Vantage Analysis, CO-135 Mile Marker 20.66

The area within the meadow and Building Envelope have slopes of 10%, with slopes exceeding 50% as the parcel drops to the valley floor, where the grade decreases as the parcel stretches toward CO-135. *Section 1-104.6* prohibits development on slopes greater than 30% unless the applicant demonstrates unavailability. The northern area of the parcel is outside the Ridgeline Vantage; however, cannot be accessed from CO-135. Construction of a driveway to the northern/lower area of the parcel would require several switchbacks and significant timber removal, creating a visible scar across the hillside.

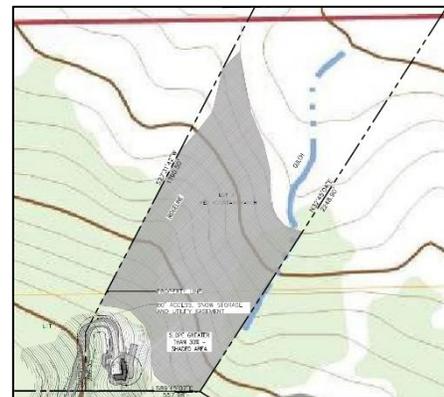


Figure 3. Grey shading represents slopes with 30% or greater grade

The Applicant may receive approval of a Minor Impact review of a structure in a Ridgeline Vantage provided they demonstrate “clear and convincing evidence” that the proposal meets or exceeds the one of the following standards:

1. No feasible alternative site exists on the parcel; or

*Staff Response: The proposed site is at low risk for slope instability. The majority of the remainder of the parcel is encumbered by very steep slopes, which cannot be developed unless there is no other feasible location. The flatter northern portion of the parcel cannot be accessed from CO-135, access to this area requires a very long driveway with extensive timber removal. The proposed building site also minimizes vegetation removal and visual impacts.*

2. Full screening exists and is protected; or

*Staff Response: Full screening does not exist for the site.*

3. Significant screening exists and is protected.

*Staff Response: The proposed structure would be significantly screened from piercing the sky by the aspen grove behind the residence. The purpose of the Ridgeline Vantage is “to maintain the natural appearance of the mountain skyline and to avoid penetration or interruption of the natural skyline by buildings. There is not a protective covenant for the existing screening.*

### **3) Compliance with Section 3-111:B – Criteria for Classifying Impact**

Staff has evaluated the application against the criteria for an Impact Classification reduction.

a. DEMAND FOR PUBLIC SERVICES. Whether the proposed land use change is expected to generate a minor or a major demand for public services, including roads, transit, schools, water supply, sewage disposal, fire and police protection, and emergency services;

*Staff Response: The project proposes a 4-bedroom single family residence, served by an On-site Wastewater Treatment System (OWTS) and individual well. The driveway is an extension of 1,367 ft. shared driveway through a neighboring property easement to Red Mountain Ranch Rd. The Crested Butte Fire Protection District has approved all proposed plans. The impacts of a single-family residence on public services within a Ridgeline Vantage on an existing legal parcel of record are the same as a residence outside of the Ridgeline Vantage.*

b. IMPACTS ON IMPACT AREA AND ENVIRONMENT. Whether the proposed land use change is expected to generate a minor or a major impact on the impact area or on the environmental resource and hazard areas defined within and regulated by Article 11: Resource Protection Standards;

*Staff Response:*

*SECTION 11-102: Voluntary Best Management Practices. The proposed building site has the least environmental impacts when compared to other building locations.*

*SECTION 11-104: Development in Areas Subject to Geologic Hazards. The parcel is located in an unstable slopes geologic hazard area. A geotechnical study was conducted by CMT Technical Services on July 21, 2023 that found the proposed site had minimal slope instability risk and the Colorado Geologic Survey concurred with the findings of the study.*

*SECTION 11-105: Development in Areas Subject to Wildfire Hazards. The parcel is located in high wildfire hazard area. The proposed location in the meadow at the southern end of the parcel allows*

*for minimal tree thinning to reach conforming defensible space per Gunnison County's adopted version of the International Wildland Urban Interface Code (IWUIC).*

*SECTION 11-106: Protection of Wildlife Habitat Areas. This elk migration corridor has been reviewed by Colorado Parks and Wildlife (CPW), which had no formal comments about this project, but provided advice on how to avoid human-bear conflicts. See "CPW Comments" for details.*

*SECTION 11-108: Standards for Development on Ridgelines. Compliance with this section have been described in section 2 of this memo.*

- c. IMPACTS RELATED TO ALL EXISTING AND PROPOSED DEVELOPMENT IN IMPACT AREA. The impacts of the proposed land use change, when considered in conjunction with existing and proposed land use changes in the impact area

*Staff Response: The proposed development is in a 35-acre subdivision and is clustered near the surrounding development. Maintaining the proposed building envelope requires less development and impact to the surrounding properties and removes the potential for more visibility from CO-135. The proposed building location is on a sparsely vegetated meadow, where no trees would need to be removed. Changing the building location to the only other feasible location, on the North side of the lot towards CO-135, would create more environmental and visual impacts to the area.*

#### **4) Request of Planning Commission**

Staff requests the Planning Commission determine if the proposal meets the standards in LUR Section 3-111:B – *Criteria for Classifying Impact*.

#### **5) Exhibits**

You may review the entire application at <https://permitdb.gunnisoncounty.org/citizenaccess>, click "Projects", search by application number LUC-23-00052. Click on "Attachments".

- A. Staff Report
- B. Ridgeline Vantage Analysis



**GUNNISON COUNTY, COLORADO  
COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT  
STAFF REPORT for MINOR IMPACT**

Land Use Change Permit Application: Ridgeline Vantage Minor Impact Review for Lot 3,  
Red Mountain Estates Subdivision  
Application No: LUC-23-00052  
Date application scheduled with Planning Commission: January 4, 2023  
Prepared by: Rachael Blondy

<b>Applicant Name:</b>	SHM Architects - Jim Jose, on behalf of Steven Ladik
<b>Property Owner Name:</b>	Steven Ladik
<b>Project Description:</b>	<p>The Applicant requests review of a proposed single-family residence with an attached garage within a Ridgeline Vantage. The Impact Classification was determined after reviewing an initial submittal pursuant to <i>Section 11-108:D. Initial Analysis of Visibility of Proposed Site</i> due to the potential Ridgeline Vantage visibility from State Highway 135. The proposed building location is located within the HOA designated building envelope, which is located on the meadow towards the south end of the property. The parcel is accessed from Red Mountain Ranch Rd. through Lot 2 of Red Mountain Estates Subdivision, which has been established with a driveway easement agreement. Additionally, a Driveway to Vacant Land Permit was issued in LUC-22-00046. Building Envelope and access easement were initially established in the Red Mountain Estates Plat filed in 1997 at Reception No. 473300; the County did not review the subdivision because the resultant parcels were 35 acres or greater. The applicant proposes the construction will be completed within one phase, lasting between 18-24 months. The applicant has applied for building and onsite wastewater treatment system permits (BP-23-00234 &amp; OWTS-23-00235).</p> <p>Due to the steep slopes (greater than 30%) across the majority of the parcel, the applicant has limited feasible locations for building. The applicant has explored alternative building locations in the <i>Ridgeline Vantage Analysis</i>, and is discussed in Section 11-104 of this document.</p> <p>The existing vegetation on site consists of an Aspen-Mixed Conifer forest with old growth aspens between 60' to 80' tall. The proposed building location is on a sparsely vegetated meadow, where no trees would need to be removed. The proposed building location is either fully or significantly screened by the existing vegetation from most Ridgeline Vantage points along 135.</p>

	The building itself is visually unobtrusive, with an exterior palate of gray and black, with the exterior consisting of stone and wood. See the <i>Building Rendering</i> for renderings of the proposed residence.
<b>Property Location:</b>	1620 Red Mountain Ranch Rd., Gunnison County, CO Lot 3, Red Mountain Ranch Estates subdivision
<b>Surrounding Land Uses:</b>	There are four adjacent parcels, lots 1, 2, 41, & 42, within the Red Mountain Ranch Subdivision which are 35 +/- acre parcels. These lots are all listed as either vacant or residential. There is one adjacent lot to the north: 72.2 Acres in Sections 27 & 28, T14S, R85W. A.K.A. 20601 State Hwy. 135, which is listed as vacant.
<b>Agency and Department Review:</b>	A copy of the application was sent to the following referral agencies by email: <ul style="list-style-type: none"> <li>- Colorado Geologic Survey – See Section 11-104: Development in geologic hazard areas for comments.</li> <li>- Colorado Parks and Wildlife – Referral for a neighboring parcel was sent to CPW on June 20, 2023 for LUC-23-00030 and comments were received on June 28, 2023 from Clayton BonDurant noting CPW had minimal concern about wildlife impacts. See <i>CPW Comments</i> to review the letter.</li> </ul>
<b>Pre-Application Conference:</b>	
<b>Status of Application:</b>	In Review
<b>Attached Exhibits:</b>	See all relevant files in Gunnison County’s Permit Database <a href="#">Citizen Access</a> -> Projects -> LUC-23-00052
<b>Planning Commission Tasks at Initial Work Session:</b>	<ul style="list-style-type: none"> <li>— Acknowledge receipt of application by applicant name, name of development (if applicable) and date of application</li> <li>— Hear applicant presentation</li> <li>— Identify and consider issues</li> <li>— Determine impact classification, considering both by definition and criteria of Section 3-111: B. 1.</li> <li>— Create list at end of meeting of items to be addressed at next meeting, and the date by which related information is to be submitted</li> <li>— Set site visit date if applicable</li> <li>— Determine if application is ready to be set for public hearing, or if other work session is required</li> </ul>
<b>Initial Impact Classification:</b>	Minor Impact Project, based upon classification found in <i>Section 6-102: Projects Classified as Minor Impact Projects</i>
<b>Other Criteria of Impact Classification: (Sec. 3-111. B. 1.)</b>	Applicant is proposing an Impact Classification Reduction to <i>Section 5-102: Administrative Review Projects That Require Land Use Change Permits</i> . See <i>Impact Classification Reduction</i> in the LUC file.  <b>Demand for public services.</b> The proposed land use change is expected to generate a minor or a major demand for public services, including roads, transit, schools, water supply, sewage disposal, fire and police protection, and emergency services.

		<p><b>Impacts on impact area and the environment.</b> The proposed land use change is expected to generate a minor or a major impact on the impact area.</p> <p><b>Impacts related to all existing and proposed development and proposed development in impact area.</b> The impacts of the proposed land use change, when considered in conjunction with existing and proposed land use changes in the impact area, are expected to be minor.</p>
EA or EIS is required for this project	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Project located in Special Geographic Area	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Phasing proposed	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Is a Partially Exempted land use change (Section 1-106)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

**APPLICABILITY OF LAND USE RESOLUTION STANDARDS:**

<b>STANDARD, BY LUR SECTION, DIVISION AND/OR ARTICLE</b>	<b>Plan complies, or compliance will be determined during review</b>	<b>Staff Comments/ References to specific documentation</b>
9-101: E. and F.: Secondary residences are allowed, and standards are addressed in covenants	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
9-102: Home occupations	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
9-103: Bed and breakfast	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
9-203: Mobile home communities	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
9-300: Commercial and Industrial Uses	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
9-302: Farm or ranch stand	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
9-303: Dude ranches and resorts	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.

9-304: Adult-oriented uses	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
9-305: Seasonal recreational vehicle parks and campgrounds	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
9-400: Minerals and construction materials	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
9-501: Special events	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
9-502: Temporary structures	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
9-503: Satellite dishes	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
9-504: Attached wireless communications devices	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
9-505: Freestanding wireless communications structures	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
9-506: Child care center	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
9-507: Group home	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
9-508: Keeping of livestock not on an agricultural operation	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
9-509: Camping on individual parcel	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
9-600: Essential housing	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
10-102: Locational standards for residential development	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
10-103: Residential density	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
10-104: Locational standards for commercial, industrial or other non-residential uses	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
11-102: Voluntary best management practices	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Applicable – Applicant will comply with the standards in this Section. See <i>Impact Classification Reduction</i> attachment in the LUC file for details.
11-103: Development in flood hazard areas	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.

<p>11-104: Development in geologic hazard areas</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>	<p>Applicable – The entire parcel is located in ‘unstable slopes.’ Pursuant to Section 11-104:G.7 – <i>Unstable or Potentially Unstable Slopes</i>.</p> <p>Colorado Geologic Survey comments provided by Amy Crandall on December 15th include that “the site plan with the building location shows the house within the southernmost portion of Lot 3, where slopes are around 10 percent. The remainder of Lot 3 includes slopes upwards of 50 percent or greater.” No improvements are planned within the area that includes steep slopes.</p> <p>A “Geotechnical Study” was completed on July 21, 2023 by Yvonne M. Allmaras and Darin R. Duran from CMT Technical Services. Under Section 2 of the report <i>Summary of Findings and Conclusions</i>; “The CMT geologist concluded that there is low risk of slope instability on this site.”</p> <p>Pursuant to LUR Section 11-104:G.6 – <i>Development on Slopes Greater than 30 Percent</i> - development on slopes greater than 30 percent can only occur if the hazard cannot be avoided. In the <i>Ridgeline Vantage Analysis</i>, the applicant shows the location of slopes greater than 30 percent adjacent to the existing building site and therefore could not be explored as feasible alternative building locations.</p> <p>The environmental impacts of installing a driveway to the northern end of the parcel, where slopes are less than 30%, would leave long lasting environmental impacts, which Section 1-103:D <i>Purposes to Protect Environmental Resources</i> intends to avoid.</p> <p><u>CGS Comments</u> CGS reviewed the application on December 15th, 2023. Comments included assessment of geologic hazards associated with the site, including unstable</p>
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		<p>slopes with landslides, but recognized that “no improvements are planned within the area that includes steep slopes”. CGS referenced the “Geotechnical Study”, “Cesare/CMT states (page 7), “Significant change to the slope, vegetation, or water drainage could impact slope stability,” and “If excavations greater than 10 feet are anticipated, a slope stability assessment should be performed.” ... “Provided Cesare/CMT’s recommendations are strictly adhered to, CGS has no objection to the approval of the proposed residence at 1620 Red Mountain Ranch Road”</p> <p><u>Staff Comments:</u> Based on Section 11-104:G.6 the applicant has explored all feasible building locations that avoid geologic hazard areas and avoid unnecessary environmental impacts.</p> <p>Staff has reviewed plans and determined that excavations will not be greater than 10 feet and staff believes that the “Geotechnical Study” provided and building design meet the standards of Section 11-104:G.7 <i>Unstable or Potentially Unstable Slopes</i>.</p>
11-105: Development in wildfire hazard areas	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Applicable – building site is located in a ‘high’ wildfire hazard area according to mapping. Staff has reviewed and the <i>Defensible Space</i> plan submitted by Seth Hostvet – Wildform Design and it complies with the standards of this Section by illustrating the establishment of Home Ignition Zones. Staff notes that the closest trees are mature stands of aspens, which are considered natural fuel breaks.
11-106: Protection of wildlife habitat areas	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Applicable – parcel is located in a big game migration corridor. Referral for a neighboring parcel was sent to CPW on June 20, 2023 for LUC-23-00030 and comments were received on June 28, 2023 from Clayton BonDurant noting CPW had minimal concern about wildlife impacts. See <i>CPW Comments</i> to review the letter.
11-107: Protection of water quality	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not Applicable – project is not within 125’ of any water body.

Yes  No  N/A

11-108: Standards for development on ridgelines

The Applicant may receive approval of a Minor Impact review of a structure in a Ridgeline Vantage provided they demonstrate “clear and convincing evidence” that the proposal meets or exceeds the one of the following standards:

1. No feasible alternative site exists on the parcel; or
2. Full screening exists and is protected; or
3. Significant screening exists and is protected.

Staff Response:

1. No feasible alternative site exists on the parcel

*The proposed site is at low risk for slope instability. The majority of the remainder of the parcel is encumbered by very steep slopes, which cannot be developed unless there is no other feasible location. The flatter northern portion of the parcel cannot be accessed from CO-135, access to this area requires a very long driveway with extensive timber removal. The proposed building site also minimizes vegetation removal and visual impacts.*

2. Full screening exists and is protected

*Full screening does not exist for the site.*

3. Significant screening exists and is protected.

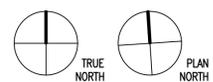
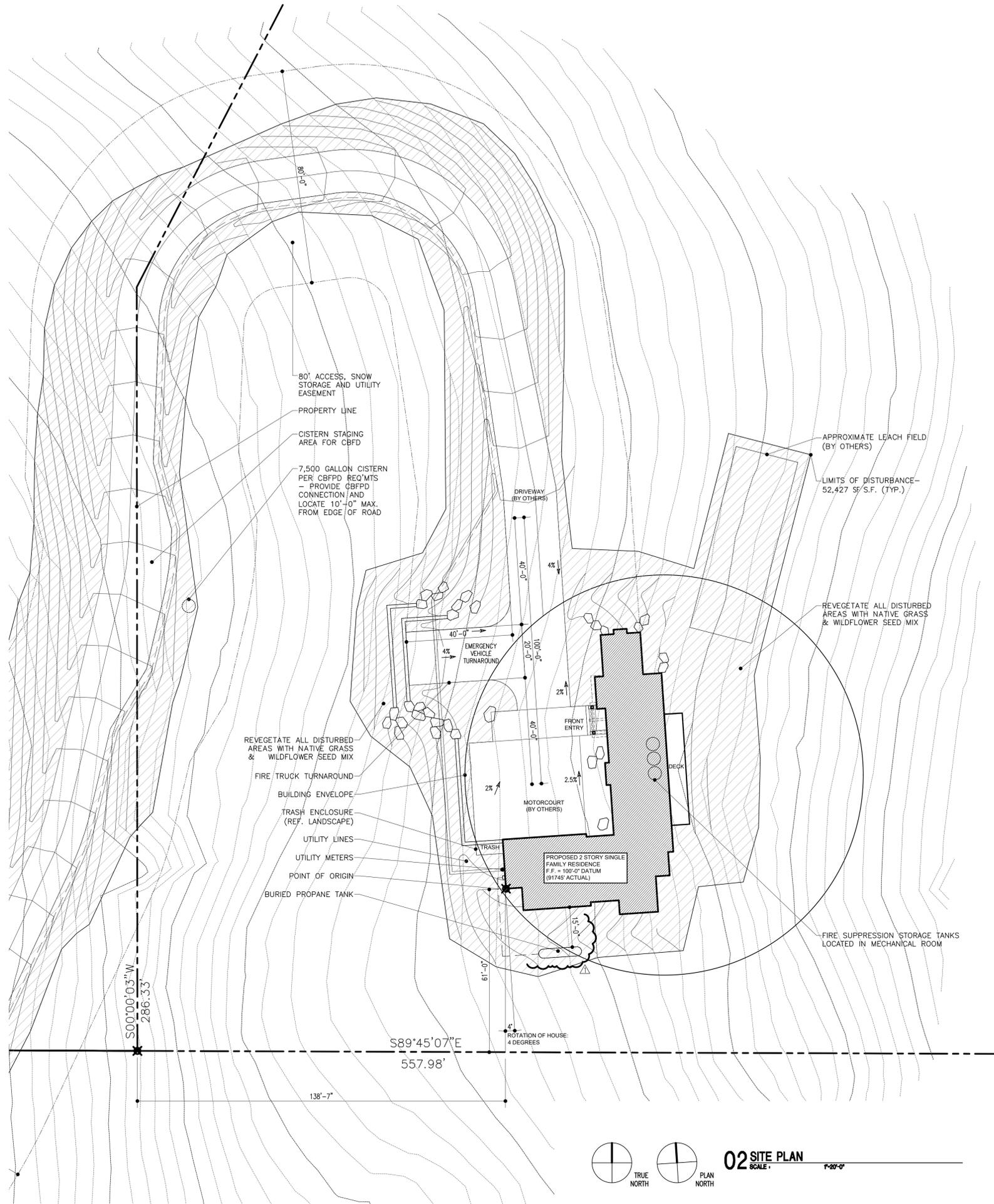
*The proposed structure would be significantly screened from piercing the sky by the aspen grove behind the residence. The purpose of the Ridgeline Vantage is “to maintain the natural appearance of the mountain skyline and to avoid penetration or interruption of the natural skyline by buildings. There is not a protective covenant for the existing screening.*  
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*The building itself is visually unobtrusive, with exterior colors of gray, white, and black, with much of the exterior consisting of stone. See the Building*

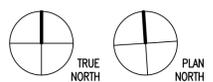
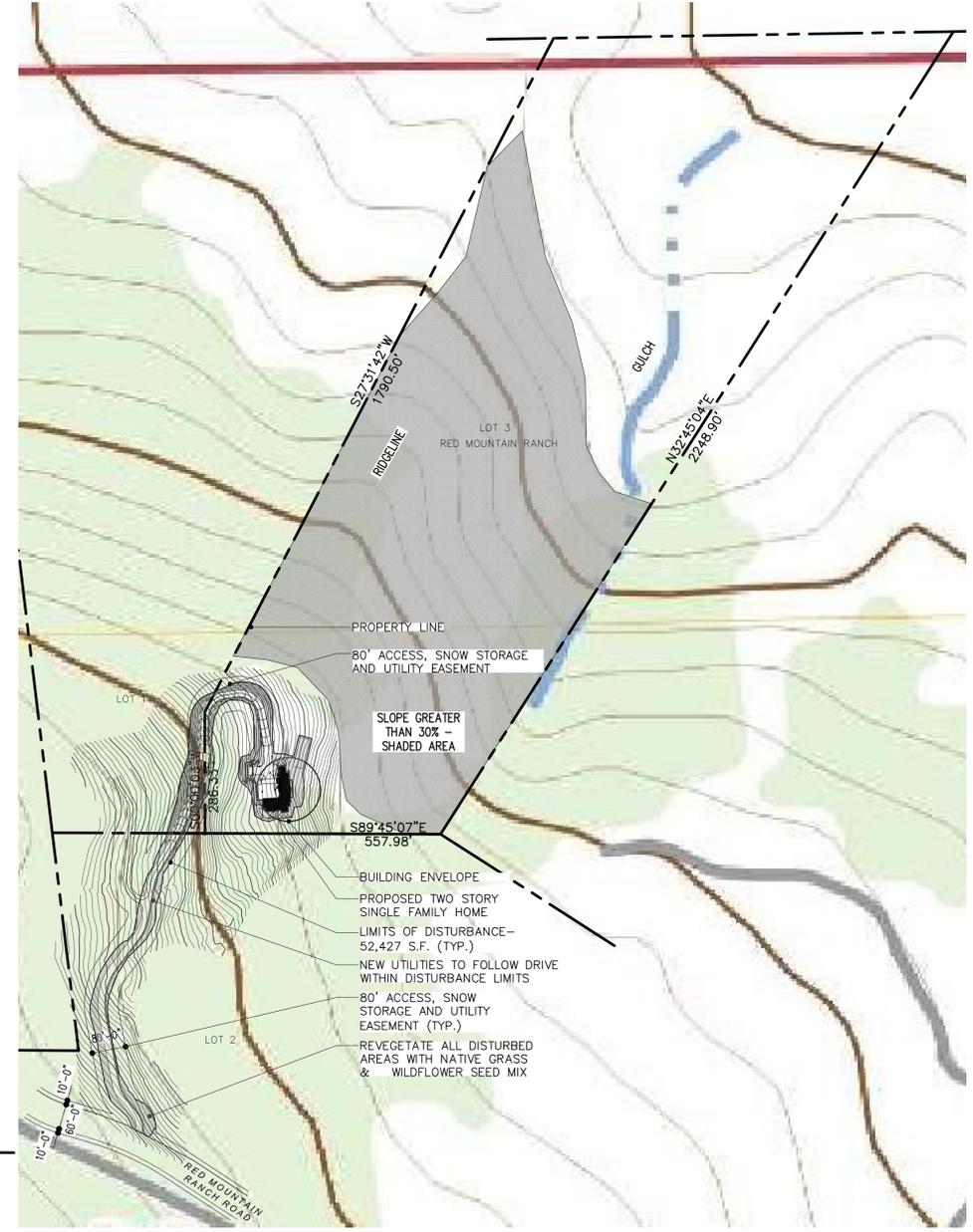
		<p><i>Renditions for the renditions of the proposed residence.</i></p> <p><i>The proposed building is not visible from any municipal Ridgeline Vantage.</i></p>
11-109: Development that affects agricultural lands	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
11-110: Development beyond snowplowed access	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
11-111: Development on Inholdings in national wilderness	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
11-112: Development above timberline	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
12-103: Road system	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p>Applicable – access to the property is from Red Mountain Ranch Rd, then through an easement across Lot 2 as shown in the <i>Driveway Easement</i> document.</p> <p>While it does not create entitlement for development, the applicant has obtained a Driveway to Vacant Land Certificate of Administrative Review No. 163 Series 2022. The driveway was constructed Summer 2023. Additionally, Public Works has issued Access Permit AP-22-00104 and AP-23-00111.</p>
12-104: Trails	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
12-105: Water Supply	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Applicable – Applicant has provided <i>Well Permit</i> No. 330516 that is to be used for one (1) Single Family Dwelling. The use of groundwater from this well is limited to fire protection, ordinary household purposes inside not more than three (3) single-family dwellings, the watering of poultry, domestic animals and livestock on a farm or ranch and the irrigation of not more than one (1) acre of home gardens and lawns.
12-106: Wastewater treatment	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Applicable – Applicant has submitted application for and On-site Wastewater Treatment System in permit No. OWTS-23-00235.
12-107: Fire protection	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Applicable - SECTION 12-107: <i>Fire Protection A. Applicant Shall Contact Fire Protection District.</i> It is

		<p>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.</p> <p>In a letter dated September 1, 2022, CBFPD approved the driveway access for the Driveway to Vacant Land permit.</p> <p>In a letter dated December 5, 2023, CBFPD approved the proposed access, water supply and propane tank/riser location.</p>
13-102: B.: Location within municipal three-mile plan area	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
13-103: General Site Plan Standards And Lot Measurements	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Applicable – Plans as submitted meet the standards of this section.
13-104: Setbacks From Property Lines And Road Rights-Of-Way	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Applicable – Plans as proposed meet the standards of this section. The building's distance from the closest property line on the southern edge is 61'-0". The other setbacks are over 100'.
13-105: Residential Building Sizes And Lot Coverages	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Applicable – Plans as proposed meet the standards of this section. The total aggregate square footage of the building is 4,888 sq. ft. with a total living space of 4,173 sq. ft. and a 715 sq. ft. attached garage. The proposed building meets LUR 13-103:H <i>Allowed Structure Heights</i> of 30 feet to the average of the highest gable.
13-107: Installation Of Solid-Fuel-Burning Devices	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
13-108: Open Space And Recreation Areas	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
13-109: Signs	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
13-110: Off-Road Parking And Loading	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Applicable – Plans as proposed exceed the standards of this section. The <i>Building Plans</i> show a total of four parking spaces for the three-bedroom residence, including the two-car garage. Section 13-110 requires a minimum of three parking spaces.

13-111: Landscaping And Buffering	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
13-112: Snow Storage	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Applicable - Plans as proposed meet the standards of this section. The <i>Site Plan</i> shows sufficient snow storage along the driveway to meet the requirements of this section.
13-113: Fencing	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
13-114: Exterior Lighting	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Applicable - Plans as proposed meet the standards of this section. Exterior lighting noted on the building plans meet all standards listed in 13-114.D, including being fully shielded.
13-115: Reclamation And Noxious Weed Control	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
13-116: Grading And Erosion Control	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
13-117: Drainage, Construction And Post-Construction Storm Water Runoff	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
13-118: Water Impoundments	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
13-119: Standards To Ensure Compatible Uses	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.



**02 SITE PLAN**  
SCALE: 1"=20'-0"



**01 VICINITY MAP**  
SCALE: 1"=200'

**SITE PLAN NOTES**

1. REFERENCE LANDSCAPE ARCHITECT FOR SITE DRAINAGE
2. REFERENCE LANDSCAPE ARCHITECT FOR SITE IMPROVEMENTS
3. 70% OF NON-ROOF AREA TO BE VEGETATION, PERMEABLE PAVING, OR IMPERMEABLE PAVING WITH WATER RUNOFF
4. DRIP EMITTERS TO BE INSTALLED AT ALL BEDDING AREAS
5. WATER SHALL NOT BE REDIRECTED TO DRAIN ONTO ADJOINING PRIVATE PROPERTY

**SITE PLAN LEGEND**



**REVEGETATION CALCULATIONS**

ROAD/ACCESS - total SF of disturbance minus driving surface: 42,679 SF  
 NEW HOME - total SF of disturbance minus SF of new house: 7,252 SF  
 UTILITIES - total SF: 2,496 SF  
 TOTAL SQUARE FOOTAGE OF DISTURBANCE: 52,427 SF

© STOCKER HOESTERY MONTENEGRO, PLLC, 2023  
 These documents have been prepared specifically for the LADIK Residence. They are not suitable for use on other projects or in other locations without the approval of the Architect.



**shm ARCHITECTS**

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**LADIK RESIDENCE**  
 CRESTED BUTTE, COLORADO

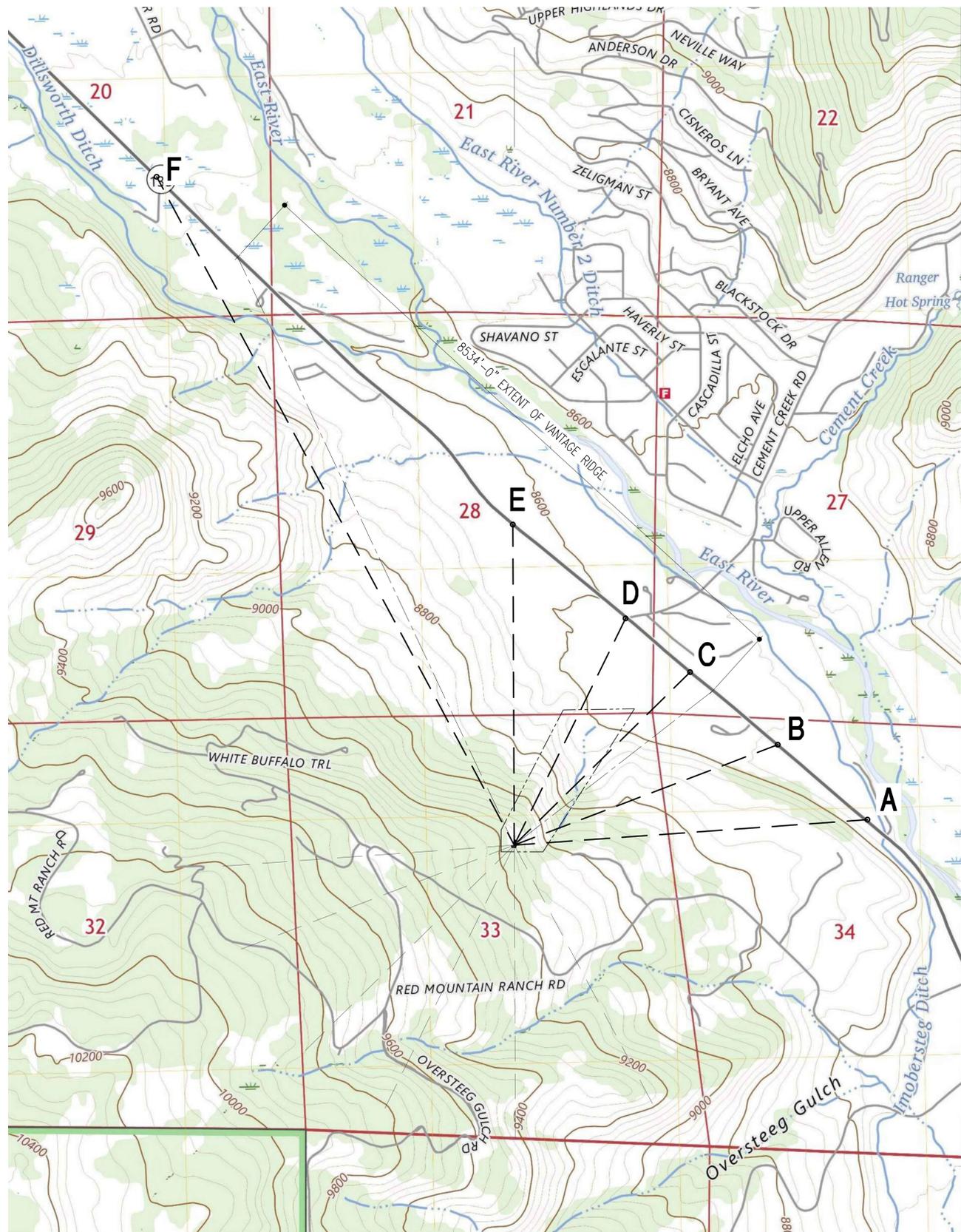
SHM PROJECT #  
**21-073**

REVISION 01 10.26.2023  
 REVISION 02 11.29.2023

ISSUE DATE  
**SEPTEMBER 12, 2023**

VICINITY MAP & SITE PLAN

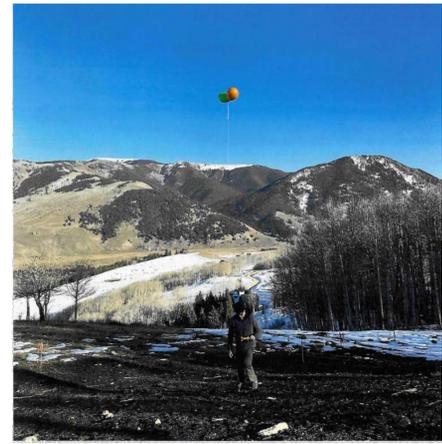
**A1.02**



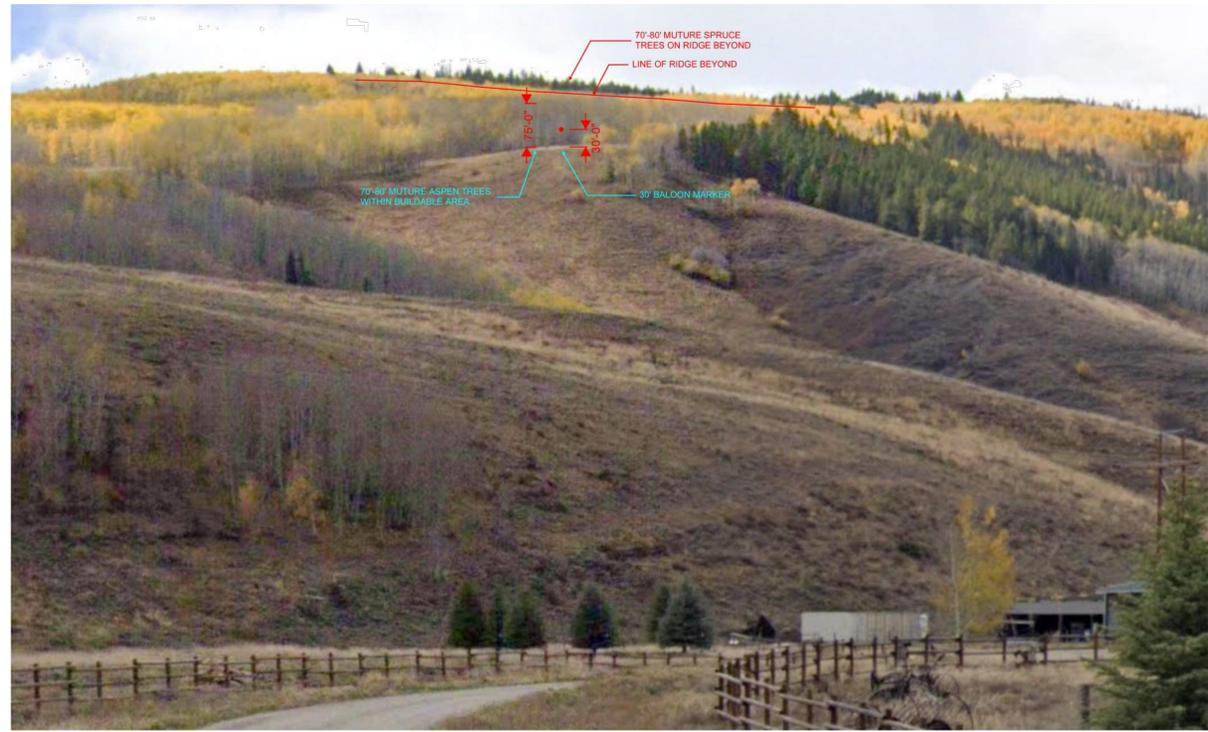
- A - MILE 20 (0.9 MILES FROM BUILDING SITE)
- B - MILE 20.25 (0.7 MILES FROM BUILDING SITE)
- C - MILE 20.5 (0.62 MILES FROM BUILDING SITE)
- D - MILE 20.66 (0.65 MILES FROM BUILDING SITE)
- E - MILE 21 (0.8 MILES FROM BUILDING SITE)
- F - MILE 22.25 (1.9 MILES FROM BUILDING SITE)



**01 VISIBILITY MAP**  
SCALE: 1"=1000'-0"



30' HIGH BALLOON MARKER - STORY POLE



ZOOMED PHOTO FROM 2048 HIGHWAY 105



PHOTO FROM 2048 HIGHWAY 105 LOCATED BETWEEN PROFILE B AND C

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21-073

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SEPTEMBER 12, 2023

RIDGELINE VISIBILITY  
ANALYSIS

**A1.04**



VIEW FROM HWY 135 : MILE MARKER 21



VIEW FROM HWY 135 : MILE MARKER 20.66



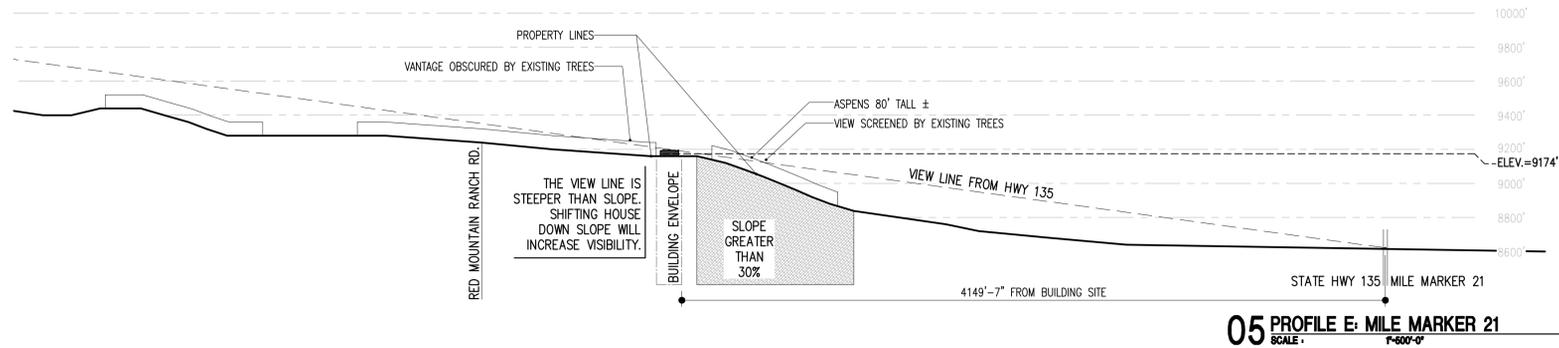
VIEW FROM HWY 135 : MILE MARKER 20.50



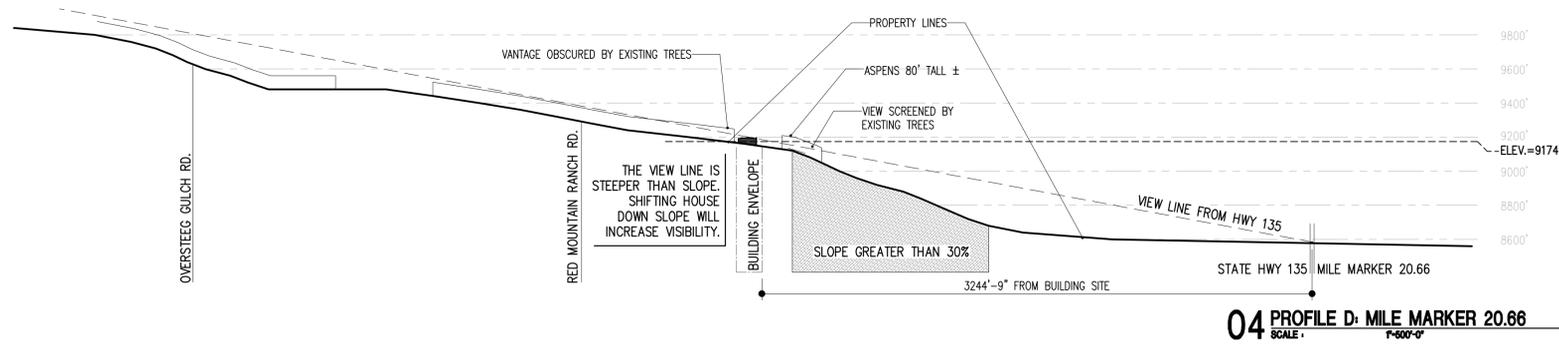
VIEW FROM HWY 135 : MILE MARKER 20.25



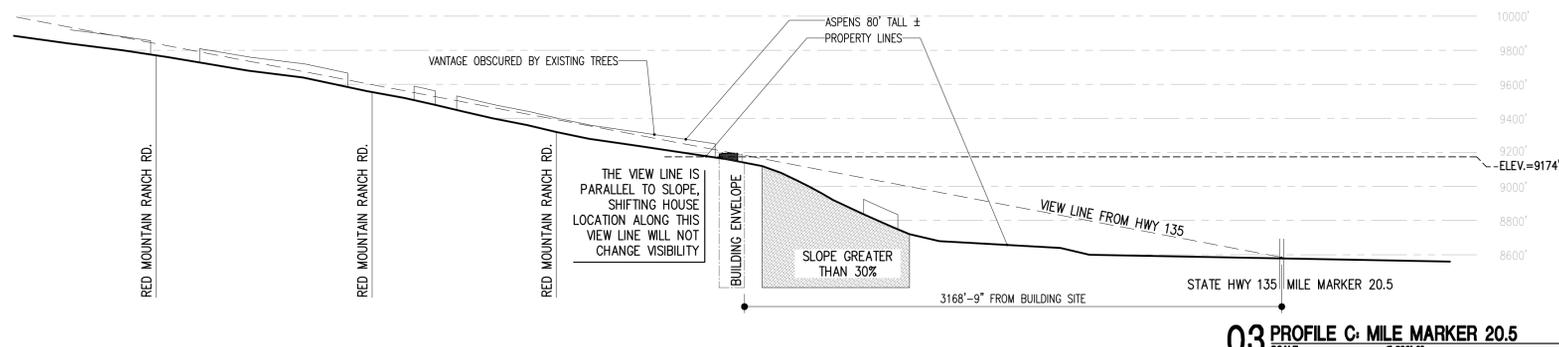
VIEW FROM HWY 135 : MILE MARKER 20



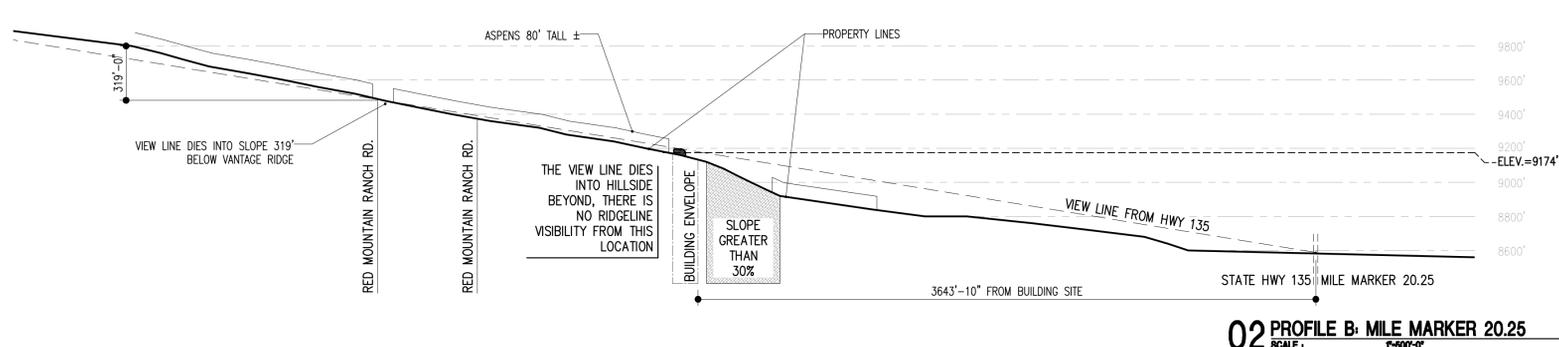
05 PROFILE E: MILE MARKER 21  
SCALE: 1"=600'-0"



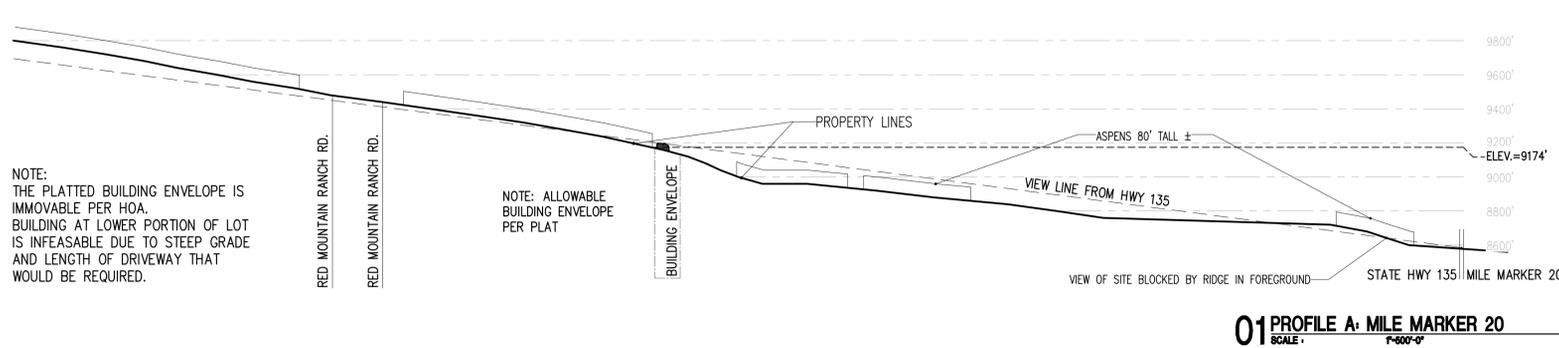
04 PROFILE D: MILE MARKER 20.66  
SCALE: 1"=600'-0"



03 PROFILE C: MILE MARKER 20.5  
SCALE: 1"=600'-0"



02 PROFILE B: MILE MARKER 20.25  
SCALE: 1"=600'-0"



01 PROFILE A: MILE MARKER 20  
SCALE: 1"=600'-0"

NOTE: THE PLATTED BUILDING ENVELOPE IS IMMOVABLE PER HOA. BUILDING AT LOWER PORTION OF LOT IS INFEASIBLE DUE TO STEEP GRADE AND LENGTH OF DRIVEWAY THAT WOULD BE REQUIRED.

NOTE: ALLOWABLE BUILDING ENVELOPE PER PLAT



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**A1.05**