GUNNISON COUNTY, COLORADO
PLANNING DEPARTMENT STAFF REPORT
for MINOR IMPACT

Land Use Change Permit Application: Bear Ranch
Application No: LUC-12-00004
Date application scheduled with Planning Commission: March 16, 2012
Prepared by: Cathie Pagano, Planner

APPLICANT NAME:	Tom Newland
PROPERTY OWNER NAME:	Bear Ranch
PROJECT DESCRIPTION:	The applicant is requesting to convert two existing accessory structures on Parcel 3 from utility use to structures intended for sleeping. There is already an existing primary residence and secondary residence on the parcel. The primary residence (Bldg 4G) is 2,058 square feet, the secondary residence is 912 square feet. Building H-2 (proposed sleeping quarters) is 1657 square feet and Building H-3 (proposed sleeping quarters) is 1,968 square feet. The total residential square footage proposed is 6,595 square feet. 10,000 square feet is the maximum allowable residential square footage on a parcel, without a Land Use Change permit. The LUR does not identify an impact classification for more than one sleeping quarters. One sleeping quarter unit is classified as an Administrative Review. Staff reasoned that two sleeping quarters, in addition to the primary and secondary residences should be classified as a Minor Impact.
PROPERTY LOCATION:	The subject parcel is located northeast of County Road 12 (Kebler Pass) and west of County Road 2.The parcel is legally described as Parcel 3, Bear Ranch Amended Parcels.
SURROUNDING LAND USES:	Uses adjacent to the subject parcel include agricultural, residential and public lands.
AGENCY AND DEPARTMENT REVIEWS:	• Gunnison County Public Works
PRE-APPLICATION CONFERENCE:	Staff met with Tom Newland regarding the proposal.
STATUS OF APPLICATION:	• Complete
ATTACHED EXHIBITS:	• Copy of Minor Impact application dated January 30, 2012
PLANNING COMMISSION TASKS AT INITIAL WORK SESSION:	— Acknowledge receipt of application by applicant name, name of development (if applicable) and date of application — Hear applicant presentation — Identify and consider issues — Determine impact classification, considering both by definition and criteria of Section 3-111: B. 1. — Create list at end of meeting of items to be addressed at next meeting, and the date by which related information is to be submitted — Set site visit date — Determine if application is ready to be set for public hearing, or if other work session is required
INITIAL IMPACT CLASSIFICATION:	Minor Impact Project, based upon other criteria of impact classification (Section 3-111:B.1.). Sleeping quarters are classified as an Administrative Review project (Section 5-102:C.4). This section allows one

		sleeping quarters on a parcel with an Administrative Review LUC. Section 6-102:I requires a Minor Impact LUC application for more than one secondary residence on a legal lot. Because this parcel contains a primary residence, secondary residence and is proposing two additional sleeping quarters staff has determined that a Minor Impact classification is appropriate. The additional sleeping quarters are expected to generate a minor demand for public services. Because the buildings are existing, it is not anticipated that there will be additional impacts on the impact area and environment due to the proposed conversion. The impacts of the proposed land use change to existing and proposed development are expected to be minor.
OTHER CRITERIA OF IMPACT CLASSIFICATION (SEC. 3-111. B. 1.)		**Demand for public services.** The proposed land use change is expected to generate a minor or a major demand for public services, including roads, transit, schools, water supply, sewage disposal, fire and police protection, and emergency services. **Impacts on impact area and the environment.** The proposed land use change is expected to generate a minor or a major impact on the impact area. **Impacts related to all existing and proposed development and proposed development in impact area.** The impacts of the proposed land use change, when considered in conjunction with existing and proposed land use changes in the impact area, are expected to be minor.
EA or EIS is required for this project	☐ Yes ☒ No	
Project located in Special Geographic Area	☐ Yes ☒ No	
Phasing proposed	☐ Yes ☒ No	
Is a Partially Exempted land use change (Section 1-106)	☐ Yes ☒ No	

APPLICABILITY OF *LAND USE RESOLUTION* STANDARDS:

STANDARD, BY LUR SECTION, DIVISION AND/OR ARTICLE	Plan complies, or compliance will be determined during review	Staff Comments/ References to specific documentation
9-101: E. and F.: Secondary residences are allowed, and standards are addressed in covenants	☐ Yes ☐ No ☒ N/A	The applicant received approval for a secondary residence in LUC-10-00012. Two sleeping quarters are requested as part of this application.
9-102: Home occupations	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
9-103: Bed and breakfast	☐ Yes ☐ No ☒ N/A	Not requested as part of this application

9-203: Mobile home communities	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
9-302: Farm or ranch stand	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
9-303: Dude ranches and resorts	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
9-304: Adult-oriented uses	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
9-305: Seasonal recreational vehicle parks and campgrounds	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
9-400: Minerals and construction materials	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
9-501: Special events	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
9-502: Temporary structures	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
9-503: Satellite dishes	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
9-504: Attached wireless communications devices	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
9-505: Freestanding wireless communications structures	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
9-506: Child care center	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
9-507: Group home	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
9-508: Keeping of livestock not on an agricultural operation	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
9-509: Camping on individual parcel	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
9-600: Essential housing	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
10-102: Locational standards for residential development	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
10-103: Residential density	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
10-104: Locational standards for commercial, industrial or other non-residential uses	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
11-102: Voluntary best management practices	No submittal requirements and no standard	
11-103: Development in flood hazard areas	☐ Yes ☐ No ☒ N/A	The subject parcel and proposed development are not located within a 100-year floodplain.
11-104: Development in geologic hazard areas	☒ Yes ☐ No ☐ N/A	The subject parcel is in an area of geologic hazards identified as unstable slopes. The applicant previously

		submitted two reports titled "Subsoil Study for Foundation Design, Proposed Buildings, Western Village, Bear Ranch, Gunnison County, Colorado," dated November 17, 2008 and "Preliminary Geologic Site Assessment Bear and L Ranches, Gunnison County, Colorado," dated September 29, 2006; both prepared by HP Geotech.
11-105: Development in wildfire hazard areas	☒ Yes ☐ No ☐ N/A	Parcel 3, Bear Ranch is located in an area of moderate wildfire hazard. The applicant previously submitted a Wildfire Hazard Mitigation Plan dated July 6, 2009 prepared in accordance with recommendations provided by Houghland & Associates in a report dated July 17, 2008 titled, "Bear Ranch Project in Gunnison County: Residential Access Road and Other Recommendations." The applicant has noted specific wildfire mitigation techniques beginning on page 6 of the current Land Use Change application.
11-106: Protection of wildlife habitat areas	☒ Yes ☐ No ☐ N/A	A copy of the application has been referred to the Colorado Division of Wildlife. The subject parcel is not in an area of sage grouse habitat.
11-107: Protection of water quality	☐ Yes ☐ No ☒ N/A	The subject parcel is not within 125 feet of a water body.
11-108: Standards for development on ridgelines	☐ Yes ☐ No ☒ N/A	The subject parcel is not on a ridgeline.
11-109: Development that affects agricultural lands	☒ Yes ☐ No ☐ N/A	Language shall be included in any recommendation of approval that complies with this Section.
11-110: Development beyond snowplowed access	☐ Yes ☐ No ☒ N/A	The subject parcel is not beyond snowplowed access.
11-111: Development on Inholdings in national wilderness	☐ Yes ☐ No ☒ N/A	The subject parcel is not an inholding.
11-112: Development above timberline	☐ Yes ☐ No ☒ N/A	The subject parcel is not above timberline.
12-103: Road system	☒ Yes ☐ No ☐ N/A	A referral has been sent to Public Works.
12-104: Trails	☐ Yes ☐ No ☒ N/A	No public trails exist on the property and no new public trails are contemplated in this application.
12-105: Water Supply	☒ Yes ☐ No ☒ N/A	The applicant has submitted documentation (Attachment 5) from the State of Colorado for approval of the new water system and drinking water system.
12-106: Wastewater treatment	☒ Yes ☐ No ☐ N/A	The applicant has installed a domestic wastewater treatment system, permitted by the State of Colorado (see Attachment 4).
12-107: Fire protection	☒ Yes ☐ No ☐ N/A	The subject parcel is within the Gunnison Fire District but is serviced by the Delta Fire District. The applicant has contacted the Fire District for the purpose of being

		informed of their standards.
13-102: B.: Location within municipal three-mile plan area	☐ Yes ☐ No ☒ N/A	The subject parcel is not within a three-mile area.
13-103: General Site Plan Standards And Lot Measurements	☒ Yes ☐ No ☐ N/A	Application meets the minimum requirements of this Section.
13-104: Setbacks From Property Lines And Road Rights-Of-Way	☒ Yes ☐ No ☐ N/A	Proposed development complies with residential setback requirements as identified in this Section.
13-105: Residential Building Sizes And Lot Coverages	☐ Yes ☐ No ☐ N/A ☒To be determined during PC review	The proposed project complies with this Section. The total residential square footage proposed is 6,595 square feet. The aggregate square footage is 9,058 square feet.
13-106: Energy And Resource Conservation	☒ Yes ☐ No ☐ N/A	The proposed development does include two residences and this section does apply.
13-107: Installation Of Solid-Fuel-Burning Devices	☒ Yes ☐ No ☐ N/A	This section does apply and was applied at the time of building permit issuance.
13-108: Open Space And Recreation Areas	☐ Yes ☐ No ☒ N/A	No requirement for open space is required of this application.
13-109: Signs	☐ Yes ☐ No ☒ N/A	No signs requested as part of this application.
13-110: Off-Road Parking And Loading	☒ Yes ☐ No ☐ N/A	There is adequate area on the parcel for parking of the vehicles.
13-111: Landscaping And Buffering	☒ Yes ☐ No ☐ N/A	The applicant proposes that landscape planting areas be seeded with native dryland grasses.
13-112: Snow Storage	☒ Yes ☐ No ☐ N/A	The applicants have adequate area for snow storage. The application has been sent to Public Works for review.
13-113: Fencing	☐ Yes ☐ No ☒ N/A	No fencing has been requested in the application.
13-114: Exterior Lighting	☒ Yes ☐ No ☐ N/A	Compliance with this Section is required.
13-115: Reclamation And Noxious Weed Control	☒ Yes ☐ No ☐ N/A	Compliance with this Section is required.
13-116: Grading And Erosion Control	☒ Yes ☐ No ☐ N/A	If grading of the site is proposed a reclamation permit shall be required.
13-117: Drainage, Construction And Post-Construction Storm Water Runoff	☐ Yes ☐ No ☒ N/A	The proposed development is not within 100 feet of a water body and does not create more than 10,000 square feet of impervious surface area and therefore this Section is not applicable.
13-118: Water Impoundments	☐ Yes ☐ No ☒ N/A	No water impoundments are proposed as part of this application.
13-119: Standards To Ensure Compatible Uses	☐ Yes ☐ No ☐ N/A	To be determined by the Planning Commission during review of the application.