

# **GUNNISON COUNTY PLANNING COMMISSION**

**AGENDA: Thursday May 2, 2024**

**221 No. Wisconsin, Suite D**

**In person or on Zoom**

**8:45 a.m.**

- Call to order; determine quorum.
- Approval of Minutes from the April 4, 2024, Planning Commission meeting
- Unscheduled Citizens: A brief period in which the public is invited to make general comments or has questions of the Commission or Staff about items which are not scheduled on the day's agenda.

**9:00 a.m.**

## **LUC-23-00027| Minor Impact I Work Session I GVS LLC Solar Array**

The Applicant, GVS LLC, represented by Taylor Henderson, proposes an approximately 1.605 Megawatt (MW) solar array located within an area of approximately 3.75 acres on a 71-acre parcel of land owned by the Town of Crested Butte, at 26575 State Highway 135, Crested Butte, CO, commonly known as Avalanche Park.

**Adjourn**

**Please click the link below to join the webinar:**

<https://us06web.zoom.us/j/86337231015>

Or One tap mobile :

+17207072699,,86337231015# US (Denver)

+17193594580,,86337231015# US

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

+1 720 707 2699 US (Denver)

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Webinar ID: 863 3723 1015

International numbers available: <https://us06web.zoom.us/j/86337231015>

**NOTE:** Unless otherwise noted, all meetings are conducted in the Blackstock Government Center Meeting Room 221 N. Wisconsin St. in Gunnison, across the street from the Post Office. This is a preliminary agenda; agenda times may be changed up to 24 hours before the meeting date. If you are interested in a specific agenda item, you may want to call the Planning Department (641-0360) ahead of time to confirm its scheduled time. Anyone needing special accommodations may contact the Planning Department before the meeting.

**GUNNISON COUNTY PLANNING COMMISSION  
REGULAR MEETING MINUTES  
Thursday, April 4, 2024**

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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:**

Chair - Roland Mason Vice-Chair- Fred Niederer Commissioner- Eric Phillips Commissioner- Julie Baca Commissioner Matt Schwartz Alt. Commissioner- Bill Barvitski Alt. Commissioner Catherine McBreen	Director of Community and Economic Development- Cathie Pagano Director of Planning- Hilary Seminick Planner-Rachel Blondy Planning Technician – Jena Greene Others present as listed in text
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**Absent:** Bill Barvitski.

**Recused:** None

**Zoom:** Catherine McBreen,

**Regular Meeting:** With a quorum present Chairperson Mason opened the April 4, 2024, regular meeting of the Planning Commission at 8:45 am.

**Moved by** Schwartz seconded by Niederer to approve Planning Commission meeting minutes, dated March, 21 2024. The motion passed unanimously in support, with one insubstantial spelling change.

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**Unscheduled Citizens**

None

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**Work Session: LUC-24-00007 | Spitfire Realty Minor Impact**

Phil Motley, Patrick, Brad Schweitzer, Levi Hyland were present at the meeting.

Chair Mason opened the work session at 8:55 am.

**Staff Presentation:** Rachel Blondy introduced the project. This project triggered a Minor Impact application because it would be the third residence on the property. The parcel was 3313 acres, and staff didn't believe that the additional residence wouldn't cause a great impact. All of the buildings were located within close proximity to each other.

**Applicant Presentation:** This is a working ranch. The goal was to have a place to house some of the ranch equipment. They planned to tie into and upgrade the existing septic system, and the new building be close to the existing complex.

Schweitzer added that this was a working cattle ranch. The parcel also had contiguous property in Montrose, 18,720 acres. The ranch ran about 400 head of cattle, grew hay, and helped to preserve the ranching tradition in Gunnison County. The applicants planned to continue to run the ranch as a ranch.

Options for proceeding: Proceeded to public hearing or impact classification reduction. Blondy reviewed the criteria for impact classification reduction. Seminick noted that given the size of the parcel, that the applicant could have split part of the ranch to accommodate building in order to keep the ranch as one contiguous parcel. Staff were in support of impact classification reductions, as was the applicant.

Mason clarified that the new building wouldn't trigger aggregate square footage of over 7000 sf. Staff noted that some of the square footage was under an agricultural exemption as it was a working ranch, and therefore the aggregate building was to stay below 7000 sf.

Motion by Niederer to move from a minor impact to admin review. Second by Baca. The motion passed unanimously in support.

Work Session ended at 9:10 am

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Mason adjourned at 9:11 am

DRAFT



Sean Pope, Planner

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**To: Gunnison County Planning Commission**

**RE: LUC-23-00027 | Minor Impact I Work Session I GVS LLC Solar Array**

**Date: April 11, 2024**

**Date of Work Session: May 2, 2024**

## 1. Project Summary

The Applicant, GVS LLC, represented by Taylor Henderson, proposes an approximately 1.605 Megawatt (MW) solar array located within an area of approximately 3.75 acres on a 71-acre parcel of land owned by the Town of Crested Butte, at 26575 State Highway 135, Crested Butte, CO, commonly known as Avalanche Park. The total project area, including the driveway and trailhead relocation is approximately 5 acres. The parcel of land is primarily used for recreation with the Baxter Gulch Trailhead and parking area. A large stand of evergreens was cleared in 2021 to prevent the spread of pine beetle, and the removal was not related to this project.

Improvements include the installation of the solar array, a realignment of the Baxter Gulch Trailhead and parking area, and a wildlife exclusionary fence around the perimeter of the project area. The project intends construction to be finished in one phase over a five-month period, with minimal impacts Baxter Gulch Trailhead access, as the Applicant has been working in coordination with the Town and the Crested Butte Mountain Bike Association (CBMBA). If approved and constructed, the project will off-set all of the Town of Crested Butte's electrical municipal electric meter consumption.

## 2. Land Use Resolution Compliance

During the Planning Commission Worksession on March 7, 2024, there were several items identified which were still outstanding and/or required revision. Below are the applicable sections of the LUR with the items identified during the last Worksession, along with staff comments and the Applicant's updated submittal.

### Section 11-109: Development That Affects Agricultural Lands

The Spann-Nettick ditch runs northwest to southeast across the property and is shown to be fenced out within a section of the project area. Maintaining access for the ditch owner to perform any "reasonably necessary" operations was discussed at the previous worksession. The Applicant was to meet with the ditch owner after the worksession and discuss options for the ditch owner to maintain access to the portion of the ditch that is fenced out and will provide updates at the next worksession.

### 12-104: Trails

From the previous worksession, the Applicant was to provide a more detailed plan that included areas for staging, comprehensive trail/parking impacts, and if a fence was to be installed after the parking lot

realignment. The intent of this submittal is to ensure public communication about any impacts to the Baxter Gulch trailhead access and parking during the realignment and construction phases, as well as maintaining public safety. The applicant's updates are summarized below. See Exhibit C for more details.

1. Fencing:
  - a. The Applicant is to install the CPW exclusionary fencing at the time of civil work and parking lot relocation. This will serve as a method to keep community members out of the project site during construction, as well as a security measure for the materials on the project site.
2. Parking Lot:
  - a. The Applicant that the "Project will result in a parking lot that matches the current quality of the [existing] parking lot." Furthermore, the Applicant clarified that the Town of Crested Butte will be responsible for realigning and constructing any new portions of the new parking lot, as well as continuing to be responsible for its maintenance.
3. Staging of Materials & Parking Impacts
  - a. The plan for staging materials is described as a "just-in-time" effort, where the materials are to be held in a secure location within the City of Gunnison and brought to the GCEA substation on an as needed basis. Once at the substation, they will be brought over to the project location (approximately 1,000 ft away). Similarly, the Applicant has provided a narrative in conjunction with the Construction Period Vehicle Trips Table to show the impacts to the relocated Baxter Gulch Trailhead. From this plan, the majority of passenger vehicles will be parked at the GCEA substation and will be shuttled to the worksite (approximately 1,000 ft away).

### 13-111: Landscaping and Buffering

The Planning Commission chose not to go on a group site visit, rather, each commissioner was to visit the site on their own to evaluate the visual impacts of the solar array. Below are the standards for Section 13-111:M – Buffering which planning commission will use to evaluate the project.

- A. APPLICABILITY. Every land use change that is classified as Minor or Major Impact Project, pursuant to Section 3-111: Classification of Impact shall provide landscaped buffering between adjacent uses when topographical or other natural barriers do not provide reasonable screening and when the County finds that:
  - a. NEIGHBORING PROPERTIES. There is a need to shield neighboring properties from any adverse external effects of a proposed land use change; or
  - b. ADVERSE IMPACTS. There is a need to shield the land use change from negative impacts or adjacent land uses in high-density land use changes, and/or when building design and siting do not provide privacy.

For Section 13-111:M – Buffering to not apply, both criteria a and b must be met. Based on the materials submitted and the individual site visits from the Commissioners, Planning Commission will decide whether or not the application may meet both standards above, or if the project will require buffering.

As explored in Section 4 of Exhibit C, the Applicant has provided examples of similar projects which use exclusionary fencing (proposed), wood fencing, and vegetative screening to illustrate the different

impacts of the different types buffering that could be used. The applicant also plans to create a visual analysis to bring to the next worksession.

### **3. Exhibits**

You may review the entire application at <https://permitdb.gunnisoncounty.org/citizenaccess>, click "Projects", search by application number LUC-23-00027. Click on "Attachments".

- A. Staff Report
- B. Site Plans
- C. Applicant Responses 4.10.24



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

Land Use Change Permit Application: GVS LLC – Solar Array  
 Application No: LUC-23-00027  
 Date application scheduled with Planning Commission: May 2, 2024  
 Prepared by: Sean Pope

<b>Applicant Name:</b>	GVS LLC, represented by Taylor Henderson
<b>Property Owner Name:</b>	Town of Crested Butte
<b>Project Description:</b>	<p>The Applicant, GVS LLC, represented by Taylor Henderson, proposes an approximately 1.605 Megawatt (MW) solar array located within an area of approximately 3.75 acres on a 71-acre parcel of land owned by the Town of Crested Butte, at 26575 State Highway 135, Crested Butte, CO, commonly known as Avalanche Park. The total project area, including the driveway and trailhead relocation is approximately 5 acres. The parcel of land is primarily used for recreation with the Baxter Gulch Trailhead and parking area. A large stand of evergreens was cleared in 2021 to prevent the spread of pine beetle, and the removal was not related to this project. Improvements include the installation of the solar array, a realignment of the Baxter Gulch Trailhead and parking area, and a wildlife exclusionary fence around the perimeter of the project area. The project intends construction to be finished in one phase over a five-month period, with minimal impacts Baxter Gulch Trailhead access, as the applicant has been working in coordination with the Town and the Crested Butte Mountain Bike Association (CBMBA). If approved and constructed, the project will off-set all of the Town of Crested Butte’s electrical municipal electric meter consumption.</p>
<b>Property Location:</b>	26575 State Hwy. 135, Crested Butte, CO
<b>Surrounding Land Uses:</b>	<p><u>North/northwest:</u></p> <ol style="list-style-type: none"> <li>1. Parcel No. 325502000006 – 5 acres, owned by Gunnison County, location of PAWS and Gunnison County Public Works facility.</li> <li>2. Parcel No. 325500002022 – 35 acres, residential, Lot 8, Trappers Crossing South Subdivision</li> <li>3. Parcel No. 325502002001 – (across hwy. 135) 174 acres, owned by Town of Crested Butte, Parcel B, Town Ranch Subdivision</li> </ol> <p><u>West:</u></p>

	<p>1. Parcel No. 325500005046 – 45 acres, residential, Lot 17, Trappers Crossing at Wildcat Subdivision</p> <p><u>South/southeast:</u></p> <p>1. Parcel No. 325500005045 – 66 acres, residential, Lot 18, Trappers Crossing at Wildcat Subdivision</p> <p>2. Parcel No. 325500000160 – 35.1 acres, vacant (agricultural per Assessor’s office)</p>
<b>Agency and Department Review:</b>	<p>A copy of the application was sent to the following referral agencies by email on January 30, 2024:</p> <ul style="list-style-type: none"> <li>- Colorado Parks &amp; Wildlife (CPW)</li> <li>- Town of Crested Butte</li> <li>- Crested Butte Fire Protection District (CBFPD)</li> <li>- Colorado Department Of Transportation (CDOT)</li> <li>- Gunnison County Public Works</li> <li>- Colorado Geologic Survey (CGS)</li> <li>- Gunnison County Electric Association (GCEA)</li> <li>- Crested Butte Mountain Bike Association (CBMBA)</li> </ul>
<b>Pre-Application Conference:</b>	
<b>Status of Application:</b>	In Review
<b>Attached Exhibits:</b>	
<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</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:J – New Commercial, Industrial 10,000 sq. ft. or Five Acres or Less</i> . Per the <i>Site Plan</i> , the total acreage covered by the Solar Array is approximately five acres.
<b>Other Criteria of Impact Classification: (Sec. 3-111. B. 1.)</b>	<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:**

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	<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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Applicable  Applicant states in application: "The solar modules do not reflect sunlight as the modules, by definition, are designed to absorb all available sunlight in order to maximize the Project's production and output. Further, current best-in-class

		<p><i>modules are covered with an anti-reflective layer to ensure no sunlight is lost. The Project will be oriented due south and the face of the modules will not front State Highway 135 or any nearby receptors.”</i></p> <p><i>“The Project will not create any noise disturbance to nearby neighbors. Road noise from State Highway 135, the adjacent Public Works facility, and GCEA’s nearby Crested Butte workstation and substation are each higher than any discernible audible noise from the Project.”</i></p> <p><i>“During the operations of the Project, the Project will be accessed two to three (2-3) times a year for routine, scheduled maintenance and landscaping as necessary.”</i></p> <p><i>“Project-related components will have a height of no more than fifteen (15) feet.”</i></p> <ol style="list-style-type: none"> <li>1. <u>NON-RESIDENTIAL ACCESSORY USES.</u> N/A</li> <li>2. <u>FOOD SERVICE REQUIREMENTS</u> N/A</li> <li>3. <u>ELECTRICAL DISTURBANCES.</u> N/A</li> <li>4. <u>FIRE AND EXPLOSIVE HAZARDS</u> Applicant does not anticipate using any materials or products that “decompose by detonation.” Additionally, applicant is working with CBFPD to potentially implement a KNOX rapid access system. A defensible space plan will be required at the time of building permit to mitigate the wildfire hazard at the site.</li> <li>5. <u>GLARE AND HEAT.</u></li> </ol>
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		<p>Based on the information provided, staff believes that the project meets the standards of this section.</p> <p>The applicant notes, ““<i>The solar modules do not reflect sunlight as the modules, by definition, are designed to absorb all available sunlight in order to maximize the Project’s production and output. Further, current best-in-class modules are covered with an anti-reflective layer to ensure no sunlight is lost. The Project will be oriented due south and the face of the modules will not front State Highway 135 or any nearby receptors.</i>”</p> <p>Additionally, there are research articles that show the minimal glare impacts of PV modules, such as this on conducted by <a href="#">NREL</a>.</p> <p>6. <u>EXTERIOR LIGHTING</u> No exterior lighting proposed at this time. Applicant shall comply with Section 13-114 if exterior lighting is added.</p> <p>7. <u>ODORS.</u> N/A</p> <p>8. <u>RADIOACTIVITY</u> N/A</p> <p>9. <u>VIBRATION.</u> N/A - There may be detectible vibration at the time of construction, but this will be minimal, if at all. Once construction is complete, there will be no vibration.</p> <p>Applicant notes that, “<i>For a short period of approximately three (3) to four (4) during</i></p>
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		<p><i>construction of Applicant's minor impact land use change, vibrations may occur during daytime working hours as construction team installs posts for racking into the ground."</i></p> <p>10. <u>NOISE.</u> N/A – There will be noise at the time of construction. Once construction is complete, there will be no noise produced at the site.</p>
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, no residential development is proposed.
10-103: Residential density	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, no residential development is proposed.
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	Applicable – In a worksession on March 7, 2024, staff and Planning Commission discussed that while the project may or may not qualify as an exemption pursuant to Section 10-104:A.2 – <i>Public Facility or Utilities</i> , the project complies with <i>B. Primary Locational Standard</i> , as the project is located within a municipal three mile plan. The Town of Crested Butte has reviewed the project as proposed and in support of the project. Therefore, the proposal complies with the standards of this Section.
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 this Section to the maximum extent feasible.  Applicant states in application: “ <i>To the extent applicable, Applicant and Applicant’s selected construction management company will incorporate Voluntary Best Management Practices as set forth in Section 11-102 of the Land Use Resolution.</i> ”
11-103: Development in flood hazard areas	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, project is not within a mapped flood hazard area.
11-104: Development in geologic hazard areas	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Applicable. Pursuant to LUR Section 11-104:G.1 – <i>Development in Avalanche Hazard Areas</i>  Onsite observation indicated the subject property is located within an avalanche hazard area and a required plan including mapped area and narrative have been submitted, outlining avoidance and mitigation of this hazard titled, “ <i>Snow Avalanche Hazard Mapping And Recommendations,</i> ” prepared by Arthur I. Mears, P.E. dated June 25, 2020.

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The applicant has provided the aforementioned *Avalanche Study*, showing that the project location is within an avalanche hazard area. The report states under the recommendations that “The high (Red) avalanche hazard zone should be avoided for all types of land use, except open space.” The application as submitted only intends to construct the solar array within the Blue Zone hazard, however, there is a small section of the solar array that may extend within the red zone. This expansion would be subject to further approval and appropriate mitigation measures. See note 5 at the top left corner of one of the Site Plans, on sheet E-101-02, which states “RED ZONE RISK ANALYSIS WILL BE UNDERTAKEN AS PART OF PROJECT DESIGN. PLACEMENT OF ANY EQUIPMENT IN RED ZONE GENERALLY TO BE AVOIDED AND WILL BE SUBJECT TO RISK AND MITIGATION ASSESSMENT.” Meaning that if any portion of the project extends into the Red Zone, additional risk and mitigation measures will be required.

Staff has discussed this with the applicant, and understands that these mitigation measures would include physical barriers for protection. A condition of approval can be added to this project which would require additional review by staff or Planning Commissions for any expansion of the project into the Red Zone. This was discussed during the worksession on March 7, 2024, where staff and Planning Commission agreed that adding this as a condition of approval is the best path for this project. Reviewing this project further, Section 11-104:G.1.d – *Utilities* applies to this project. This Section states:

- *“All utilities shall be located and constructed to minimize or eliminate the possibility of damage to them by an avalanche. This shall include burying utility lines that cross avalanche hazard areas and protecting above-ground utility facilities located in moderate or high avalanche hazard areas by*

		<p><i>the use of avalanche barriers or diversion techniques.”</i></p> <p>The project as proposed does not include any avalanche barriers or diversion techniques, however, the applicant has provided the <i>Avalanche Study</i> and is proposing building the solar array according to the recommendations within.</p> <p>In an email from Jill Carlson, Land Use Review with CGS, dated February 19, 2024, states that “The Colorado Geological Survey has no objection to approval of LUC-23-00027, a Minor Impact application for a Town of Crested Butte Solar Array.”</p>
<p>11-105: Development in wildfire hazard areas</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>	<p>Applicable – project is located in ‘very high’ local level wildfire hazard area. Pursuant to Section 11-105:F.3 – <i>Demonstrate Compliance with the International Wildland Urban Interface Code (IWUIC), AS Adopted and Amended by Gunnison County</i>, applicant will need to create Defensible Space plan that includes the impacted area and extends 30’ beyond the edge of the Solar Array. The Defensible Space plan will be required at the time of building permit.</p>
<p>11-106: Protection of wildlife habitat areas</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>	<p>Applicable – Applicant shows exclusionary wildlife fencing in application.</p> <p>In an email dated February 2, 2024, Clayton BonDurant, District Wildlife Manager for Gunnison West – Area 16, commented:</p> <ul style="list-style-type: none"> <li>- <i>“Thank you for the information. At this time CPW does not have a formal comment on the project. Informally, we would recommend that they move the Northwest portion of the fence east of the ditch. The ditch might act as a thorough fair for wildlife and moving the fence could help with movement around the solar array. Additionally moving the fence to the east of the ditch would avoid potential issues with beavers damaging the fence or</i></li> </ul>

		<p><i>other wildlife species getting inside the enclosure that would otherwise not get inside.”</i></p> <p>Staff followed up with a phone call to clarify that the ditch was culverted and discussed the exclusionary fence with Mr. BonDurant. After these clarifications, Mr. BonDurant did not have any concerns about negative impacts to wildlife.</p>
11-107: Protection of water quality	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not Applicable – there are no Wetlands or Waterbodies as defined by the LUR within the project area. See Section 11-109 for information about the Spann-Nettick Ditch Diversion.
11-108: Standards for development on ridgelines	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application

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<p>11-109: Development that affects agricultural lands</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>	<p>Applicable – The Spann-Nettick Ditch Diversion traverses the parcel and has been redirected into a polymer diversion tube. Pursuant to Subsection G.2 – <i>Irrigation Ditch Easements</i>, a maintenance easement of 25’ shall be maintained and indicated on the site plan. The applicant has shown this setback on the site plan and may obtain notarized consent from the ditch owner to reduce the 25’ setback from the ditch. Until the ditch owner provides notarized consent, the Applicant shall comply with the standards of this Section and maintain the 25’ setback from the ditch. The applicant has updated the <i>Site Plan</i> to show the 25’ setback. If a reduced setback is requested, the applicant will require notarized consent from the ditch owner and the project could expand into the agreed upon setback.</p> <p>The proposed fence crosses the ditch. Staff finds that because the ditch is culverted in this area, the fence should not inhibit normal ditch maintenance operations, since the ditch is underground. The Applicant is working with the Ditch Owner to find an agreeable solution for the owner to maintain access to the fenced out portion of the ditch. However, staff finds that a fence should not inhibit access for the ditch owner if they require access to perform any ditch maintenance.</p> <p>During the worksession on March 7, 2024, the Applicant stated that he was going to meet with the ditch owner later that day to explore options to grant access to the ditch owner for them to perform any ditch maintenance operations. They are still in conversations to find a mutually agreeable solution for maintenance access.</p>
<p>11-110: Development beyond snowplowed access</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</p>	<p>Not applicable, project is not beyond snowplowed access.</p>
<p>11-111: Development on Inholdings in national wilderness</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</p>	<p>Not applicable, project is not located within an inholding in the national wilderness.</p>

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 –</p> <p><u>Section 12-103:A – Compliance With Road and Bridge Construction Standards.</u></p> <ul style="list-style-type: none"> <li>- Public Works did not provide any comments during the referral period for this Project. However, applicant will require either an Access Permit or Access Review at the time of building permit.</li> </ul> <p><u>Section 12-103:B – Compliance with Municipal Standards.</u></p> <ul style="list-style-type: none"> <li>- In a letter from the Town of Crested Butte, dated February 14, 2024, the Town supports the approval for this Land Use Change project, including the road modifications. See the <i>Town of Crested Butte Letter of Support</i> for details.</li> </ul> <p><u>Section 12-103:E – Traffic Study</u></p> <ul style="list-style-type: none"> <li>- See the <i>Construction Period Vehicle Trips (Approximate)</i> Table on page 16 of the <i>General Application Summary</i> for details of expected traffic impacts during construction. Vehicle trips per day are estimated to be an average of 6 and a maximum of 16 per day during the first phase of construction, then having an average of 10-24 per day and a maximum of 38 over the next 4 months of construction. After construction is complete, routine maintenance is expected to involve a single light-duty pickup truck which will access the project site a few times per year during normal business hours.</li> </ul> <p><u>Section 12-103:G.a – Access onto State and Federal Highways.</u></p>

	<p style="text-align: center; font-size: 48px; opacity: 0.3; transform: rotate(-30deg);">DRAFT</p>	<ul style="list-style-type: none"> <li>- In the <i>CDOT Access Approval Email</i> from Brian Killian, CDOT Region 3 Access Program Manager, dated July 12, 2023, CDOT does not require an access permit for this project, as the project is not anticipated to generate enough traffic to trigger a CDOT access permit.</li> </ul> <p><u>Section 12-103:G.b – Access onto a County Road or a Public Road That Does Not Require a CDOT Access Permit.</u></p> <ul style="list-style-type: none"> <li>- Applicant has coordinated with Public Works for the shared access and potential impacts to their facility. The modifications proposed are the realignment of the driveway and parking lot. See the <i>Access Easement</i> file for details of the existing access easement on the property.</li> </ul> <p>In regard to the changes to existing infrastructure on the property, the applicant states:</p> <p><i>“With the exception of the following two updates to the existing infrastructure within the Property, no further improvements to the infrastructure are planned:</i></p> <ol style="list-style-type: none"> <li>1. <i>A directional alignment adjustment to the Baxter Gulch Trailhead parking lot, and</i></li> <li>2. <i>Ingress/egress to the Project’s access gate from the existing infrastructure to the Baxter Gulch Trailhead parking lot.”</i></li> </ol> <p>The applicant has clarified that the Town of Crested Butte is responsible for realigning and constructing any new portions of the new parking lot, as well as continuing to be responsible for its maintenance. The parking lot is to be the same quality and size as the existing parking lot.</p>
12-104: Trails	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Applicable – applicant has shown that the trailhead modification on site map. This includes rerouting approximately 100 yards of the Baxter Gulch Trail

		<p>around the proposed fence of this project. The applicant does not anticipate any impacts to use of the trailhead during the construction period. They are also coordinating with the Town of Crested Butte and the Crested Butte Mountain Bike Association to mitigate any negative impacts to access of the trailhead.</p> <p>The construction period is anticipated at approximately four months, and the trail &amp; parking lot relocation is planned to take place before construction begins and ahead of the busy season use of Baxter Gulch Trailhead and Trail. During the construction period, there will be approximately 20 people on site at any one time. See the <i>Construction Period Vehicle Trips (Approximate)</i> Table on page 16 of the <i>General Application Summary</i>.</p> <p>In the <i>Applicant Responses 4.10.24</i>, the Applicant provides further details to any trail impacts during the project. These are expected to be minimal, as once the parking lot and trailhead relocation is complete, the public will have access to the parking lot and trailhead, except for when the construction work poses a safety risk.</p>
12-105: Water Supply	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p>Applicable – a solar array is a passive use that does not require water supply. The only water required will be during construction and revegetation, which will be trucked to the project site.</p>
12-106: Wastewater treatment	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<p>Not applicable, a solar array is a passive use and does not require wastewater treatment. During construction, there will be portable toilets or other temporary sanitary sewer facilities will be used.</p>
12-107: Fire protection	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p>Applicable:</p> <p><u>Section 12-107:A &amp; B: Applicant Shall Contact Fire Protection District &amp; Standards for Vehicle Access</u></p> <ul style="list-style-type: none"> <li>- Applicant has contacted CPFPD and will need to show approval of this project prior to construction.</li> </ul>

13-102: B.: Location within municipal three-mile plan area	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Applicable – The project is located within three miles of the Town of Crested Butte. In a letter from the Town of Crested Butte, dated February 14, 2024, the Town supports the approval for this Land Use Change project. See the <i>Town of Crested Butte Letter of Support</i> for details.
13-103: General Site Plan Standards And Lot Measurements	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Applicable – the total area impacted is approximately five acres, as shown in purple on the <i>Site Plan</i> . The lot is a legal lot that is over 35 acres, and the building envelope proposed allows for development that is not in conflict with Article 11 – <i>Resource Protection Standards</i> . A building envelope is shown that complies with setback requirements, and no structure is to exceed 20’ in height (30’ maximum for commercial). Application as proposed complies with 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 – Application as submitted complies with the standards of this Section. The adjacent parcel to the south east (parcel #: 325500000160) is vacant and classified as non-residential, and the improvements meet the required 15’ from to the adjoining property line. Additionally, the setback from State Highway 135 ROW is 40’, and the setback from the adjacent parcel to the north east is 35’. The setbacks from the adjacent residential parcels are over 2000’.
13-105: Residential Building Sizes And Lot Coverages	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application
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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Applicable –  13-108.E states that: <i>MINOR IMPACT COMMERCIAL AND INDUSTRIAL USES. Unless otherwise required by this Resolution or other adopted policy or regulation of Gunnison County to contribute a prorated share to the purchase and maintenance of open space, and/or developed recreation areas, commercial and industrial uses that are classified as Minor Impact Projects pursuant to</i>

		<p><i>Section 6-102: Projects Classified as Minor Impact shall provide open space by including landscaping elements pursuant to Section 13-111: Landscaping and Buffering, and setbacks from property lines pursuant to Section 13-104: Setbacks from Property Lines and Road Rights-of-Way.</i></p> <p>Staff Response: The proposal is to develop a five acre solar array on a 71 acre parcel, 66 acres will remain as undeveloped open space. Applicant has provided a landscaping plan according to Section 13-111 and the proposal meets the minimum setback requirements of Section 13-104..</p>
13-109: Signs	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p>Applicable – Applicant will submit a Sign Permit at the time of building permit.</p> <p>There will be a sign posted and maintained on the main access to the project, identifying: address, facility name, and emergency contact information.</p>
13-110: Off-Road Parking And Loading	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p>Applicable – Appendix Table 3 describes the parking needs for various commercial uses; however, the table does not include a parking space calculation for passive solar array use. Once project is complete, the parking and loading impacts are negligible, with a light duty pickup truck servicing the site a few times per year during normal business hours. Service vehicles will utilize the “site vehicle entrance” as shown on the <i>Site Plans</i>. See Section 12-103 for details about parking &amp; loading impacts during the construction phase.</p>
13-111: Landscaping And Buffering	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	<p>Applicable – All Minor Impact Land Use Change applications shall include a landscaping plan pursuant to this section. <u>The Applicant has indicated that disturbed areas will be revegetated with native grasses and the Applicant will work with the Gunnison County Weed Coordinator for an appropriate seed mix. Water will be provided off-site and hauled to the project location for these native grasses.</u> Pursuant to Section 13-111:E.3 – <i>Restoration with Native Plant Material</i>, the applicant restoring the areas with native grasses is</p>

appropriate and adequate to meet the standards of this Section.

For 13-111:F – *Site Protection*, the project area is not treed, as a large stand of evergreens was cleared in 2021 to prevent the spread of pine beetle. Therefore, the amount of slash is expected to be minimal. The applicant will be restoring the disturbed areas with native seed, which will stabilize the top soil.

The applicant has stated that, “*The minor impact land use change Project will retain and, as part of construction, plant and reseed the underlying ground with low-growth, water conserving native grasses and ground cover. Grass length will be maintained on an “as-needed” basis. Landscaping will be minimal and will be kept in a suitable condition for the area and to support the operation of the Project.*”

13-111:M.1. Buffering, Applicability

A Minor Impact project is required to provide “... *landscaped buffering between adjacent uses when topographical or other natural barriers do not provide reasonable screening **and when the County finds that** (emphasis added).*”

- a. *NEIGHBORING PROPERTIES - There is a need to shield neighboring properties from any adverse external effects of a proposed land use change; or*
- b. *ADVERSE IMPACTS - There is a need to shield the land use change from negative impacts or adjacent land uses in high-density land use changes, and/or when building design and siting do not provide privacy.*

The Applicant states that they do not need to shield the project from neighboring properties, as this land use is complementary to the adjacent land uses.

		<p>The one non-residential lot is buffered by an existing 10' wooden fence and a stand of trees on the neighbor's property. With this existing buffering and the similar land adjacent land uses, should not cause any adverse impacts to the neighboring properties.</p> <p>The applicant goes on to explain that buffering the project with berms will cause drainage issues and cause the project to become a Major Impact Project due to the additional area of impact. Additionally, there is also no practical solution to watering any vegetative buffers, as the property has no existing water rights. Because of these reasons, the applicant has not provided a buffering plan per this Section.</p> <p>Staff believes that this project could satisfy the standards of both a and b above. Trying to buffer the solar panels which would be 15' – 20' off the ground seems excessive and would likely cause adverse impacts to the viewshed.</p> <p><b>Insert notes from PC discussion on May 2 worksession.</b></p>
13-112: Snow Storage	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p>Applicable – Applicant is utilizing an existing road that is maintained by Public Works. Public Works has no concerns about snow storage impacts of this project.</p>
13-113: Fencing	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p>Applicable – The Applicant has proposed an 8 foot tall wildlife exclusion fence. Non-residential fences are not subject to the six-foot height limitation. Clayton BonDurant, CPW District Wildlife Manager for Gunnison West – Area 16, dated February 2, 2024, stated:</p> <ul style="list-style-type: none"> <li>- <i>“At this time CPW does not have a formal comment on the project. Informally, we would recommend that they move the Northwest portion of the fence east of the ditch. The ditch might act as a thorough fair</i></li> </ul>

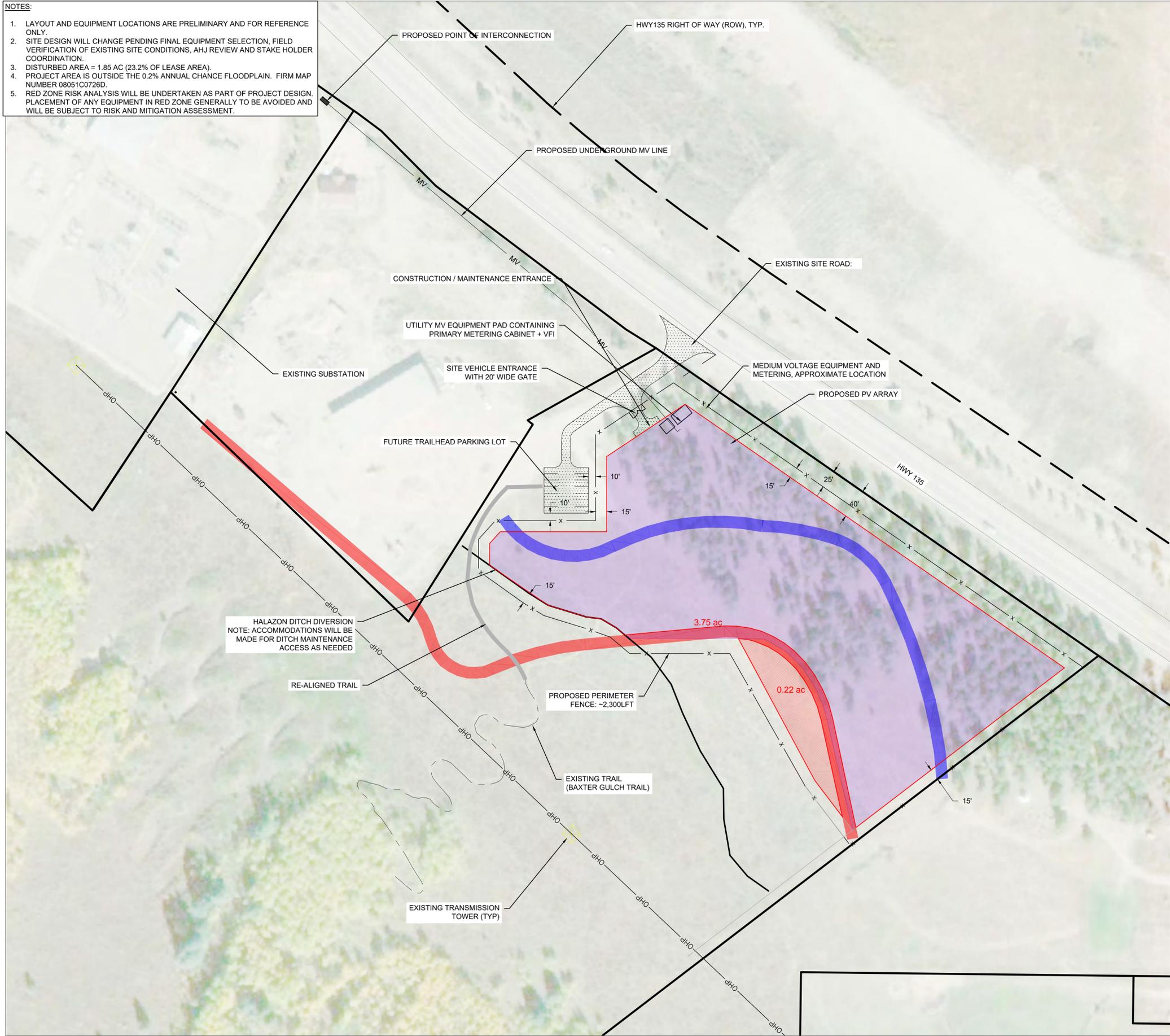
		<p><i>for wildlife and moving the fence could help with movement around the solar array. Additionally moving the fence to the east of the ditch would avoid potential issues with beavers damaging the fence or other wildlife species getting inside the enclosure that would otherwise not get inside.”</i></p> <p>Staff followed up with a phone call to clarify that the ditch was culverted and discussed the exclusionary fence with Mr. BonDurant. After these clarifications, Mr. BonDurant did not have any concerns about this fence being used for the project.</p>
13-114: Exterior Lighting	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<p>Not applicable – Applicant states in application:</p> <p><i>“No outdoor lighting is planned; however, if any outdoor lighting is implemented it will be hooded and directed so as not to shine directly upon adjoining property or public road rights-of-way.”</i></p> <p>If any exterior lighting is proposed, it shall comply with the standards of this Section.</p>
13-115: Reclamation And Noxious Weed Control	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p>Applicable – No cutting, grading, or filling is planned for the solar array area, as the structural piles will be driven directly into the existing topographic contours of the site. See page 5 of the <i>Applicant Response to Completeness Review</i> for details. The permanently disturbed area is less than 10,000 sq. ft. and will not require a Reclamation Permit.</p> <p>Applicant shall coordinate with the Gunnison County Public Works Weed Management coordinator to utilize an appropriate seed mix for revegetation.</p>
13-116: Grading And Erosion Control	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<p>Not Applicable – There is no grading of the site proposed. See Section 13-115 for details.</p>
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 – Applicant shall address the standards of this Section at the time of Building Permit, as this is when detailed engineering analysis will be completed, and thus, an adequate stormwater and drainage plan can be designed.</p>

13-118: Water Impoundments	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, no water impoundments are proposed.
13-119: Standards To Ensure Compatible Uses	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p>Applicable – Staff has reviewed the <i>Applicant Response to Completeness Review</i> and determined that they meet the standards below:</p> <ol style="list-style-type: none"> <li>1. HAZARDS OR NUISANCES. 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. <ol style="list-style-type: none"> <li>a. Staff Comments: During construction, the project will cause minimal hazards and nuisances. If any dust mitigation is required during construction, the applicant will mitigate by using water to mitigate. After construction, the project has the potential to benefit future growth by providing renewable energy for the Town of Crested Butte.</li> </ol> </li> <li>2. ADVERSE IMPACTS TO ADJOINING LAND. 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. <ol style="list-style-type: none"> <li>a. Staff comments: The primary concern is that the use would be required to provide buffering in order to shield the neighboring parcels and State Highway 135. This will be a topic of discussion in Section 13-111. Based on the materials submitted, staff believes that the project will not cause significant net adverse impacts to adjoining land as the residential properties are over</li> </ol> </li> </ol>

		2000' away from the project and the neighboring land uses are either vacant or commercial/light industrial.

DRAFT

- NOTES:**
- LAYOUT AND EQUIPMENT LOCATIONS ARE PRELIMINARY AND FOR REFERENCE ONLY.
  - SITE DESIGN WILL CHANGE PENDING FINAL EQUIPMENT SELECTION, FIELD VERIFICATION OF EXISTING SITE CONDITIONS, AHJ REVIEW AND STAKE HOLDER COORDINATION.
  - DISTURBED AREA = 1.85 AC (23.2% OF LEASE AREA).
  - PROJECT AREA IS OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN. FIRM MAP NUMBER 08051C0728D.
  - RED ZONE RISK ANALYSIS WILL BE UNDERTAKEN AS PART OF PROJECT DESIGN. PLACEMENT OF ANY EQUIPMENT IN RED ZONE GENERALLY TO BE AVOIDED AND WILL BE SUBJECT TO RISK AND MITIGATION ASSESSMENT.



**SYSTEM SUMMARY**

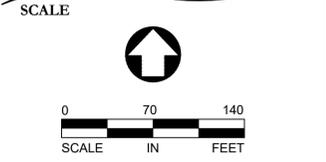
MAX DC SYSTEM VOLTAGE	1,500 V
TOTAL DC SYSTEM SIZE	APPROXIMATELY 1.605MW <sub>DC</sub>
INVERTER OUTPUT VOLTAGE	480V OR 600 V
INVERTER AC OUTPUT	125 KW <sub>AC</sub>
AC SYSTEM SIZE (@ POI)	1.125MW <sub>AC</sub>
RACK TYPE	FIXED TILT
MODULE ORIENTATION	SOUTH
ASHRAE WEATHER STATION	GUNN CRESTED BUTTE REGL.



**PROJECT**  
**GVS, LLC**

**LOCATION**  
**38.859556,-106.972417**  
**GUNNISON COUNTY, CO**

**SUBMITTAL**  
**MINOR IMPACT LAND**  
**USE CHANGE -**  
**COMMERCIAL**



**SETBACKS**

FROM ROW*	40 FT
FROM ADJOINING PROPERTY**	15 FT
*STATE HIGHWAY	
** COMMERCIAL ADJOINING NON-RESID.	

#	DATE	DESCRIPTION

**PROFESSIONAL CERTIFICATION**

I HEREBY CERTIFY THAT THE DESIGN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER OR UNDER THE LAWS OF THE STATE OF MINNESOTA.

**PRELIMINARY NOT FOR CONSTRUCTION OR PROCUREMENT**

**DRAWN BY** CL      **CHECKED BY** ST  
**DATE** 2023.04.21      **PROJECT #** 2020-184.1

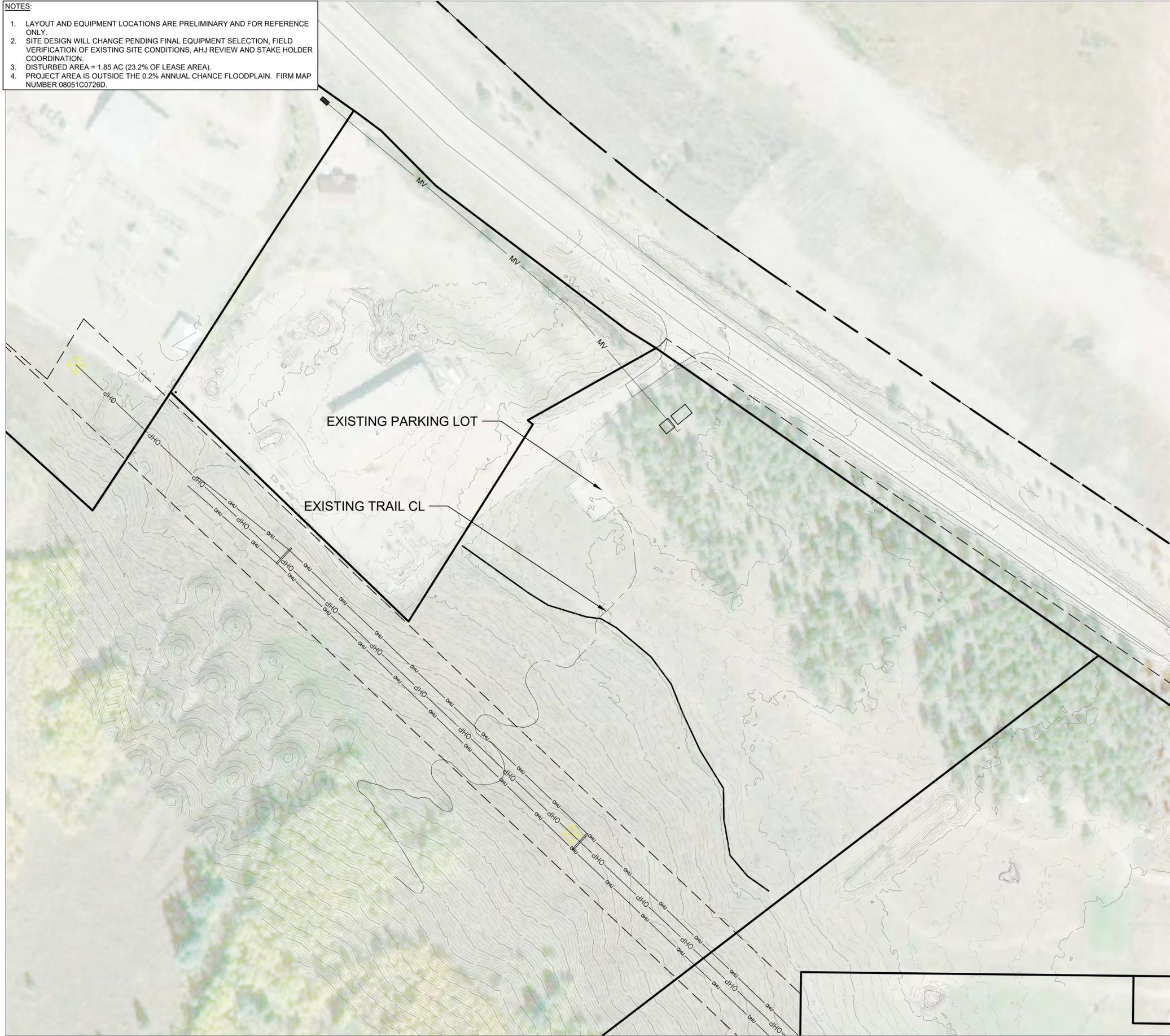
**LEGEND**

— x —	PROPOSED SITE FENCE
— OHP —	OVERHEAD LINES (E)
— (Red Line) —	RED ZONE LINE
— (Blue Line) —	BLUE ZONE LINE
— (Red Shaded Area) —	RED ZONE RISK ANALYSIS AREA SEE NOTE 5
— (Dotted Line) —	SITE ACCESS - ROAD
— (Purple Shaded Area) —	MODULE AREA (3.86 ACRE)

**SHEET NAME**  
**OVERALL SITE PLAN**

**SHEET NUMBER**  
**E-101-02**

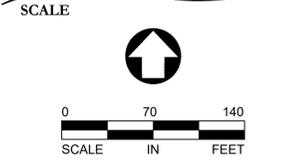
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  - DISTURBED AREA = 1.85 AC (23.2% OF LEASE AREA).
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**PROJECT**  
**GVS, LLC**

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**GUNNISON COUNTY, CO**

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**DRAWN BY**      **CHECKED BY**  
**CL**                **ST**

**DATE**             **PROJECT #**  
**2023.04.21**     **2020-184.1**

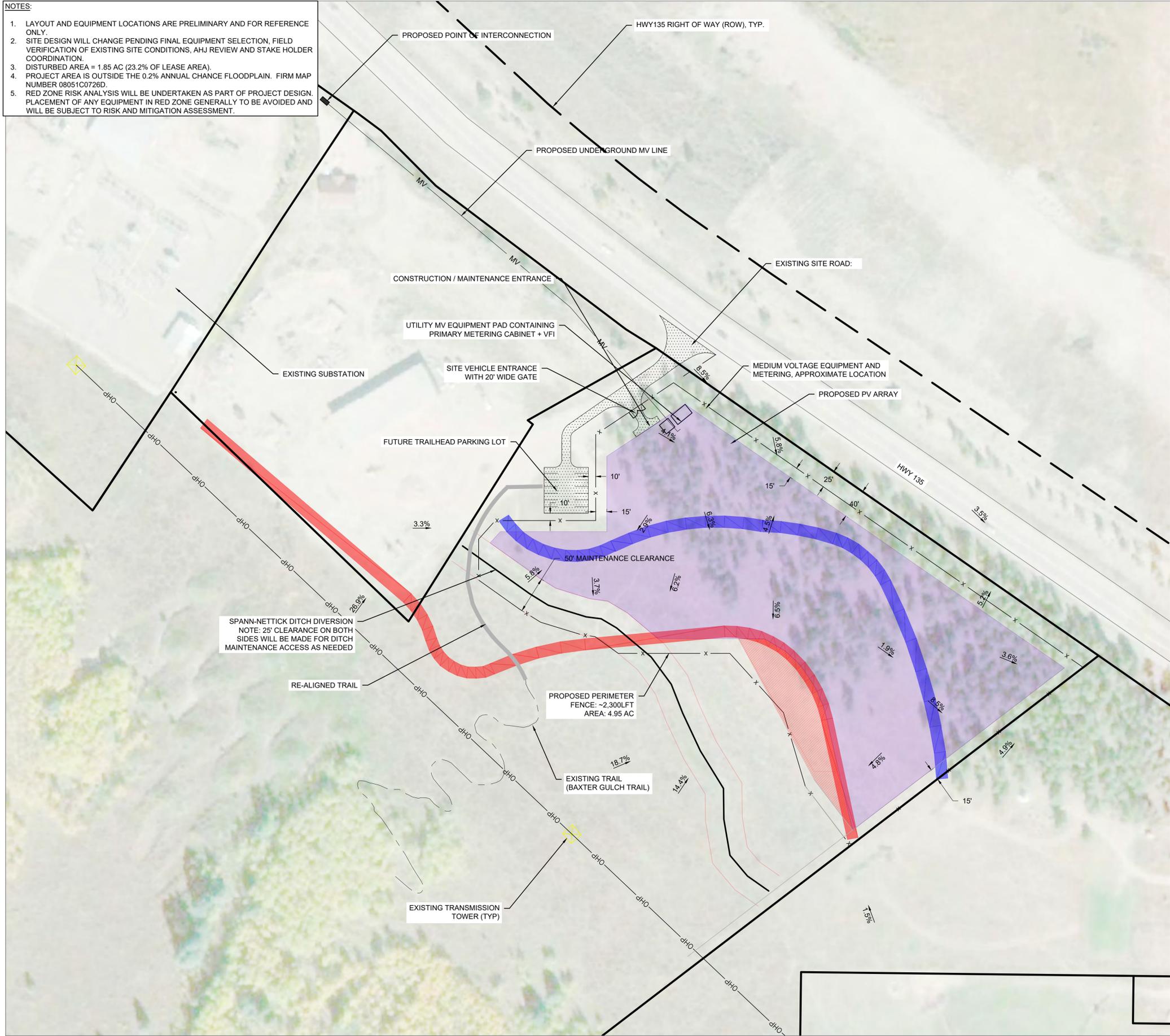
**LEGEND**

	OVERHEAD LINES (E)
	EXISTING PARKING/ROAD
	UTILITY EASEMENT
	PROPERTY LINE
	TRAIL CL
	EXISTING PARKING LOT

**SHEET NAME**  
**EXISTING CONDITIONS**

**SHEET NUMBER**  
**E-101-04**

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**SYSTEM SUMMARY**

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TOTAL DC SYSTEM SIZE	APPROXIMATELY 1.605MW <sub>DC</sub>
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RACK TYPE	FIXED TILT
MODULE ORIENTATION	SOUTH
ASHRAE WEATHER STATION	GUNN CRESTED BUTTE REGL.

**SETBACKS**

FROM ROW*	40 FT
FROM ADJOINING PROPERTY**	15 FT
*STATE HIGHWAY	
** COMMERCIAL ADJOINING RESIDENTIAL	

THE SITE PLAN SHOWS A 25' MAINTENANCE SET-BACK FROM THE SPANN-NETTICK DITCH. PER COUNTY LUR 11-109 G(2), THE MODULE AREA WILL NOT EXTEND TO WITHIN 25' OF THE DITCH WITHOUT PRIOR WRITTEN AND NOTARIZED CONFIRMATION FROM THE DITCH OWNERS.

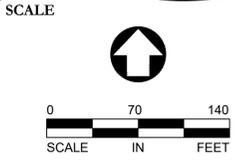
**LEGEND**

- x — PROPOSED SITE FENCE
- OHP — OVERHEAD LINES (E)
- RED ZONE LINE
- BLUE ZONE LINE
- RED ZONE RISK ANALYSIS AREA SEE NOTE 5
- SITE ACCESS - ROAD
- MODULE AREA (3.86 ACRE)



**PROJECT**  
**GVS, LLC**

**LOCATION**  
**38.859556,-106.972417**  
**GUNNISON COUNTY, CO**  
**SUBMITTAL**  
**MINOR IMPACT LAND**  
**USE CHANGE -**  
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**CL**

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**ST**

**DATE**  
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**PROJECT #**  
**2020-184.1**

**SHEET NAME**  
**OVERALL SITE PLAN**

**SHEET NUMBER**  
**E-101-02**

Taylor Henderson  
GVS, LLC – Commercial Minor Impact Land Use Change Applicant  
125 W. Virginia Ave., Ste. 191  
Gunnison, CO 81230

April 10, 2024

Sean Pope, Planner I  
Gunnison County  
Community Development Department – Offices of Planning, Building and Environmental Health  
221 N. Wisconsin St., Ste. D  
Gunnison, CO 81230

**Re: LUC-23-00027 - Response to Planning Commission Work Session Questions on Trail Impacts, Parking, Construction Staging and Ditch Access**

Dear Ms. Seminick and Mr. Pope,

Thank you to Planning Staff and the Planning Commission (PC) for the initial Work Session with the Planning Commission on March 7, 2024.

In that discussion, the Planning Commission and Planning Staff raised the following topics and, GVS, LLC (“Project”) appreciates the opportunity to delve more deeply into those topics ahead of another anticipated work session with the Planning Commission on May 2, 2024.

The Project’s responses are as follows:

1. **Baxter Gulch Trailhead Parking Lot** – In terms of the realignment of the existing trailhead parking lot and minor amounts of new construction needed, the Town of Crested Butte will be responsible for realigning and, to the extent relevant, constructing the portions of the Baxter Gulch Trailhead parking lot not currently in existence.

The end goal is to realign the parking lot in a more of a north-south, east west configuration, as detailed in the site plan, to maximize the amount of usable space for the Project’s array. The Town of Crested Butte’s Public Works Director was present at the March 7, 2024 PC Work Session and offered comments to the PC confirming this approach.

The Town of Crested Butte is currently responsible for the maintenance of the Baxter Gulch Trailhead parking lot and the Project will result in a parking lot that matches the current quality of the parking lot. Once realigned, as is currently the case, the Town will continue to be responsible for maintenance of the Trailhead parking lot.

Upon land use permits being issued for the Project, more robust engineering of the Project will be completed. Following the more detailed engineering a second survey of the property will take place. At this point, the exact locations of the realigned parking lot and trail will be plotted and reviewed with the Project team and Town.

With respect to the realignment of the Baxter Gulch Trail, the Project has been working for a couple of years now in collaboration with both the Town of Crested Butte and the Crested Butte Mountain Bike Association (CBMBA) on the relocation of the initial portion of the trail.

This effort has gone so far as to have the parties exchange Google Earth KMZ files depicting the new location of the trail. The aforementioned parties are aligned on what a successful outcome entails.

The Town of Crested Butte would prefer work on the parking lot and trail take place either at the beginning of the season in the mid-spring timing or beginning in mid-August timeframe, to avoid high visitation and recreation periods. The timing of the actual implementation of the construction of the parking lot will continue to be coordinated with the Town and CBMBA, to limit the amount of time the parking lot will be unable to be used.

The Town will make all possible efforts to limit any inconvenience to Gunnison County and Town community members, as well as visitors to the community.

2. **Staging of Construction** – In its initial submittal, Applicant submitted the following text and table relating to the construction of the Project;

The period of construction will be approximately four (4) months and final schedule is dependent on a number of factors including final selection of a construction management company. During the four (4) month construction period, there will be approximately 20 people on site at any one time. The construction crew consists of project managers, laborers, electricians, civil contractors, etc.

The following is an example of Construction Period Vehicle Trips from projects similar to Applicant’s minor impact land use change.

*Construction Period Vehicle Trips (Approximate)*

Project Phase (Staggered/Overlapping Time Periods)	Vehicle Type	Estimated Gross Vehicle Weight	Number of Vehicles Per Day	Maximum and Average Vehicle Trips Per Day
Site Preparation (approx. 1 month)	Equipment Hauling Trucks	30,000-65,000 lbs	0-2	0-4
	Passenger Vehicles	2,000-10,000 lbs	2-5	2
	Fuel Delivery	20,000-30,000 lbs	1	2
				Max.: 16   Avg.: 6
Material & Equipment Delivery (approx. 1 month)	Shipping Container & Delivery Trucks	30,000-50,000 lbs	5-15	10-30
	Equipment Hauling Trucks	20,000-40,000 lbs	0-4	0-8
				Max.: 38   Avg.: 10
Vertical Equipment Installation (approx. 3 months)	Passenger Vehicles	2,000-10,000 lbs	10-15	20-30
	Fuel Delivery	20,000-30,000 lbs	1	2
	Material Delivery Truck	20,000-30,000 lbs	1	2
				Max.: 34   Avg.: 24
Operations (Ongoing once operational)	Utility Vehicle	2,000-10,000 lbs	1 per quarter	
				Max.: 2   Avg.: 0

The following comments are an approximation of the construction of the project and will be codified once a construction management company has been retained and final Project construction plan is in place.

During the construction of the Project, related construction management and staff in their passenger vehicles will make significant use of Gunnison County Electric Association's (GCEA's) Crested Butte Substation parking lot throughout the work day, with more limited amounts of construction vehicles working to pick-up construction workers from the substation (approximately 1,000 feet down State Highway 135) and transporting them to the Project site. Once on site, these vehicles will not park at the Baxter Gulch Trailhead parking lot but rather on the physical premises of where the Project will be constructed.

In the first month (approximately) of construction, during Site Preparation, primarily civil site activities will take place including the realignment of the trailhead parking lot.

The Project anticipates installing the Colorado Parks & Wildlife (CPW)-preferred permanent exclusion fencing around the site in the placement staked by surveyors. This will create a level of security for Material & Equipment Delivery.

Once the realignment of the Baxter Gulch Trailhead parking lot has been completed and the exclusion fencing is in place, the Project will work with the Town to re-open the Baxter Gulch Trailhead parking lot to the public. (During the majority of construction, the Project will make all available efforts to have the Baxter Gulch Trail remain open to the general public so long as the safety of the general public will not be in question.)

Upon delivery to the Gunnison County-area, the material and equipment is expected to be held at a secure location in the City of Gunnison-area. In a "just-in-time" effort, the material and equipment is expected to be moved and stored just before installation to the Crested Butte Substation. Finally, the material and equipment is expected to make the very short trip a couple of parcels to the south and east to the Project site. The first of the deliveries to be held will be the vertical equipment, like the racking components. The next of these components will be the solar modules and interconnection equipment.

3. **Spann-Nettick Ditch** – As detailed in previously submitted materials, a relatively small portion of the Spann-Nettick Ditch is contained in a large diameter underground tube (approximately 4-feet in diameter) and transects the Project site.

In a previously submitted revision of the Site Plan, the Project expressed that it fully intends on providing the County's required 25-foot setback from the Ditch to solar modules, unless the Ditch company provides documentation of agreement on a more limited setback.

Further, Project will provide the Ditch company with access within the Project for both routine maintenance and, in the event necessary during the life of the Project, replacement of the underground tube.

In late first quarter of 2024, Project began working with the owner of the Spann-Nettick Ditch to coordinate for a mutually agreeable outcome and Project is optimistic said outcome is achievable.

4. **Visibility of Project** – To date, Project has conducted outreach activities to property owners within 500-feet of Project site. Based on outreach to date, the Project and the Town have affirmative feedback pertaining to the proposed future land use, and no negative comments to date regarding the Project.

The Town of Crested Butte, and a significantly-sized collection of vocal supporters existing in the community, are key drivers in realization of this Project coming to fruition. Over the past few years, the perspective received by the Project team is that Town members as well as community members would like for the Project to be visible from State Highway 135.

An example of CPW’s preferred exclusion fencing is seen here:



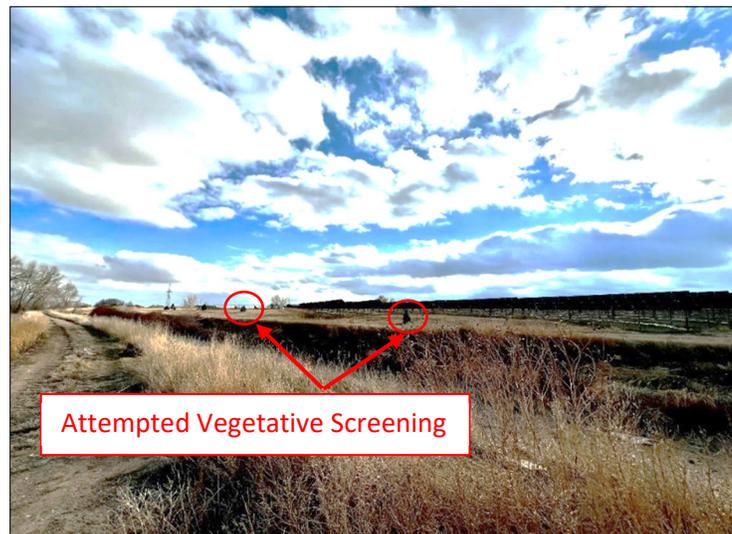
The Project is working is to create a visual simulation of the Project from State Highway 135 to be shared with the Planning Commission at the next Work Session.

That said, the solar industry has recently experienced pushback when well-meaning efforts to screen solar projects have ended up more detrimental when compared to utilizing Colorado Parks & Wildlife’s preferred exclusion fencing (as was submitted by CPW for this Project and others).

An example of another Colorado project which was required to implement a non-CPW preferred exclusion fence can be seen here:



An example of another Colorado project which attempted unsuccessfully to implement vegetative screening can be seen here:



On April 5, 2024, the Project team again spoke with CPW’s District Wildlife Manager, Clayton BonDurant, to ask how CPW would view an exclusion fence with screening material attached to it. Manager BonDurant’s perspective was that for the safety of the wildlife it would be best that the exclusion fencing be left employed without screening material affixed to it.

The Project appreciates the opportunity to respond to the Planning Commission’s March 7, 2024 Work Session questions. Please do not hesitate to contact me if you have any questions pertaining to this submittal.

Sincerely,

*Taylor Henderson*

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