

GUNNISON COUNTY PLANNING COMMISSION

PRELIMINARY AGENDA: August 1, 2024

221 N. Wisconsin, Suite D Gunnison CO, 81230

In person or on Zoom

Disclaimer: agenda discussion item times are approximate. Public hearings may start on or after the posted notice time. Work sessions may start earlier or later than the posted time.

8:45 a.m.

- Call to order; determine quorum.
- Approval of Minutes from the July 18, 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.

Work Session: LUC-23-00023 Major Impact | Sketch Plan | Discount Storage Expansion of Commercial Use

The property owner and applicant, Centennial Storage Partners, LLC, requests an expansion of commercial use to allow for approximately 115 outdoor vehicular storage spaces adjacent to the existing Discount Storage at 1825 State Highway 135, Gunnison, CO.

10:00 a.m.

Work Session: LUC-24-00021 Major Impact | Sketch Plan | Harmels on the Taylor Expansion of Commercial Use

The Harmels on the Taylor requests an expansion of commercial use to allow for lodging units, RV sites, glamping sites, employee housing, and storage units at 6748 County Road 742, Almont; Parcel No. 3433-000-00-026.

12 p.m.

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)

+1 719 359 4580 US

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, July 18, 2024**

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	Director of Community and Economic Development- Cathie Pagano
Vice-Chair- Fred Niederer	Director of Planning- Hilary Seminick
Commissioner- Julie Baca	Planner- Sean Pope
Commissioner- Matt Schwartz	Planner- Rachael Blondy
Alt. Commissioner- Catherine McBreen	Planning Technician – Jena Greene
Alt. Commissioner- Bill Barvitski	Others present as listed in text

Absent: Commissioner - Eric Phillips

Recused: Barvitski, Baca (for Lalani project only);

Zoom: Julie Baca, Catherine McBreen

Site Visit

The planning Commission met onsite at 8:45 am at Hartman Castle to conduct a site visit. County Commissioner Houck also joined for the site visit. Hartman Castle Preservation Corporation President, Pamela Williams, along with other board members were present, as well as Dave Taylor, the current landowner. Williams explained that the plan was to use the castle as an event space, and have it be “a museum where you could sit on the furniture”. One of the buildings onsite was a residence, and Williams stated that the plan was for it to remain a residence/long term rental. The commissioners were able to tour the building and the site. It was noted that the event parking would be in the back of the property.

Regular Meeting

Chairperson Mason opened the July 18, 2024, meeting of the Planning Commission at 9:43 am. Chairperson Mason sat alternative commissioner Barvitski and determined a quorum.

Approval of Minutes

Moved by Niederer to approve Planning Commission meeting minutes, dated July 11, 2024, with the insubstantial changes as noted. Seconded by Mason. The motion passed unanimously in support.

Unscheduled Citizens

None

Miscellaneous

Staff requested that the Planning Commission hold a special meeting for the first work session for the preliminary final plan for the major impact on Thursday, August 29th. All present said they were available for a morning work session.

Public Hearing and BOA Joint Meeting: LUC-24-00011 | Minor Impact | Hartman Castle

Seminick noted that there was an error in the original public notice posting, that was corrected and re-noticed in time to meet the notice requirements to hold the public hearing. Seminick explained the procedure for how the joint public meeting would run, as outlined in the staff memo.

Determination of Quorum

Planning Commission: Mason seated alternative commissioner McBreen and Determined Quorum with Mason, Niederer, Schwartz, Barvitski and McBreen as members for the Planning Commission

Board Of Adjustment: Tocke recused himself. Mason determined a quorum for the Board of Adjustment with Vice Chair Smith, Houck, and Baca as members.

Mason opened the public hearing at 9:57 am

Confirmation of adequate public notice – Greene confirmed adequate public notice.

Applicant Presentation

Pamela Williams, president of Hartman Castle Preservation Corporation, was present, along with other board members; Tim Williams and Michael Kratz.

They were proposing to return Hartman castle to commercial use: event space, community gardens. The Hartman Castle preservation corporation needed to commercial use approved before they could purchase the property so they could generate income and continue the project. The previously approved commercial use was no longer valid do to lack of use.

Staff Comments

Seminick noted the difficulty to meet the 50 setbacks for a commercial use because the property was mostly developed, and moving the castle was to difficult to be considered.

Questions from Review Body

Barvitski noted the history of commercial use for the location. fisherman inn and then museum, and then restaurant.

Public Comment None and no public comment had been submitted to staff.

Questions from the Board of Adjustment

Baca stated that she was comfortable with use as proposed and had no questions. Echoed by Smith and Houck.

Review of Draft recommendation document – no questions.

Motion to approve the minor impact land use change by Barvitski, seconded by Schwartz. Correction by Mason concerning LUC number.

Motion to approve as amended by Schwartz, Seconded by McBreen. Motion passed unanimously in support.

BOA – Houck, redetermined quorum. BOA didn't feel that an additional public hearing was required.

Finding statement was provided in the draft decision documents.

Public Hearing: LUC-24-000 | Minor Impact | Lalani Building over 5000 sf.

Public Hearing - Barvitski and Baca recused themselves

Mason opened the public hearing at 10:23 am.

Applicant presentation: Heller presented 6204 sf. Stated that they were minimizing the impact by having the garage contained in one building and would block less views. L shaped design to help mitigate the design.

Schwartz asked about the sightlines from the highway. Pope gave a visual of the current view from 135.

Pope added that the approval was also contingent on the lot cluster approval.

Public Comment None.

The commission discussed and reviewed the draft document. Mason clarified that they had in writing that the applicant was going to connect to Sewer, which Pope confirmed. There were no other comments or changes proposed to the document.

Schwartz moved to approve the decision document. Seconded by Niederer. The motion passed unanimously in support.

Public hearing closed at 10:37.

Work Session: LUC-24-00020 | Terraplen Holdings LLC – Impact classification reduction

Terreplén Impact Classification reduction: had the ability to reduce the impact at the last work session. Reducing impact, typically anything over 4 was considered a major impact, but applicant had a presentation, HOA Unanimous HOA approval.

Baca made a motion that the pc found that the impact reduction request met the standards for the impact ; seconded by Schwartz. Pass unanimously in support.

Work Session: LUC-24-00026 | Minor Impact | Moore/Redick building over 7000 sfApplicant Presentation

The applicant, Deede Moore was present. She was proposing to build a 1200 sf building to house one horse, feed and tack. This project was being reviewing as a minor impact because the proposed aggregate square footage was over 7000 sf maximum.

Staff Comments

Pope added that the aggregate square footage would be 7331 sf and that the building was proposed to be located 60 feet Northeast of the existing residence. The updated site plan included a widened driveway. It was also noted that 12 living and 13 dead aspen trees would need to be removed to accommodate the new building. The building would have no utilities since there was a water spicket on the outside of the residence.

Pope called out LUR Section 9-508, and noted that the site appeared to be mostly screened.

Reviewed site plan

There were no questions from the planning commission. The Commissioners determined and agreed that there was no need for additional work sessions; and directed staff schedule a public hearing and to draft a decision document for consideration at that hearing.

It was noted that there was an error on the original agenda, which was corrected by staff within the required posting time concerning the project description.

Work Session: Gold Basin Special Geographic Area Amendment

Martin Schmidt was present.

Blondy gave an overview of the proposal. H and H towing needed more space to accommodate additional storage for towed vehicles and had submitted a request to the BOCC.

The BOCC had discussed the request and made a motion to have the planning commission make a motion to make an amendment. The BOCC had also requested that the Gold Basin regulations be amended. Staff was planning to work on that at a later time.

The proposed slats in the fence were a concern of the commission, but the screening wasn't a part of the proposal. Schmidt noted the request.

The Planning Commission was provided with a draft recommendation from staff.

Baca made a motion to approve the proposed amendment to the Gold Basin Regulations. Seconded by Schwarz. The motion passed unanimously in support.

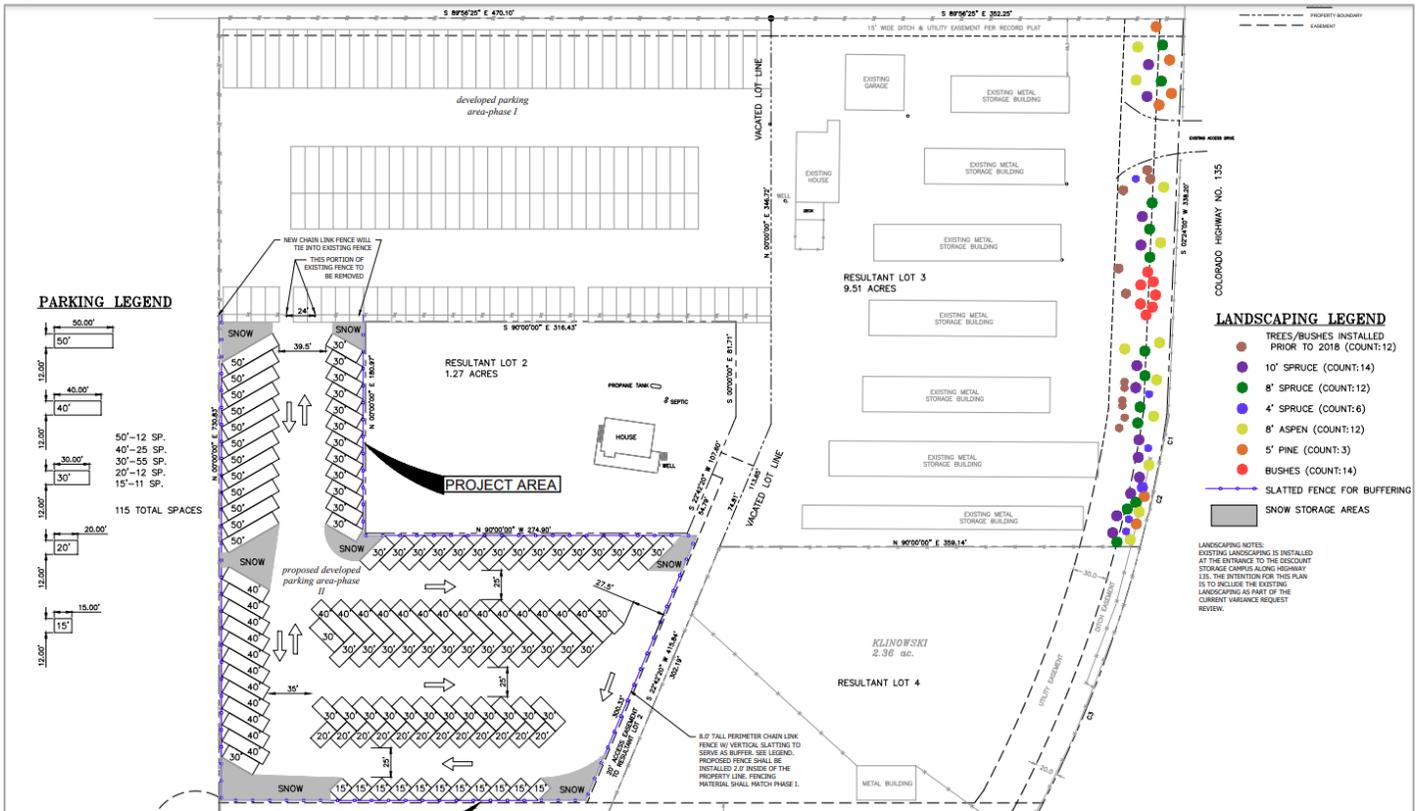
Meeting adjourned at 11:10 am.

To: Gunnison County Planning Commission
 Date: July 29, 2024
 Meeting Date: August 1, 2024
 Re: Work Session | LUC-23-00032: Discount Storage Expansion of Commercial Use, Major Impact, Sketch Plan Review

A. Project Description

Centennial Storage Partners, LLC (Applicant), represented by Michael O’Loughlin, Esq. of Schumacher & O’Loughlin, LLC, request an expansion of an existing Commercial use to allow for an additional 115 outdoor vehicle storage spaces adjacent to the Discount Storage facility at 1825 State Highway 135, Gunnison, CO 81230, Parcel No. [3701-250-06-008](#) (Application). The request would increase outdoor vehicle storage units from 134 to 249 spaces. The proposal would not increase the approximate 21,000 sq. ft. of interior retail storage.

Figure 1. Site Plan



B. Project Area History

1. LUC-89-00022 Lot 6 Flying E Ranch New Commercial Use

Approved on December 5, 1989, for a one 30-unit 3,000 sq. ft. storage building.

2. LUC-90-00003 Subdivision of Flying E Ranch Lot 5

Approved on December 7, 1993, the project subdivided Lot 5 of the Flying E Ranch into 5 parcels and approved 9,000 sq. ft of new Commercial floor area: one 30' x 120', 3,600 sq. ft. storage unit facility and three 30' x 60', 1,800 sq. ft. storage unit facilities.

Figure 2. Discount Storage, Google Earth, September 1994



3. LUC-99-00045 Expansion of Commercial Use

The Minor Impact application approved an expansion of Commercial use for a U-Haul facility at Discount Storage on November 5, 1999. In a September 9, 1999 letter from the City of Gunnison, City staff noted the application was not compatible with Three Mile Plan's objective of limiting new commercial development along CO-135.

4. LUC-04-00002 Discount Storage/U-Haul Expansion of Existing Commercial Use

Approved July 21, 2005. The City of Gunnison Planning and Zoning Commission reviewed the application and provided a letter of denial on July 29, 2004, finding the proposal did not comport with the *Three Mile Plan and Urban Growth Boundary City of Gunnison* or the City's Entrance Overlay District.

5. LUC-18-00003 Expansion of Commercial Use

Minor Impact Certificate No. 3, Series 2018 approved the following expansion of Commercial use on June 1, 2018: two new storage buildings; one 30' x 230' (6,900 sq. ft.), 44-unit storage facility and one 20' x 240' (4,800 sq. ft.), 24-unit storage facility. In an April 11, 2018 letter, the City of Gunnison Planning and Zoning Commission supported the proposal.

Figure 3. Discount Storage, Google Earth, October 2015



6. LUC-18-00036 Expansion of Commercial Use

Approved construction of a 3 acre, 134 space outdoor vehicular storage area. A September 26, 2018 City of Gunnison Planning and Zoning Commission letter provided observations regarding the application but no specific recommendation for approval nor denial. A subsequent letter provided by the Commission provided observations based on an apparent recommendation; however, was neutral regarding any specific recommendation for the proposal.

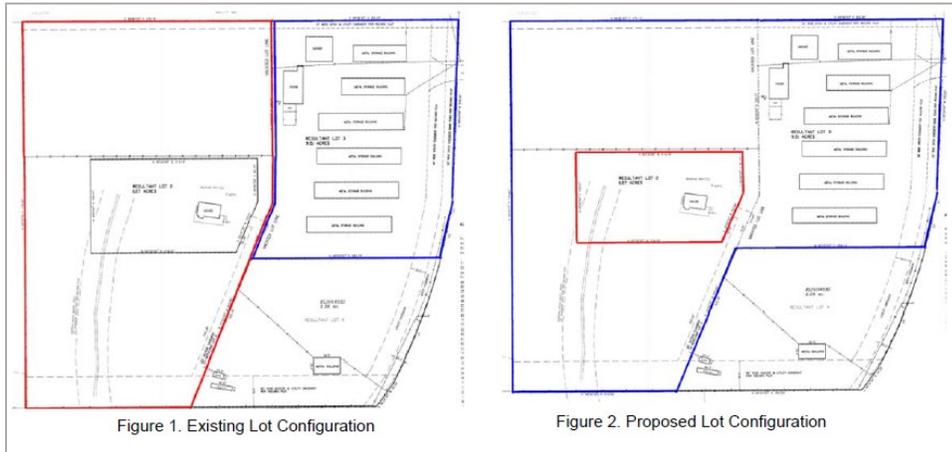
Figure 4. Discount Storage, Google Earth, October 2019



7. LUC-19-00033 Boundary Line Adjustment

The Gunnison County Board of County Commissioners (BOCC) approved an application for a boundary line adjustment between Lot 2 and Lot 3 of the Flying E Ranch Subdivision. Staff noted the proposal would increase the size of Lot 3 from 2.9 acres to 9.51 acres and Lot 2 would be decreased from 7.2 acres to 1.27 acres, and requested the BOCC determine if the proposal met the standards in Land Use Resolution (LUR) Section 5-103.3.a. *Additional Standards Applicable to Boundary Line Adjustments*, and more specifically, LUR Section 5-103.3.a:1: *Insubstantial Change*. The approved Boundary Line Adjustment increased Lot 3 by 277% and decreased Lot 2 by 82%.

Figure 5. Excerpt from September 17, 2019 Staff Memo



8. June 16, 2022 Notice of Violation

The Community Development Department issued a Notice of Violation (NOV) for “improvement and/or clearing of property and possible expansion of a commercial use at 1825 Highway 135”, activities requiring a Guninson County Land Use Change Permit. The NOV referenced a February 18, 2022 correspondence between Community Development staff, Ken Snyder manager of Centennial Storage Partners, LLC, and counsel Mike O’Loughlin, providing the following recommendation:

Given the myriad applications that have been reviewed as a Minor Impact, I recommend that you review your development plans and propose a master plan for current and future development plans that will be initially be reviewed and classified as a Major Impact project in compliance with the above cited section.

The letter further states “... the expansion of the commercial use may have challenges complying with the commercial locational standards and the 2019 BOCC policy direction”. The 2019 BOCC Policy is attached as Exhibit 1 to this Staff Memo.

Figure 6. Discount Storage, Google Earth, June 2023



9. July 25, 2022 Interpretation and Clarification

An interpretation was provided to the Applicant's counsel regarding a June 28, 2022 pursuant to LUR Section 1-114: *Interpretations*, regarding ("1) whether the June 20, 2022 violation letter is appealable to the Board of County Commissioners, and (2) of the definition of 'clearing' as used in the LUR". The letter included photos from a July 12, 2022 site visit where "staff observed, and the owner confirmed, that approximately four feet of 'structural fill' had been placed on the subject property".

Figures 7 and 8. July 12, 2022 Site Visit Photos



10. LUC-23-00032 Sketch Plan Review for Major Impact Review of Expansion of Commercial Use

The Applicant submitted the subject Application. Staff provided a "Determination of Completeness Letter" on August 7, 2023, noting the Application was incomplete at that time, noting the site plan did not comply with LUR Section. 13-104 *Setbacks from Property Lines and Road Rights-of-Way*, specifically, the site plan did not provide the required 50' setback between adjacent residential and commercial uses pursuant to this Section.

11. LUC-23-00048 Request for Interpretation

The Applicant requested an interpretation regarding, but not limited to, the application of LUR Section 13-104: *Setbacks from Property Lines and Road Rights-of-Way*.

12. APPEAL-23-00001 Appeal of Interpretation

On December 15, 2023, the Applicant submitted an Appeal to the interpretation issued on December 1, 2023. The Board of Adjustment affirmed the interpretation on February 8, 2024.

13. LUC-23-00032 Variance Application + Complete Application

The Applicant submitted a variance application pursuant to LUR Section. 13-104 *Setbacks from Property Lines and Road Rights-of-Way*. The application was deemed complete, initiating the formal review process. A variance to the LUR can only be considered by the Board of Adjustment; therefore, the application for variance and how the proposal comports with the applicable standards of the LUR is not discussed in the Sketch Plan Staff Memo nor in the Staff Report. A variance request that is part of a Major Impact application is considered pursuant to LUR Section 13-104:D.1.2.b which states:

When the proposed land use change is classified as a Major Impact Project, the joint hearing shall be conducted during, and shall meet the requirements of the Preliminary Plan review process, pursuant to Section 7-302: Preliminary Plan Review Process for Major Impact Projects.

C. Land Use Review

The Planning Commission conducts a work session to identify and consider issues related to the application. During the work session(s), the Planning Commission shall determine if there is sufficient information to schedule a joint public hearing with the BOCC. At the joint hearing, the Planning Commission shall make a recommendation of approval, approval with conditions, or denial of the application to the BOCC. At a separate BOCC meeting, the BOCC may take action on the Sketch Plan application, or determine to hold an optional additional public hearing pursuant to LUR Section 7-202:L.

Sketch Plan review is an exploratory discussion of the proposal and intended to be a joint planning effort and negotiation between the County and Applicant. Site-specific engineering plans are not required nor accepted at Sketch Plan review. Staff has outlined the substantive issues in the application in this memo, and all applicable Land Use Resolution (LUR) standards have been addressed in Exhibit A. Staff Report.

1. Section 7-102: *Standards that Apply to All Major Impact Applications*

Compliance with these standards should be determined “broadly and conceptually” at Sketch Plan review. Applicable standards of this section include “Compliance with all Applicable Standards” and “Compatibility with Community Character”. The review body shall consider how the (1) how Application meets all applicable standards of the LUR; and (2) if the proposal is compatible with existing land uses and if the expansion of the use will or will not adversely affect future development of the area.

2. Section 10-104 *Locational Standards for Commercial, Industrial, or Other Non-Residential Uses*

The project is not adjacent to the City of Gunnison therefore, it shall comply with the Alternative Locational Standard. The location may be approved if addition to meeting all requirements of the LUR, that the cumulative impacts of the proposal will not have a net adverse impact, and the project meets the following:

1. *Locational Considerations; **and***

a. *Necessary location; **or***

b. *No site is reasonably attainable in or adjacent to the nearest municipality or existing permitted business or industrial park; **or***

c. *Location well-suited to specific use; **or***

d. *Need or use is well-suited in a particular area; **or***

e. *Use is designed to serve a specific residential area.*

2. *Compatible with existing uses established in impact area; **and***

3. *No significant net adverse effect.*

The Applicant provided responses to the above standards in “Narrative Locational Standard and Three Mile Area Standards” and “Narrative Location Standards” and are included in the Staff Report and in the Project File (“Narrative Location Standards, Narrative Locational Standard and Three Mile Area Standards”). The Applicant responses have not been summarized in the Staff Memo to avoid the appearance of editorializing the Applicant’s analysis of how the proposal comports with the LUR. Staff has included Exhibit 1. *June 27, 2019 BOCC Policy Direction* which states “An applicant should assume that commercial, industrial and nonresidential uses outside of platted or zoned areas that allow these

uses will be difficult and/or unlikely to be permitted,” and further directing these uses to existing commercial/industrial parks.

The review body shall consider how the Application “broadly and conceptually” meets the standards of the LUR, adopted Gunnison County policies, and Section 10-104:C.1. *Locational Standards* when determining if the Application meets LUC Section 10-104: *Locational Standards for Commercial, Industrial, and Other Non-Residential Development* pursuant to Section 10-104:C. *Alternative Locational Standards*.

3. Section 11-106: *Protection of Wildlife Habitat Areas*

The project is in occupied Gunnison sage-grouse habitat area. Administrative Review Certificate No. 120, Series 2023 determined the proposal “will not adversely impact Gunnison sage-grouse or their habitats beyond which has already occurred,” with conditions. The proposal includes an eight-foot-high chain link fence with “slatting” to both shield adjacent properties and assets stored in the outdoor vehicle storage area. The proposed fencing appears to be in conflict with condition four in the letter “Gunnison Sage-Grouse Habitat Site Specific Analysis Permit Application Number LUC-23-00032”, August 31, 2023, Aleshia Rummel, Gunnison Conservation District Wildlife Biologist; which states:

*Per Section 11-106 I of the Gunnison County Land Use Resolution, design of fences other than those with agricultural operations shall ensure they do not adversely impact wildlife. Woven wire fencing shall not be allowed for perimeter fencing or as interior cross fencing. Perimeter and cross fencing should be built using specifications from the most recent edition of the Colorado Parks and Wildlife (CPW) publication *Fencing with Wildlife in Mind*.*

Staff recommends the Applicant coordinate with the Gunnison Conservation District and Colorado Parks and Wildlife to determine appropriate fencing for the project.

4. Section 11-107 *Protection of Water Quality*

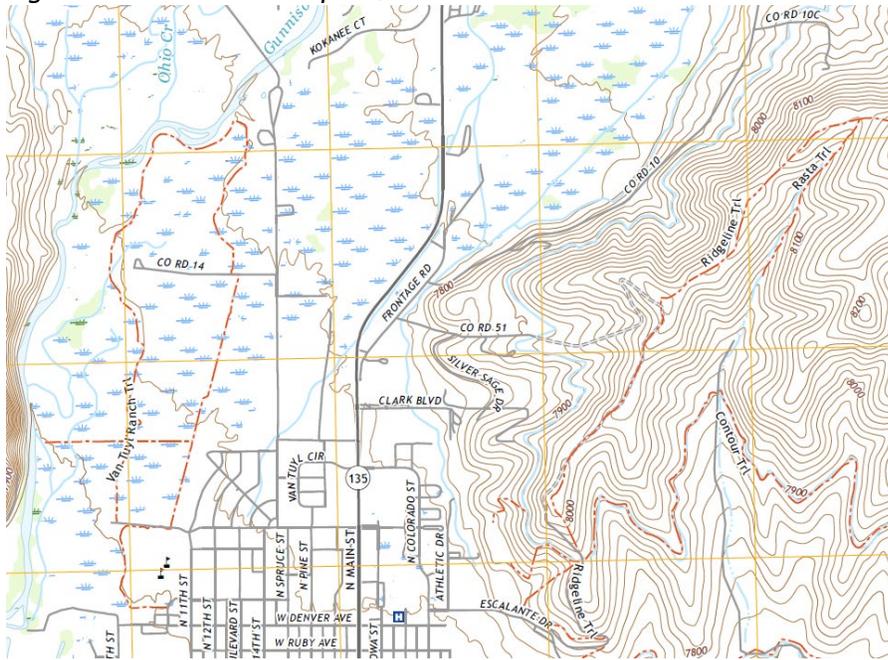
It is unclear a Water Body, as defined by the LUR as a “perennial or intermittent river, stream, lake, reservoir, pond, spring, or wetland but does not include irrigation ditches, roadway drainage ditches, artificial lakes, ponds, or wetlands that are created and used for the primary purpose of agricultural operations” was/are present at the project site. It appears that a drainage with an undetermined hydrological source started south of the 2018-approved outdoor vehicle storage area on aerial photography. Figure 9 shows an apparent drainage feature flowing north south pre-development and Figure 10 shows the area post-construction in a regional context, with what appears to be a drainage feature running south from the project area to CR-13/Slaughterhouse Road. Conversations with the Applicant’s representative and Mr. Robert Tucker, owner of 1729 CO 135, the residential parcel surrounded by the proposed land use change, have indicated that a culvert was placed under the structural fill to convey surface water. The USGS Topo Quat in Figure 11 show wetlands throughout the project area, and much of the valley beyond the project site. Aerial photo and map analysis alone cannot be relied upon to determine exact locations of potential Water Bodies within the project area.

Staff recommends that a wetland delineation be obtained to determine if there were and/or are Water Bodies as defined by the LUR within the project area.

Figures 9 and 10. 2019 and 2023 Google Earth Imagery



Figure 11. 2022 USGS Topo Quad



5. Section 13-102: B: *Location Within Municipal Three-Mile Plan Area*
 Compliance with the Three Mile Plan shall be considered “conceptually and broadly” at Sketch Plan review. The Applicant provided responses to the above standards in “Narrative Locational Standard and Three Mile Area Standards” and “Narrative Location Standards” and are included in the Staff Report and in the Project File (“Narrative Location Standards, Narrative Locational Standard and Three Mile Area Standards”). The Applicant responses have not been summarized in the Staff Memo to avoid the appearance of editorializing the Applicant’s analysis of how the proposal comports with the LUR. The City of Gunnison Planning and Zoning Commission provided a letter of support on July 10, 2024.

6. Section 13-111: *Landscaping and Buffering*

A landscaping plan is required at Sketch Plan for Major Impact Commercial Use proposals. The amount of landscaping provided in landscaped areas is “at least one tree and three shrubs” per 500 square feet of “landscaped area.” The expansion area does not include additional landscaping beyond what has already been provided and shown on the site plan.

Section 13-111:M.3.a. *Buffering, Different Abutting Uses* requires a 50’ (landscaped) “buffer strip” between Residential and Commercial uses. There is no landscaping or buffering proposed between the adjacent parcels or within the parcel between the residential and commercial uses.

Section 3-111:M.1. *Buffering, Applicability* requires a Major Impact project to 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.

A landscaped buffer is required when the county finds that there is a need to shield neighboring properties or adverse impacts.

7. Section 13-103: *General Site Plan Standards and Lot Measurements*

The required setback between Commercial and Residential uses is 50’. The Applicant has proposed a 2’ setback from property lines and has submitted a variance application pursuant to this section. The Variance request shall not be considered until Preliminary Plan review.

8. Section 13-108: *Open Space and Recreation Areas*

Generally, this requirement would be met in the provision of landscape and buffering areas within the required setbacks. The Applicant has not proposed open space that complies with this section, rather, has requested a variance to the setback requirement. Compliance will be determined at Preliminary Plan review.

9. Section 13-116: *Grading And Erosion Control* and Section 13-117 *Drainage, Construction, and Post-Construction Storm Water Runoff*

“Four feet of structural fill” and a culvert were constructed without a Land Use Change permit; therefore, it has not been confirmed if the improvements meet the provisions of this section. A plan pursuant to these sections is required in the Preliminary Plan application, as certified by a qualified professional engineer licensed in the State of Colorado, indicating that this project meets the standards of these sections including methods to ensure that drainage will not injure adjacent lands. Documentation of whether a Stormwater Discharge Permit is required for this project by the Colorado Department of Public Health and Environment is also required to be submitted as part of Preliminary Plan. Subject to State standards, storm water runoff is required to be managed onsite, to direct runoff to stable, vegetated areas capable of maintaining sheet

flow for infiltration, or to discharge to a storm water conveyance structure, designed to accommodate the projected additional flows from the proposed project.

D. Application and Attachments

The entire land use application can be reviewed on [Citizen Access](#) → Projects → LUC-23-00032 → Attachments.

1. June 27, 2019 BOCC Policy Direction



Gunnison County, CO
Community Development Department
221 N. Wisconsin St. Ste. D, Gunnison, CO 81230
Phone: (970) 641-0360 FAX: (970) 641-8585
Website: www.gunnisoncounty.org
Email: planning@gunnisoncounty.org

To: BOCC
From: Cathie Pagano, Director of Community and Economic Development
Date: June 27, 2019
Re: Policy Direction

On July 2, 2019 at the regularly scheduled Gunnison County Board of Commissioners meeting, Commissioner Messner made a motion to approve the following policy direction. Commissioner Mason seconded the motion, the motion passed unanimously.

The Gunnison County Board of Commissioners, adopted the 2019 Gunnison County Strategic Plan and result D.4.:

“By December 31, 2020, Gunnison County will establish a regulatory framework to encourage and direct industrial and commercial development into existing platted or zoned areas and enable opportunities for new commercial and industrial developments and newly developed Special Geographic Areas in order to:

- a) Preserve our rural heritage.*
- b) Protect our community corridors (Hwy 50 and Hwy 135) and view sheds along those corridors.*
- c) Support the community values described in the One Valley Prosperity Strategy. d) Support compact development patterns.”*

In the past twelve to eighteen months, staff from the Gunnison County Community and Economic Development Department have identified an increased number of applications and interest in parcels of land that are not within a platted commercial and/or industrial park and are also outside of the City of Gunnison’s commercial and industrial zones. There are three platted commercial/industrial parks in the area around the City of Gunnison including: Gold Basin Industrial Park, Signal Peak Industrial Park, and Vista Business Park. There are vacant parcels for sale and for lease in those three parks.

The increased demand to locate commercial, industrial and non-residential uses outside of platted or zoned areas for these uses is a concern. Community members and constituents identified during the One Valley Prosperity Project a desire for compact, walkable communities. The Gunnison Valley community values our landscapes, intact agricultural lands and compact development patterns. Potential sprawl and leap-frog development patterns are detrimental to community values and sound planning practice.

The City of Gunnison is currently working through a comprehensive planning process to update their master plan and also review and analyze the three-mile area around the City of Gunnison. It is expected that the process will be completed by the end of 2019.

For many years there has been a policy approach of “get to yes.” That does not mean the Land Use process has been easy or simple for applicants but since 2001 only two commercial/industrial use applications have been denied. The County Commissioners seek to reframe the policy and locate commercial, industrial and non-

residential uses in appropriate places that are consistent with the purposes and standards of the Gunnison County Land Use Resolution and align with the City's Comprehensive Plan.

The staff of the Gunnison County Community and Economic Development Department, along with the Gunnison County Planning Commission shall consider the Board's strategic results in their review and analysis of Land Use Change permit applications for commercial, industrial and other non-residential uses. The staff and Planning Commission shall also rigorously apply the standards of the Gunnison County *Land Use Resolution*, especially Section 10-104: *Locational Standards*. An applicant should assume that commercial, industrial and non-residential uses outside of platted or zoned areas that allow these uses will be difficult and/or unlikely to be permitted.

The Gunnison County Board of Commissioners recognize the immense value and importance that our local businesses bring to the community—the strength, resilience and success of local business is critical for the success of the community. We support the businesses of our community and want to help them grow and succeed. As part of the City of Gunnison's Comprehensive Planning process, the City has asked their consultant to conduct a market analysis identifying the demand and need for commercial and industrial space in the south valley.

County staff is directed to identify additional areas of opportunity that would be appropriate for designation as commercial/industrial platted parks. The staff is also directed to consider the use of a portion of Gold Basin Industrial Park to also accommodate these needs. Staff shall continue to work with applicants, property owners, and business owners in a positive, forthright and diligent manner to help them achieve their goals in the bounds of County regulations and policy. Staff shall also continue to work with the City of Gunnison in developing their comprehensive plan and identifying how the area around the City shall develop in a manner that reflects the values of the community.

This policy directive is intended to provide clarify for staff, Planning Commission, property and business owners in Gunnison County.



**GUNNISON COUNTY, COLORADO
 PLANNING DEPARTMENT STAFF REPORT
 SKETCH PLAN for**

Land Use Change Permit Application:
 Application No: LUC-23-00032 Discount Storage Expansion
 of Commercial Use
 Date application scheduled with Planning Commission:
 August 1, 2024
 Prepared by: Hillary I. Seminick, Planning Director

Applicant Name:	Centennial Storage Partners LLC, represented by Michael O’Loughlin, Esq., Schumacher & O’Loughlin, LLC
Property Owner Name:	Centennial Storage Partners LLC, Ken Snyder, Managing Partner
Project Description:	The property owner and applicant, Centennial Storage Partners, LLC (Centennial), requests an expansion of commercial use to allow for 115 outdoor fenced parking spaces adjacent to the existing Discount Storage (“Property”). The proposed use does not require the installation of electric, sewer, or water utilities.
Property Location:	1825 State Highway 135, Gunnison, CO 81230, Parcel No. 3701-250-06-008
Surrounding Land Uses:	Adjacent Uses of Contiguous Parcels 370125000009, Mixed Use Residential and Commercial 370125000008, Residential 370100000119, Agriculture/vacant residential 370100000165, Residential 370125006005, Agriculture/vacant residential 370125006007, Vacant 370125006009, Residential
Agency and Department Review:	The application was referred to the following agencies by email on June 5, 2024: <ul style="list-style-type: none"> • Gunnison County Public Works • Gunnison Fire Protection District • Colorado Dept. of Transportation • Colorado Parks and Wildlife • US Forest Service • City of Gunnison • Gunnison County Building and Environmental Health Official <p>Comments received are integrated in the applicable section(s) of the Report below. Comments were not received from the following:</p> <ul style="list-style-type: none"> • Gunnison County Public Works • Colorado Parks and Wildlife • US Forest Service • Gunnison County Building and Environmental Health Official

Pre-Application Conference:		NA
Sketch Plan Status of Application:		Complete
Attached Exhibits:		The entire land use application can be reviewed on Citizen Access → Projects → LUC-23-00032 → Attachments.
Planning Commission Tasks at Initial Work Session:		<p>The Applicant submitted the Centennial Storage Expansion Sketch Plan on July 10th 2023. The <i>Land Use Resolution</i> requires that Sketch Plan review accomplishes:</p> <ul style="list-style-type: none"> ▪ Discussion of the proposal. ▪ A process to formulate detailed, design/engineered solutions to issues and concerns identified during Sketch Plan review and to address, in a site-specific manner, all other issues that are relevant to the Sketch Plan. ▪ Submittal by the applicant is required to address specific sections of the <i>Land Use Resolution</i> and to address compliance with Sketch Plan conditions.
Applicant Name:		<ul style="list-style-type: none"> — Acknowledge receipt of application by applicant name, name of development (if applicable) and date of application — Hear applicant presentation — Review staff comments identifying compliance of application with standards, and other standards with which the application must comply in order to be approved — Identify and consider issues — 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 joint public hearing, or if other work session is required
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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No	TIMING OF PHASES. 1. MAJOR IMPACT PROJECTS. FOR PHASED PROJECTS THAT ARE MAJOR IMPACT PROJECTS, ALL USES AND THEIR LOCATIONS PROPOSED IN THE APPLICATION SHALL BE ADDRESSED AND REVIEWED THROUGH PRELIMINARY PLAN APPROVAL; FINAL PLAN SUBMITTALS FOR INDIVIDUAL PHASES THEN MAY BE SEQUENTIALLY REVIEWED AND APPROVED.
Is a Partially Exempted land use change (Section 1-106)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
PROTECTIVE COVENANTS OUTLINE INCLUDING DESIGN CRITERIA:		
	Complies with Sketch Plan submittal requirements	General Comments/References to specific documentation
▪ Responsibilities of property owners or homeowners' association defined	<input type="checkbox"/> Yes <input type="checkbox"/> No	

▪ Property owners enforcement; and Gunnison County is party to enforcement.	<input type="checkbox"/> Yes <input type="checkbox"/> No	NA, protective covenants are not required as part of the Application.
▪ Amendment or termination of the protective covenants is subject to approval by Gunnison County.	<input type="checkbox"/> Yes <input type="checkbox"/> No	
▪ Defined building heights, compatibility with terrain, and sizes of all structures.	<input type="checkbox"/> Yes <input type="checkbox"/> No	
▪ Architectural style, types and colors of exterior materials to be used, including siding and roofing.	<input type="checkbox"/> Yes <input type="checkbox"/> No	
▪ Solid fuel-burning devices requirements	<input type="checkbox"/> Yes <input type="checkbox"/> No	
▪ Exterior lighting requirements	<input type="checkbox"/> Yes <input type="checkbox"/> No	
▪ Open space maintenance and allowed uses	<input type="checkbox"/> Yes <input type="checkbox"/> No	
▪ Signs	<input type="checkbox"/> Yes <input type="checkbox"/> No	
▪ Parking restrictions described	<input type="checkbox"/> Yes <input type="checkbox"/> No	
▪ Requirements for landscaping on individual lots	<input type="checkbox"/> Yes <input type="checkbox"/> No	
▪ Snow removal required of homeowners association	<input type="checkbox"/> Yes <input type="checkbox"/> No	
▪ Standards included to ensure compatible use	<input type="checkbox"/> Yes <input type="checkbox"/> No	
▪ Limits on domestic animals	<input type="checkbox"/> Yes <input type="checkbox"/> No	
▪ Fencing requirements	<input type="checkbox"/> Yes <input type="checkbox"/> No	

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APPLICABILITY OF LAND USE RESOLUTION STANDARDS:		
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Standard, by LUR section, division and/or article	Sketch Plan complies, or compliance will be determined during review	Staff Comments/ References to specific documentation
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<p>7-102: Standards that apply to all Major Impact applications:</p> <p><i>Applicable</i>, compliance with standards A and B shall be applied and considered “broadly and conceptually” during Sketch Plan review and in greater detail and definitively in future review(s). Standards C and D do not apply as (C) there is no phasing proposed and (d) the Application is not for subdivision.</p>		
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<p>7:102: A.: <i>Applicable</i>: The proposed land use change is required to comply with, and the burden is on the applicant to demonstrate through competent evidence, that the proposed land use change complies with all applicable requirements of this <i>Resolution</i>.</p>		
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<ul style="list-style-type: none"> ▪ 7-102: B.: Compatibility with community character; no adverse impact future development of the development area. 	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p><i>Applicable</i>, compliance with the following standard shall be considered broadly and conceptually at Sketch Plan review.</p> <p>B. COMPATIBILITY WITH COMMUNITY CHARACTER. <i>The proposed land use change shall be compatible with, or an enhancement of, the character of existing land uses in the development area, and shall not adversely impact the future development of the development area.</i></p>
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<ul style="list-style-type: none"> ▪ 7-102: C.: Phases stand alone 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not Applicable</i> , no phases proposed.
<ul style="list-style-type: none"> ▪ 7-102: D.: Uses identified on all subdivision lots 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not Applicable</i> , subdivision is not proposed.
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	<i>Not Applicable</i> , not proposed in the Application.
9-102: Home occupations	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not Applicable</i> , not proposed in the Application.
9-103: Bed and breakfast	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not Applicable</i> , not proposed in the Application.
9-203: Mobile home communities	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not Applicable</i> , not proposed in the Application.
9-301.D Commercial and Industrial Uses, General Standards	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p><i>Applicable, compliance to be determined during review.</i></p> <p>The majority of the General Standards in Section 9-301:D do not apply to the proposal. Applicable standards have been addressed below.</p> <p><i>9-301:D.1 Non-Residential Accessory Uses.</i> While there is an existing residential use on the property, the residence is secondary to the primary commercial use.</p> <p><i>9-301:D.2. Food Service Requirements</i> No food service proposed.</p> <p><i>9-301:D.3 Electrical Disturbances</i> Not applicable, no utilities required for the proposed use.</p> <p><i>9-301:D.4. Fire And Explosive Hazards</i> The proposed use does not include materials that decompose by detonation.</p> <p><i>9-301:D.5. Glare And Heat</i> Any glare reflected by vehicles will be shielded from adjacent uses by an eight-foot high chain link, slatted fence.</p> <p><i>9-301:D.6 Exterior Lighting</i> No exterior lighting is proposed.</p> <p><i>9-301.D 7. Odors</i> Vehicular storage is generally a passive use and not expected to generate specific odors.</p> <p><i>9-301:D.8. Radioactivity</i> The project does not include storage of radioactive materials.</p> <p><i>9-301:D.9 Vibration</i> Vehicle storage should not create vibrations detectable beyond the property boundary.</p>
9-301.E Commercial and Industrial Uses, Light Industrial Uses	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not Applicable</i> , these standards apply to Industrial Uses.

9-302: Farm or ranch stand	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not Applicable</i> , not proposed in the Application.
9-303: Dude ranches and resorts	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not Applicable</i> , not proposed in the Application.
9-304: Adult-oriented uses	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not Applicable</i> , not proposed in the Application.
9-305: Seasonal recreational vehicle parks and campgrounds	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not Applicable</i> , not proposed in the Application.
9-400: Minerals and construction materials	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not Applicable</i> , not proposed in the Application.
9-501: Special events	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not Applicable</i> , not proposed in the Application.
9-502: Temporary structures	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not Applicable</i> , not proposed in the Application.
9-503: Satellite dishes	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not Applicable</i> , not proposed in the Application.
9-504: Attached wireless communications devices	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not Applicable</i> , not proposed in the Application.
9-505: Freestanding wireless communications structures	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not Applicable</i> , not proposed in the Application.
9-506: Child care center	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not Applicable</i> , not proposed in the Application.
9-507: Group home	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not Applicable</i> , not proposed in the 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	<i>Not Applicable</i> , not proposed in the Application.
9-509: Camping on individual parcel	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not Applicable</i> , not proposed in the Application.
9-600: Essential housing	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not Applicable</i> , not proposed in the Application.
10-102: Locational standards for residential development	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not Applicable</i> , not proposed in the Application.
10-103: Residential density	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not Applicable</i> , not proposed in the Application.
10-104: Locational standards for commercial, industrial or other non-residential uses	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p><i>Applicable</i>, compliance to be determined during review.</p> <p>Note: <i>June 27, 2019 BOCC Policy Direction</i> states “An applicant should assume that commercial, industrial and nonresidential uses outside of platted or zoned areas that allow these uses will be difficult and/or unlikely to be permitted,” and further directing these uses to existing commercial/industrial parks.</p> <p><i>B. Primary Locational Standard, 1. Adjacent To Incorporated Municipality.</i></p> <p><i>Staff Response:</i> The property is not adjacent to the City of Gunnison, therefore, the proposal shall meet the Standards of 10-104:C Alternative Locational Standards.</p> <p><i>C. Alternative Locational Standards.</i></p> <p><i>When the applicant has demonstrated that a proposed commercial, light industrial, industrial or other non-residential development cannot satisfy the primary locational standard, the location may be approved if the Board finds that in addition to meeting all of the other 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 uses, wildlife, visual quality, air or water quality, and the proposed use complies with the following:</i></p> <p style="padding-left: 40px;"><i>1. Locational Considerations.</i></p> <p style="padding-left: 80px;"><i>a. Necessary Location.</i></p>

The location is necessary because of specific circumstances including location of minerals, unique transportation needs or geologic conditions; or

b. No Site Is Reasonably Attainable In Or Adjacent To The Nearest Municipality Or Existing Permitted Business Or Industrial Park. There is no site reasonably attainable within or adjacent to the municipality or existing permitted businesses or industrial park nearest the proposed development site, in an area that qualifies for annexation, or is consistent with a municipal Three Mile Plan area. Evaluation of suitability shall consider size of parcel needed, reasonable availability of necessary utilities and other infrastructure, and the applicant shall provide documentation of comparable sites. Economic feasibility or practicality of comparable sites may be considered, but shall not be the deciding factor in determining suitability; or

c. Location Well-Suited To Specific Use.

The proposed location is particularly well-suited for the specific use (recreational facilities, including dude ranches or resorts); provided, however, that location in a high traffic area or on a highway artery shall not, in and of itself, qualify a proposed commercial development for approval; or

d. Need Or Use Is Well-Suited In A Particular Area.

There is a documented need for the specific use in the proposed location; or

e. Use Is Designed To Serve A Specific Residential Area.

The development will be located and designed primarily to serve an integral part of a specific residential area or development, and shall provide services that are reasonably likely to reduce vehicle trips between the residential area and population centers.

Applicant response October 6, 2023:

In addition to satisfying the primary locational standard, this proposal also satisfies the alternative locational standards set forth in LUR Section 10-104.C.

The first consideration in the alternative locational standards is whether “the cumulative impacts of the proposed development and existing development will result in no significant net adverse impact to neighborhood uses, wildlife, visual quality, air or water quality.” LUR Section 10-104.C. As noted, the proposal is to add around 125 parking spaces to an existing commercial parking and storage area on the property. It will have no significant impact on neighborhood uses, as it is not in, or adjacent to, a neighborhood. It will also have a negligible impact, if any, on wildlife. This proposal will also not result in high traffic or heavy commercial use. Rather, it is simply an area to park recreational and personal vehicles and boats for storage that already exists on the site. The proposed parking area will also have very little to no impact on visual quality. The parking area is directly behind the existing storage area and is barely visible from Highway 135. Finally, the proposed development will have no impact on air or water quality. No additional air or water use or pollution will result from the storage of personal and recreational vehicles, other than minor emissions from the small

		<p>increase of vehicle traffic that is expected in order to access the expanded parking area. The applicant is currently working with the Colorado Department of Transportation (“CDOT”) to solidify its current access permit from State Highway 135 and will provide any revised or new access permit that CDOT may require in order to expand the outdoor parking areas.</p> <p>The next consideration in the LUR’s alternative locational standards deals with the suitability of the specific location for the proposed use. LUR Section 10-104.C.1.a.-e. In this instance, the proposed parking development is consistent with at least four of the five locational considerations.</p> <p>First, the location of the proposed parking development is “particularly well suited for the specific use.” LUR Section 10-104.C.1.c. As set forth previously, this proposed parking area expansion is immediately adjacent to the current outdoor parking area and storage facility. This is the perfect location for this development since it already exists onsite, is barely noticeable from State Highway 135, and would simply not sense for such a parking area to occur elsewhere and be noncontiguous with the existing facility.</p> <p>Secondly, the “need or use [of the proposed development] is well-suited in a particular area.” LUR Section 10-104.C.1.d. In Gunnison County, there is a need for additional storage and parking facilities. As the population of the County continues to increase, demand for storage and vehicle parking also increases. The applicant has seen this firsthand, as there are little to no current storage spaces available, whether for parking or otherwise, at the subject facility. Most, if not all, storage facilities in the County have waitlists. As contemplated in the LUR, the need for additional storage has been “documented.” 1 LUR Section 10-104.C.1.d. As such, additional storage is well suited for the area.</p> <p>Next, the proposed location for the parking and storage area is a “necessary location.” LUR Section 10-104.C.1.a. Specifically, the proposed location is necessary because it offers an open, flat area that is the appropriate size for the proposed use with minimal to no adverse impacts. Additionally, the applicant owns the proposed location, which makes the proposed location the only viable and feasible location for the development.</p> <p>With regard to the five locational considerations, there is “no site... reasonably attainable in or adjacent to the nearest municipality or existing permitted business or industrial park.” LUR Section 10-104.C.1.b. Purchasing multiple acres in the City of Gunnison – with the existing skyrocketing real estate prices – is not reasonably attainable for the applicant. Further, it is unknown if there are any areas currently within the City that are suitable for the proposed project (even if property within the City was financially attainable). For example, there are currently no 2-to-3- acre level lots suitable for a parking storage area that are for sale within City limits. Moreover, it is not consistent with the objectives of the Three Mile Plan or the primary and alternative locational standards to put a new facility in place, rather than adding on to a current facility where the same use already exists.</p>
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		<p>The next consideration in the alternative locational standards is whether the “proposed use is compatible with the uses established in the impact area.” LUR Section 10-104.C.2. In this matter, the answer is unequivocally yes. This is a proposed parking storage area that is an extension of the current parking storage area. And, because this is simply parking areas for vehicles, boats and RVs, the “impact area” will not extend outside the boundaries of the parking area itself.</p> <p>The final consideration in the alternative locational standards is whether the proposed development will have “no significant net adverse effect... of the proposed and existing developments on adjacent land uses, County or other infrastructure, or public health, safety or welfare, or the environment.” LUR Section 10-104.C.3. This project is consistent with this standard since it will have no adverse impact on the existing storage facility or the adjacent land uses. Further, the only infrastructure anticipated to be used by the project is Highway 135, as it will be used to access the parking facility. The parking facility will have no adverse impact on Highway 135. Finally, the proposed parking facility will have no significant adverse impact on public health, safety or welfare, or the environment.</p> <p><i>Compliance with Draft Gunnison Subarea Master Plan</i></p> <p>It is worth noting that this proposed development is also in compliance with the draft Gunnison Subarea Master Plan. In the March 1, 2023 Subarea Master Plan, developed by Houseal Lavigne Associates, the area of the proposed storage development is already classified as “Storage” in the existing land uses. See Draft Gunnison Subarea Master Plan, p. 5. Additionally, the proposed development is in the “central area” of the “northern gateway,” which has been identified as an area for commercial land use “along State Highway 135.” See Draft Gunnison Subarea Master Plan, p. 15. The proposed development is a commercial land use along State Highway 135. As such, the proposed development will likely be in compliance with the new Subarea Master Plan.</p> <p><i>Applicant response April 29, 2024:</i></p> <p>In addition to satisfying the primary locational standard, the parking storage area expansion proposal also satisfies the alternative locational standards set forth in LUR Section 10-104.C.</p> <p>The first consideration in the alternative locational standards is whether “the cumulative impacts of the proposed development and existing development will result in no significant net adverse impact to neighborhood uses, wildlife, visual quality, air or water quality.” LUR Section 10-104.C. The proposal, as shown by the revised site plan dated April 3, 2024, is to add 115 parking spaces to the existing commercial outdoor parking and storage area located on the Discount Self Storage property. It will have no significant impact on neighborhood uses, as it is not in, or adjacent to, a neighborhood. It will also have a negligible impact, if any, on wildlife. This proposal will also not result in high traffic or heavy commercial use. Rather, it is simply an area to park recreational and personal vehicles and boats for storage that already exists on the site. The proposed parking storage area will also have very little to no impact on visual quality.</p>
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		<p>The parking area is directly behind the existing storage area and is barely visible from Highway 135. Finally, the proposed development should have no adverse impact on air or water quality. Negligible additional air or water use, or pollution, will result from the storage of personal and recreational vehicles, in the form of minor emissions from the small increase of vehicle traffic that is expected in order to access the expanded parking area. The applicant has also obtained a new Colorado Department of Transportation (“CDOT”) access permit to the subject property to solidify its current access from State Highway 135.</p> <p>The next consideration in the LUR’s alternative locational standards deals with the suitability of the specific location for the proposed use. LUR Section 10-104.C.1.a.-e. In this instance, the proposed parking development is consistent with at least four of the five locational considerations.</p> <p>First, the location of the proposed parking development is “particularly well suited for the specific use.” LUR Section 10-104.C.1.c. As set forth previously, this proposed parking area expansion is immediately adjacent to the current outdoor parking area and storage facility. This is the perfect location for this development since it already exists onsite, is barely noticeable from State Highway 135, and would simply not make sense for such a parking area to occur elsewhere and be non-contiguous with the existing facility.</p> <p>Secondly, the “need or use [of the proposed development] is well-suited in a particular area.” LUR Section 10-104.C.1.d. In Gunnison County, there is a need for additional storage and parking facilities. As the population of the County continues to increase, demand for storage and vehicle parking also increases. The applicant has seen this firsthand, as there are little to no current storage spaces available, whether for parking or otherwise, at the subject facility. Most, if not all, storage facilities in the County have waitlists. As contemplated in the LUR, the need for additional storage has been “documented.”¹ LUR Section 10- 104.C.1.d. As such, additional storage is well-suited for the area.</p> <p>Next, the proposed location for the parking and storage area is a “necessary location.” LUR Section 10- 104.C.1.a. Specifically, the proposed location is necessary because it offers an open, flat area that is the appropriate size for the proposed use with minimal to no adverse impacts. Additionally, the applicant owns the proposed location, which already provides the same parking storage use, and which makes the proposed location the only viable and feasible location for this type of development. With regard to the five locational considerations, there is “no site... reasonably attainable in or adjacent to the nearest municipality or existing permitted business or industrial park.” LUR Section 10-104.C.1.b. Purchasing multiple acres in the City of Gunnison – with the existing sky-rocketing real estate prices – is not reasonably attainable for the applicant, and is not a realistic use of property anymore given today’s market and prices. Further, it is unknown if there are any areas currently within the City that are suitable for the proposed project (even if property within the City was financially attainable). For example, there</p>
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		<p>are currently no 2-to-3-acre level lots suitable for a parking storage area that are for sale within City limits. Moreover, it is not consistent with the objectives of the Three Mile Plan or the primary and alternative locational standards to put a new facility in place, rather than adding on to a current facility where the same use already exists.</p> <p>The next consideration in the alternative locational standards is whether the “proposed use is compatible with the uses established in the impact area.” LUR Section 10-104.C.2. In this matter, the answer is unequivocally yes. This is a proposed parking storage area that is an extension of the current parking storage area. And, because this is simply parking areas for vehicles, boats, and RVs, the “impact area” will not extend outside the boundaries of the parking area itself. The final consideration in the alternative locational standards is whether the proposed development will have “no significant net adverse effect... of the proposed and existing developments on adjacent land uses, County or other infrastructure, or public health, safety or welfare, or the environment.” LUR Section 10- 104.C.3. This project is consistent with this standard since it will have no adverse impact on the existing storage facility or the adjacent land uses. Further, the only infrastructure anticipated to be used by the project is Highway 135, as it will be used to access the parking facility. CDOT has confirmed that this is an acceptable use from Highway 135, as it has granted a new access permit to the property to allow for this expanded use. The new permit was granted because the expanded parking facility will not adversely impact Highway 135. Finally, the proposed parking facility will have no significant adverse impact, or likely any impact at all, on public health, safety, welfare, or the environment.</p> <p><i>Compliance with Draft Gunnison Subarea Master Plan</i> It is worth noting that this proposed development is also in compliance with the draft Gunnison Subarea Master Plan. In the March 1, 2023 Subarea Master Plan, developed by Houseal Lavigne Associates, the area of the proposed storage development is already classified as “Storage” in the existing land uses. See Draft Gunnison Subarea Master Plan at p. 5. Additionally, the proposed development is in the “central area” of the “northern gateway,” which has been identified as an area for commercial land use “along State Highway 135.” <i>Id.</i> at p. 15. The proposed development is for commercial land use along State Highway 135. As such, the proposed development is in compliance with the new draft Subarea Master Plan.</p> <p style="text-align: center;">2. COMPATIBLE WITH EXISTING USES ESTABLISHED IN IMPACT AREA. The proposed use is compatible with uses established in the impact area.</p> <p><i>Applicant response:</i> The Applicant addresses this standard in the response provided above (LUR Section 10-104:C.1 <i>Locational Considerations</i>).</p>
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11-102: Voluntary best management practices	No submittal requirements; no standard of compliance	
11-103: Development in flood hazard areas	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not applicable</i> , not located within a flood hazard area.
11-104: Development in geologic hazard areas	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not applicable</i> , not located within a mapped geologic hazard area.
11-105: Development in wildfire hazard areas	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<i>Applicable</i> , located in a Very High wildfire hazard area. Any development shall be required to comply with the provisions of this section at Building Permit.
11-106: Protection of wildlife habitat areas	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p><i>Applicable</i>, located in Occupied Sage-Grouse Habitat.</p> <p>Certificate of Administrative Review No. 140, Series 2023 memorialized compliance of the proposal for development in Sage-Grouse Habitat pursuant to the analysis in “Gunnison Sage-Grouse Habitat Site Specific Analysis Permit Application Number LUC-23-00032”, August 31, 2023, Aleshia Rummel, Gunnison Conservation District Wildlife Biologist. The letter found the proposal “will not adversely impact Gunnison sage-grouse or their habitats beyond which has already occurred,” with the following conditions.</p> <p>1) A Gunnison County Reclamation Permit is not recommended for activities on this parcel unless the surface disturbance is 10,000 sqft or more. That permit shall contain specific reclamation conditions. For activities not requiring a Reclamation Permit, disturbed areas shall be reseeded with an appropriate seed mix. Colorado Parks and Wildlife (CPW) and/or the Natural Resources Conservation Service (NRCS) are available to help identify an appropriate seed mix.</p> <p>2) Property owners shall control or attempt to eradicate any noxious weeds that occur on the property. A list of noxious weeds may be found in the Colorado Noxious Weed list: www.colorado.gov/pacific/agconservation/noxious-weedspecies</p> <p>The Gunnison County Weed Management Program should be contacted (970-641-4393) for additional information and technical assistance,</p> <p>3) Per Section 11-106 G.3.d.1. of the Gunnison County Land Use Resolution, dogs and cats shall be kept under appropriate control, by means which may include kenneling or other physically secure methods to ensure that negative effects to wildlife from pets do not occur. This includes construction and maintenance workers' pets.</p>

		<p>4) Per Section 11-106 I of the Gunnison County Land Use Resolution, design of fences other than those with agricultural operations shall ensure they do not adversely impact wildlife. Woven wire fencing shall not be allowed for perimeter fencing or as interior cross fencing. Perimeter and cross fencing should be built using specifications from the most recent edition of the Colorado Parks and Wildlife (CPW) publication Fencing with Wildlife in Mind,</p> <p>5) A separate analysis will be required, which may include additional conditions for any proposed development in the future not addressed in this site analysis.</p> <p>The Application was referred to Colorado Parks and Wildlife who did not provide comment on the application.</p>
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11-107: Protection of water quality

Yes No N/A

Applicability to be determined.
It is unclear a Water Body, as defined by the LUR as a “perennial or intermittent river, stream, lake, reservoir, pond, spring, or wetland but does not include irrigation ditches, roadway drainage ditches, artificial lakes, ponds, or wetlands that are created and used for the primary purpose of agricultural operations” was/are present at the project site. It appears that a drainage with an undetermined hydrological source started south of the 2018-approved outdoor vehicle storage area on aerial photography. Conversations with the Applicant’s representative and Mr. Robert Tucker, owner of 1729 CO 135, the residential parcel surrounded by the proposed land use change, have indicated that a culvert was placed under the structural fill to convey surface water. 2022 USGS topo quads show wetlands throughout the project area, and much of the valley beyond the project site. Aerial photo and map analysis alone cannot be relied upon to determine exact locations of potential Water Bodies within the project area.
Staff recommends that a wetland delineation be obtained to determine if there were and/or are Water Bodies as defined by the LUR within the project area.

Figure 1. Discount Storage, Google Earth, September 1994

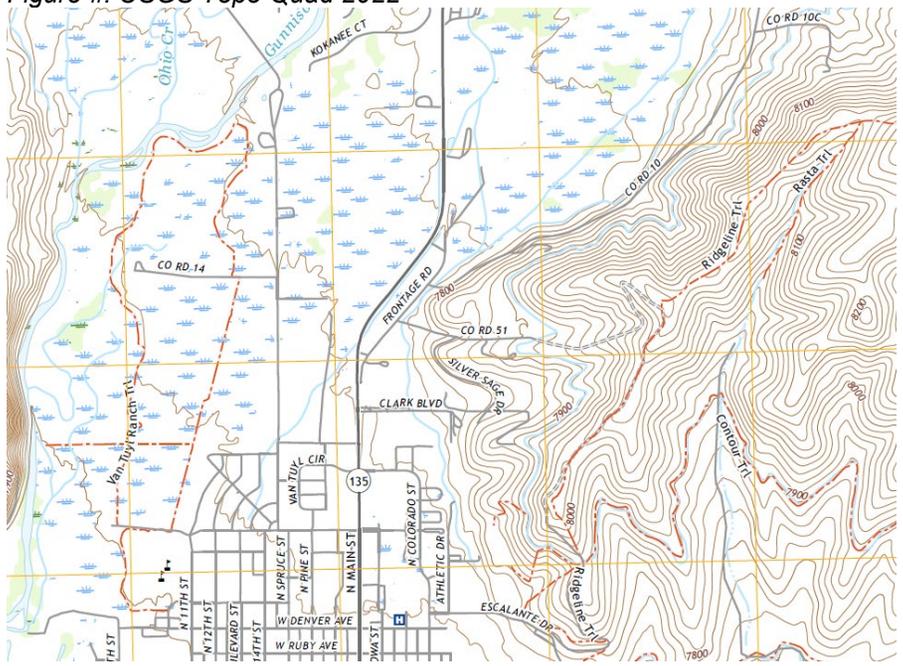


Figure 2. Discount Storage, Google Earth, October 2019



Figure 3. Discount Storage, Google Earth, June 2023



		<p>Figure # USGS Topo Quad 2022</p> 
11-108: Standards for development on ridgelines	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<p><i>Not Applicable</i>, not within a Ridgeline Vantage.</p>
11-109: Development that affects agricultural lands	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p><i>May be applicable, to be determined by Applicant.</i></p> <p>Section 7-201:R <i>Development Impacting Agricultural Lands</i> notes that a Sketch Plan application should be informed by the standards of Section 11-109, and the applicant should provide the “location(s), name(s) of owner(s), size(s), and decreed capacity(ies) of any agricultural ditch crossing... the development property, as available from the Colorado Division of Water Resources, or ditch commissioner’s records.</p> <p>While there were no ditches identified on the provided site plans, in review of historic aerial photos, it appears there is a ditch lateral initiates in the middle of the project area that was graded without a permit, flowing south to the adjacent property and beyond, generally parallel to CO-135. The Applicant will be required to determine the standards of Sections 7-201.R and 11-109 apply.</p> <p>If it is determined there is a ditch ROW on the subject parcel, a 25’ maintenance easement must be maintained from either side of the ditch. The Applicant may obtain written notarized consent from the ditch owner(s), that distance may be decreased, and existing historical easements used to gain access to ditches, headgates, and fences for maintenance or operational purposes shall be preserved or replaced with reasonable alternate easements suitable for continuation of the historic use.</p>

11-110: Development beyond snowplowed access	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not Applicable</i> , property is accessible year-round.
11-111: Development on Inholdings in national wilderness	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not Applicable</i> , the Property is not an inholding in a National Wilderness.
11-112: Development above timberline	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not Applicable</i> , the Property is not located above timberline.
12-103: Road system	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p><i>Applicable</i>, access has been approved to CO-135 in CDOT Access Permit #324052. <u>A Gunnison County Public Works Access Permit and/or Review will be required as a condition of any Land Use Change approval.</u> The Public Works Department did not provide comment on the Application.</p> <p>Colorado Dept. of Transportation (CDOT) Access permit #318068 was issued on May 24, 2018 for mini/self-storage and single family detached housing.</p> <p>CDOT Access permit No. 324052 was issued on April 26, 2024. Additional Terms and Condition No.4 states that:</p> <p>“4. This permit is for an as-constructed access for Mini-Warehouse/Self Storage (34.464 ksf) & RV Storage (5.8 acres).”</p> <p>CDOT provided the following comment on June 5, 2024: <i>Thanks for sending this review to CDOT. CDOT recently issued a permit for this expansion.</i></p> <p><i>For a brief history CDOT originally issued a permit in 2018 and then waived the need for a new permit when they did an expansion soon after since it was less than a 20% increase. With this most recent expansion we required a new traffic study and permit for the total volume. We issued the attached permit and have no other comments.</i></p>
12-104: Trails	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not Applicable</i> , no trails are proposed.
12-105: Water Supply	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not Applicable</i> , water supply is not required for this passive use.
12-106: Wastewater treatment	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not Applicable</i> , wastewater treatment is not required for this passive use.
12-107: Fire protection	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<i>Applicable</i> . The Property is in the Gunnison Fire Protection District. The District provided the following comment on June 6, 2024: “No issues from Gunnison Fire.”
13-102: B.: Location within municipal three-mile plan area	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p><i>Applicable</i>. Compliance with the City of Gunnison Three Mile Plan shall be considered “broadly and conceptually” at Sketch Plan Review. The Applicable standards to consider are:</p> <p><i>B. DEVELOPMENT SHALL CONSIDER MUNICIPAL THREE MILE PLANS. When the proposal is for development located within a municipal three-mile plan area, the development proposal shall address how it comports with the objectives and policies of the applicable municipal Three-Mile Plan. The County shall consider how the proposed development has addressed those objectives and policies, and any further intergovernmental agreement between the County and the municipal government regarding the Three-Mile Plan area. Where there is a conflict between the objectives or policies of a</i></p>

		<p><i>Three-Mile Plan or the intergovernmental agreement, and County standards, County standards shall apply.</i></p> <p><i>1. MUNICIPAL THREE MILE PLAN AREAS MAY HAVE DIFFERENT OR ADDITIONAL REVIEW STANDARDS. Parcels that are located within an area designated within a three-mile area of a municipality, for which an intergovernmental agreement has been adopted between the County and the municipality, may be subject to different or additional review standards, based upon the specific requirements of that agreement and plan.</i></p> <p><i>2. COUNTY STANDARDS APPLY WHEN STANDARDS CONFLICT. Where there is a conflict between the objectives or policies of a Three Mile Plan or the intergovernmental agreement, and County standards, County standards shall apply.</i></p> <p><i>C. STANDARDS ARE MINIMUM. These improvements standards are intended to ensure a minimum level of performance. If an alternate design, process, or material can be shown to provide performance equal to or better than that established by these standards, or where it can be shown that strict compliance with these standards would cause unacceptable environmental impacts, or would result in adverse conditions on- or off-site because of unusual topography, size or shape of the property, existing vegetation, or other exceptional situations or condition, then the Community Development Director may recommend that the decision-making body accept the alternative. The evaluation shall consider whether the alternative will provide for an equivalent level of public safety and whether the alternative will be equally durable, so that normally anticipated maintenance costs will not be increased.</i></p> <p><i>Applicant response:</i></p> <p><i>Primary Locational Standard and Three Mile Area Plan</i> The primary locational standard from the LUR contemplates that a land use change proposal be consistent with the municipal three-mile plan. LUR Section 10-104.B.2. Specifically, “[w]hen a proposal is for development located within a municipal three-mile plan area, the development proposal shall address how it comports with the objectives and policies of the applicable three mile plan.” <i>Id.</i> This proposal is located within the City of Gunnison’s Three Mile Plan area.</p> <p>The first objective in the Gunnison Three Mile Plan is to “[p]romote a compact, efficient development pattern in the Gunnison area, in order to maintain the quality and availability of the City’s water supply, to minimize the need for new infrastructure, and to limit future increases of traffic.” Three Mile Plan, p. 27. This proposal will have no effect on the City’s water supply, will not result in any new infrastructure, and any</p>
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impact on traffic would be negligible and is thus consistent with this first objective.

The second objective in the Gunnison Three Mile Plan is to “[p]reserve sensitive environmental features, cultural resources, and agricultural lands.” Three Mile Plan, p. 28. The subject proposal will have no effect on sensitive environmental features or cultural resources, and the proposed development is not on agricultural land. While there are agricultural lands adjacent to the proposed expanded parking area, the parking areas will have no adverse effects on said lands and the requirements of this second objective are met.

The third objective in the Gunnison Three Mile plan is to “[m]aintain and enhance water quality and water quantity.” Three Mile Plan, p. 28. This proposal will not have any adverse effects on water quality or water quantity, and in fact, has no effect on water at all, as there will be no water use for the parking are expansion. Thus, this third objective is met because water quality and quantity will be maintained by this proposal.

The fourth objective in the Gunnison Three Mile Plan is to “[m]ake capital investments that support the urban growth boundary.” Three Mile Plan, p. 29. Specifically, the Three Mile Plan objective is to “[f]ocus capital improvements on filling infrastructure gaps within the City limits, to encourage infill industrial, commercial, and residential growth.” Id. This proposal, while not in City limits, would result in infill of commercial growth since it is an expansion of an existing commercial use and is directly adjacent to the existing use. This proposal thus presents a capital investment that supports the urban growth boundary and is consistent with objective four.

Additionally, the overall policy of the Gunnison Three Mile Plan is that “growth in the unincorporated area should occur in a compact form, primarily on lands immediately contiguous to the City.” Three Mile Plan, p. 34. While the proposed development is not immediately contiguous to the City-County border, it is quite close. Additionally, the parking lot expansion satisfies a great need to the community and presents a compact form of development since the expanded parking area would be contiguous with the current storage facilities and parking areas.

Because the outdoor parking expansion proposal is consistent and in accordance with the objectives and policies of Gunnison Three Mile Plan, it complies with the LUR’s primary locational standard, and we hope, given these facts and the great need for additional outdoor parking facilities in Gunnison County, that Gunnison County will lend its support for the project and approve it.

Compliance with Draft Gunnison Subarea Master Plan

		It is worth noting that this proposed development is also in compliance with the draft Gunnison Subarea Master Plan. In the March 1, 2023 Subarea Master Plan, developed by Houseal Lavigne Associates, the area of the proposed storage development is already classified as “Storage” in the existing land uses. See Draft Gunnison Subarea Master Plan, p. 5. Additionally, the proposed development is in the “central area” of the “northern gateway,” which has been identified as an area for commercial land use “along State Highway 135.” See Draft Gunnison Subarea Master Plan, p. 15. The proposed development is a commercial land use along State Highway 135. As such, the proposed development will likely be in compliance with the new Subarea Master Plan.
13-103: General Site Plan Standards And Lot Measurements	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not Applicable.</i> This section generally pertains to building envelopes, the size of new lots, and the dimensions of buildings.
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	<p><i>Applicable,</i> the required setback between Commercial and Residential uses in 50’. The Applicant has proposed a 2’ setback from property lines, and has submitted a variance application pursuant to this section.</p> <p>Section 13-104:D.1. States: The Board of Adjustment and Planning Commission shall jointly conduct the public hearing, and the notice shall so indicate. The chairperson of the Planning Commission shall preside and the Adjustment shall be the body that determines the variance.</p> <p>a. Section 13-104:D.1.2.b states: When the proposed land use change is classified as a Major Impact Project, the joint hearing shall be conducted during, and shall meet the requirements of the Preliminary Plan review process, pursuant to Section 7-302: <i>Preliminary Plan Review Process for Major Impact Projects.</i></p> <p>b. SECTION 7-302:H.1 states: The Planning Commission and BOCC shall jointly conduct a public hearing to consider the Preliminary Plan application</p> <p>The Variance request shall not be considered at Sketch Plan.</p>
13-105: Residential Building Sizes And Lot Coverages	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not applicable,</i> no residential development proposed.
13-107: Installation Of Solid-Fuel-Burning Devices	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not applicable,</i> no fuel burning devices proposed.
13-108: Open Space And Recreation Areas	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p><i>Applicable, compliance shall be determined during Preliminary Plan review.</i></p> <p>Generally this requirement would be met in the provision of landscape and buffering areas within the required setbacks. The Applicant has not proposed open space that complies with this section, rather, has requested a variance to the setback requirement.</p> <p>Major Impact projects shall comply with this Section by providing open space by including landscaping elements pursuant to Section 13-111: <i>Landscaping</i></p>

		<p><i>and Buffering</i>, and setbacks from property lines pursuant to Section 13-104: <i>Setbacks from Property Lines and Road Rights-of-Way</i>.</p> <p>Pursuant to Section 7-201:i.4.4, the Applicant is required to show “general locations” of open space, and the requirements of Section 13-108 shall guide the design of the Sketch Plan.</p> <p>The Applicant has requested to apply the existing landscaping along the CO-135 ROW to the standards in Section 13-111 <i>Landscaping and Buffering</i>. The Applicant has not proposed landscaping between uses; however, intends to buffer the proposal from adjacent uses with an eight-foot-high chain link fence with tan slatting matching existing fencing. The Applicant has requested a variance from the standards of Section 13-104 <i>Setbacks from Property Lines and Road Rights-of Way</i> from adjacent residential uses.</p>
13-109: Signs	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not Applicable</i> , no additional signage proposed.
13-110: Off-Road Parking And Loading	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not applicable</i> . While the Application is for a change to Commercial use, the proposed outdoor vehicle storage does not generate additional parking needs.
13-111: Landscaping And Buffering	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p><i>Applicable, compliance shall be considered “broadly and conceptually” at Sketch Plan review.”</i></p> <p>The Applicant has provided the current landscaping plan for the expansion of Commercial Use. Section 13-111:M.3.a. <i>Buffering, Different Abutting Uses</i> requires a 50’ (landscaped) “buffer strip” between Residential and Commercial uses. There is no landscaping or buffering proposed between the adjacent parcels or within the parcel between the residential and commercial uses.</p> <p>Section 3-111:M.1. <i>Buffering, Applicability</i> requires a Major Impact project to provide landscaped buffering between adjacent uses when topographical or other natural barriers do not provide reasonable screening and when the County finds that:</p> <p><i>a. NEIGHBORING PROPERTIES</i> <i>There is a need to shield neighboring properties from any adverse external effects of a proposed land use change; or</i></p> <p><i>b. ADVERSE IMPACTS</i> <i>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.</i></p> <p>A landscaped buffer is required when the county finds that there is a need to shield neighboring properties or adverse impacts.</p>
13-112: Snow Storage	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<i>Applicable</i> . Snow storage is required for the use and is shown on the plan. The application was referred to Gunnison County Public Works who did not provide comment on the adequacy or location of the snow storage areas.

13-113: Fencing	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<i>Applicable</i> An eight-foot high chain-link fence with slats is proposed. Commercial fencing is not subject to dimensional limitations. Compatibility of the proposed fencing with wildlife-friendly requirements should be determined as identified in Section 11-106 of this Report.
13-114: Exterior Lighting	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not applicable</i> , no exterior lighting is proposed.
13-115: Reclamation And Noxious Weed Control	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<i>Applicable</i> , the Gunnison County Public Works Department will determine if a Reclamation Permit is required.
13-116: Grading And Erosion Control	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<i>Applicable</i> , a grading and erosion control plan will be required at Preliminary Plan review.
13-117: Drainage, Construction And Post-Construction Storm Water Runoff	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<i>Applicable</i> , a drainage, construction, and post-construction stormwater runoff plan will be required at Preliminary Plan Review.
13-118: Water Impoundments	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not applicable</i> , 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><i>Applicable, shall be determined during review.</i> The review body will “broadly and conceptually” determine if the proposal is (1) a “hazard or nuisance” or if there are “adverse impacts to adjoining land.” The review body will determine if the “additional compatibility requirements” should be required as a condition of approval to mitigate any of these impacts. Outdoor vehicular storage is generally passive use and it is unlikely that the proposal would generate the need for additional conditions. There is overlap between some conditions of this section and others, such as Section 13-111 <i>Landscaping and Buffering</i>. Further analysis of these standards and optional conditions will be considered at Preliminary Plan Review.</p> <p><i>A. GENERAL. 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:</i></p> <ol style="list-style-type: none"> <i>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.</i> <i>2. ADVERSE IMPACTS TO ADJOINING LAND. Land use changes shall eliminate or minimize or mitigate conflict between adjoining land uses and to the maximum extent feasible, avoid changes that will result in significant net adverse impact to adjoining land.</i> <p><i>B. ADDITIONAL COMPATIBILITY REQUIREMENTS. As a condition of approval for Land Use Change Permits and in addition to any other requirements of this Resolution, the applicable review body may recommend and the decision making body shall be authorized to impose conditions that are necessary to minimize any potentially adverse impacts. Such conditions may include the following:</i></p> <ol style="list-style-type: none"> <i>1. HOURS. Limitation on hours of operation and deliveries;</i>

		<p>2. NOISE AND GLARE. Relocation on a site of activities that generate potential adverse impacts neighborhood uses including noises and glare;</p> <p>3. TRASH. Appropriate placement of trash receptacles;</p> <p>4. LOADING AND DELIVERY. Appropriate location of loading and delivery areas;</p> <p>5. ILLUMINATION. Appropriate lighting location, intensity, and hours of illumination;</p> <p>6. OUTDOOR SERVICES. Appropriate placement and illumination of outdoor vending machines, telephones, and similar outdoor services and activities;</p> <p>7. LANDSCAPING. The requirement of additional landscaping and buffering;</p> <p>8. HEIGHT AND SIZE RESTRICTIONS. The imposition of height and size restrictions to preserve light, privacy, views of significant features from public property and rights-of-way, and to ensure reasonable compatibility of structure sizes;</p> <p>9. NATURAL LIGHTING. Preservation of natural lighting;</p> <p>10. SOLAR ACCESS. Preservation of solar access;</p> <p>11. ODORS AND FUMES. Ventilation and control of odors and fumes; and</p> <p>12. DUST CONTROL. The imposition of paving or other means as a dust control measure.</p>
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To: Gunnison County Planning Commission

Date: July 29, 2024

Meeting Date: August 1, 2024

Re: Work Session | LUC-24-00021: Harmel's on the Taylor Expansion of Commercial Use, Major Impact, Sketch Plan Review

A. Introduction

The Harmel's on the Taylor Expansion of Commercial Use, Major Impact, Sketch Plan Review (Application), represented by the Hartman Preservation Corporation (Applicant) proposes to expand existing commercial lodging and employee housing facilities at the 146.13 acre property at [6748 County Road 742, Almont; Parcel No. 3433-000-00-026](#). The Applicant has provided the following project description, which staff has amended slightly to make more concise. Staff, with assistance from the Applicant, have completed "Table 1. Existing and Proposed Uses Matrix" which breaks down each structure by location, proposed use, and floor area.

The existing Harmels infrastructure includes:

1. The restaurant building.
2. Approximately 39 cabin units.
3. Approximately 3 corrals and a stable.
4. Multiple septic systems and multiple drain fields.
5. 2 additional bunkhouses.
6. 2 wood sided buildings south of the restaurant building.
7. 1 shed.
8. Laundry facility.

Proposed Changes:

1. Southwest Quadrant
 - a. Abandoning the septic systems and drain fields and replacing them with a new, state approved wastewater treatment plant.
 - b. Removing the 2 additional bunkhouses that currently exist.
 - c. Removing the 2 wood sided buildings.
 - d. Constructing 4 cabins.
 - e. Removing the existing laundry facility and bathhouse.
 - f. Installing a new soccer/basketball/volleyball court.
2. Northwest Quadrant
 - a. Converting bunkhouse M to an employee/workforce housing.
 - b. Constructing four employee/workforce housing lodges that can accommodate five to six employees each for a total of 22 more employee/workforce housing unit

- c. Installing 35 RV sites.
 - d. Constructing a new bath/laundry facility.
 - e. Installing 19 storage units to accommodate the needs of homeowners in this area to improve aesthetics and reduce road traffic to storage facilities located in Gunnison.
 - f. Constructing 7 new cabins.
3. Southeast Quadrant
- a. Constructing 1 cabin between other existing cabins.
 - b. Installing four glamping sites.
4. Northeast Quadrant
- a. Converting the lodge, which is units 20-27, into workforce housing.
 - b. Constructing a new laundry facility.
 - c. Installing a new steel shop and laundry facility.
 - d. Installing a new horse corral.
 - e. Installing a new recreational space/picnic area.

The net impact of the proposal is as follows:

1. 30 residential¹ housing units.
2. A new wastewater treatment plant instead of the existing septic system.
3. Two new laundry facilities instead of the old laundry facility.
4. Renovated utilities for the cabins that improve the health and safety protections for residents.
5. Instead of 25 guest cabins, there will be 33 guest cabins.
6. A new shop.
7. A new basketball court and a new soccer, baseball and volleyball court.
8. 35 new residential RV sites.
9. 19 storage units.
10. 4 glamping sites.

The estimated total new square footage of cabins and workforce housing is estimated to be 48,900 square feet. The total new square footage for the laundry facilities is estimated to be 3,300 square feet. The total new square footage of storage units is estimated to be 11,970 square feet. The total new square footage of recreational fields/picnic area is estimated to be 60,000 square feet. The recreational field/picnic area is currently an open lawn/field. The total proposed residential housing is 30 units. Harmels on the Taylor is willing to provide employee housing “not only for its only employees but also for the workforce housing needs of the community.”

Table 1. Existing and Proposed Uses Matrix

Project Reference Number	Assessor Structure Number	Assessor Description	Assessor Floor Area (SF)	Description on 3/29/24 “Overall Site Plan”	Quadrant	Proposed Change in Use/New Use	Proposed New Floor Area
1	1	Residential	593	Not Shown	SW	Demo	-593
2	2	Residential	864	Not Shown	SW	Demo	-864

¹ The Applicant has referred to this as “Employee/Workforce Housing”; however, because it will not be deed-restricted, it does not meet the definition of Workforce Housing.

Project Reference Number	Assessor Structure Number	Assessor Description	Assessor Floor Area (SF)	Description on 3/29/24 "Overall Site Plan"	Quadrant	Proposed Change in Use/New Use	Proposed New Floor Area
3	3	ADU residential and commercial	708	Bunkhouse M	NW	Workforce Housing (dorm style for up to 4 employees)	0
4	4	ADU Residential and Commercial	1260	Not Shown	SW	Demo	-1260
5	5	ADU Residential and Commercial	1568	Dining/Kitchen	SW	No Change	0
6	6	Restaurant 68% Retail/Store 17% Lodge 25%	8270	Store/Office Kitchen/Dining	SW	No change	0
7	7	Commercial Cottage	596	Unit 10	NE	No Change	0
8	8	Commercial Cottage	399	Unit 3	NE	No Change	0
9	9	Commercial Cottage	301	Unit 4	NE	No Change	0
10	10	Commercial Cottage	406	Unit 5	NE	No Change	0
11	11	Commercial Cottage	285	Unit 6	NE	No Change	0
12	12	Commercial Cottage	575	Unit 7	NE	No Change	0
13	13	Commercial Cottage	405	Unit 8	NE	No Change	0
14	14	Commercial Cottage	668	Unit 15	SE	No Change	0
15	15	Commercial Cottage	648	Unit 19	SE	No Change	0
16	16	Commercial Cottage	669	Unit 14	SE	No Change	0
17	17	Commercial Cottage	897	Unit 12	SE	No Change	0
18	18	Commercial Cottage	471	Unit 2	SW	No Change	0
19	19	Commercial Cottage	640	Unit 9	NE	No Change	0
20	20	Commercial Cottage	668	Unit 13	SE	No Change	0
21	21	Commercial Cottage	305	Unit 11	SE	No Change	0

Project Reference Number	Assessor Structure Number	Assessor Description	Assessor Floor Area (SF)	Description on 3/29/24 "Overall Site Plan"	Quadrant	Proposed Change in Use/New Use	Proposed New Floor Area
22	22	Commercial Cottage	1568	Units 36-39	SE	No Change	0
23	23	Commercial Cottage	674	Unit 18	SE	No Change	0
24	24	Commercial Cottage	555	Unit 16	SE	No Change	0
25	25	Commercial Cottage	1188	Unit 28 & 29	NE	No Change	0
26	26	Commercial Cottage	1022	Units 34 & 35	SE	No Change	0
27	27	Commercial Cottage	1274	Units 30 & 31	NE	No Change	0
28	28	Commercial Cottage	1073	Unit 17	SE	No Change	0
29	29	Commercial Cottage	576	Unit 32	SE	No Change	0
30	30	Commercial Cottage	576	Unit 33	SE	No Change	0
31	31	Commercial Cottage	2568	Lodge 20-27	NE	Workforce Housing (apartment style 8 employees)	0
32	32	Commercial Cottage 69% Light Commercial Utility 31%	1530	Laundry & Storage (Not Shown)	SW	Demo	-1530
33	33	Fam Utility Shed	128	Stables Tack Room (not labeled)	NW	No Change	0
34	34	Stable	708	Stables /Barn	NW	No Change	0
35	n/a	n/a	n/a	4-BD Cabin (Northernmost)	SW	Cabin 1	2,000
36	n/a	n/a	n/a	4-BD Cabin (2 nd Northernmost)	SW	Cabin 2	2,000
37	n/a	n/a	n/a	4-BD Cabin (3 rd Northernmost)	SW	Cabin 3	2,000
38	n/a	n/a	n/a	4-BD Cabin (Southernmost)	SW	Cabin 4	2,000
39	n/a	n/a	n/a	Employee Housing (Northernmost Building)	NW	Employee Lodge 1 (5 apartments)	5,477
40	n/a	n/a	n/a	Employee Housing (2 nd)	NW	Employee Lodge 2 (6 apartments)	6,573

Project Reference Number	Assessor Structure Number	Assessor Description	Assessor Floor Area (SF)	Description on 3/29/24 "Overall Site Plan"	Quadrant	Proposed Change in Use/New Use	Proposed New Floor Area
				Northernmost Building)			
41	n/a	n/a	n/a	Employee Housing (3 rd Northernmost Building)	NW	Employee Lodge 3 (6 apartments)	6,573
42	n/a	n/a	n/a	Employee Housing (Southernmost Building)	NW	Employee Lodge 4 (5 apartments)	5,477
43	n/a	n/a	n/a	New RV Site	NW	35 RV Sites (each site 60x30, total 63,000 sq ft)	63,000
44	n/a	n/a	n/a	Bath/Laundry Facility	NW	Bath + Laundry Facility	800
45	n/a	n/a	n/a	5-BDRM Cabin	NW	Cabin 5	3,000
46	n/a	n/a	n/a	5-BDRM Cabin	NW	Cabin 6	3,000
47	n/a	n/a	n/a	3-BD Cabin	NW	Cabin 7	1,800
48	n/a	n/a	n/a	3-BD Cabin	NW	Cabin 8	1,800
49	n/a	n/a	n/a	3-BD Cabin	NW	Cabin 9	1,800
50	n/a	n/a	n/a	3-BD Cabin	NW	Cabin 10	1,800
51	n/a	n/a	n/a	3-BD Cabin	NW	Cabin 11	1,800
52	n/a	n/a	n/a	3-BD Cabin	SE	Cabin 12	1,800
52	n/a	n/a	n/a	Storage Units	NW	19 Storage Units (available to public)	11,970
53	n/a	n/a	n/a	4 glamping sites	SE	4 Glamping Sites (covered wagon sites approx. 400 square feet each)	1,600
54	n/a	n/a	n/a	Laundry	NE	Laundry Facility	2,500
55	n/a	n/a	n/a	Shop	NE	Steel Shop (existing 2,400 square feet and no new shop will be constructed)	--
56	n/a	n/a	n/a	Improved Horse Corral	NE	Horse Corral (existing and will be	---

Project Reference Number	Assessor Structure Number	Assessor Description	Assessor Floor Area (SF)	Description on 3/29/24 "Overall Site Plan"	Quadrant	Proposed Change in Use/New Use	Proposed New Floor Area
						updated without expanding size)	
57	n/a	n/a	n/a	Basketball Court Recreational Area	NE	Basketball Court and Multipurpose Sports Field and picnic area (this is existing lawn and filled in swimming pool and no change in size is requested)	---
58	n/a	n/a	n/a	Wastewater Treatment Plant	SW	Wastewater Treatment Plant	400 (this is subject to change based on state requirements)

B. Land Use Review

The Planning Commission conducts a work session to identify and consider issues related to the application. During the work session(s), the Planning Commission shall determine if there is sufficient information to schedule a joint public hearing with the BOCC. At the joint hearing, the Planning Commission shall make a recommendation of approval, approval with conditions, or denial of the application to the BOCC. At a separate BOCC meeting, the BOCC may take action on the Sketch Plan application, or determine to hold an optional additional public hearing pursuant to LUR Section 7-202:L.

Sketch Plan review is an exploratory discussion of the proposal and intended to be a joint planning effort and negotiation between the County and Applicant. Site-specific engineering plans are not required nor accepted at Sketch Plan review. Staff has outlined the substantive issues in the application in this memo, and all applicable Land Use Resolution (LUR) standards have been addressed in Exhibit A. Staff Report.

1. Section 7-102: *Standards that Apply to All Major Impact Applications*

Compliance with these standards should be determined "broadly and conceptually" at Sketch Plan review. Applicable standards of this section include "Compliance with all Applicable Standards" and "Compatibility with Community Character". The review body shall consider how the (1) how Application meets all applicable standards of the LUR; and (2) if the proposal is compatible with existing land uses and if the expansion of the use will or will not adversely affect future development of the area.

2. Section 9-303: *Dude Ranches and Resorts*

Applicant will demonstrate compliance with the following standards of this Section at Preliminary Plan. Specifically, the Applicant will obtain appropriate permitting for activities on and access to adjacent public lands. The Applicant will provide for adequate cooking and/or dining facilities for guest cabins and “employee housing.” The lodging units shall not be used for long-term rentals. Full-time residents shall be limited to owners, managers and their family, employees, and family guests.

3. Section 9-305: *Seasonal Recreational Vehicle Parks And Campgrounds*

The Applicant will be required to demonstrate compliance with the provisions of this Section at Preliminary Plan, including but not limited to compliance with the Colorado Department of Public Health and the Environment (CDPHE) campground standards, identify hours of operation which shall not accommodate year-round residences, and meet the setbacks shown in Table 3: *Recreational Vehicle Park Property Line Setbacks*.

4. Section 9-600: *Essential housing*

The Applicant has indicated they will provide “30 employee/essential housing units” and make these units available to qualified residents when not occupied by Harmels employees. The Application does not indicate these will be deed restricted units; therefore they do not meet the definition of Essential Housing. Additional information regarding the programming and management of these units will be requested during the Preliminary Plan Review.

5. Section 10-102: *Locational Standards for Residential Development* and Section 10-103: *Residential Density*

The project is not located within a three-mile planning area, it is not adjacent to an existing population center (Almont), therefore, it shall comply with Section 10-103:C.3.a *Conditions are Appropriate for Smaller Lots or Greater Density*. Additional information is needed to understand how the residential component will support the Commercial use and how the units will be used to support the local workforce.

6. Section 10-104 *Locational Standards for Commercial, Industrial, or Other Non-Residential Uses*

The project is not located within a three-mile planning area, it is not adjacent to an existing population center (Almont), therefore, it shall comply with the Alternative Locational Standard. The location may be approved if addition to meeting all requirements of the LUR, that the cumulative impacts of the proposal will not have a net adverse impact, and the project meets the following:

1. *Locational Considerations; **and***
 - a. *Necessary location; **or***
 - b. *No site is reasonably attainable in or adjacent to the nearest municipality or existing permitted business or industrial park; **or***
 - c. *Location well-suited to specific use; **or***
 - d. *Need or use is well-suited in a particular area; **or***
 - e. *Use is designed to serve a specific residential area.*
2. *Compatible with existing uses established in impact area; **and***
3. *No significant net adverse effect.*

The Applicant has provided responses to the standard in “June 21, 2024 Letter: Additional information relating to LUC-24-00021 Harmels on the Taylor” in the Project File. The response has been included in full in the Staff Report.

The review body shall consider how the Application “broadly and conceptually” meets the standards of the LUR, adopted Gunnison County policies, and Section 10-104:C.1. Locational Standards when determining if the Application meets LUC Section 10-104: Locational Standards for Commercial, Industrial, and Other Non-Residential Development pursuant to Section 10-104:C. Alternative Locational Standards.

7. 11-104: Development in Geologic Hazard Areas

Applicable, the subject parcel is within a mapped geologic hazard area. A geologic hazard report and evaluation is not required at Sketch Plan; however, will be required at Preliminary Plan review. Specific areas of concern are the four new glamping sites at the base of a Rockfall Hazard Area, improvements at the base of a Rockfall Hazard area including the improved horse corral, recreational area, shop and laundry, and the within the Rockfall Hazard area west of Spring Creek. The RV sites are proposed on slopes of 15-30%, and development is not permitted on slopes greater than 30% unless the Applicant demonstrates compliance with the standards of this Section at Preliminary Plan. A site visit was scheduled with the Colorado Geological Survey on July 31, 2024 after this memo was published.

8. Section 11-106: Protection Of Wildlife Habitat Areas

Harmels on the Taylor is in the following ranges and habitat: big horn sheep, elk, Gunnison sage-grouse, and bald eagle. The Applicant has provided the following narrative response to this section:

Though identified as habitat for wildlife by the County Map Viewer, Harmels has been in existence for many decades and is not used by wildlife. The prior owners did not observe substantial wildlife and the proposed new uses will not create any materially new impacts on wildlife. A Gunnison Sage-Grouse has never been seen on any of the parcels in this application, including by the prior owners who owned the property for many decades. Logically, Harmels cannot be critical habitat for any existent wildlife as Harmels is already in existence. Regardless, in accordance with 11-106, no new exterior boundary fencing is proposed as part of this application. Historic fencing does exist and where barbed wire fencing for horse containment is not necessary, the existing fencing will be removed or replaced with wildlife friendly fencing as it fails over time. All outdoor trash receptacles will be bear-proof. Accordingly, the proposed application presents no net impact on wildlife and, given the mitigation measures, will ultimately be more protective of wildlife than the status quo.

Colorado Parks and Wildlife provided comments on July 3, 2024 and an amendment to the July 3rd letter on July 26, 2024 outlining the following concerns to bighorn sheep:

As previously stated, “Potential impacts to native, Taylor River bighorn sheep are of concern (Game Management Unit (GMU) S26). This sheep herd largely winters on the Almont Triangle and relies on landscape permeability to reach the Triangle following the onset of winter at higher elevations. Despite disease-related population declines in the early 2000’s, Taylor ewes continue to migrate to lambing grounds and summer ranges in two general ‘sub-herds.’ For generations, one ewe sub-herd has migrated to the Taylor Reservoir dam area to lamb. This migration route has essentially paralleled the Taylor Canyon along the south-facing aspect, and has required egress and permeability across Spring Creek in the vicinity of the intersection of County Roads 744 and 742.

From lambing grounds, ewes historically dispersed to the Matchless Mountain and Rocky Point areas for the summer and fall. The proposed project includes significant development in this area, including a “wall” of RV sites, as well as housing units that are likely to present a significant obstacle to migrating bighorn. Furthermore, CPW is concerned that an increase in full-time residents and land use in this area will compound concerns relative to bighorn migration.”

CPW’s primary concern is with the proposed development north of County Road 742, in the northwest and northeast corners of the property.

The proposed development in the northwest quadrant of the property includes: a. Converting a bunkhouse to employee/workforce housing; b. Constructing four employee/workforce housing lodges that can accommodate five to six; employees each (for a total of 22 more employee/workforce housing units); c. Installing 35 Residential RV sites; d. Constructing a new bath/laundry facility; e. Installing 19 storage units; f. Constructing 7 new cabins

The proposed development in the northeast quadrant of the property includes: a. Converting the lodge into workforce housing; b. Constructing a new laundry facility; c. Installing a new steel shop and laundry facility; d. Installing a new horse corral; e. Installing a new recreational space/picnic area.

Currently, much of the northwest and northeast portions of this property are minimally developed, allowing Taylor River bighorn sheep to migrate through the property to lambing grounds (as described above). CPW is concerned that the proposed development in these areas will create significant, and perpetual impediment for migrating bighorn sheep both in terms of permanent

9. Section 13-111 Landscaping and Buffering

A landscaping plan is required at Sketch Plan for Major Impact Commercial Use proposals. The amount of landscaping provided in landscaped areas is “at least one tree and three shrubs” per 500 square feet of “landscaped area.” The expansion area does not include additional landscaping. The Applicant has provided the following response to the Standard:

The landscaping plan includes additional vegetation for screening purposes as shown on Exhibit 4 (Site Plan). Except as otherwise shown on Exhibit 4 (Site Plan), all areas are to be kept and maintained consistent with existing uses except as otherwise dictated by fire mitigation efforts, if any. In general, except in pasture areas and areas already landscaped as well as a reasonable amount of landscaping around residences to reduce fire concerns and improve attractiveness, the parcels are to be maintained using a native seed mixture with minimal water or other ongoing maintenance except to remove noxious weeds.

Section 13-111:M.3.a. *Buffering, Different Abutting Uses* requires a 50’ (landscaped) “buffer strip” between Residential and Commercial uses. There is no landscaping or buffering proposed between the adjacent parcels or within the parcel between the residential and commercial uses.

Section 3-111:M.1. *Buffering, Applicability* requires a Major Impact project to 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.

A landscaped buffer is required when the county finds that there is a need to shield neighboring properties or adverse impacts.

10. Application and Attachments

The entire land use application can be reviewed on [Citizen Access](#) → Projects → LUC-24-00011 → Attachments.



GUNNISON COUNTY, COLORADO PLANNING DEPARTMENT STAFF REPORT SKETCH PLAN for

Land Use Change Permit Application: Harmels on the Taylor Commercial Expansion, represented by Jacob A. With, Esq., Law of the Rockies
 Application No. LUC-24-00021
 Date application scheduled with Planning Commission: TBD
 Prepared by: Hillary I. Seminick, Planning Director

APPLICANT NAME:	Harmels on the Taylor River LLC, represented by Jacob A. With Esq., Law of the Rockies
PROPERTY OWNER NAME:	Harmels on the Taylor River LLC
PROJECT DESCRIPTION:	<p>Harmels on the Taylor River, LLC, represented by Jacob With, Esq. of Law of the Rockies (Applicant) request a Sketch Plan Review of a Major Impact Expansion of Commercial Use (Application) to expand existing commercial lodging and employee housing facilities at the 146.13 acre property at <i>6748 County Road 742, Almont; Parcel No. 3433-000-00-026.</i></p> <p>The existing Harmels infrastructure includes:</p> <ol style="list-style-type: none"> 1. The restaurant building. 2. Approximately 39 cabin units. 3. Approximately 3 corrals and a stable. 4. Multiple septic systems and multiple drain fields. 5. 2 additional bunkhouses. 6. 2 wood sided buildings south of the restaurant building. 7. 1 shed. 8. Laundry facility. <p>Proposed Changes:</p> <ol style="list-style-type: none"> 1. Southwest Quadrant <ol style="list-style-type: none"> a. Abandoning the septic systems and drain fields and replacing them with a new, state approved wastewater treatment plant. b. Removing the 2 additional bunkhouses that currently exist. c. Removing the 2 wood sided buildings. d. Constructing 4 cabins. e. Removing the existing laundry facility and bathhouse. f. Installing a new soccer/basketball/volleyball court. 2. Northwest Quadrant <ol style="list-style-type: none"> a. Converting bunkhouse M to an employee/workforce housing. b. Constructing four employee/workforce housing lodges that can accommodate five to six employees each for a total of 22 more employee/workforce housing unit

- c. Installing 35 RV sites.
- d. Constructing a new bath/laundry facility.
- e. Installing 19 storage units to accommodate the needs of homeowners in this area to improve aesthetics and reduce road traffic to storage facilities located in Gunnison.
- f. Constructing 7 new cabins.

3. Southeast Quadrant

- a. Constructing 1 cabin between other existing cabins.
- b. Installing four glamping sites.

4. Northeast Quadrant

- a. Converting the lodge, which is units 20-27, into workforce housing.
- b. Constructing a new laundry facility.
- c. Installing a new steel shop and laundry facility.
- d. Installing a new horse corral.
- e. Installing a new recreational space/picnic area.

The net impact of the proposal is as follows:

- 1. 30 residential¹ housing units.
- 2. A new wastewater treatment plant instead of the existing septic system.
- 3. Two new laundry facilities instead of the old laundry facility.
- 4. Renovated utilities for the cabins that improve the health and safety protections for residents.
- 5. Instead of 25 guest cabins, there will be 33 guest cabins.
- 6. A new shop.
- 7. A new basketball court and a new soccer, baseball and volleyball court.
- 8. 35 new residential RV sites.
- 9. 19 storage units.
- 10. 4 glamping sites.

The estimated total new square footage of cabins and workforce housing is estimated to be 48,900 square feet. The total new square footage for the laundry facilities is estimated to be 3,300 square feet. The total new square footage of storage units is estimated to be 11,970 square feet. The total new square footage of recreational fields/picnic area is estimated to be 60,000 square feet. The recreational field/picnic area is currently an open lawn/field. The total proposed residential housing is 30 units. Harmels on the Taylor is willing to provide employee housing “not only for its only employees but also for the workforce housing needs of the community.” The Applicant has stated the “overall operations would be year route for all new cabins and new employee housing units and May through October for the existing units.”

¹ The Applicant has referred to this as “Employee/Workforce Housing”; however, because it will not be deed-restricted, it does not meet the definition of Workforce Housing.

Table 1. Existing and Proposed Uses Matrix

Project Reference Number	Assessor Structure Number	Assessor Description	Assessor Floor Area (SF)	Description on 3/29/24 "Overall Site Plan"	Quadrant	Proposed Change in Use/New Use in Project Description	New Floor Area
1	1	Residential	593	Not Shown	SW	Demo	-593
2	2	Residential	864	Not Shown	SW	Demo	-864
3	3	ADU residential and commercial	708	Bunkhouse M	NW	Workforce Housing (dorm style for up to 4 employees)	0
4	4	ADU Residential and Commercial	1260	Not Shown	SW	Demo	-1260
5	5	ADU Residential and Commercial	1568	Dining/Kitchen	SW	No Change	0
6	6	Restaurant 68% Retail/Store 17% Lodge 25%	8270	Store/Office Kitchen/Dining	SW	No change	0
7	7	Commercial Cottage	596	Unit 10	NE	No Change	0
8	8	Commercial Cottage	399	Unit 3	NE	No Change	0
9	9	Commercial Cottage	301	Unit 4	NE	No Change	0
10	10	Commercial Cottage	406	Unit 5	NE	No Change	0
11	11	Commercial Cottage	285	Unit 6	NE	No Change	0
12	12	Commercial Cottage	575	Unit 7	NE	No Change	0
13	13	Commercial Cottage	405	Unit 8	NE	No Change	0
14	14	Commercial Cottage	668	Unit 15	SE	No Change	0
15	15	Commercial Cottage	648	Unit 19	SE	No Change	0
16	16	Commercial Cottage	669	Unit 14	SE	No Change	0
17	17	Commercial Cottage	897	Unit 12	SE	No Change	0
18	18	Commercial Cottage	471	Unit 2	SW	No Change	0
19	19	Commercial Cottage	640	Unit 9	NE	No Change	0
20	20	Commercial Cottage	668	Unit 13	SE	No Change	0
21	21	Commercial Cottage	305	Unit 11	SE	No Change	0

22	22	Commercial Cottage	1568	Units 36-39	SE	No Change	0
23	23	Commercial Cottage	674	Unit 18	SE	No Change	0
24	24	Commercial Cottage	555	Unit 16	SE	No Change	0
25	25	Commercial Cottage	1188	Unit 28 & 29	NE	No Change	0
26	26	Commercial Cottage	1022	Units 34 & 35	SE	No Change	0
27	27	Commercial Cottage	1274	Units 30 & 31	NE	No Change	0
28	28	Commercial Cottage	1073	Unit 17	SE	No Change	0
29	29	Commercial Cottage	576	Unit 32	SE	No Change	0
30	30	Commercial Cottage	576	Unit 33	SE	No Change	0
31	31	Commercial Cottage	2568	Lodge 20-27	NE	Workforce Housing (apartment style 8 employees)	0
32	32	Commercial Cottage 69% Light Commercial Utility 31%	1530	Laundry & Storage (Not Shown)	SW	Demo	-1530
33	33	Fam Utility Shed	128	Stables Tack Room (not labeled)	NW	No Change	0
34	34	Stable	708	Stables /Barn	NW	No Change	0
35	n/a	n/a	n/a	4-BD Cabin (Northernmost)	SW	Cabin 1	2,000
36	n/a	n/a	n/a	4-BD Cabin (2 nd Northernmost)	SW	Cabin 2	2,000
37	n/a	n/a	n/a	4-BD Cabin (3 rd Northernmost)	SW	Cabin 3	2,000
38	n/a	n/a	n/a	4-BD Cabin (Southernmost)	SW	Cabin 4	2,000
39	n/a	n/a	n/a	Employee Housing (Northernmost Building)	NW	Employee Lodge 1 (5 apartments)	5477
40	n/a	n/a	n/a	Employee Housing (2 nd Northernmost Building)	NW	Employee Lodge 2 (6 apartments)	6573
41	n/a	n/a	n/a	Employee Housing (3 rd Northernmost Building)	NW	Employee Lodge 3 (6 apartments)	6573
42	n/a	n/a	n/a	Employee Housing (Southernmost Building)	NW	Employee Lodge 4 (5 apartments)	5477
43	n/a	n/a	n/a	New RV Site	NW	35 RV Sites	63,000

						(each site 60x30, total 63,000 sq ft)	
44	n/a	n/a	n/a	Bath/Laundry Facility	NW	Bath + Laundry Facility	800
45	n/a	n/a	n/a	5-BDRM Cabin	NW	Cabin 5	3,000
46	n/a	n/a	n/a	5-BDRM Cabin	NW	Cabin 6	3,000
47	n/a	n/a	n/a	3-BD Cabin	NW	Cabin 7	1,800
48	n/a	n/a	n/a	3-BD Cabin	NW	Cabin 8	1,800
49	n/a	n/a	n/a	3-BD Cabin	NW	Cabin 9	1,800
50	n/a	n/a	n/a	3-BD Cabin	NW	Cabin 10	1,800
51	n/a	n/a	n/a	3-BD Cabin	NW	Cabin 11	1,800
52	n/a	n/a	n/a	3-BD Cabin	SE	Cabin 12	1,800
52	n/a	n/a	n/a	Storage Units	NW	19 Storage Units (available to public)	11970
53	n/a	n/a	n/a	4 glamping sites	SE	4 Glamping Sites (covered wagon sites approx. 400 square feet each)	1600
54	n/a	n/a	n/a	Laundry	NE	Laundry Facility	2,500
55	n/a	n/a	n/a	Shop	NE	Steel Shop (existing 2,400 square feet and no new shop will be constructed)	--
56	n/a	n/a	n/a	Improved Horse Corral	NE	Horse Corral (existing and will be updated without expanding size)	--
57	n/a	n/a	n/a	Basketball Court Recreational Area	NE	Basketball Court and Multipurpose Sports Field and picnic area (this is existing lawn and filled in swimming pool and no change in size is requested)	--
58	n/a	n/a	n/a	Wastewater Treatment Plant	SW	Wastewater Treatment Plant	400 (this is subject to change based on state requirements)
PROPERTY LOCATION:	The subject parcel is located at 6748 County Road 740. The parcel is legally described as a tract of land in Sections 27, 28, and 34, Township 14 South, Range 85 West, 6 th pm. The parcel is at the southeast corner of the intersection of Highway 135 and Cement Creek Road (County Road 740).						
SURROUNDING LAND USES:	Surrounding land uses include residential, and agricultural.						
AGENCY AND DEPARTMENT REVIEWS:	A copy of the application was sent via email on June 5, 2024 to the following referral agencies for review and comment:						

- Gunnison County Electric Association, Inc. (GCEA)
- Colorado Parks and Wildlife (CPW)
- Gunnison County Public Works
- RE1-J School District
- Gunnison Fire Protection District (GFPD)
- Colorado State Forest Service
- Colorado Department of Transportation (CDOT)
- Colorado Division of Water Resources
- US Forest Service, Grand Mesa Uncompahgre and Gunnison National Forests
- Colorado Department of Health and Environment (CDPHE)
- Gunnison Health and Human Services
- Gunnison County Sage-Grouse Biologist
- Gunnison Valley Regional Housing Authority (GVRHA)
- Colorado Geological Survey (CGS)
- Gunnison County Building and Environmental Health Official

The following referral agencies submitted comments:

- June 6, 2024: Email “Re: Re: LUC-24-00021 Harmels on the Taylor Major Impact Referral,” Bob Hurford, PE, Division Engineer, Water Division 4, Montrose, Colorado Division of Water Resources
- June 17, 2024: Letter “Gunnison Sage-grouse Habitat Site Specific Analysis Permit Application Number LUC-24-00021”, Ben Prior, Wildlife Biologist, Gunnison Conservation District
- June 25, 2024: Email “Re: LUC-24-00021 Harmels on the Taylor Major Impact Referral,” Jen Chavez, Consumer Protection Specialist, Gunnison County Health and Human Services
- June 26, 2024: Email “Re: [EXTERNAL] Re: LUC-24-00021 Harmels on the Taylor Major Impact Referral,” Matt Feier, Strategy Execution Specialist, GCEA
- June 26, 2024: Email “Re: LUC-24-00021 Harmels on the Taylor Major Impact Referral,” Martin Schmidt, Assistant County Manager for Public Works, Gunnison County
- July 3, 2024: Letter “RE: LUC-24-00021/ Harmels on the Taylor (1000 County Road 742, Almont),” Codi Prior, District Wildlife Manager, CPW
- July 26, 2024: Letter “RE: LUC-24-00021/ Harmels on the Taylor (1000 County Road 742, Almont),” Codi Prior, District Wildlife Manager, CPW

Comments were not received from the following agencies:

- RE1-J School District
- Gunnison Fire Protection District (GFPD)
- Colorado State Forest Service
- Colorado Department of Transportation (CDOT)
- Colorado Division of Water Resources
- Gunnison Health and Human Services
- Gunnison County Sage-Grouse Biologist
- Gunnison County Building and Environmental Health Official
- Gunnison Valley Regional Housing Authority (GVRHA)

ATTACHMENTS

The entire land use application can be reviewed on [Citizen Access](#), Projects, LUC-24-00021, Attachments.

PRE-APPLICATION CONFERENCE:		A pre-application conference was conducted between staff and the applicants prior to submittal of the application.
SKETCH PLAN STATUS OF APPLICATION:		<p>The Avalon Sketch Plan application was submitted on April 23, 2024. The Community Development Department determined the application was complete on May 14, 2024.</p> <p>The <i>Land Use Resolution</i> requires that Sketch Plan review accomplishes:</p> <ul style="list-style-type: none"> • Discussion of the proposal. • A process to formulate detailed, design/engineered solutions to issues and concerns identified during Sketch Plan review and to address, in a site-specific manner, all other issues that are relevant to the Sketch Plan. • Submittal by the applicant is required to address specific sections of the <i>Land Use Resolution</i> and to address compliance with Sketch Plan conditions.
PLANNING COMMISSION TASKS AT INITIAL SKETCH PLAN WORK SESSION:		<ul style="list-style-type: none"> — Acknowledge receipt of application by applicant name, name of development (if applicable) and date of application — Hear applicant presentation — Review staff comments identifying compliance of application with standards, and other standards with which the application must comply to be approved — Identify and consider issues — 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 joint public hearing, or if additional work session is required
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	
PROTECTIVE COVENANTS OUTLINE INCLUDING DESIGN CRITERIA:		
	Complies with Sketch Plan submittal requirements	General Comments/References to specific documentation
Responsibilities of property owners or homeowners' association defined	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not applicable</i> , there are no residential uses or subdivisions proposed; therefore, no covenants are required of the application.
Property owners enforcement; and Gunnison County is party to enforcement.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	
Amendment or termination of the protective covenants is subject to approval by Gunnison County.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	

Defined building heights, compatibility with terrain, and sizes of all structures.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Architectural style, types and colors of exterior materials to be used, including siding and roofing.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Solid fuel-burning devices requirements	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Exterior lighting requirements	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Open space maintenance and allowed uses	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Signs	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Parking restrictions described	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Requirements for landscaping on individual lots	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Snow removal required of homeowners association	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Standards included to ensure compatible use	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Limits on domestic animals	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Fencing requirements	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A

APPLICABILITY OF LAND USE RESOLUTION STANDARDS:

Standard, by LUR section, division and/or article	Sketch Plan complies, or compliance will be determined during review	Staff Comments/ References to specific documentation
7-102: Standards that apply to all Major Impact applications:		
7-102: A.: The proposed land use change is required to comply with, and the burden is on the applicant to demonstrate through competent evidence, that the proposed land use change complies with all applicable requirements of this <i>Resolution</i> .		
7-102: B.: Compatibility with community character; no adverse impact future development of the development area.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<i>Applicable</i> , compliance with the following standard shall be considered broadly and conceptually at Sketch Plan review. <i>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 development area, and shall not adversely impact the future development of the development area.</i>
7-102: C.: Phases stand alone	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not applicable</i> , no phasing proposed.
7-102: D.: Uses identified on all subdivision lots	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not applicable</i> , subdivision is not proposed.
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	<i>Not applicable</i> , the application is not for subdivision.
9-102: Home occupations	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<i>May be applicable</i> , it is unclear if Home Occupations are permitted in the residential component of the Application.
9-103: Bed and breakfast	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not applicable</i> , this use is not proposed in the application.

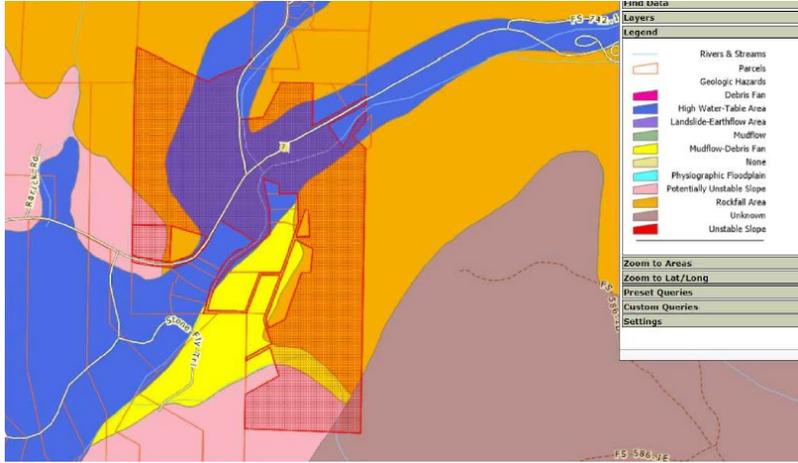
9-203: Mobile home communities	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not applicable</i> , this use is not proposed in the application.
9-302: Farm or ranch stand	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not applicable</i> , this use is not proposed in the application.
9-303: Dude ranches and resorts	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p><i>Applicable</i>,</p> <p>In addition to complying with all other applicable standards and requirements of this Resolution, the Applicant will demonstrate compliance with the following standards of this Section at Preliminary Plan:</p> <p><i>A. ACCESS TO PUBLIC LAND. Where activities require use of public lands, the dude ranch or resort shall have the applicable Special Use Permit or its equivalent from the appropriate public lands agency, and shall abut these lands or have access to them by either:</i></p> <p>1. <i>EASEMENT OR AGREEMENT. A written access agreement or easement across any intervening private land; or</i></p> <p>2. <i>PUBLIC ROAD. A public road.</i></p> <p><i>B. COOKING AND DINING FACILITIES. Full service cooking or dining facilities may be provided but shall not be required. Individual cabins may be served by kitchens in the cabins, or by a central dining hall.</i></p> <p><i>C. LIMITATIONS ON OCCUPANCY. Lodging rooms or individual cabins shall not be used for long term rentals. Fulltime residents shall be limited to the dude ranch or resort owner or manager and their family, employees, and family guests.</i></p>
9-304: Adult-oriented uses	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not applicable</i> , this use is not proposed in the application.
9-305: Seasonal recreational vehicle parks and campgrounds	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p><i>Applicable</i>, the proposal includes glamping sites and RV camp sites.</p> <p>The Applicant will be required to demonstrate compliance with the provisions of this Section at Preliminary Plan, including but not limited to compliance with the Colorado Department of Public Health and the Environment (CDPHE) campground standards, identify hours of operation which shall not accommodate year-round residences, and meet the setbacks shown in Table 3: <i>Recreational Vehicle Park Property Line Setbacks</i>, demonstrate refuse will be addressed pursuant to recommendations by the Colorado Parks and Wildlife (CPW).</p> <p>The Application was referred to the CDPHE and CPW for comment. CDPHE did not provide comment. CPW comment is incorporated in Section 1-106 of the Report.</p>
9-400: Minerals and construction materials	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not applicable</i> , this use is not proposed in the application.
9-501: Special events	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not applicable</i> , this use is not proposed in the application.

9-502: Temporary structures	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not applicable</i> , this use is not proposed in the application.
9-503: Satellite dishes	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not applicable</i> , this use is not proposed in the application.
9-504: Attached wireless communications devices	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not applicable</i> , this use is not proposed in the application.
9-505: Freestanding wireless communications structures	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not applicable</i> , this use is not proposed in the application.
9-506: Child care center	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not applicable</i> , this use is not proposed in the application.
9-507: Group home	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not applicable</i> , this use is not proposed in the application.
9-508: Keeping of livestock not on an agricultural operation	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<i>Applicable</i> , the Property has a stable and corral. The keeping of livestock not a part of agricultural operations is permitted without a Land Use Change permit and is subject to the Standards of this section.
9-509: Camping on individual parcel	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not applicable</i> , this use is not proposed in the application.
9-600: Essential housing	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> TBD	<i>To be determined</i> , the Applicant has indicated they will provide “30 employee/essential housing units” and make these units available to qualified residents when not occupied by Harmels employees. The Application does not indicate these will be deed restricted units. Additional information regarding the programming and management of these units will be requested during the Preliminary Plan Review. The Gunnison Valley Regional Housing Authority did not provide comment on the Application.
10-102: Locational standards for residential development	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> TBD	<i>Applicable</i> , the 30 new employee housing units is a new residential use. The project is not located within a three-mile planning area, it is not adjacent to an existing population center (Almont), therefore, it shall comply with Section 10-103:C.3.a <i>Conditions are Appropriate for Smaller Lots or Greater Density</i> .
10-103: Residential density	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> TBD	<i>Applicable</i> , the 30 new employee housing units is a new residential use. The project is not located within a three-mile planning area, it is not adjacent to an existing population center (Almont), therefore, it shall comply with Section 10-103:C.3.a <i>Conditions are Appropriate for Smaller Lots or Greater Density</i> . The Applicant did not address these standards in the application. This section will be completed after the referral period.
10-104: Locational standards for commercial, industrial or other non-residential uses	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> TBD	<i>Applicable</i> , compliance to be considered “broadly and conceptually” at review. <i>B. Primary Locational Standard, 1. Adjacent To Incorporated Municipality.</i> <i>Staff Response:</i> The property is not adjacent to the City of Gunnison, therefore, the proposal shall meet the Standards of 10-104:C Alternative Locational Standards.

		<p><i>C. Alternative Locational Standards.</i> <i>When the applicant has demonstrated that a proposed commercial, light industrial, industrial or other non-residential development cannot satisfy the primary locational standard, the location may be approved if the Board finds that in addition to meeting all of the other 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 uses, wildlife, visual quality, air or water quality, and the proposed use complies with the following:</i></p> <p><i>1. Locational Considerations.</i></p> <p><i>a. Necessary Location.</i> <i>The location is necessary because of specific circumstances including location of minerals, unique transportation needs or geologic conditions; or</i></p> <p><i>b. No Site Is Reasonably Attainable In Or Adjacent To The Nearest Municipality Or Existing Permitted Business Or Industrial Park.</i> <i>There is no site reasonably attainable within or adjacent to the municipality or existing permitted businesses or industrial park nearest the proposed development site, in an area that qualifies for annexation, or is consistent with a municipal Three Mile Plan area. Evaluation of suitability shall consider size of parcel needed, reasonable availability of necessary utilities and other infrastructure, and the applicant shall provide documentation of comparable sites. Economic feasibility or practicality of comparable sites may be considered, but shall not be the deciding factor in determining suitability; or</i></p> <p><i>c. Location Well-Suited To Specific Use.</i> <i>The proposed location is particularly well-suited for the specific use (recreational facilities, including dude ranches or resorts); provided, however, that location in a high traffic area or on a highway artery shall not, in and of itself, qualify a proposed commercial development for approval; or</i></p> <p><i>d. Need Or Use Is Well-Suited In A Particular Area.</i> <i>There is a documented need for the specific use in the proposed location; or</i></p> <p><i>e. Use Is Designed To Serve A Specific Residential Area.</i> <i>The development will be located and designed primarily to serve an integral part of a specific residential area or development, and shall provide services that are reasonably likely to reduce vehicle trips between the residential area and population centers.</i></p> <p><i>Applicant Response:</i> As you are aware, Section 10-104 C. provides alternative locational standards for commercial activities, including a subsection 1.c. relating to “Location Well-Suited to Specific Use” which provides that, “The proposed location is particularly well-suited for the specific use (recreational facilities, including dude ranches or resorts);</p>
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		<p>provided, however, that location in a high traffic area or on a highway artery shall not, in and of itself, qualify a proposed commercial development for approval.” The LUR clearly treats dude ranches/resorts like Harmel’s resort as commercial under this provision and so the residential provisions of 10-102 and 10-103 would not be applicable. This reading seems consistent with the Assessor’s records, which show Harmel’s resort as having twenty-nine ‘commercial’ guest cottages.</p> <p>The proposed application does meet the requirements of Section 10-104 C.1.c. because: The historic Harmel’s resort exists at this location. The existing location of the resort is well suited for the dude ranch/resort type of operation because: (a) it is a location where multiple roadways intersect, (b) it is a location where multiple natural features intersect such as Spring Creek and Taylor River, (c) it adjoins various resort amenities such as nearby Forest Service and other outdoor recreational opportunities, and (d) it is largely shielded from the rest of the surrounding area and neighborhood by natural topography as it is located where two valleys come together, which will make many of the proposed improvements less visible from the road and much less visible (if not entirely impossible to see) by neighboring properties.</p> <p>The proposal includes items like the water treatment plant and other provisions to improve the existing amenities so as to bring up to current standards much of the existing amenities in order to reduce impacts to the environment and neighborhood as a whole.</p> <p>Given the existing impacts at the Harmel’s resort and the improvements, Harmels believes that there will be no significant net adverse impact to the neighborhood uses, wildlife, visual quality, air or water quality and, in fact, that these impacts will be reduced or otherwise improved by the application.</p> <p>2. COMPATIBLE WITH EXISTING USES ESTABLISHED IN IMPACT AREA. <i>The proposed use is compatible with uses established in the impact area.</i></p> <p>The Applicant addresses this standard in the response provided above (LUR Section 10-104:C.1 <i>Locational Considerations</i>).</p> <p>3. NO SIGNIFICANT NET ADVERSE EFFECT. <i>There will be no significant net adverse effect, including cumulative impacts when there is a reasonable probability that there are cumulative impacts, of the proposed and existing developments on adjacent land uses, County or other infrastructure, or public health, safety or welfare, or the environment.</i></p> <p>The Applicant addresses this standard in the response provided above (LUR Section 10-104:C.1 <i>Locational Considerations</i>).</p>
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11-102: Voluntary best management practices	No submittal requirements; no standard of compliance	
11-103: Development in flood hazard areas	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<i>Applicable</i> , a portion of the parcel is within the 100-year floodplain. The applicant is not proposing any development within the 100-year floodplain.
11-104: Development in geologic hazard areas	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> TBD	<p><i>Applicable</i>, the subject parcel is within a mapped geologic hazard area. Specific areas of concern are the four new glamping sites at the base of a Rockfall Hazard Area, improvements at the base of a Rockfall Hazard area including the improved horse corral, recreational area, shop and laundry, and the within the Rockfall Hazard area west of Spring Creek. The RV sites are proposed on slopes of 15-30%, and development is not permitted on slopes greater than 30% unless the Applicant demonstrates compliance with the following standards at Preliminary Plan:</p> <p>DEVELOPMENT ON SLOPES GREATER THAN 30 PERCENT. Development shall be permitted to occur on slopes greater than 30 percent only if the applicant demonstrates that the development cannot avoid such areas, pursuant to Section 11-104:F.3: HAZARD AVOIDANCE and the development complies with the following minimum requirements and standards, as certified by a qualified professional engineer licensed in the State of Colorado or qualified professional geologist: a. CUTTING AND FILLING. Cutting, filling, and other grading activities shall be confined to the minimum area necessary for construction and shall comply with the requirements of Section 13-116: Grading and Erosion Control, and Section 13-117: Drainage, Construction and Post-Construction Storm Water Runoff. b. DESIGN SHALL FIT SITE. Development shall be located and designed to follow natural grade, rather than adjusting the site to fit the structure. For example, instead of creating a single flat bench or terrace for a building platform, the structure should instead be stepped up or down the hillside. Roads and driveways built to serve the development shall follow the contours of the natural terrain and, if feasible, shall be located behind existing landforms. When applicable possible, driveways that serve more than one lot are encouraged required, to minimize necessary grading, paving and site disturbance. c. RECLAMATION OF DISTURBED AREAS. Areas disturbed during development shall be restored as natural-appearing landforms that blend in with adjacent undisturbed slopes. Abrupt angular transitions and linear slopes shall be avoided. Areas disturbed by grading shall be contoured so they can be re-vegetated, and shall be planted and shall have vegetation established and growing within two growing seasons, using species with a diversity of native and/or desirable non-native vegetation capable of supporting the postdisturbance land use. Species planted shall include those that will provide for quick soil stabilization, provide litter and nutrients for soil building and are self-renewing. Top soil shall be stockpiled and placed on disturbed areas. Retaining walls made of wood, stone, vegetation or other materials that blend with the natural landscape should be used to reduce the steepness of cut slopes and to provide planting pockets conducive to revegetation. Where such materials cannot be used, masonry that conveys a scale and texture similar to that of traditional surrounding rock walls shall be used.</p>

		<p>d. UTILITIES. Utilities serving the development shall be placed underground, in existing or proposed road rightsof-way, to the maximum extent feasible, unless such placement would cause significant disturbance to a sensitive natural area or feature. Underground utility easements shall have vegetation established and growing within two growing seasons. e. DEVELOPMENT PROHIBITED. Development shall be prohibited on any slope in excess of 30 percent that is also located in an area that is determined to be a very high wildfire hazard area, pursuant to Section 11- 104: C: Applicability</p> <p>A geologic hazard report and evaluation is not required at Sketch Plan; however, will be required at Preliminary Plan review.</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, the parcel is in a high and very high wildfire hazard area. A copy of the application has been referred to the Gunnison Fire Protection District and Colorado State Forest Service for review and comment. Nether agency provided comment at the time of this Report.</p>
<p>11-106: Protection of wildlife habitat areas</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> TBD</p>	<p><i>Applicable</i>, the parcel is located in the following wildlife habitat areas according to preliminary review of the Colorado Parks & Wildlife - Wildlife Species Map Application and the Gunnison County Map Viewer.</p> <ul style="list-style-type: none"> • Bighorn Sheep Migration Corridor • Bighorn Sheep Winter Range • Bighorn Sheep Summer Range • Elk Summer Range • Elk Winder Concentration Area • Elk Winter Range • Bald Eagle Roost Site • Gunnison Sage-grouse USFWS Critical Habitat • Occupied Gunnison Sage-grouse Habitat • Adjacent to, but not within, Tier I Gunnison Sage-grouse Habitat

		<p>The Applicant has provided the following narrative response to this section:</p> <p><i>Though identified as habitat for wildlife by the County Map Viewer, Harmels has been in existence for many decades and is not used by wildlife. The prior owners did not observe substantial wildlife and the proposed new uses will not create any materially new impacts on wildlife. A Gunnison Sage-Grouse has never been seen on any of the parcels in this application, including by the prior owners who owned the property for many decades. Logically, Harmels cannot be critical habitat for any existent wildlife as Harmels is already in existence. Regardless, in accordance with 11-106, no new exterior boundary fencing is proposed as part of this application. Historic fencing does exist and where barbed wire fencing for horse containment is not necessary, the existing fencing will be removed or replaced with wildlife friendly fencing as it falls over time. All outdoor trash receptacles will be bear-proof. Accordingly, the proposed application presents no net impact on wildlife and, given the mitigation measures, will ultimately be more protective of wildlife than the status quo.</i></p> <p>A Gunnison Sage-grouse analysis was completed on June 17, 2024. The review approved the proposal relative to Gunnison sage-grouse impacts with conditions, further stating the proposal "...will not adversely impact Gunnison sage-grouse or their habitats beyond that which has already occurred." The conditions of this letter should be incorporated into any approval document(s).</p> <p>Colorado Parks and Wildlife provided comments on July 3 and Jul 26, 2024. Staff is unable to insert these comments in entirety due to formatting issues. Full comment letters are available on the Project File ("Referral Comment: CO Parks and Wildlife" and "Referral Comment: CPW Amendment"). The comments expressed concern regarding impacts to the native Taylor River bighorn sheep herd that winters on the Almont Triangle and that "relies on landscape permeability" to reach the Almont Triangle during winter. Herd ewes use the area near the confluence of Spring Creek and Taylor River, and CPW is concerned the development would impact ewes movement to lambing areas and other migrating bighorn. CPW also expressed concern regarding the "wall of RV sites", year-round housing, and the overall impacts of full-time activity in the area.</p>
11-107: Protection of water quality	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<i>Applicable</i> , the subject parcel includes water bodies within 125 feet and shall comply with the standards of this Section. No development may be proposed within the inner restrictive buffer of a water body. A water quality protection plan shall be required at Preliminary Plan.
11-108: Standards for development on ridgelines	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not applicable</i> , there are no ridgelines, as defined in the LUR, within the development area of the subject parcel.

11-109: Development that affects agricultural lands	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p><i>Applicable</i>, the subject parcel is adjacent to agricultural lands. The standards of this Section shall apply.</p> <p>The Applicant provided the following narrative response:</p> <p><i>All of the adjoining parcels are vacant, residential or commercial with the exception of the parcels in the Wilder on the Taylor subdivision, which are agricultural. With the exception of a ditch (the “Spring Creek Irrigation Ditch”) located north of the Fishing Pond and shown on Exhibit 4, the only agricultural ditches located on the parcels serve Harmels on the Taylor and do not provide water to any other property owner. The Spring Creek Irrigation Ditch is separated from the proposed RV spots by a minimum of approximately 45 feet of space, including a 30 foot roadway that should prevent any impact from the RV spots from reaching the ditch. Wilder on the Taylor is the only immediate agricultural user of the ditch. If any agricultural user of the ditch requests, Harmels on the Taylor, at its expense, will place the ditch in an appropriate pipeline to ensure there is no impact to the ditch. There are no livestock drive or other agricultural easements on the parcels except for the easement to maintain the Spring Creek Irrigation Ditch and as otherwise identified on Exhibit 8.</i></p>
11-110: Development beyond snowplowed access	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, the subject parcel is not beyond snowplowed access.
11-111: Development on Inholdings in national wilderness	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, the subject parcel is not an inholding in a national wilderness.
11-112: Development above timberline	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, the subject parcel is not above timberline.
12-103: Road system	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> TBD	<p><i>Applicable</i>, the development of the road system shall comply with this Section.</p> <p>Public Works provide the following comment on June 26, 2024: “Public Works is concerned that Section 9-600 says that they are providing housing, but 13-112 says that they don’t need snow storage because it’s not open year-round. If they offer housing to non-employees or employees year-round, they need a snow storage plan. Public Works would like to see either snow storage areas or specific language not allowing plowing.”</p> <p>Engineered road plans and a traffic study are not required at the Sketch Plan stage of a Major Impact project; those elements are required at Preliminary Plan.</p>
12-104: Trails	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<i>Not Applicable</i> , while there are trails are proposed as part of this application, these trails are for internal circulation within Harmels and not intended for general public use.
12-105: Water Supply	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> TBD	<p><i>Applicable</i>, the proposed use will require additional water supply.</p> <p>The Applicant has provided estimated daily water demand in “Estimated Water and Wastewater Flows”, Jerry Greene, PE, February 10, 2024. The estimated potable water demands are:</p> <ul style="list-style-type: none"> • Estimated daily demand for potable water: 25,050 gal/day

		<ul style="list-style-type: none"> • Estimated maximum daily demand for potable water: 32,565 gal/day • Estimated peak hour demand: 45,090 gal/hour <p>Domestic and commercial water existing and proposed uses and sources are identified in “Water feasibility for Harmels on the Taylor River Major Impact Land Use Change Application” Jacob A. With, Esq., April 11, 2024.</p> <p>The existing water uses are:</p> <ul style="list-style-type: none"> • Restaurant • 39 cabin units • Stock watering (three corrals and one stable) • Two bunkhouses • Laundry facility • Irrigation <p>New beneficial water uses:</p> <ul style="list-style-type: none"> • 12 guest cabins • 22 employee housing units • 35 RV sites <p>The water sources are:</p> <ul style="list-style-type: none"> • Decreed Irrigation Right: Spring Creek (Elmer No. 2 Ditch) • Decreed Irrigation Right: Taylor River (Elmer No. 1 Ditch, aka Elmer Ditch) • Decreed Augmentation Plan Case No. 84CW147 <p>Changes in water uses:</p> <ul style="list-style-type: none"> • Some uses will be outside the May-September season described in the 84CW147 decree • The new 12 guest cabins and new 22 employee housing units will increase water consumption • Wastewater will be treated by a new central facility, “reducing the consumptive use factor from 15% of water diverted for inside use to 5% of water diverted for inside use.” • The letter claims “(t)he net effect of these changes is that the consumptive use of water at the resort is anticipated to decrease if the requested land use change is approved.” <p>The letter outlines two water augmentation paths the Applicant may consider:</p> <ul style="list-style-type: none"> • It could go through a water court process to amend its existing plan for augmentation to cover the new scope of uses on a year-round basis; or, • It could purchase participation in Upper Gunnison River Water Conservancy District’s umbrella plan for augmentation decreed in Case No. 03CW49. Based on cost-comparison of the two approaches,
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12-106: Wastewater treatment	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p><i>Applicable</i>, the applicant proposes a new central wastewater treatment system. The Applicant has provided estimated daily flows of 25,050 gallons per day in “Estimated Water and Wastewater Flows”, Jerry Greene, PE, February 10, 2024.</p> <p>The Application was referred to the Building and Environmental Health Official and Health and Human Services for review and comment. The Environmental Health Official did not provide comment.</p> <p>Health and Human Services provided the following comment on June 25, 2024: “It does not appear that this project will significantly impact “the restaurant building”. My only comment is that they will not be permitted to operate the coffee shop, restaurant, or bar while/if there is a lack of access to a functional wastewater system during the transition from the septic to the new wastewater treatment plant.”</p>
12-107: Fire protection	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p>Applicable, the subject parcel is within the Gunnison Fire Protection District (GFPD) and a copy of the application has been referred to CBFPD and Colorado State Forest Service for review and comment. Comments were not received from either agency as of this Report.</p>
13-102: B.: Location within municipal three-mile plan area	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA	<p><i>Not applicable</i>, the proposal is not located within a three-mile plan area.</p>
13-103: General Site Plan Standards And Lot Measurements	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p><i>Applicable</i>, no new lots are proposed; however, all new buildings are required to comply with the standards of this Section.</p> <p>A detailed plan which clearly states the proposed height for each structure shall be submitted at Preliminary Plan.</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	<p><i>Applicable</i>, road setbacks and property line setbacks, are required to comply with the standards of this Section.</p> <p>A detailed site plan which clearly states the proposed setbacks shall be submitted at Preliminary Plan.</p>
13-105: Residential Building Sizes And Lot Coverages	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<p><i>Applicable</i>, detailed plans will be required at Preliminary Plan Review.</p>
13-107: Installation Of Solid-Fuel-Burning Devices	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p><i>Applicable</i>, the standards of this Section shall be applied at the time of building permit application.</p>
13-108: Open Space And Recreation Areas	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p><i>Applicable</i>, Major Impact projects shall comply with this Section by providing open space by including landscaping elements pursuant to Section 13-111:</p>

		<p>Landscaping and Buffering, and setbacks from property lines pursuant to Section 13-104: Setbacks from Property Lines and Road Rights-of-Way.</p> <p>Pursuant to Section 7-201:i.4.4, the Applicant is required to show “general locations” of open space, and the requirements of Section 13-108 shall guide the design of the Sketch Plan.</p> <p>Setbacks will be confirmed as noted in Section 13-104 of this Report at Preliminary Plan.</p>
13-109: Signs	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p><i>Applicable</i>, any proposed sign(s) shall meet the requirements of this Section. The applicant may submit designs for any proposed signs at the Preliminary Plan stage.</p>
13-110: Off-Road Parking And Loading	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p><i>Applicable</i>, parking in compliance with this Section shall be required. Specific detail and location shall be demonstrated at Preliminary Plan.</p>
13-111: Landscaping And Buffering	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p><i>Applicable</i>, this Section requires that a Major Impact application “shall integrate the elements of the site plan and design, so that the land use change preserves and enhances the unique identity of the site. Landscaping may include plant materials including trees, shrubs, ground covers, perennials and annuals, and other materials including rocks, walls, fences, planters and paving materials.”</p> <p>A landscaping plan is required at Sketch Plan for Major Impact Commercial Use proposals. The amount of landscaping provided in landscaped areas is “at least one tree and three shrubs” per 500 square feet of “landscaped area.” The expansion area does not include additional landscaping. The Applicant has provided the following response to the Standard:</p> <p><i>The landscaping plan includes additional vegetation for screening purposes as shown on Exhibit 4 (Site Plan). Except as otherwise shown on Exhibit 4 (Site Plan), all areas are to be kept and maintained consistent with existing uses except as otherwise dictated by fire mitigation efforts, if any. In general, except in pasture areas and areas already landscaped as well as a reasonable amount of landscaping around residences to reduce fire concerns and improve attractiveness, the parcels are to be maintained using a native seed mixture with minimal water or other ongoing maintenance except to remove noxious weeds</i></p> <p>Section 13-111:M.3.a. <i>Buffering, Different Abutting Uses</i> requires a 50’ (landscaped) “buffer strip” between Residential and Commercial uses. There is no landscaping or buffering proposed between the adjacent parcels or within the parcel between the residential and commercial uses.</p> <p>Section 3-111:M.1. <i>Buffering, Applicability</i> requires a Major Impact project to provide landscaped buffering between adjacent uses when topographical or other natural barriers do not provide reasonable screening and when the County finds that:</p> <p><i>a. NEIGHBORING PROPERTIES</i></p>

		<p><i>There is a need to shield neighboring properties from any adverse external effects of a proposed land use change; or</i></p> <p><i>b. ADVERSE IMPACTS</i> <i>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.</i></p>
13-112: Snow Storage	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p><i>Applicable</i>, compliance will be determined at Preliminary Plan review.</p>
13-113: Fencing	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p><i>Applicable</i>, any proposed fencing shall comply with this Section.</p>
13-114: Exterior Lighting	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p><i>Applicable</i>, the standards of this Section shall be applied at the time of building permit application. All lighting proposed on the parcel shall comply with this Section.</p>
13-115: Reclamation And Noxious Weed Control	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> TBD	<p><i>To be Determined</i>, a Reclamation and Noxious Weed Control Plan may be required for Preliminary plan.</p>
13-116: Grading And Erosion Control	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p><i>Applicable</i>, the design of the sketch plan has been guided by the standards of this Section.</p> <p>The Preliminary Plan is the step of this overall review in which engineered details are required to be indicated and assure compliance with this Section. Details of grading and erosion control are appropriately required at Preliminary Plan level of review as elements of detailed engineered plans.</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><i>Applicable</i>, this is a Major Impact Project, which may create more than 10,000 square feet of impervious surface area created by road and driveway improvements. A plan pursuant to this Section is required to be submitted in the Preliminary Plan, certified by a qualified professional engineer licensed in the State of Colorado, indicating that this project meets the standards of this Section including methods to ensure that drainage will not injure adjacent lands. Documentation of whether a Stormwater Discharge Permit is required for this project by the Colorado Department of Public Health and Environment is also required to be submitted as part of Preliminary Plan.</p> <p>Subject to State standards, storm water runoff is required to be managed onsite, to direct runoff to stable, vegetated areas capable of maintaining sheet flow for infiltration, or to discharge to a storm water conveyance structure, designed to accommodate the projected additional flows from the proposed project.</p>
13-118: Water Impoundments	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<p><i>Not applicable</i>, no water impoundments, as defined in this Section, are proposed as part of this application.</p>
13-119: Standards To Ensure Compatible Uses	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> TBD	<p>Applicable, this Section notes that, "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>

		<p>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.</p> <p>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.</p> <p>Further, this Section notes that, "...the applicable review body may recommend and the decision-making body shall be authorized to impose conditions that are necessary to minimize any potentially adverse impacts" as conditions of approval of a Permit, but does not require that those conditions be devised in actions taken on plans submitted in the phases of review that precede recommendation and/or action on a Permit (in this case, Sketch or Preliminary Plans for a Major Impact project).</p> <p><i>Applicant response:</i> The proposal does not include any hazards or nuisances. The proposal should not create any conflicts with adjoining lands. Indeed, the only potentially identified conflict relates to the increased use nearby a ditch. To ensure that there is no significant net adverse impact, Harmels has agreed to place that ditch in a pipeline where adjacent to the proposed use if requested by the neighbor (at any time).</p> <p><i>Additional items:</i> <i>Hours.</i> This is not a typical commercial operation with large numbers of deliveries by large vehicles. As a resort, it functions 24 hours a day because guests are given accommodation 24 hours a day. The resort must be operated in a way that provides an enjoyable experience to the guests. If a neighbor would be disturbed by a particular activity, the guests would be too. Accordingly, activities like deliveries and any other extraordinary and loud events would be kept between the hours of 8:00 a.m. and 9:00 p.m.</p> <p><i>Noise and Glare.</i> There is not anticipated to be any new glare generated by this proposal except that of vehicle traffic, which will be along existing roadways. Any new interior roadways will not create glare on adjoining properties. Vehicle traffic, except for emergencies, will be discouraged between the hours of 9:00 p.m. and 8:00 a.m.</p> <p><i>Trash.</i> Appropriate trash receptacles will be located throughout the property.</p> <p><i>Illumination.</i> The only anticipated new illumination would be on new buildings and would be full cutoff shielded and will not be motion sensor activated. Exterior lighting is to be turned off between the hours of 9:00 p.m. and 6:00 a.m.</p>
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