

GUNNISON COUNTY PLANNING COMMISSION

PRELIMINARY AGENDA: March 20, 2025

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 March 6, 2025, 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.
- Miscellaneous/Staff Reminders/Announcements

9:00 a.m.

Joint Public Hearing: LUC-24-00053 | Dunbar Family Partnership Minor Impact

A subdivision of 111.505 acres south of Gunnison, into a 102.6 acre and a 7.31 acre parcel.

9:40 a.m.

Work Session: LUC-24-00010 | Horowitz Ridgeline Vantage Minor Impact

The Applicants, Matanya and Kelsey Horowitz, represented by David Gross General Contractors, request a Ridgeline Vantage review for a proposed single family residence and a 1,713 sq. Ft. detached secondary residence on Lot 15, Trappers Crossing at Wildcat, AKA 265 Saddle Ridge Rd. Crested Butte.

Adjourn

Packet Materials are available online: [Planning Commission Meeting Packets](#)

Or by visiting <https://gunnisoncounty.org/197/Planning-Commission> and selecting "View Most Recent Meeting Packet"

Use this link to join the Webinar on Zoom: <https://gunnisoncounty-org.zoom.us/j/86337231015>

Phone one-tap:

+17193594580,,86337231015# US

+14086380968,,86337231015# US (San Jose)

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.



Hillary I. Seminick AICP, *Planning Director*

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www.GunnisonCounty.org

To: Gunnison County Planning Commission

RE: LUC-24-00010 | Ridgeline Vantage I Work Session | Horowitz

Memo Date: March 12, 2025

Work Session Date: March 20, 2025

1. Summary

The Applicants, Matanya and Kelsey Horowitz, represented by Jon Brown with David Gross General Contractor, have submitted building permit for a 1,377 sq. ft. Single Family Residence (SFR) at Lot 15, Trappers Crossing at Wildcat, AKA 265 Saddle Ridge Rd. under building permit no. BP-24-00193. The parcel is in a dense conifer forest with steep slopes to the north and east. This project is classified as a Minor Impact Project due to the proposed structures breaking the Ridgeline Vantage from points along Gothic Rd. and along the eastern edge of the Town of Crested Butte.

On [August 15, 2024](#), the project was discussed at a regular Planning Commission work session, and the following issues were discussed:

- Is there an alternate building location, and how would that be evaluated?
 - The Applicant noted that due to geotechnical hazards and steep slopes, the proposed building location was determined to be the most feasible.
- Did the Applicant consider reducing the height of the structure?
 - The Applicant responded that there would be additional excavation to lower the foundation, and the gable roof reduces the visual impacts of the second floor.
- The Commission requested clarification how any required screening comports with the International Wildland-Urban Interface Code.
 - Staff noted that defensible space requirements would prevail over screening; however, trees can still be permitted within the defensible space plan.
- The following Colorado Geological Survey (CGS) comments were not resolved provided by Amy Crandall, P.E. Engineering Geologist, on July 24, 2024 in “Trappers at Wildcat Subdivision, Lot 15, Minor Impact Project LUC-24-00010, Gunnison County, CO; CGS Unique No. GU-25-00001” at the time of the work session.
 - *CGS recommends a building setback be established from the crest of the steep slope to the north in accordance with Section R403.1.7, Footings on or adjacent to slopes, as described in the 2021 International Residential Code (or Section 1808.7 of the 2021 International Building Code) currently adopted by Gunnison County (Building Code 14.10.020 Adoption).*
 - *If cuts in excess of 10 feet are planned to achieve proposed grades, CGS recommends the county require a slope stability analysis using site-specific strength values.*

- *CGS recommends that all grading activities should be carefully observed to identify any unmapped shafts or other mining features.*
- Direction was provided to schedule a site visit and work session when the CGS comments were resolved.

All CGS comments were confirmed to be resolved and addressed by the applicant in a February 13, 2025 email from Amy Crandall, P.E., Engineering Geologist, CGS.

Staff has scheduled today's work session because the project was brought before the Commission nearly seven months ago, and to introduce new Planning Commissioners to the project.

2. Compliance with Applicable Standards of the Land Use Resolution

The proposal has been reviewed for compliance with applicable standards of the Land Use Resolution (LUR) in Exhibit A, *Staff Report*. The following Ridgeline Vantage analysis was provided at the August 15, 2024 work session. Two structures were reviewed in the Ridgeline Vantage; however, only the "guest house" is being considered in this application.

Section 11-108: Standards For Development on Ridgelines

Pursuant to Section 11-108:l – *Exceptions*, if Planning Commission finds by clear and convincing evidence that the building(s) meets or exceeds one of LUR standards 11-108:l.1.a-d.; the building(s) shall be permitted. LUR standard 11-108:l.1a does not apply because the project is not a Public Utility.

11-108:l.1.b. NO FEASIBLE ALTERNATIVE SITE EXISTS ON THE PARCEL. No feasible non-ridgeline site for the building exists on the parcel which, considering existing natural vegetation, would be less visibly obtrusive than the ridgeline site; or

Staff response: Applicant has provided a *Ridgeline Vantage Analysis*, which shows that the parcel is located along a ridgeline and constrained by steep slopes (greater than 30%) and within a very high wildfire hazard area. Per LUR Section 11-105: F.2 – *Prohibited Locations for Development*, locations that are on steep slopes and located within very high wildfire hazard areas are prohibited for development. Exhibit C. *Ridgeline Vantage Analysis* shows slope areas that are obviously too steep for development.

The Ridgeline Vantage Analysis shows two potential locations for the main residence, and both are breaking the Ridgeline Vantage. Planning Commission may wish to schedule a site visit to better understand the topography of the site and visual impacts.

"11-108:l.1.c. FULL SCREENING EXISTS AND IS PROTECTED. Any building on a ridgeline vantage shall be fully screened by existing (as opposed to new) natural vegetation on the applicant's property, of such volume, density and species of tree cover, after provision of defensible space for wildfire hazard, so that no part of the building shall be visible from any ridgeline vantage, at any time of the year. A recorded mechanism (e.g. protective covenant, conservation easement, bonding agreement) acceptable to the County must be provided to ensure, in perpetuity, the existence and replacement of the natural vegetation on the applicant's property used for screening; or"

Staff response: On April 12, 2024, staff conducted a *Balloon Analysis* with the Applicant, where the Applicant held balloons at the approximate location of the structures and staff drove around from different Ridgeline Vantage areas to see visibility impacts. See *Balloon Analysis Photos* for details. In this analysis, staff

found it very difficult to locate the balloons due to the existing vegetation. The only location where they were visible was on the eastern end of the Town of Crested Butte along 8th street. From this location, the balloons were just visible to the naked eye, and were slightly breaking the Ridgeline Vantage. However, it should be noted that the Applicant did move closer to the edge of the ridge in order to move the balloons beyond trees that were obstructing their view. Additionally, the future main residence is to be constructed on fill and will be elevated a approximately five feet higher than the balloon string. The area where the Applicant was standing is shown on the *Balloon Analysis*. With this analysis it is difficult to determine if full screening exists. If it is determined the project is fully screened; a recorded covenant, easement or agreement that ensures replacement of similar screening vegetation, should it be destroyed, be required for this project.

“11-108:i.1.d. IF SIGNIFICANT SCREENING EXISTS AND IS PROTECTED, DECISION SHALL BE MADE BY THE BOCC. If the Planning Commission finds that the Project does meet the first three requirements of this section, but that any building on the ridgeline shall be significantly screened by existing (as opposed to new) natural vegetation on the applicant’s property, of such volume, density and species of tree cover, after provision of defensible space for wildfire hazard, so that no part of the building that is partially visible shall be visibly obtrusive from any ridgeline vantage, at any time of the year, the Commission shall so note in a recommendation to the BOCC, and the BOCC shall be the decision-making body. If approved, the approval shall include:

1. *RECORDED COVENANT, EASEMENT OR AGREEMENT. A recorded mechanism (e.g. protective covenant, conservation easement, bonding agreement) acceptable to the County must be provided to ensure, in perpetuity, the existence and replacement of the natural vegetation on the applicant’s property used for screening; and*
2. *MINIMAL VISUAL IMPACT. When significant screening exists and is protected, the building on the ridgeline shall have minimal visual impact and:*
 - a. *IS NOT OBTRUSIVE OR VISIBLE FROM A MUNICIPAL RIDGELINE VANTAGE. Must comply with both of the following standards:*
 1. *OBTRUSIVENESS. The building will blend in with its surroundings and will not stand out in the context of its surroundings nor draw attention to itself; and*
 2. *MUNICIPAL RIDGELINE VANTAGE. The building will not be visible with the naked eye from a municipal ridgeline vantage; and*
 - b. *MUST NOT BE VISIBLE FROM RIDGELINE VANTAGE OR VISIBILITY IS ONLY MOMENTARY. Must comply with and with one of the following standards:*
 1. *DISTANCE FROM RIDGELINE VANTAGE(S). The building will not be visible with the naked eye from near or distant ridgeline vantages; or*
 2. *NUMBER AND LENGTH OR DURATION OF RIDGELINE VANTAGES. The number and length or duration of public road ridgeline vantages from which the building will be visible are so small that the building will be visible only momentarily to passersby.”*

Staff response: the Planning Commission may consider a site visit to determine adequacy of existing vegetative screening and may want to request additional analysis be provided to understand if the proposed building site is the only feasible development location on the parcel.

3. Exhibits

You may review the entire application at <https://permitdb.gunnisoncounty.org/citizenaccess>, click "Projects", search by application number LUC-24-00010 . Click on "Attachments".

- A. Staff Report
- B. Site Plan
- C. Ridgeline Vantage Analysis
- D. Architectural Renderings



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

Land Use Change Permit Application: Horowitz Driveway to Vacant
Land – Ridgeline Vantage
Application No: LUC-24-00010
Date application scheduled with Planning Commission: August
15, 2024
Prepared by: Sean Pope

Applicant Name:	David Gross General Contractor – Jon Brown Project Manager
Property Owner Name:	Matanya & Kelsey Horowitz
Project Description:	The Applicants, Matanya and Kelsey Horowitz, represented by Jon Brown with David Gross General Contractor, have submitted building permit for a 1,377 sq. ft. Single Family Residence (SFR) at Lot 15, Trappers Crossing at Wildcat, AKA 265 Saddle Ridge Rd. under building permit no. BP-24-00193. This SFR is proposed to be the future Secondary Residence, and the main residence is planned to be constructed at a later date. This project is classified as a Minor Impact Project due to the proposed structures breaking the Ridgeline Vantage from points along Gothic Rd. and along the eastern edge of the Town of Crested Butte. The Applicant requests a Ridgeline Vantage Minor Impact review for both the proposed SFR and future main residence.
Property Location:	Lot 15, Trappers Crossing at Wildcat. AKA 265 Saddle Ridge Rd.
Surrounding Land Uses:	<p><u>West</u></p> <ul style="list-style-type: none"> - Vacant. Lot 10, Trappers Crossing at Wildcat – 36 acres <p><u>North</u></p> <ul style="list-style-type: none"> - Residential. Lot 4, Trappers Crossing South– 35 acres - Residential. Lot 5, Trappers Crossing South – 35 acres <p><u>East</u></p> <ul style="list-style-type: none"> - Vacant. Lot 16, Trappers Crossing at Wildcat – 38 acres <p><u>South</u></p> <ul style="list-style-type: none"> - Vacant/Residential. Lots 11-14, Trappers Crossing at Wildcat – between 35-37 acres
Agency and Department Review:	<p>A copy of the application was sent to the following referral agencies by email on July 3, 2024 date:</p> <ul style="list-style-type: none"> - Gunnison County Public Works (no comments received) - Gunnison County Building and Environmental Health Official (no comments received) - Town of Crested Butte - Colorado Parks and Wildlife (CPW) (no comments received)

		<ul style="list-style-type: none"> - Crested Butte Fire Protection District (CBFPD) - Colorado Geologic Survey (CGS)
Pre-Application Conference:		N/A
Status of Application:		Complete
Attached Exhibits:		The entire application and all attachments may be viewed at https://permitdb.gunnisoncounty.org/citizenaccess , click “Projects”, search by application number LUC-24-00010, Click on “Attachments”.
Planning Commission Tasks at Initial 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 — Identify and consider issues — Determine impact classification, considering both by definition and criteria of Section 3-111: B. 1. — Create list at end of meeting of items to be addressed at next meeting, and the date by which related information is to be submitted — Set site visit date — Determine if application is ready to be set for public hearing, or if other work session is required
Initial Impact Classification:		Minor Impact Project, based upon classification found in <i>Section 6-102:H Development Requiring Detailed Ridgeline Vantage Visibility Analysis</i> .
Other Criteria of Impact Classification: (Sec. 3-111. B. 1.)		<p>Demand for public services. The proposed land use change is expected to generate a minor or a major demand for public services, including roads, transit, schools, water supply, sewage disposal, fire and police protection, and emergency services.</p> <p>Impacts on impact area and the environment. The proposed land use change is expected to generate a minor or a major impact on the impact area.</p> <p>Impacts related to all existing and proposed development and proposed development in impact area. The impacts of the proposed land use change, when considered in conjunction with existing and proposed land use changes in the impact area, are expected to be minor.</p>
EA or EIS is required for this project	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Project located in Special Geographic Area	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Phasing proposed	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Is a Partially Exempted land use change (Section 1-106)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

APPLICABILITY OF <i>LAND USE RESOLUTION</i> STANDARDS:		
STANDARD, BY LUR SECTION, DIVISION AND/OR ARTICLE	Plan complies, or compliance will be determined during review	Staff Comments/ References to specific documentation
9-101: E. and F.: Secondary residences are allowed, and standards are addressed in covenants	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p>Applicable.</p> <p>Staff has evaluated the proposal against the standards within Section 9-101:E. See below for the applicable standards with staff comments:</p> <ol style="list-style-type: none"> 1. <u>Secondary Smaller than Primary Residence</u> <ul style="list-style-type: none"> - Final plans have yet to be submitted. As shown on the site plan, the secondary residence is shown to be smaller than the primary residence. 2. <u>Location</u> <ul style="list-style-type: none"> - The secondary residence is proposed to be located approximately 150' west of the main residence. This is in close proximity considering the steep slopes on the parcel. 3. <u>Designation of Building Envelope</u> <ul style="list-style-type: none"> - The Trappers at Wildcat subdivision is a 35+ acre subdivision and does not have platted building envelopes. For the purposes of this project, HOA approval suffices to show that the secondary residence is meeting the standards of the HOA guidelines. 4. <u>Adequate Parking</u> <ul style="list-style-type: none"> - Four parking spaces are shown on the site plan. This is adequate for up to a 5 bedroom secondary residence. 5. <u>Shared Water Supply and Wastewater Treatment System</u> <ul style="list-style-type: none"> - Both the main and secondary residences shall share the same OWTS unless a variance from the Environmental Health Board is obtained. 6. <u>Complies with Deed Restrictions or Protective covenants</u>

		- In a letter from Rob Harper, Toad Property Management, dated June 30, 2024, the project received HOA approval.
9-102: Home occupations	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application
9-103: Bed and breakfast	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application
9-203: Mobile home communities	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application
9-300: Commercial and Industrial Uses	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application
9-302: Farm or ranch stand	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application
9-303: Dude ranches and resorts	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application
9-304: Adult-oriented uses	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application
9-305: Seasonal recreational vehicle parks and campgrounds	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application
9-400: Minerals and construction materials	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application
9-501: Special events	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application
9-502: Temporary structures	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application
9-503: Satellite dishes	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application
9-504: Attached wireless communications devices	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application
9-505: Freestanding wireless communications structures	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application
9-506: Child care center	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application
9-507: Group home	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application
9-508: Keeping of livestock not on an agricultural operation	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application
9-509: Camping on individual parcel	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application

9-600: Essential housing	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application
10-102: Locational standards for residential development	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application
10-103: Residential density	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application
10-104: Locational standards for commercial, industrial or other non-residential uses	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, no commercial or industrial uses are proposed.
11-102: Voluntary best management practices	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Applicable. Applicant shall comply with the standards of this Section to the maximum extent feasible.
11-103: Development in flood hazard areas	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, project not located within a flood hazard area.
11-104: Development in geologic hazard areas	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p>Applicable.</p> <p>SECTION 11-104:C.1. AREAS DESIGNATED ON THE GEOLOGIC HAZARD MAPS. Land use changes on lands that are designated on the Gunnison County Geologic Hazards Maps as avalanche areas, landslide areas, rockfall areas, alluvial fans, talus slopes, steep or potentially unstable slopes, Mancos shale, mudflow hazard areas, and faults.</p> <p>Staff response: According to County Mapping, the parcel is located entirely within “Potentially Unstable Slopes” geologic hazard area. A geotechnical report created by Darin R. Duran, P.E., titled “Geotechnical Study, 265 Saddle Ridge Road, Lot 15, Trappers Crossing at Wildcat, Gunnison County, Colorado,” dated June 24, 2024. In this report, it concluded that “The CMT geologist concluded that there is low risk of slope instability on this site.”</p> <p>The geotechnical report and plans were referred to Colorado Geologic Survey for review on July 3, 2024.</p> <p>In a letter from Amy Crandall, P.E. Engineering Geologist with CGS, titled “Trappers at Wildcat</p>

		<p>Subdivision, Lot 15, Minor Impact Project LUC-24-00010, Gunnison County, CO; CGS Unique No. GU-25-00001,” dated July 24, 2024, she provided the following recommendations:</p> <ol style="list-style-type: none">1. CGS recommends a building setback be established from the crest of the steep slope to the north in accordance with Section R403.1.7, Footings on or adjacent to slopes, as described in the 2021 International Residential Code (or Section 1808.7 of the 2021 International Building Code) currently adopted by Gunnison County (Building Code 14.10.020 Adoption).2. If cuts in excess of 10 feet are planned to achieve proposed grades, CGS recommends the county require a slope stability analysis using site-specific strength values.3. CGS recommends that all grading activities should be carefully observed to identify any unmapped shafts or other mining features. <p>See <i>CGS Comments</i> document for the full letter.</p> <p>Staff Response: The Applicant is required to determine the setbacks to the ridge according to the methods listed above. This is to ensure the locations of the main and secondary residences shown on the site plan will meet the appropriate setbacks and can be constructed accordingly. These setbacks are required prior to approval of this project. The Applicant is required to conduct a slope stability analysis for cuts or fills exceeding ten feet as described in the Geotechnical report and CGS letter, prior to any approval of the project to ensure the building site and driveway design meet the provisions of this Section for this site-specific development Land Use Change request.</p>
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<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.</p> <p>SECTION 11-105:B. APPLICABILITY. The requirements of this Section shall apply to any development in areas designated as wildfire hazard areas on the Wildfire Hazard Maps, and in areas where the Colorado State Forest Service determines that there is the potential for a proposed development to be threatened by a wildfire hazard.</p> <p>Staff response: According to County Mapping, the parcel is located entirely within “Very High Wildfire Hazard” area. Applicant has submitted defensible space plans for both the SFR and the secondary residence. Final defensible space plans shall be required at the time of Building Permit.</p>
<p>11-106: Protection of wildlife habitat areas</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>	<p>Applicable.</p> <p>Parcel is located within both Elk and Mule Deer migration corridors according to CPW’s Wildlife Species Map Application.</p> <p>No comments from CPW were received.</p>
<p>11-107: Protection of water quality</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</p>	<p>Not applicable, no water bodies are located within the project area.</p>

Yes No N/A

11-108: Standards for development on ridgelines

Applicable.

SECTION 11-108:I. EXCEPTIONS. A building on a ridgeline that is sited, designed, shaped, oriented, screened, lighted and constructed to avoid visibility from ridgeline vantages to the maximum extent feasible otherwise prohibited by this Section shall be permitted only if one of the below conditions are met. Staff has pulled out the potential applicable standards and provided commentary below:

b. NO FEASIBLE ALTERNATIVE SITE EXISTS ON THE PARCEL. No feasible non-ridgeline site for the building exists on the parcel which, considering existing natural vegetation, would be less visibly obtrusive than the ridgeline site; or

Staff response: Applicant has provided a *Ridgeline Vantage Analysis*, which shows that the parcel is located along a ridgeline and constrained by steep slopes (greater than 30%) and within a very high wildfire hazard area. Per LUR Section 11-105: F.2 – *Prohibited Locations for Development*, locations that are on steep slopes and located within very high wildfire hazard areas are prohibited for development. *The Ridgeline Vantage Analysis* shows two potential locations for the main residence, and both are breaking the Ridgeline Vantage. Furthermore, Staff has reviewed the *Ridgeline Vantage Analysis* and believes that there is low likelihood of a feasible building location on the parcel to avoid breaking the Ridgeline Vantage. Planning Commission may wish to schedule a site visit to better understand the topography of the site and visual impacts.

c. FULL SCREENING EXISTS AND IS PROTECTED.

Staff response: On April 12, 2024, staff attempted to conduct a *Balloon Analysis* with the Applicant, where

		<p>the Applicant held balloons at the approximate location of the structures and staff drove around from different Ridgeline Vantage roads to see visibility impacts. See <i>Balloon Analysis Photos</i> for details. In this analysis, staff found it very difficult to locate the balloons due to the existing vegetation. The only location where they were visible was on the eastern end of the Town of Crested Butte along 8th street. From this location, the balloons were just visible to the naked eye, and were slightly breaking the Ridgeline Vantage. However, it should be noted that the Applicant did move closer to the edge of the ridge in order to move the balloons beyond trees that were obstructing their view. Additionally, the future main residence is to be constructed on fill and will be elevated a few feet higher than the balloon string. The area where the Applicant was standing is shown on the <i>Balloon Analysis</i>. With this analysis it is doubtful that full screening exists, however, it is difficult to tell based on this analysis. If this is this is the Section that Planning Commission finds for this project, a recorded covenant, easement or agreement that ensures replacement of similar screening vegetation, should it be destroyed, be required for this project.</p> <p>d. IF SIGNIFICANT SCREENING EXISTS AND IS PROTECTED, DECISION SHALL BE MADE BY THE BOCC.</p> <p>If the Planning Commission finds that the Project does meet the first three requirements of this section, but that any building on the ridgeline shall be significantly screened by existing (as opposed to new) natural vegetation on the applicant's property, of such volume, density and species of tree cover, after provision of defensible space for wildfire hazard, so that no part of the building that is partially visible shall be visibly obtrusive from any ridgeline vantage, at any time of the year, the Commission shall so note in a recommendation to the BOCC, and the BOCC shall be the decision-making body. If approved, the approval shall include:</p>
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		<ol style="list-style-type: none"> 1. RECORDED COVENANT, EASEMENT OR AGREEMENT. A recorded mechanism (e.g. protective covenant, conservation easement, bonding agreement) acceptable to the County must be provided to ensure, in perpetuity, the existence and replacement of the natural vegetation on the applicant's property used for screening; and 2. MINIMAL VISUAL IMPACT. When significant screening exists and is protected, the building on the ridgeline shall have minimal visual impact and: <ol style="list-style-type: none"> a. IS NOT OBTRUSIVE OR VISIBLE FROM A MUNICIPAL RIDGELINE VANTAGE. Must comply with both of the following standards: <ol style="list-style-type: none"> 1. OBTRUSIVENESS. The building will blend in with its surroundings and will not stand out in the context of its surroundings nor draw attention to itself; and 2. MUNICIPAL RIDGELINE VANTAGE. The building will not be visible with the naked eye from a municipal ridgeline vantage; and b. MUST NOT BE VISIBLE FROM RIDGELINE VANTAGE OR VISIBILITY IS ONLY MOMENTARY. Must comply with and with one of the following standards: <ol style="list-style-type: none"> 1. DISTANCE FROM RIDGELINE VANTAGE(S). The building will not be visible with the naked eye from near or distant ridgeline vantages; or 2. NUMBER AND LENGTH OR DURATION OF RIDGELINE VANTAGES. The number and length or duration of public road ridgeline vantages from which the building will be visible are so small that the
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		<p>building will be visible only momentarily to passersby.</p> <p>Staff response: Staff recommends in addition to a site visit to determine adequacy of existing vegetative screening, additional analysis be provided to understand if the proposed building site(s) are the only feasible development location on the parcel, including but not limited to:</p> <ol style="list-style-type: none"> a. A geological slope stability analysis as described in the CGS recommendations; and b. Update the site plan to ensure adequate setbacks from the top of slope as described in the CGS recommendations; and c. A slope analysis that describes slopes equal or greater than 30% within High Wildfire Areas, which are prohibited development areas pursuant to LUR Section 11-105: F.2 – <i>Prohibited Locations for Development.</i>
11-109: Development that affects agricultural lands	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable. Application is not located near agricultural lands and is not anticipated to affect agricultural lands.
11-110: Development beyond snowplowed access	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, project not located 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, project not located on an inholding.
11-112: Development above timberline	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, project not located above timberline.
12-103: Road system	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p>Applicable.</p> <p>SECTION 12-103:A COMPLIANCE WITH ROAD AND BRIDGE CONSTRUCTION STANDARDS. All applicants for Land Use Change Permits that have a component of driveways, roads and/or bridges shall comply with the requirements of the Gunnison County Standards and Specifications for Road and Bridge Construction, and this Section.</p>

		Staff response: Applicant has provided the Access Easement shown on the Amended Plat, which provides access to lot 15, crossing lots 10 and 11. Applicant will be applying for building permits for the SFR and secondary residence and shall obtain an Access Permit from Public Works to satisfy the standards of this Section. Additionally, because the project is located within the Town of Crested Butte's Three Mile Area, the Town has the opportunity to review the project to see if it comports with the Three Mile Plan.
12-104: Trails	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, no trails are to be impacted by this project.
12-105: Water Supply	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Applicable. SECTION 12-105:A. GENERAL STANDARD. All land use changes for Minor or Major Impact Projects, for which water is a required and necessary element of the development, shall provide a water supply that is legally and physically adequate in terms of quality, quantity, dependability, and pressure for the proposed development. In making its determination as to whether the proposed water supply will be adequate for the proposed use, the decision-making body shall consider the recommendations of the Colorado Division of Water Resources, the Gunnison County Environmental Health Official and other County staff, or consultants engaged by the County and the applicant. Staff response: Applicant has provided a copy of the <i>Well Permit</i> , which was permitted under permit number 327047 and had a permit extension granted on April 23, 2024. In condition number 4 of the permit, it states <i>"The use of groundwater from this well is limited to fire protection, ordinary household purposes inside not more than three (3) single family dwellings, the watering of poultry, domestic animals and livestock on a farm or ranch and the irrigation of not more than one (1) acre of home gardens and lawns."</i>
12-106: Wastewater treatment	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Applicable.

		<p>SECTION 12-106: A. SANITARY SEWAGE DISPOSAL SYSTEM REQUIRED. No land use change shall be permitted unless a method of sewage disposal is available to that lot or development that complies with all applicable standards of this Resolution, the Gunnison County On-Site Wastewater Treatment System Regulations, and of the Colorado Department of Public Health and Environment.</p> <p>Staff response: Applicant has indicated that an OWTS is proposed for the SFR and secondary residence. Applicant shall comply with the standards of this Section at the time of building permit.</p>
12-107: Fire protection	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p>Applicable.</p> <p>12-107:A APPLICANT SHALL CONTACT FIRE PROTECTION DISTRICT.</p> <p>Staff response: Applicant is required to obtain approval from the Crested Butte Fire Protection District in order to meet the standards of this Section.</p> <p>In an email from Ric Ems, Fire Marshal with CBFPD, dated May 15, 2024, he stated: “CBFPD did provide a plan review Letter# 2024-2-038 dated 1/17/2024. We have no other comments at this time.”</p>
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>Applicable.</p> <p>SECTION 13-102: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.</p> <p>Staff response: The project is located within the Town of Crested Butte’s Three Mile Plan Area.</p>

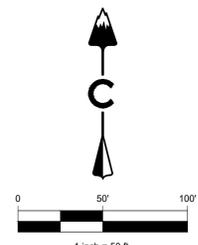
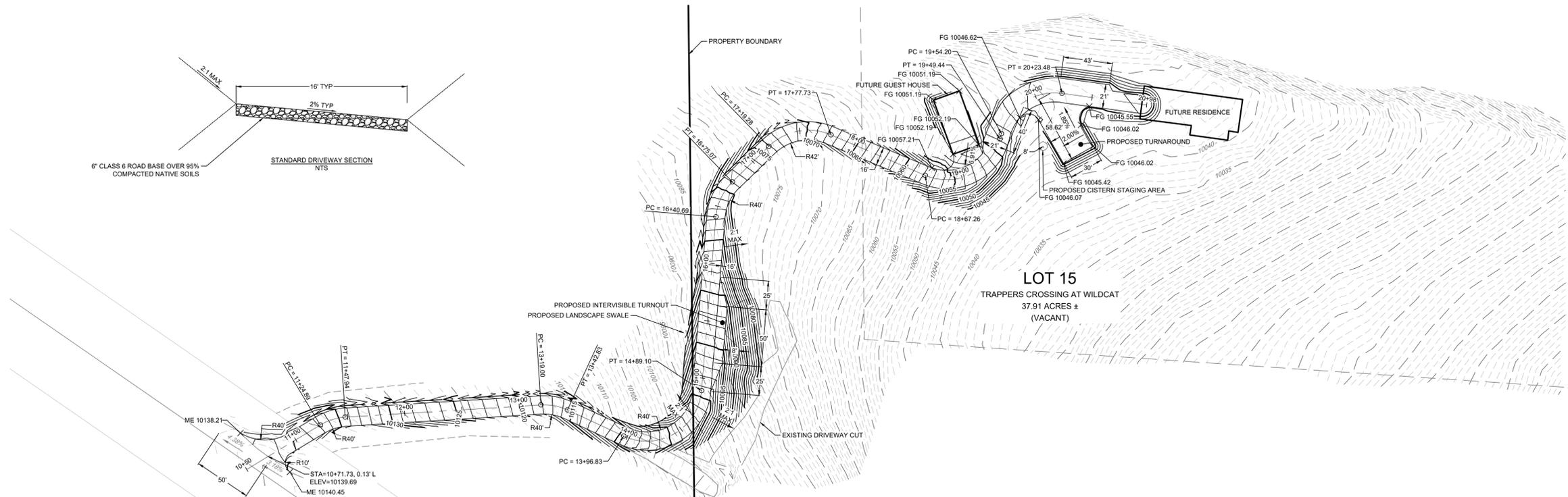
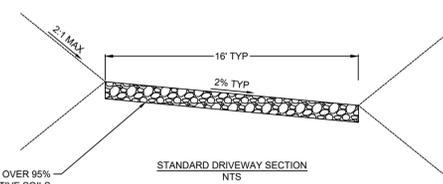
		<p>In a letter from Troy Russ, Community Development Director at the Town of Crested Butte, titled “RE: LUC-24-00011, Lot 15, Trappers at Wildcat Subdivision,” dated July 23, 2024 states that “...the proposed 1,713 sf secondary residence is in violation of the 1,500 sf maximum allowance set forth in Section 16 of the 1990 agreement between Trappers Crossing LTD and the Town of Crested Butte...” and that “Section 20 states, the solid fuel-burning device must comply with the most restrictive building regulation, which is the Town of Crested Butte.”</p> <p>Staff response: Staff forwarded the Applicant the letter from the Town, and pointed out the inconsistencies with the 1990 agreement. The Applicant provided clarification: the secondary residence is to be 1,377 sq. ft. of gross floor area with a 336 sq. ft deck. Furthermore, the solid fuel-burning device will be evaluated at the time of building permit and will be required to meet the standards of Section 13-107.</p>
<p>13-103: General Site Plan Standards And Lot Measurements</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>	<p>Applicable.</p> <p>SECTION 13-103:H.1.b PITCHED ROOFS. All structures with pitched roofs shall not exceed 30 feet in height. The minimum roof pitch shall be as required by the applicable building code, adopted and amended by Gunnison County.</p> <p>Staff response: Application is located on a 35-acre parcel and has received HOA approval for the construction of the secondary residence. The proposed height of the secondary residence approximately 28’ to the ridge, which is well below the 30’ maximum of the average gable height.</p>
<p>13-104: Setbacks From Property Lines And Road Rights-Of-Way</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</p>	<p>Applicable.</p> <p>SECTION 13-104:A Unless otherwise exempted by this Resolution, the following shall apply, all land use changes and approved Building Permit site plans shall meet property line setback requirements</p>

		<p>indicated in Table 7: Setbacks from Property Lines and Road Rights-of-Way..</p> <p>Staff response: The <i>Site Plan</i> submitted shows the primary residence is at over 370' away from the nearest property boundary and the guest house is over 150' from the nearest property boundary. This exceeds the minimum of 25' from the front and 15' from the side and rear property lines.</p>
<p>13-105: Residential Building Sizes And Lot Coverages</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>	<p>Applicable.</p> <p>SECTION 13-105:D. PARCELS EQUAL TO OR LARGER THAN 6,500 SQ. FT.</p> <p>Staff response: The SFR proposed (the future secondary residence) is 1,377 sq. ft. with a 336 sq. ft deck, and the main residence will be constructed later. The combination of both residences will be less than 45% of the maximum allowable coverage area. Additionally, if the total aggregate square footage is greater than 7,000 sq. ft., the project will be required to go through a Minor Impact at that time. The SFR and Guest House share water supply and OWTS.</p>
<p>13-107: Installation Of Solid-Fuel-Burning Devices</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>	<p>Applicable.</p> <p>SECTION 13-107:C.1. SINGLE FAMILY RESIDENCES. Any single-family residence, manufactured or mobile home for which a Building, Manufactured Home or Mobile Home Permit is issued after the effective date of this Resolution shall be allowed to install one approved solid-fuel-burning device per single family residence.</p> <p>Staff response: Applicant proposes to install one wood burning stove, the Hearthstone Green Mountain 80, which is an EPA certified device. Because the project is located within the three-mile area of the Town of Crested Butte, only one solid-fuel burning device is permitted per residence and</p>

		must meet more restrictive the standards of the Town of Crested Butte's regulations.
13-108: Open Space And Recreation Areas	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, project is exempt per subsection B of this Section.
13-109: Signs	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, no signs are proposed.
13-110: Off-Road Parking And Loading	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Applicable. SECTION 13-110:C. BUILDING PERMIT SITE PLANS. The site plan for a Building Permit application shall indicate the number and location of parking loading spaces to be provided for the proposed structure (s). Location of the parking shall comply with Section 13-112: Snow Storage. As applicable, the number of spaces shall comply with requirements of the protective covenants for individual subdivisions, or shall otherwise meet the requirements of this Section, whichever number is larger. Staff response: Applicant shows two spaces on the site plan, which is the minimum amount required for the three bedroom secondary residence.
13-111: Landscaping And Buffering	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, project does not require buffering from adjacent land uses.
13-112: Snow Storage	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Applicable. Staff response: Once driveway plans are finalized, applicant shall show adequate snow storage at the time of building permit. Staff has no concerns at this time due to the large size of the parcel.
13-113: Fencing	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, no fencing is proposed.
13-114: Exterior Lighting	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, no exterior lighting is proposed at this time. At the time of building permit, the project will be required to meet the standards of this Section.
13-115: Reclamation And Noxious Weed Control	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not required for the scope of this project
13-116: Grading And Erosion Control	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not required for the scope of this project

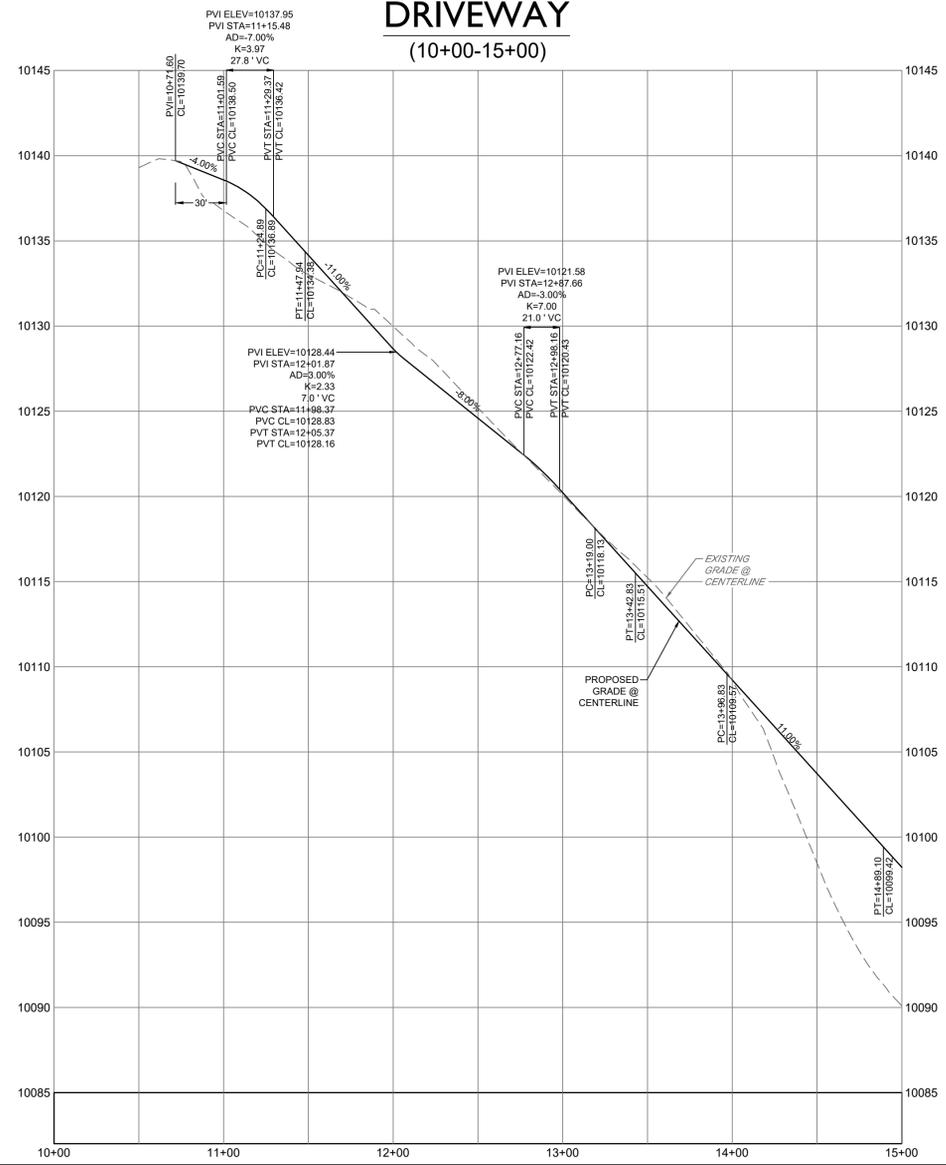
13-117: Drainage, Construction And Post-Construction Storm Water Runoff	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not required for the scope of this project
13-118: Water Impoundments	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, no water impoundments are proposed.
13-119: Standards To Ensure Compatible Uses	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p>Applicable.</p> <p>Section 13-119: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 (staff responses below):</p> <ol style="list-style-type: none"> 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. 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>Staff response: Application is for residential development in a residential neighborhood. This Minor Impact review is in regards to Ridgeline Vantage standards, which staff recognizes as the only adverse impacts to adjoining land. If Planning Commission approves this project in regards to Ridgeline Vantage standards, staff has no concerns about any additional net adverse impacts nor hazards or nuisances to adjoining properties.</p>

6" CLASS 6 ROAD BASE OVER 95% COMPACTED NATIVE SOILS

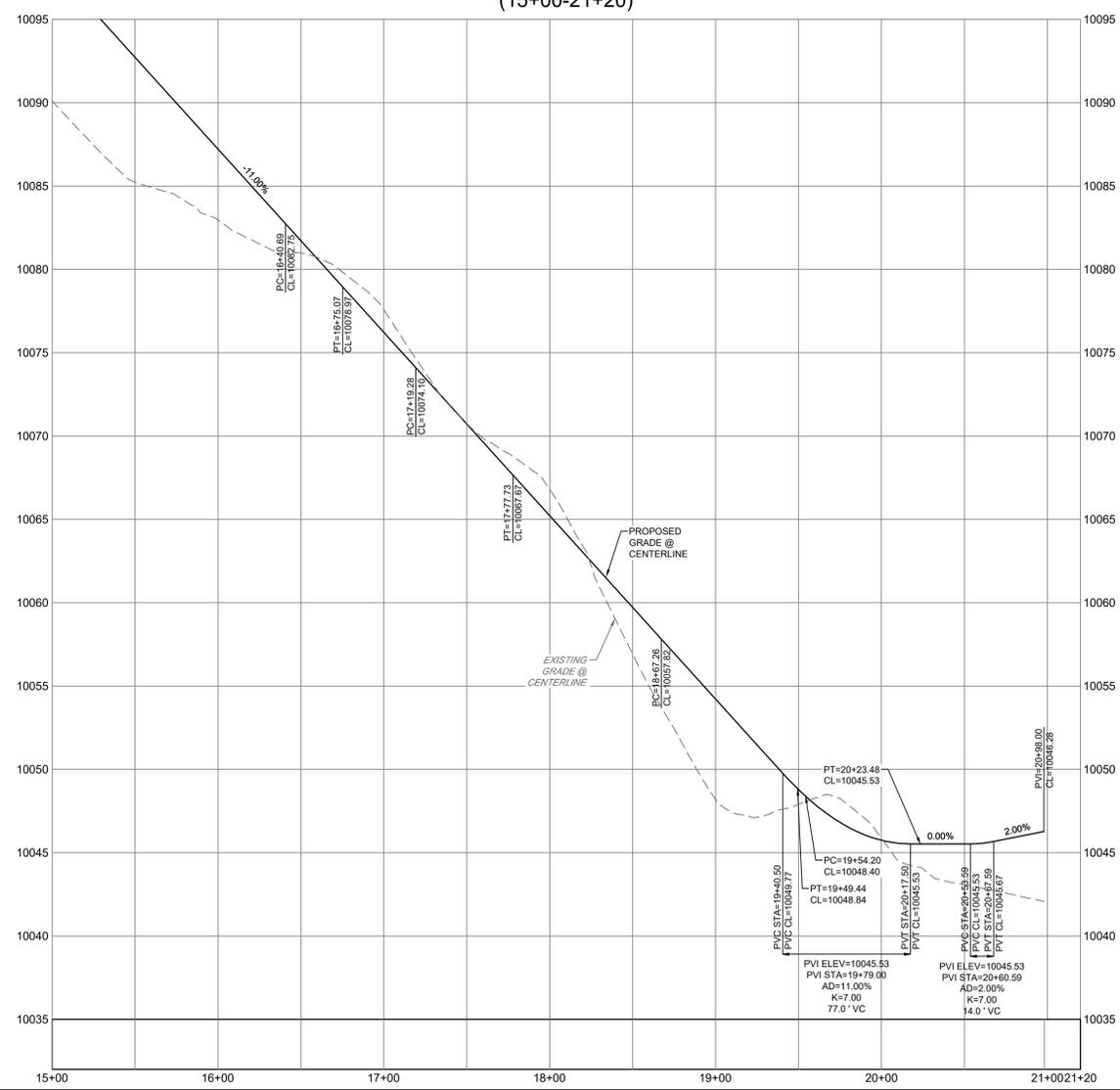


PROFILE
HORIZ: 1" = 50'
VERT: 1" = 5'

DRIVEWAY
(10+00-15+00)



DRIVEWAY
(15+00-21+20)



SITE EARTHWORK (UNADJUSTED)
CUT/EXPORT: 328 CY
FILL/IMPORT: 3114 CY
NET FILL/IMPORT: 2786 CY DIRT
355 CY CLASS 6 BASE COURSE

DATE	BY	DESCRIPTION
06/20/24	BJZ	PERMIT SET

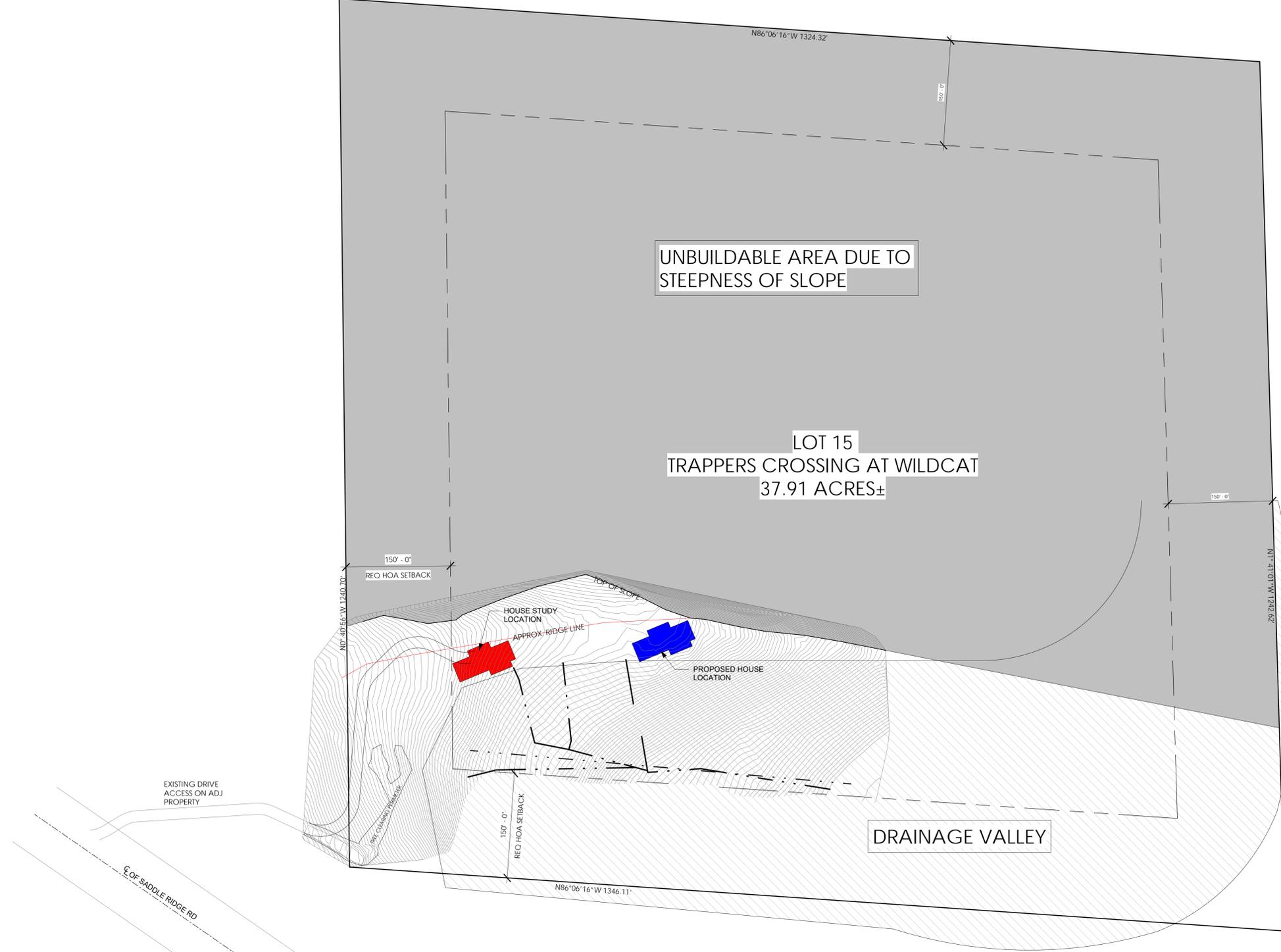
HOROWITZ RESIDENCE
GUNNISON, CO
PERMIT PLAN SET
DRIVEWAY GRADING PLAN

NOT FOR CONSTRUCTION

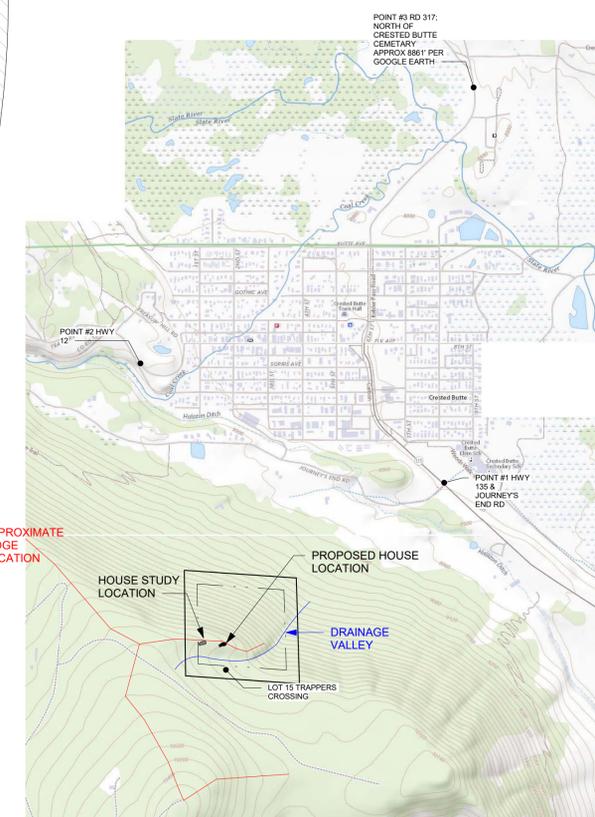
DESIGNED BY: BJZ
DRAWN BY: BJZ
CHECKED BY: JS

JOB NO.
22-082
SHEET
1 OF 1

CORE
CORE CONSULTANTS, INC.
LAND DEVELOPMENT
ENERGY
PUBLIC INFRASTRUCTURE
3473 S. BROADWAY
DENVER, CO 80113
303.703.4444
LIVE@CORE.COM



2 SITE PLAN CONTEXT
 A1.07A SCALE: 1" = 80'-0" BACK REF:



1 VISIBILITY MAP - CONTEXT
 A1.07A SCALE: 1" = 12000' BACK REF:



315 EAST AGATE AVENUE
 GRANBY, CO 80446
 970-887-9366
 MAARCHITECTURAL.COM

WITZ END
MATANYA & KELSEY HOROWITZ
 265 SADDLE RIDGE ROAD,
 Author
 PROJECT #: 2206

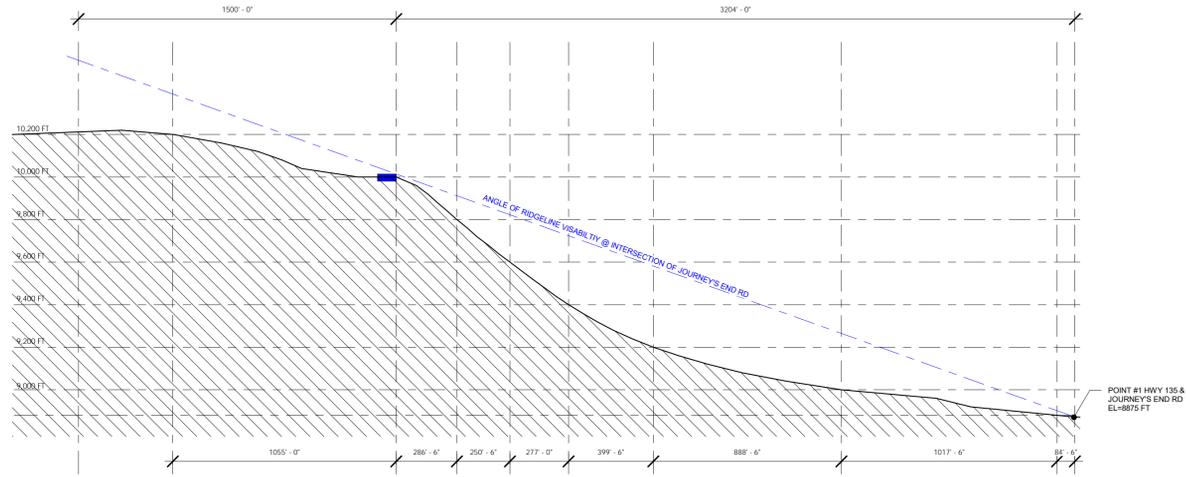
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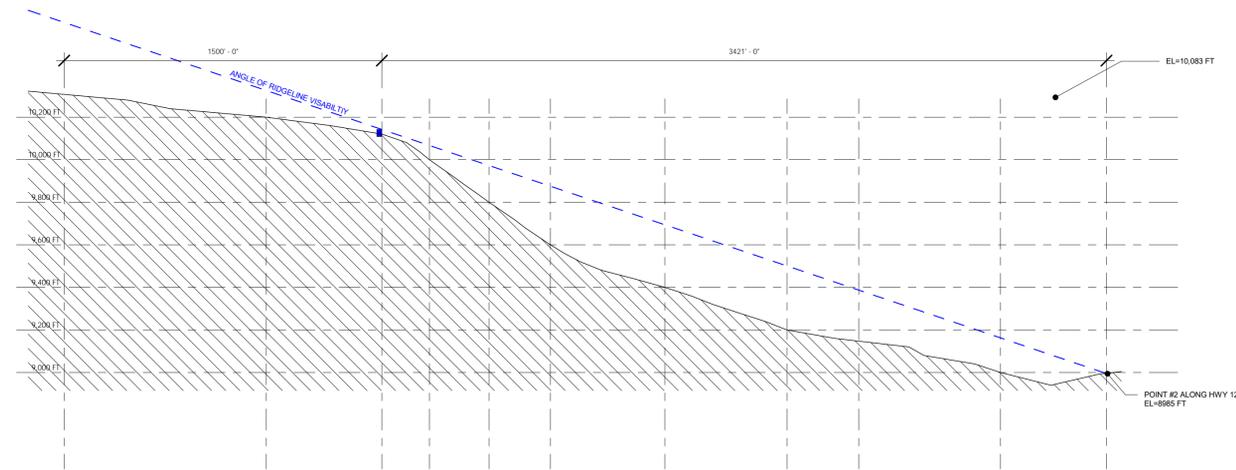
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 ENLARGE SITE ANALYSIS

SHEET NUMBER:
A1.07A

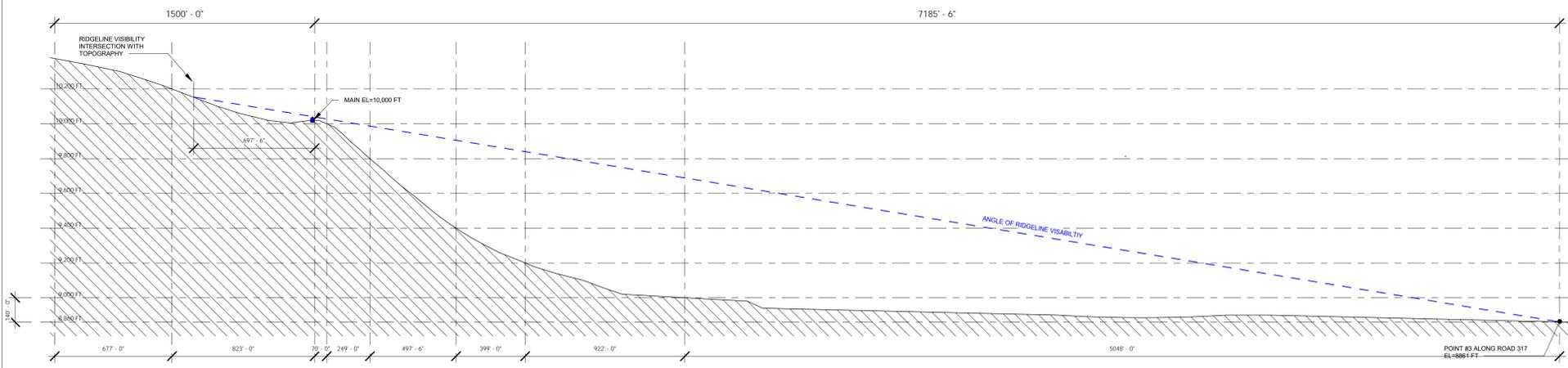
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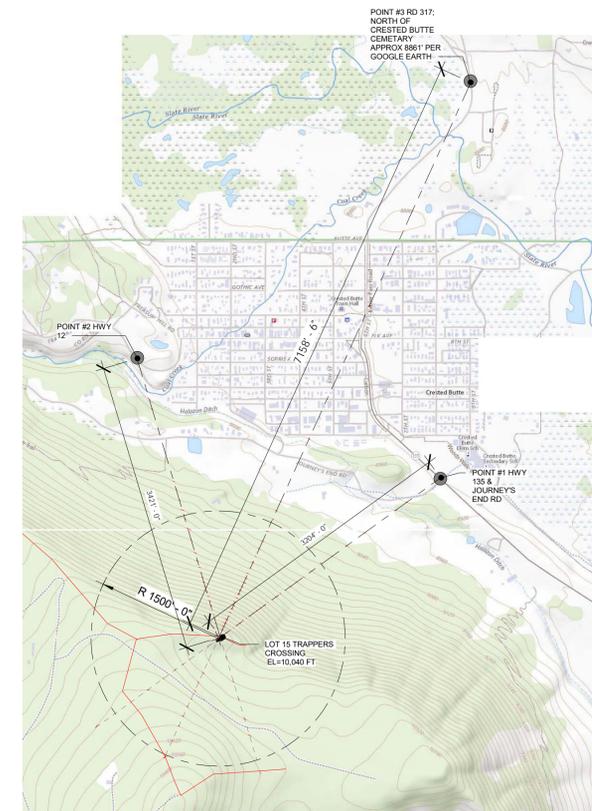
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A1.07B SCALE: 1" = 400'-0" BACK REF:



3 HWY 12 VANTAGE
A1.07B SCALE: 1" = 400'-0" BACK REF:



4 RD 317 VANTAGE
A1.07B SCALE: 1" = 400'-0" BACK REF:



1 VISIBILITY MAP
A1.07B SCALE: 1" : 12000 BACK REF:

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315 EAST AGATE AVENUE
GRANBY, CO 80446
970-887-9366
MAARCHITECTURAL.COM

WITZ END
MATANYA & KELSEY HOROWITZ
265 SADDLE RIDGE ROAD,
Author
PROJECT #: 2206

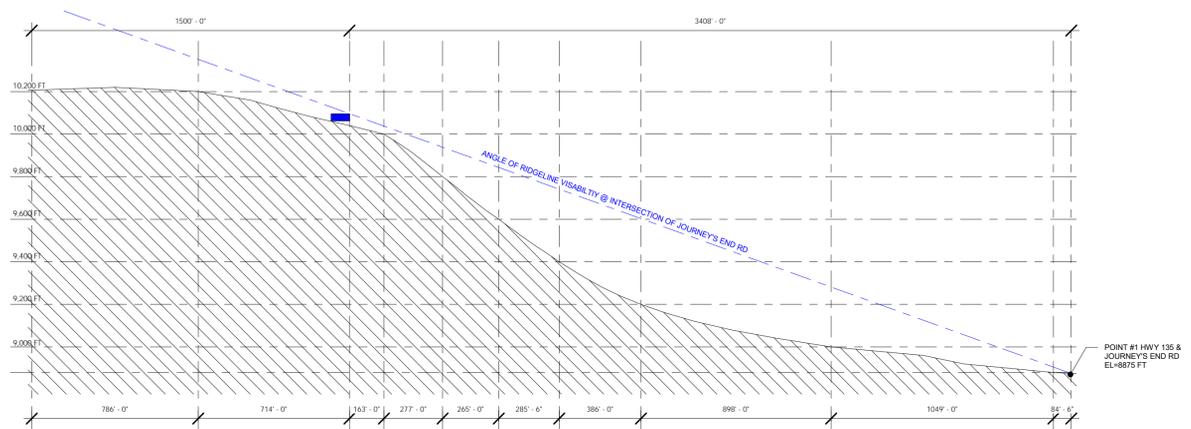
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PERMIT 2023-0222



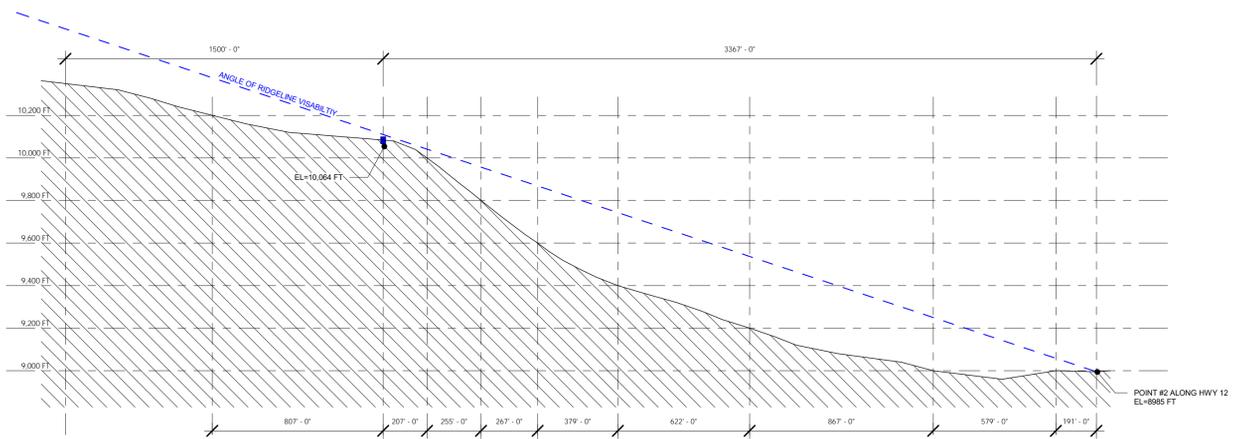
SHEET TITLE :
CURRENT
RIDGELINE
VISIBILITY ANALYSIS

SHEET NUMBER :
A1.07B

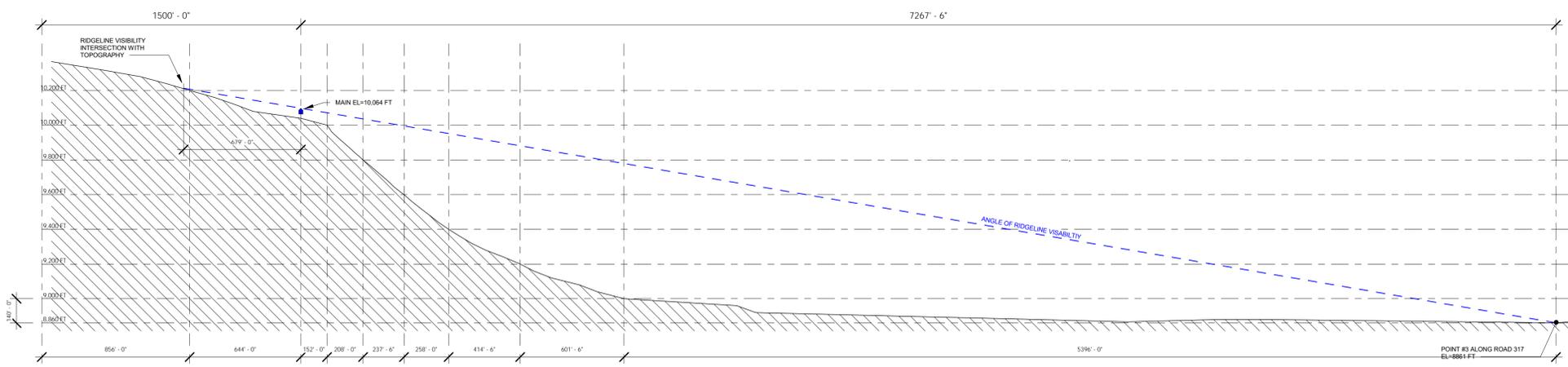
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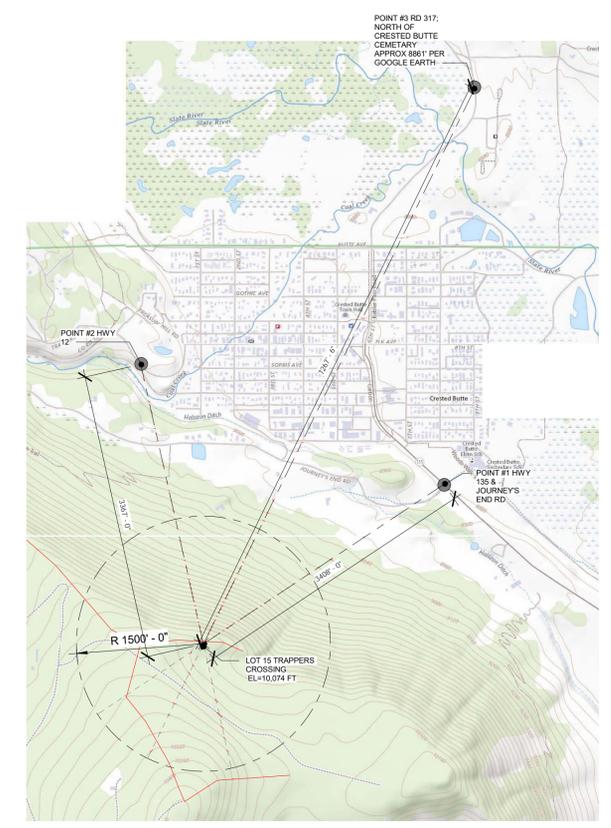
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 A1.07C SCALE: 1" = 400'-0"
 BACK REF:



3 HWY 12 VANTAGE - STUDY
 A1.07C SCALE: 1" = 400'-0"
 BACK REF:



4 RD 317 VANTAGE - STUDY
 A1.07C SCALE: 1" = 400'-0"
 BACK REF:



1 VISIBILITY MAP - ALTERNATIVE STUDY
 A1.07C SCALE: 1" = 12000'
 BACK REF:

1/4/2024 10:21:00 AM
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315 EAST AGATE AVENUE
 GRANBY, CO 80446
 970-887-9366
 MAARCHITECTURAL.COM

WITZ END
MATANYA & KELSEY HOROWITZ
 265 SADDLE RIDGE ROAD,
 Author
 PROJECT #: 2206

ISSUANCE : DATE :



SHEET TITLE :
 ALT STUDIED
 RIDGELINE
 VISIBILITY ANALYSIS

SHEET NUMBER :
A1.07C

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PROJECT ZONING SUMMARY

LEGAL DESCRIPTION: LOT 15, TRAPPER'S CROSSING AT WILDCAT SUBDIVISION TOWN OF CRESTED BUTTE COUNTY OF GUNNISON STATE OF COLORADO

CONSTRUCTION TYPE: V8 - WOOD FRAMED (NON-FIRE RATED) W/ AUTOMATIC SPRINKLER SYSTEM

FRONT YARD SETBACK: 150' - 0"
SIDE YARD SETBACK: 150' - 0"
REAR YARD SETBACK: 150' - 0"

MAX BUILDING HEIGHT: 30' - 00"
 THE MAXIMUM BUILDING HEIGHT OF ANY BUILDING SHALL BE 30 FEET. THE HEIGHT OF A BUILDING FOR THE PURPOSE OF THIS SECTION SHALL BE MEASURED AND DETERMINED IN THE MANNER PROVIDED BY THE UNIFORM BUILDING CODE. (COVENANT OF TRAPPER'S CROSSING AT CRESTED BUTTE ARTICLE 5 SECTION 7)

BUILDING HEIGHT: 24' - 08"

HEIGHT (STORIES): 3

GROSS SITE AREA: 37.91 ACRES @ PROPERTY LINE

MINIMUM DENSITY: THE ALLOWABLE GROSS RESIDENTIAL FLOOR AREA, SHALL BE NOT LESS THAN 1,500 SQUARE FEET FOR NAY FAMILY RESIDENCE, UNLESS OTHERWISE APPROVED BY THE BOARD OF DIRECTORS (COVENANT OF TRAPPER'S CROSSING AT CRESTED BUTTE ARTICLE 5 SECTION 5)

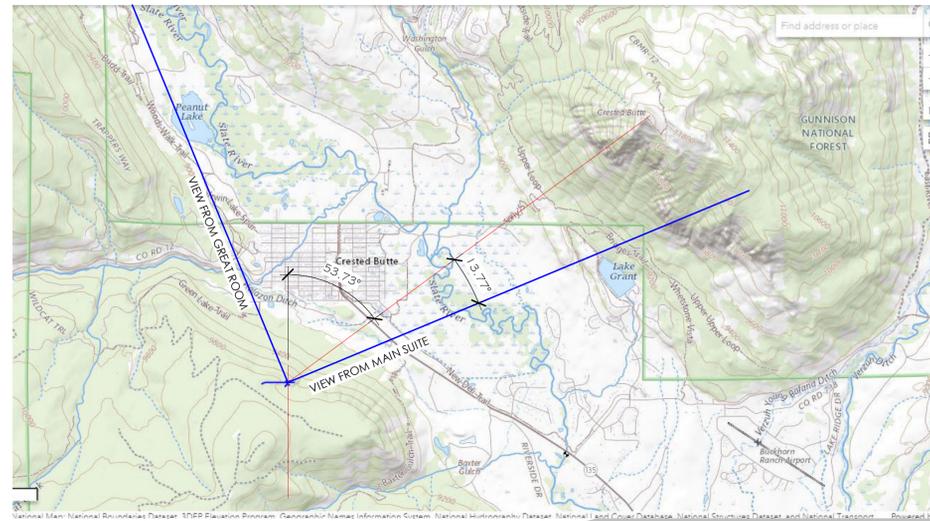
MAXIMUM DENSITY: THE MAXIMUM GROSS FLOOR AREA OF ALL BUILDINGS, DETERMINED IN THE MANNER PROVIDED BY THE UNIFORM BUILDING CODE CONSTRUCTED UPON ANY LOT SHALL NOT EXCEED 11,000 SQUARE FEET IN AGGREGATE. (COVENANT OF TRAPPER'S CROSSING AT CRESTED BUTTE ARTICLE 5 SECTION 6)

LIGHTING (EXTERIOR): ALL EXTERIOR LIGHTING SHALL BE DESIGNED AND DIRECTED IN A MANNER APPROVED BY THE BOARD. ALL EXTERIOR LIGHTING OR ILLUMINATION ON ANY LOT SHALL BE SO LOCATED, SHIELDED AND DESIGNED TO ARCHITECTURALLY INTEGRATE WITH THE BUILDINGS AND SURROUNDING AND TO HAVE MINIMUM VISUAL POLLUTION OR IMPACT ON ANOTHER LOT OR THE TOWN OF CRESTED BUTTE, COLORADO (COVENANT OF TRAPPER'S CROSSING AT CRESTED BUTTE ARTICLE 5 SECTION 11)

SNOW STORAGE: DESIGNATED SNOW STORAGE AREAS SHALL NOT BE LESS THAN SIX FEET WIDE AND, TO THE MAXIMUM EXTENT FEASIBLE, SHALL BE LOCATED ADJACENT TO THE AREA OF THE PROJECT SITE FROM WHICH SNOW IS TO BE REMOVED. THE STORAGE AREA SHALL NOT BE INCLUDED IN ANY PARKING AREA PURSUANT TO SECTION-110 (GUNNISON COUNTY, COLORADO LAND USE RESOLUTION SECTION 13--112.E.2)

WATER SPRINKLER SYSTEMS: ALL RESIDENTIAL BUILDING SITUATED UPON THE PROPERTY SHALL HAVE INSTALLED AND MAINTAINED WATER OR CHEMICAL SPRINKLER SYSTEMS OF A TYPE AND DESIGN, INCLUDING WATER CAPACITY AND WATER PRESSURE SUFFICIENT FOR FIRE PROTECTION OF THE BUILDING (COVENANT OF TRAPPER'S CROSSING AT CRESTED BUTTE ARTICLE 5 SECTION 14)

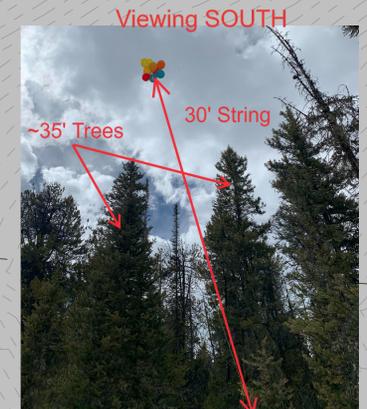
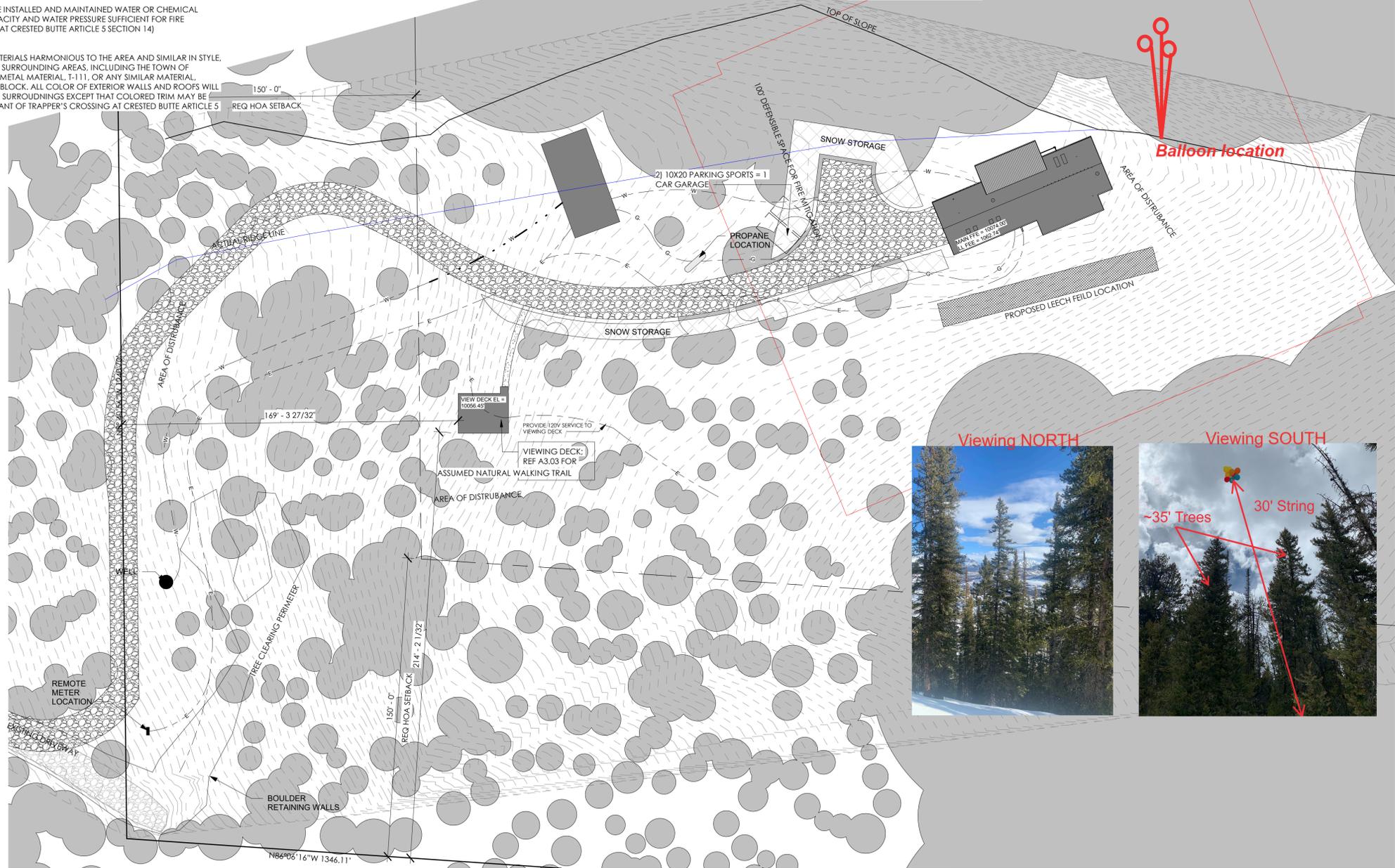
EXTERIOR MATERIAL REQUIREMENTS: ALL BUILDINGS SHALL BE BUILT IN A STYLE AND WITH COLORS AND MATERIALS HARMONIOUS TO THE AREA AND SIMILAR IN STYLE, COLOR, AND MATERIALS TO LIKE KIND BUILDINGS IN EXISTENCE IN THE SURROUNDING AREAS, INCLUDING THE TOWN OF CRESTED BUTTE. NO EXTERIOR WALLS SHALL CONSIST OF SHEET METAL, METAL MATERIAL, T-111, OR ANY SIMILAR MATERIAL, COMPOSITION SHINGLES OR UNPLASTERED CEMENT OR SIMILAR TYPE BLOCK. ALL COLOR OF EXTERIOR WALLS AND ROOFS WILL BE NATURAL OR EARTH TONES IN COLOR TO BLEND WITH THE NATURAL SURROUNDINGS EXCEPT THAT COLORED TRIM MAY BE ALLOWED UPON APPROVAL OF THE BOARDS OF DIRECTORS. (COVENANT OF TRAPPER'S CROSSING AT CRESTED BUTTE ARTICLE 5 SECTION 9)



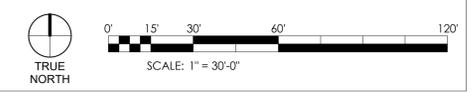
SITE PLAN LEGEND:			
	NEW PROPOSED CONCRETE		EXISTING GRAVEL
	EXISTING TREES TO REMAIN		NEW PROPOSED GRAVEL
	EXISTING TREES TO BE REMOVED		NEW PROPOSED SOFTSCAPE
	NATURAL SOIL/DIRT TRAIL		SNOW STORAGE

2 VIEW ANGLE TO MT. CRESTED BUTTE
 SCALE: N.T.S. BACK REF:

LOT 15
TRAPPERS CROSSING AT WILDCAT
37.91 ACRES±



1 PROJECT SITE PLAN
 SCALE: 1" = 30'-0" BACK REF:



4/11/2024 9:34:39 AM
 i:\Projects-new\2206 - Horowitz\A MA_2206_Horowitz_A22-shed.rvt



315 EAST AGATE AVENUE
 GRANBY, CO 80446
 970-887-9366
 MAARCHITECTURAL.COM

WITZ END
MATANYA & KELSEY HOROWITZ
 265 SADDLE RIDGE ROAD,
 Author
 PROJECT #: 2206

ISSUANCE :	DATE :
SCHEMATIC DESIGN	2022-0411
DESIGN DEV	2022-0914
ARC SUBMITTAL	2023-0221
PERMIT	2023-0222

NOT FOR CONSTRUCTION
 FOR REFERENCE ONLY

SHEET TITLE :
 PROJECT SITE PLAN

SHEET NUMBER :
A1.00

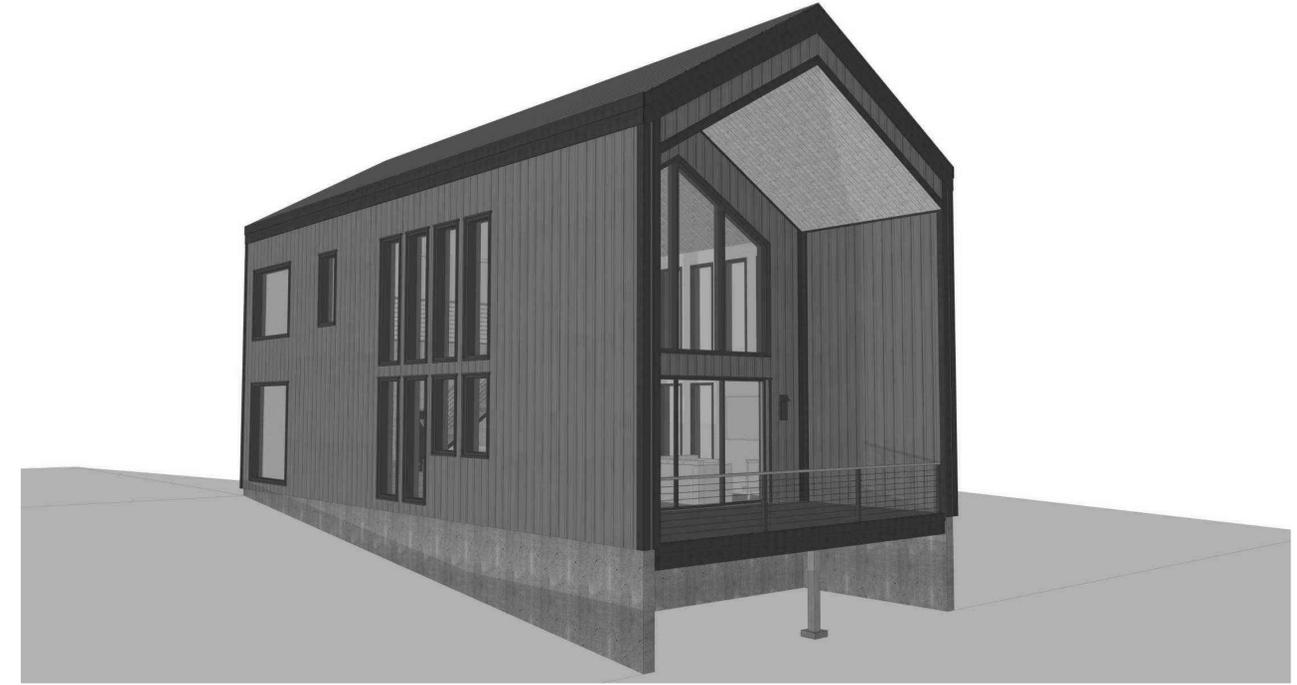
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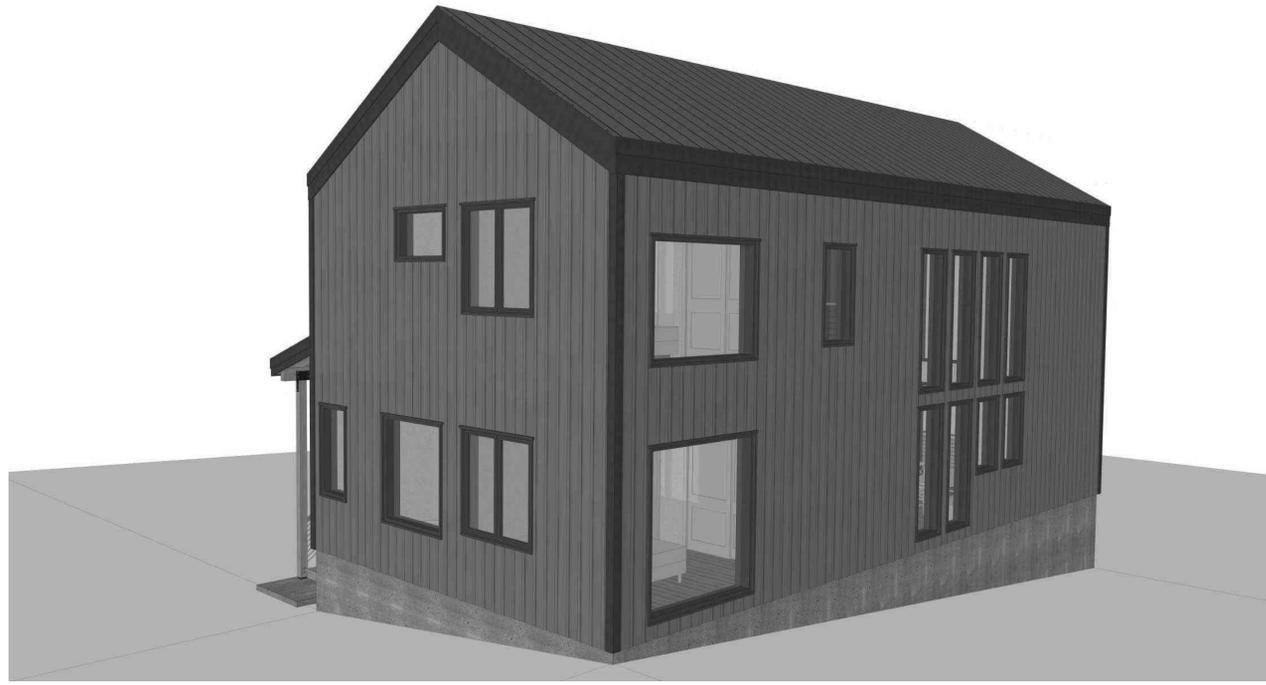
11251 SE 232nd AVE
 DAMASCUS, OR 97081

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1 3D EXTERIOR VIEW A

2 3D EXTERIOR VIEW B



3 3D EXTERIOR VIEW C

4 3D EXTERIOR VIEW D

Drawing Index

No.	Date	Description

OWNER INFORMATION
 MATANYA & KELSEY HOROWITZ
 265 SADDLE RIDGE RD.
 CRESTED BUTTE, CO 81224

HOROWITZ
 MANZANITA

265 SADDLE RIDGE RD.
 CRESTED BUTTE, CO 81224

3D VIEWS -
 EXTERIOR

A-002

DRAWN BY
 JHM
 08/08/2024



COMMUNITY & ECONOMIC
DEVELOPMENT

Rachael Blondy, *Planner II*

(970) 641-7932

rblondy@gunnisoncounty.org

www.GunnisonCounty.org

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

RE: LUC-24-00053 | Minor Impact | Public Hearing | Dunbar Family Partnership Subdivision

Memo Date: March 13, 2025

Date of Work Session: March 20, 2025

1. Project Summary

The Applicant, Dunbar Family Partnership (DLP) represented by Adam Ostmeyer, proposes a subdivision of 109.91 acres south of Gunnison, into a 102.6 acre and a 7.31 acre parcel. [Parcel # 3787-000-00-109](#). The owner wishes to subdivide off the 7.31 acres to sell to the current lessee to maintain the agricultural uses.

The tenant would like to own the resultant 7.31 acre parcel that currently contains ranching storage and operations structures. By owning that acreage, they can improve upon the existing agricultural structures at their discretion and cost. No additional buildings or roads are proposed in the application.



Figure 1. Parcel Location

The Planning Commission met for a work session on January 9, 2025 and directed staff to schedule a joint public hearing and draft a recommendation document (Exhibit C) for consideration. The Commission discussion was generally supportive of the proposed subdivision. Public Notice was posted in both the Crested Butte News and Gunnison Country Times on February 13, 2025, posted on the property on February 18, 2025 and mailed to neighboring parcels on February 19, 2025. One public comment inquiring about the future of the larger parcel was received.

2. Impact Classification

The Project has been classified as a Minor Impact Project, based upon Gunnison County Land Use Resolution (LUR) SECTION 6-102:A 2-4 UNITS. 2-4 units that are subdivision lots or multi-family residences.

3. Land Use Resolution Compliance

The proposal has been comprehensively reviewed for compliance with the applicable standards of the Land Use Resolution in Exhibit A, Staff Report. Staff has outlined how the proposal meets more substantive LUR standards below.

Section 10-102: Locational Standards for Residential Development

The application meets the locational standards listed in Section 10-102:B. It is not directly adjacent to the City of Gunnison boundary, but it is within the City of Gunnison three mile plan area.

Section 10-103: Residential Density

The Applicant wishes to split off the 7.31 acres to sell to the current lessee of the parcel, to maintain current agricultural use. While there is no proposal for development at this time, a future owner would have the ability to apply for any projects that fall under Section 4-102 of the LUR, including two single family homes per lot, and therefore potentially increasing residential density with this application.

The proposed subdivision will be served by the Dos Rios Sewer and Water Division. The surrounding area includes a range of lot sizes, from smaller residential parcels (0.29, 0.5, 3.2 acres) to larger agricultural tracts (66, 99, 134.5 acres). Given this variability, the subdivision's lot sizes of 102.6 and 7.31 acres remain within the established range.

While this application does not propose residential development, The application was referred to The City of Gunnison, Gunnison County Public Works, Gunnison Fire Protection District, Gunnison Conservation District and Colorado Geological Survey. None of the agencies foresee any substantial effects or adverse impacts from a subdivision in this location to wildlife or the environment. Gunnison County Public Works has confirmed their ability and willingness to serve the lots with water and sewer lines. The City of Gunnison Planning and Zoning Commission supports the subdivision request.

Section 12-105: Water Supply and Section 12-106: Sewage Disposal / Wastewater Treatment

The proposed subdivision is located in the Dos Rios Water Division and Dos Rios Sewer service area.

Application was sent to Gunnison County Public Works on October 17, 2024. Robyn Zimmerman confirmed that,

The above parcel being subdivided into two parcels located between Fairway Lane and County Road 50 in the Dos Rios Water and Sewer Division of the Gunnison County Water and Sanitation District is adjacent to the Dos Rios Water Public Water System which could provide drinking water to the two subdivided parcels.

and,

The above parcel being subdivided into two parcels located between Fairway Lane and County Road 50 in the Dos Rios Water and Sewer Division of the Gunnison County Water and Sanitation District is located within 400 feet of the Dos Rios Sewer Collection System.

4. **Exhibits**

You may review the entire application at <https://permitdb.gunnisoncounty.org/citizenaccess>, click "Projects", search by application number LUC-24-00053. Click on "Attachments".

- A. Staff Report
- B. Plat
- C. Draft Recommendation



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

Land Use Change Permit Application: Dunbar Family Partnership
 Application No: LUC-24-00053
 Date application scheduled with Planning Commission: March 20, 2025
 Prepared by: Rachael Blondy

Applicant Name:	Dunbar Family Partnership
Property Owner Name:	Dunbar Family Partnership
Project Description:	<p>The Applicant, Dunbar Family Partnership (DLP) represented by Adam Ostmeyer, proposes a subdivision of 109.91 acres south of Gunnison, into a 102.6 acre and a 7.31 acre parcel. The owner wishes to subdivide off the 7.31 acres to sell to the current lessee to maintain the agricultural uses.</p> <p>The tenant would like to own the resultant 7.31 acre parcel that currently contains ranching storage and operations structures. By owning that acreage, they can improve upon the existing agricultural structures at their discretion and cost. No additional buildings or roads are proposed in the application.</p> <p>No additional buildings or roads are expected as a part of this application.</p>
Property Location:	Parcel # 3787-000-00-109
Surrounding Land Uses:	<p>Parcel 3787-110-00-018: Gunnison Kampground Parcel # 3787-110-00-015: Residential Parcel # 3787-110-00-006: Residential Parcel # 3787-110-00-004: Residential Parcel # 3787-000-00-113: Agricultural All residential parcels east of Fairway Lane and Tomichi Creek Loop ranging from .3 to 3.7 acres</p>
Agency and Department Review:	<p>A copy of the application was sent to the following referral agencies by email on October 17, 2024:</p> <ul style="list-style-type: none"> • The City of Gunnison • Gunnison County Public Works • Gunnison Fire Protection District • Gunnison Conservation District • Colorado Geological Survey • Gunnison Watershed School District <p>Comments can be found below in their appropriate sections.</p>

Pre-Application Conference:	n/a	
Status of Application:	Complete	
Attached Exhibits:	The entire application and all attachments may be viewed at https://permitdb.gunnisoncounty.org/citizenaccess , click "Projects", search by application number LUC-24-00053 , Click on "Attachments".	
Planning Commission Tasks at Initial 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 — Identify and consider issues — Determine impact classification, considering both by definition and criteria of Section 3-111: B. 1. — Create list at end of meeting of items to be addressed at next meeting, and the date by which related information is to be submitted — Set site visit date — Determine if application is ready to be set for public hearing, or if other work session is required 	
Initial Impact Classification:	Minor Impact Project, based upon classification found in <i>Section 6-102: Projects Classified as Minor Impact Projects</i>	
Other Criteria of Impact Classification: (Sec. 3-111. B. 1.)	<p>Demand for public services. The proposed land use change is expected to generate a minor or a major demand for public services, including roads, transit, schools, water supply, sewage disposal, fire and police protection, and emergency services.</p> <p>Impacts on impact area and the environment. The proposed land use change is expected to generate a minor or a major impact on the impact area.</p> <p>Impacts related to all existing and proposed development and proposed development in impact area. The impacts of the proposed land use change, when considered in conjunction with existing and proposed land use changes in the impact area, are expected to be minor.</p>	
EA or EIS is required for this project	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Project located in Special Geographic Area	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Phasing proposed	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Is a Partially Exempted land use change (Section 1-106)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
APPLICABILITY OF LAND USE RESOLUTION STANDARDS:		

STANDARD, BY LUR SECTION, DIVISION AND/OR ARTICLE	Plan complies, or compliance will be determined during review	Staff Comments/ References to specific documentation
9-101: E. and F.: Secondary residences are allowed, and standards are addressed in covenants	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
9-102: Home occupations	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
9-103: Bed and breakfast	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
9-203: Mobile home communities	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
9-300: Commercial and Industrial Uses	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
9-302: Farm or ranch stand	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
9-303: Dude ranches and resorts	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
9-304: Adult-oriented uses	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
9-305: Seasonal recreational vehicle parks and campgrounds	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
9-400: Minerals and construction materials	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
9-501: Special events	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
9-502: Temporary structures	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
9-503: Satellite dishes	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
9-504: Attached wireless communications devices	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
9-505: Freestanding wireless communications structures	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
9-506: Child care center	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
9-507: Group home	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
9-508: Keeping of livestock not on an agricultural operation	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
9-509: Camping on individual parcel	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
9-600: Essential housing	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
10-102: Locational standards for residential development	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Applicable. SECTION 10-102: LOCATIONAL STANDARDS. In addition to all applicable standards of this Resolution, an application for a new subdivision shall initially be reviewed for its location relative to existing development and shall be located:

		<ol style="list-style-type: none"> 1. ADJACENT TO EXISTING POPULATION CENTER. Adjacent to Almont, Crested Butte South or the incorporated municipalities of Gunnison, Crested Butte, or Mt. Crested Butte; 2. WITHIN A MUNICIPAL THREE MILE PLAN AREA. Within a municipal Three Mile Plan area. <p><i>Staff Response: The proposed subdivision is near an existing population center and is within the City of Gunnison three-mile plan area. Both parcels can attach to Dos Rios water and sewer lines. No additional development is expected as a part of this application.</i></p> <p><i>The application was sent for referral to the City of Gunnison on October 17, 2024. Full comments can be seen in Citizen Access, however The City of Gunnison Planning and Zoning Commission supports the subdivision request.</i></p>
10-103: Residential density	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p>Applicable.</p> <p>This section is to prevent sprawl and leapfrog development and to allow for flexibility in residential subdivision design.</p> <p>SECTION 10-103:C.1 COMPLIANCE WITH MUNICIPAL THREE MILE PLAN AREA. 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 three-mile plan or the intergovernmental agreement, and County standards, County standards shall apply; and</p> <p>SECTION 10-103:C.2. DETERMINATION OF DENSITY CONSIDERS SEWAGE DISPOSAL REQUIREMENTS. Location, configuration, and the final maximum density of lots one acre or larger in a proposed development shall be determined subject to feasibility of use of an On-Site Wastewater Treatment System pursuant to the Gunnison County On-Site Wastewater Treatment System Regulations. In no case shall any lots smaller than an acre be allowed in a new subdivision unless served by a central or regional wastewater treatment system.</p>

		<p>SECTION 10-103:C.3 LOT SIZE AND LOT DENSITY CONSIDERATIONS. Unless exempted pursuant to Section 10-103: B.1.: Exemption for Parcels on Agricultural Operation, lot size and lot density shall be substantially similar to neighborhood parcels unless the standards of either (a) or (b) are met:</p> <p><i>Staff Response: The Applicant wishes to divide off the 7.31 acres to sell to the current lessee of the parcel, to maintain current agricultural use. As an additional lot will be created, this increases overall density. By subdividing this into two parcels, up to two residences will be allowed on each parcel.</i></p> <p><i>The resulting lots can tie onto both County managed Dos Rios sewer and water, if development is proposed in the future.</i></p> <p><i>The surrounding area includes a range of lot sizes, from smaller residential parcels (0.29, 0.5, 3.2 acres) to larger agricultural tracts (66, 99, 134.5 acres). Given this variability, the subdivision's lot sizes of 102.6 and 7.31 acres remain within the established range.</i></p>
10-104: Locational standards for commercial, industrial or other non-residential uses	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
11-102: Voluntary best management practices	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Applicable. <i>Staff Response: All standards listed in Section 11-102 are voluntary.</i>
11-103: Development in flood hazard areas	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not located in 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	Not applicable, not located in a geologic hazard area.

11-105: Development in wildfire hazard areas	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p>Applicable.</p> <p>SECTION 11-105:B. APPLICABILITY. The requirements of this Section shall apply to any development in areas designated as wildfire hazard areas on the Wildfire Hazard Maps, and in areas where the Colorado State Forest Service determines that there is the potential for a proposed development to be threatened by a wildfire hazard.</p> <p><i>Staff Response: The parcel is mapped as high wildfire. All development will need to be referred to and reviewed by Gunnison County Fire Protection District. Any future development will be required to meet the Gunnison County Wildland Urban Interface (WUI) code.</i></p> <p><i>Hugo Ferchau with GFPD provided comment on October 18, 2024: No fire issues with the subdivision.</i></p>
11-106: Protection of wildlife habitat areas	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p>Applicable.</p> <p>The proposed subdivision is in Tier I and Tier II Gunnison Sage Grouse Territory.</p> <p><i>Staff Response: The proposed subdivision exists within already disturbed area, and it is unlikely that subdividing the lots would negatively impact the Gunnison Sage Grouse.</i></p> <p><i>Application was sent to Gunnison Conservation District on October 17, 2024. Comments:</i></p> <p><i>"I find that the proposed activity will not adversely impact Gunnison sage-grouse or their habitats beyond that which has already occurred." Full comments available in Citizen Access.</i></p>
11-107: Protection of water quality	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not within 125 feet of water bodies and/or mudflow hazard areas.
11-108: Standards for development on ridgelines	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not on a Ridgeline.
11-109: Development that affects agricultural lands	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<p>Applicable.</p> <p><i>Staff Response: The land is currently in use for grazing cattle. The 7.31 acre parcel will remain agricultural.</i></p>
11-110: Development beyond snowplowed access	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, 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, not on an inholding in national wilderness.

11-112: Development above timberline	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not above timberline.
12-103: Road system	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, no new roads proposed as a part of this application. <i>Staff Response: Tract 1 will be accessed through Parcel # 3787-110-00-006 using platted 60' access easement. Tract 2 will be accessed off Fairway Lane.</i>
12-104: Trails	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
12-105: Water Supply	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Applicable. SECTION 12-105:A. GENERAL STANDARD. All land use changes for Minor or Major Impact Projects, for which water is a required and necessary element of the development, shall provide a water supply that is legally and physically adequate in terms of quality, quantity, dependability, and pressure for the proposed development. In making its determination as to whether the proposed water supply will be adequate for the proposed use, the decision-making body shall consider the recommendations of the Colorado Division of Water Resources, the Gunnison County Environmental Health Official and other County staff, or consultants engaged by the County and the applicant. SECTION 12-105:B. CONNECTION TO EXISTING SYSTEMS. It is the policy of Gunnison County to encourage land use changes to use existing water supply systems <i>Staff Response: The proposed parcels can connect to the Dos Rios water line. Applicant is responsible for coordinating with Gunnison County Public Works to arrange this connection.</i> <i>Application was sent to Gunnison County Public Works on October 17, 2024. Comments:</i> <i>“The above parcel being subdivided into two parcels located between Fairway Lane and County Road 50 in the Dos Rios Water and Sewer Division of the Gunnison County Water and Sanitation District is adjacent to the Dos Rios Water Public Water System which could provide drinking water to the two subdivided parcels.”</i>
12-106: Wastewater treatment	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Applicable. SECTION 12-106:B CONNECTION TO EXISTING SYSTEMS. An applicant for a Land Use Change Permit shall be required to connect

		<p>to an existing wastewater treatment system approved by the Colorado Department of Public Health and Environment and to install those connection lines and other appurtenances necessary to make the system available at the property line of each lot in the development</p> <p><i>Staff Response: The proposed parcels are able to connect to the Dos Rios sewer. Applicant is responsible for coordinating with Gunnison County Public Works to arrange this connection.</i></p> <p><i>Application was sent to Gunnison County Public Works on October 17, 2024. Comments:</i></p> <p><i>“The above parcel being subdivided into two parcels located between Fairway Lane and County Road 50 in the Dos Rios Water and Sewer Division of the Gunnison County Water and Sanitation District is located within 400 feet of the Dos Rios Sewer Collection System.”</i></p>
12-107: Fire protection	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
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>Applicable.</p> <p>SECTION 13-102: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.</p> <p><i>Staff Response: The proposed subdivision is within the City of Gunnison three-mile plan area.</i></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>Applicable.</p> <p>SECTION 13-103:D.3 LOT SIZE IN NEW SUBDIVISIONS. In residential subdivisions created after the effective date of this Resolution, the minimum lot size shall be no smaller than one acre unless served by a public waste-water treatment system.</p> <p><i>Staff Response: The two resulting lots are larger than 1 acre.</i></p>
13-104: Setbacks From Property Lines And Road Rights-Of-Way	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<p>Not applicable.</p> <p><i>Staff Response: Any future development will abide by 25' front and 15' side and rear setbacks.</i></p>
13-105: Residential Building Sizes And Lot Coverages	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable.

		<i>Staff Response: Any future development will abide by the standards laid out in Section 13-105 at time of Building Permit. No development is proposed at this time.</i>
13-107: Installation Of Solid-Fuel-Burning Devices	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
13-108: Open Space And Recreation Areas	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
13-109: Signs	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
13-110: Off-Road Parking And Loading	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
13-111: Landscaping And Buffering	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
13-112: Snow Storage	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
13-113: Fencing	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
13-114: Exterior Lighting	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
13-115: Reclamation And Noxious Weed Control	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
13-116: Grading And Erosion Control	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
13-117: Drainage, Construction And Post-Construction Storm Water Runoff	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
13-118: Water Impoundments	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Not applicable, not requested as part of this application.
13-119: Standards To Ensure Compatible Uses	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Applicable. SECTION 13-119: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: 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.

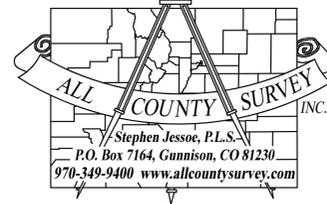
		<p>2. ADVERSE IMPACTS TO ADJOINING LAND. Land use changes shall eliminate or minimize or mitigate conflicts between adjoining land uses and to the maximum extent feasible, avoid changes that will result in significant net adverse impact to adjoining land.</p> <p><i>Staff Response: The proposed subdivision is unlikely to create any hazards or nuisances. It is unlikely to have adverse impacts to adjoining land, as it continues to be used as agricultural purposes.</i></p>
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SCALE: Not to Scale

According to Colorado Law, you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any legal action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

DATE: 23 October 2024
DRAWN BY: ADJ
REVIEWED BY: SLJ
PAGE 1 of 4

PLAT of DFP TRACTS
A PORTION of E1/2 SEC. 10 & W1/2 SEC. 11, T49N, R1W, N.M.P.M.
COUNTY of GUNNISON
STATE of COLORADO



ATTORNEY'S OPINION

I, David Leinsdorf, an attorney at law duly licensed to practice in the State of Colorado, hereby certify that I have examined title to all lands herein dedicated and subdivided. Such title is vested in Dunbar Family Partnership, L.P., an Oklahoma limited partnership, and is free and clear of all liens, defects, encumbrances, restrictions and reservations, except as follows:

1. Taxes and assessments for the year _____ and subsequent years, a lien, but not yet due and payable.
2. United States Patents recorded in Book 45 at page 39; in Book 101 at page 126; in Book 115 at page 147 and in Book 115 at page 149.
3. Reservations contained in Warranty Deed recorded in Book 354 at page 496.
4. Easement Agreement in instrument recorded in Book 469 at page 236.
5. Easement and right of way as conveyed in instrument recorded in Book 578 at page 277.
6. Grant of Easement recorded in Book 715 at page 751.
7. Easement and right of way for County Road 34A, commonly known as Fairway Lane.
8. Gunnison County, Colorado Certificate of Administrative Review, Certification No. 101, Series 2004 recorded as Reception No. 546360.
9. Easements and Rights of Way in instruments recorded as Reception Nos. 592349, 592350, 592351 and 592352.
10. Any rights, interest or claims which may exist or arise by reason of the facts and notes shown on ALTA/ACSM Survey dated December 28, 2007, prepared by Rocky G. Reeves, Colorado L.S. No. 22101 recorded as Reception No. DEP-00514.
11. Terms and provisions in General Warranty Deed and Bargain and Sale Deed recorded, respectively, as Reception Nos. 641870 and 641871.

Dated this ____ day of _____, A.D. 2024.

David Leinsdorf, Attorney at Law
215 Elk Avenue, P.O. Box 187
Crested Butte, CO 81224-0187
davidl1224@gmail.com
970-349-6111

SURVEY NOTES

1. Basis of Bearing is based on a record bearing of S 73°52'02" E 1046.11' between a steel post and washer monument stamped "LS 11250" found at the southwesterly boundary corner of the subject parcel and an aluminum cap monument stamped "LS 11250" found at the southeasterly boundary corner of the subject parcel, as shown hereon.
2. Boundaries and boundary measurement calls are based on either the deed or the subdivision plat of record for each adjoining to the subject parcel, as shown hereon. The subject parcel is substantially the same parcel as granted in General Warranty Deed recorded September 9, 2016 at Reception No. 641870.
3. Easements, encumbrances, and/or restrictions (where capable of being shown hereon) are based solely on Gunnison County Abstract Company's Title Commitment No. G16-412 dated August 9, 2016. This Plat does not constitute a title search by this surveyor. Additional easements and encumbrances may exist.
4. Dimensions are in U.S. Survey Feet. Measurements were taken using GNSS observations on October 4, October 22, November 1, and November 14, 2019. These observations were taken in NAD 83, NAVD 88, State Plane Coordinates, Colorado Central Zone 0502, Geoid 12 applied. The measurements are in ground distance.
5. The subject parcel is not located in a Flood Hazard Area, according to National Flood Insurance Program Flood Insurance Rate Map 08051C1264D dated May 16, 2013.
6. The subject parcel is located within Gunnison County and is subject to Gunnison County's amended Land Use Resolution (LUR), dated March 5, 2019. The irrigation ditch easements shown hereon reflect the LUR requirements.
7. Utility locations are based solely on above-ground observed evidence and were located by others. Please contact the respective Utility Provider(s) for additional information.

PLAT NOTES

1. According to Colorado law you must commence legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based on any defect in this survey be commenced more than ten years from the date of the surveyor's certificate shown hereon.
2. Confinement of Domestic Animals. Animals must be controlled by kenneling, leashing or other physical restraint. Any expense of enforcing domestic animal control restrictions by Gunnison County shall be at the expense of the individual property owner.
3. Awareness of Colorado "fence-out" requirements. Per C.R.S. 35-46-101 et. seq., the property owner is required to construct and maintain fencing in order to keep livestock off his/her property.
4. Irrigation Ditch Maintenance. An irrigation ditch owner has the right to enter the designated irrigation ditch maintenance easement, maintain the ditch and leave natural debris on the bank of the ditch.

LAND SURVEYOR'S CERTIFICATE

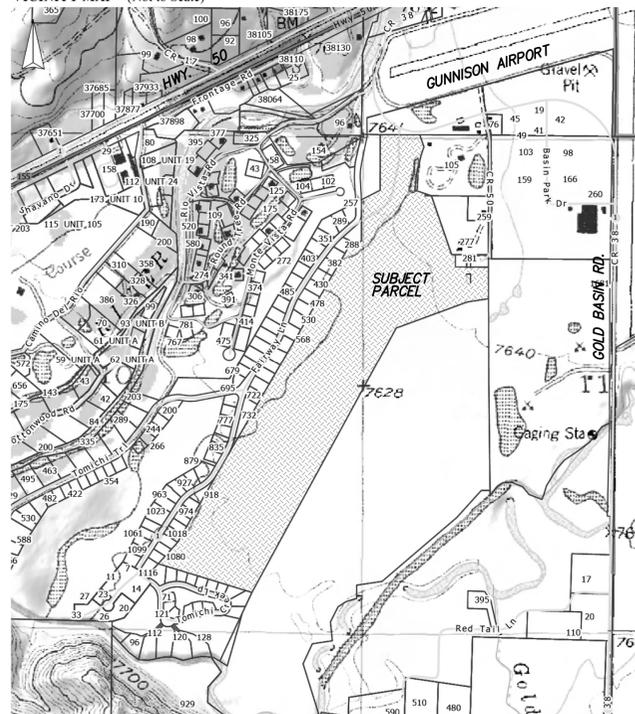
I, Stephen L. Jesso, for and on behalf of All County Survey, Inc., do hereby certify that I am a Licensed Professional Land Surveyor in the State of Colorado, that this Plat of DFP TRACTS as laid out, platted and dedicated and shown hereon, was made by me and under my direct supervision. Furthermore, the Plat a) is accurate to the best of my knowledge, information and belief, b) is in accordance with applicable standards of practice, and c) is not a guarantee or warranty either expressed or implied.

Basis of Bearing is based on a record bearing of S 73°52'02" E 1046.11' between a steel post and washer monument stamped "LS 11250" found at the southwesterly boundary corner of the subject parcel and an aluminum cap monument stamped "LS 11250" found at the southeasterly boundary corner of the subject parcel, as shown hereon.

Dated this ____ day of _____, A.D. 2024.

Stephen L. Jesso
Colorado Licensed Professional Land Surveyor No. 38048
For and on behalf of All County Survey, Inc.

VICINITY MAP (Not to Scale)



DEDICATION

Dunbar Family Partnership, L.P., an Oklahoma limited partnership, being the owner of the land described as follows:

Township 49 North, Range 1 West, New Mexico Principal Meridian

A tract of land located in the E1/2 of Section 10 and in the W1/2 of Section 11, Township 49 North, Range 1 West of the New Mexico Principal Meridian, with said tract being more particularly described as follows:

Commencing at the northwesterly corner of said Section 11, thence along the section line N 89°34' 00" E 200.00 feet, more or less to the northwesterly boundary corner of Parcel 1 of the Dos Rios Ranches, Inc. property as described in Book 385 at page 294 of the records of the Clerk and Recorder of Gunnison County, a point marked by a No. 5 rebar monument being the POINT OF BEGINNING of the herein described tract; thence the following twenty-three (23) courses around said tract:

1. S 00°50'00" E a distance of 598.60', along the easterly boundary of Dos Rios Unit 1 described in Rec. No. 249844, to a steel post and 1" washer monument stamped "LS 11250"; thence
2. S 62°10'00" W a distance of 224.46', along the easterly boundary of said Dos Rios Unit 1, to a No. 5 rebar monument; thence
3. S 00°50'00" E a distance of 443.37', along the easterly boundary of Dos Rios Unit 3 described in Rec. No. 311760, to a wood fence post with nail and 1" washer stamped "LS 11250"; thence
4. S 62°10'00" W a distance of 156.74', along the easterly boundary of said Dos Rios Unit 3, to a bent No. 4 rebar monument; thence
5. S 29°02'00" W a distance of 3663.87' along the easterly boundary of said Dos Rios Unit 3, to an angle point; thence
6. S 41°17'00" W a distance of 300.00', along the easterly boundary of said Dos Rios Unit 3, to the northeasterly boundary corner of Lot 59, Dos Rios Unit 3, marked by a steel post and 1" washer monument stamped "LS 11250"; thence
7. S 73°52'02" E a distance of 1046.11', along the northerly boundary of Tomichi Creek Subdivision described in Rec. No. 584860, to a 2" aluminum cap monument stamped "LS 11250"; thence
8. N 27°27'26" E a distance of 3248.86' along the westerly boundary of property described in Rec. No. 581695, to a 1" yellow plastic cap monument stamped "LS 22101", with said line being formerly recorded as S 28°22'23" W a distance of 3248.89'; thence
9. N 68°58'09" E a distance of 807.44' along the northerly boundary of said property described in Rec. No. 581695, to a 1" yellow plastic cap monument stamped "LS 22101", with said line being formerly recorded as S 69°53'49" W a distance of 807.35'; thence
10. N 80°16'56" E a distance of 230.45' along the northerly boundary of property described in Rec. No. 581695, to a 1" yellow plastic cap monument stamped "LS 22101", with said line being formerly recorded as S 81°13'46" W a distance of 229.78'; thence
11. N 01°07'00" W a distance of 412.61' along the westerly boundary of property described in Rec. No. 581695, to a 1" yellow plastic cap monument stamped "LS 22101"; thence
12. S 89°24'00" W a distance of 7.90' along a boundary line described in Rec. No. 581695, to a point on the easterly boundary of the Glenn property as described in Book 425 at page 59, marked by a 1" yellow plastic cap monument stamped "LS 22101"; thence
13. S 00°29'00" E a distance of 85.39' along the easterly boundary line of said property described in Book 425 at page 59, to a 1" aluminum cap monument stamped "LS 1776"; thence
14. S 89°31'00" W a distance of 336.40' along the southerly boundary line of said property described in Book 425 at page 59, to a 2" aluminum cap monument stamped "LS 2816"; thence
15. N 00°29'00" W a distance of 129.85' along the westerly boundary line of said property described in Book 425 at page 59, to the southeasterly boundary corner of Tract II of the French property as described in Book 423 at page 480; thence
16. S 89°07'30" W a distance of 51.70' along the southerly boundary line of said property described in Book 423 at page 480, to a 1" aluminum cap monument stamped "LS 1776"; thence
17. N 18°12'08" W a distance of 651.74' along the westerly boundary line of said property described in Book 423 at page 480, to a 1" aluminum cap monument stamped "LS 1776", with said line being formerly recorded as N 18°11.5' W a distance of 656.15'; thence
18. N 71°27'02" W a distance of 190.90' along a boundary line described in Book 625 at page 597 to the southwesterly boundary corner of the Tuttle Investment Co. property as described in Book 511 at page 991; thence
19. N 08°50'20" E a distance of 170.37' along the westerly boundary line of said property described in Book 511 at page 991, and along the east bank of an existing irrigation ditch, to a 1" pink plastic cap monument stamped "LS 38048"; thence
20. N 12°31'44" E a distance of 239.71' along the westerly boundary line of said property described in Book 511 at page 991, and along the east bank of an existing irrigation ditch, to a 1" pink plastic cap monument stamped "LS 38048"; thence
21. N 21°05'01" E a distance of 88.95' along the westerly boundary line of said property described in Book 511 at page 991, and along the east bank of an existing irrigation ditch, to a 1" pink plastic cap monument stamped "LS 38048"; thence
22. N 18°33'59" W a distance of 117.77' along the westerly boundary line of said property described in Book 511 at page 991, to a point along the northerly boundary of Section 11, being marked by a pink plastic cap monument stamped "LS 38048"; thence
23. S 89°33'47" W a distance of 459.59' along the boundary line described in Book 625 at page 597 to the POINT OF BEGINNING;

Said parcel contains 111.42 acres, more or less. Basis of Bearing is based on a record bearing of S 73°52'02" E 1046.11' between a steel post and washer monument stamped "LS 11250" found at the southwesterly boundary corner of the subject parcel and an aluminum cap monument stamped "LS 11250" found at the southeasterly boundary corner of the subject parcel;

EXCEPTING THEREFROM that parcel of land as set forth in the Deed between Valco, Inc., a Colorado corporation and the Board of County Commissioners of Gunnison County, Colorado as recorded September 16, 1997 as Reception No. 478330; said parcel contains 1.51 acres, more or less;

County of Gunnison, State of Colorado;

under the name of DFP TRACTS, has laid out, platted and subdivided the same as shown on this plat and does hereby permanently dedicate and convey to the owners of tracts within this subdivision and their guests, but not to the public at large, the common right to use streets, alleys, roads and other areas as shown hereon and hereby permanently dedicates those portions of land labeled as easement for the installation and maintenance of public utilities as shown hereon.

IN WITNESS WHEREOF, W.K. Dunbar has subscribed his name this ____ day of _____, 2024, as Manager of MAM Management, LLC, an Oklahoma limited liability company, General Partner of Dunbar Family Partnership, L.P., an Oklahoma limited partnership.

Dunbar Family Partnership, L.P., an Oklahoma limited partnership

By: _____
W.K. Dunbar, Manager of MAM Management, LLC, an Oklahoma limited liability company, General Partner

STATE OF COLORADO)
) ss.
COUNTY OF GUNNISON)

The foregoing Dedication was acknowledged before me this ____ day of _____, A.D. 2024 by W.K. Dunbar, Manager of MAM Management, LLC, an Oklahoma limited liability company, General Partner.

Witness my hand and official seal.
My commission expires: _____

Notary Public

WARNING AND DISCLAIMER OF WILDFIRE HAZARDS

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

By: _____
W.K. Dunbar, Manager of MAM Management, LLC, an Oklahoma limited liability company, General Partner

GUNNISON COUNTY PLANNING COMMISSION RECOMMENDATION

The Planning Commission of Gunnison County, Colorado hereby recommends approval of this Plat of the above subdivision, such recommendation being made at a meeting of said Commission held on the ____ day of _____, A.D. 2024

Chairperson, Gunnison County Planning Commission

BOARD OF COUNTY COMMISSIONERS' ACCEPTANCE

The within Plat of DFP TRACTS is approved this ____ day of _____, A.D. 2024 and the private dedication of roads and common areas is approved on the condition that such roads and common areas shall be maintained and snowplowed by and at the expense of the tract owners and not by Gunnison County or any other public agency.

Chairperson, Gunnison County Board of Commissioners

COMPLIANCE WITH CERTIFICATE OF APPROVAL

The property described on this Plat is subject to all requirements, terms and conditions of Certificate of Administrative Review, Certification No. 101, Series 2004, recorded at Reception No. 546360 of the records of the Clerk and Recorder of Gunnison County.

GUNNISON COUNTY CLERK AND RECORDER'S ACCEPTANCE

This Plat was accepted for filing in the office of the Clerk and Recorder of Gunnison County, Colorado, on this ____ day of _____, A.D. 2024.

Reception Number _____ Time _____ Date _____

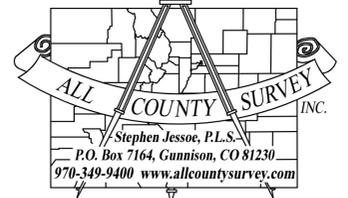
Gunnison County Clerk and Recorder

SCALE: 1" = 200'

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DATE: 23 October 2024
 DRAWN BY: ADJ
 REVIEWED BY: SLJ
 PAGE 2 of 4

PLAT of DFP TRACTS
A PORTION of E1/2 SEC. 10 & W1/2 SEC. 11, T49N, R1W, N.M.P.M.
COUNTY of GUNNISON
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SE1/4 SECTION 3

SW1/4 SECTION 2

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LAND SURVEYOR'S CERTIFICATE

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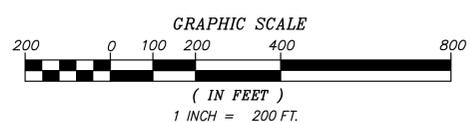
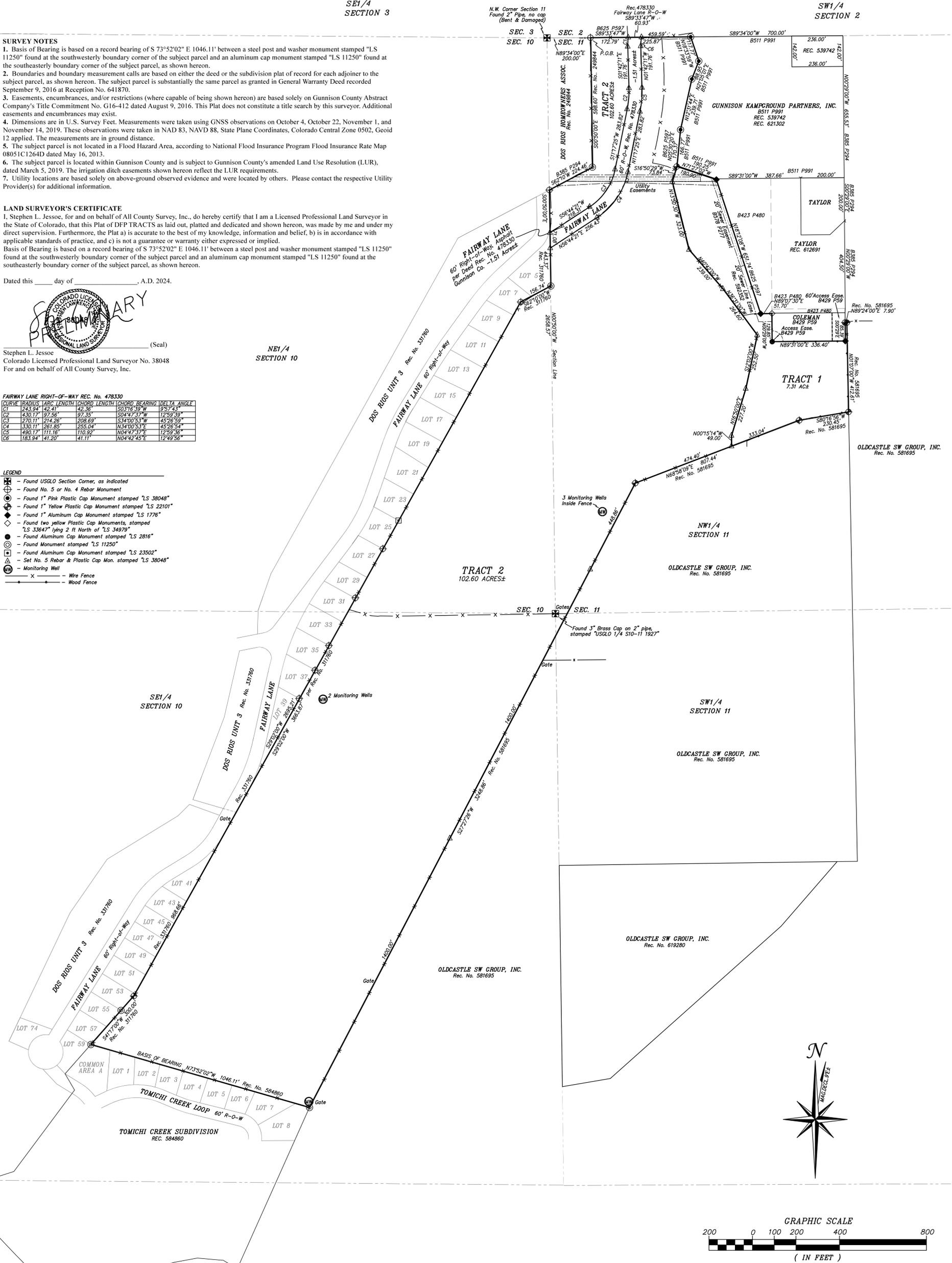


Stephen L. Jessoe
 Colorado Licensed Professional Land Surveyor No. 38048
 For and on behalf of All County Survey, Inc.

FAIRWAY LANE RIGHT-OF-WAY REC. No. 478330

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	243.94	42.41	42.36	S03°16'39"W	95°7'43"
C2	430.17	97.56	97.35	S04°47'57"W	125°0'59"
C3	270.11	214.26	208.69	S34°00'53"W	45°26'59"
C4	330.11	261.85	255.04	N34°00'53"E	45°26'54"
C5	490.17	111.16	110.92	N04°42'37"E	12°29'36"
C6	183.94	41.20	41.11	N04°42'43"E	12°49'56"

- LEGEND**
- Found USGLO Section Corner, as indicated
 - Found No. 5 or No. 4 Rebar Monument
 - Found 1" Pink Plastic Cap Monument stamped "LS 38048"
 - Found 1" Yellow Plastic Cap Monument stamped "LS 22101"
 - Found 1" Aluminum Cap Monument stamped "LS 1778"
 - Found two yellow Plastic Cap Monuments, stamped "LS 33647" lying 2 ft North of "LS 34978"
 - Found Aluminum Cap Monument stamped "LS 2816"
 - Found Monument stamped "LS 11250"
 - Found Aluminum Cap Monument stamped "LS 23502"
 - Set No. 5 Rebar & Plastic Cap Mon. stamped "LS 38048"
 - Monitoring Well
 - Wire Fence
 - Wood Fence

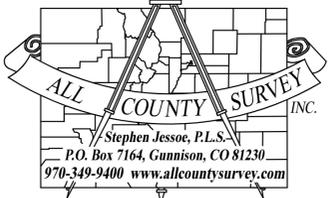


SCALE: 1" = 50'

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COUNTY of GUNNISON
STATE of COLORADO



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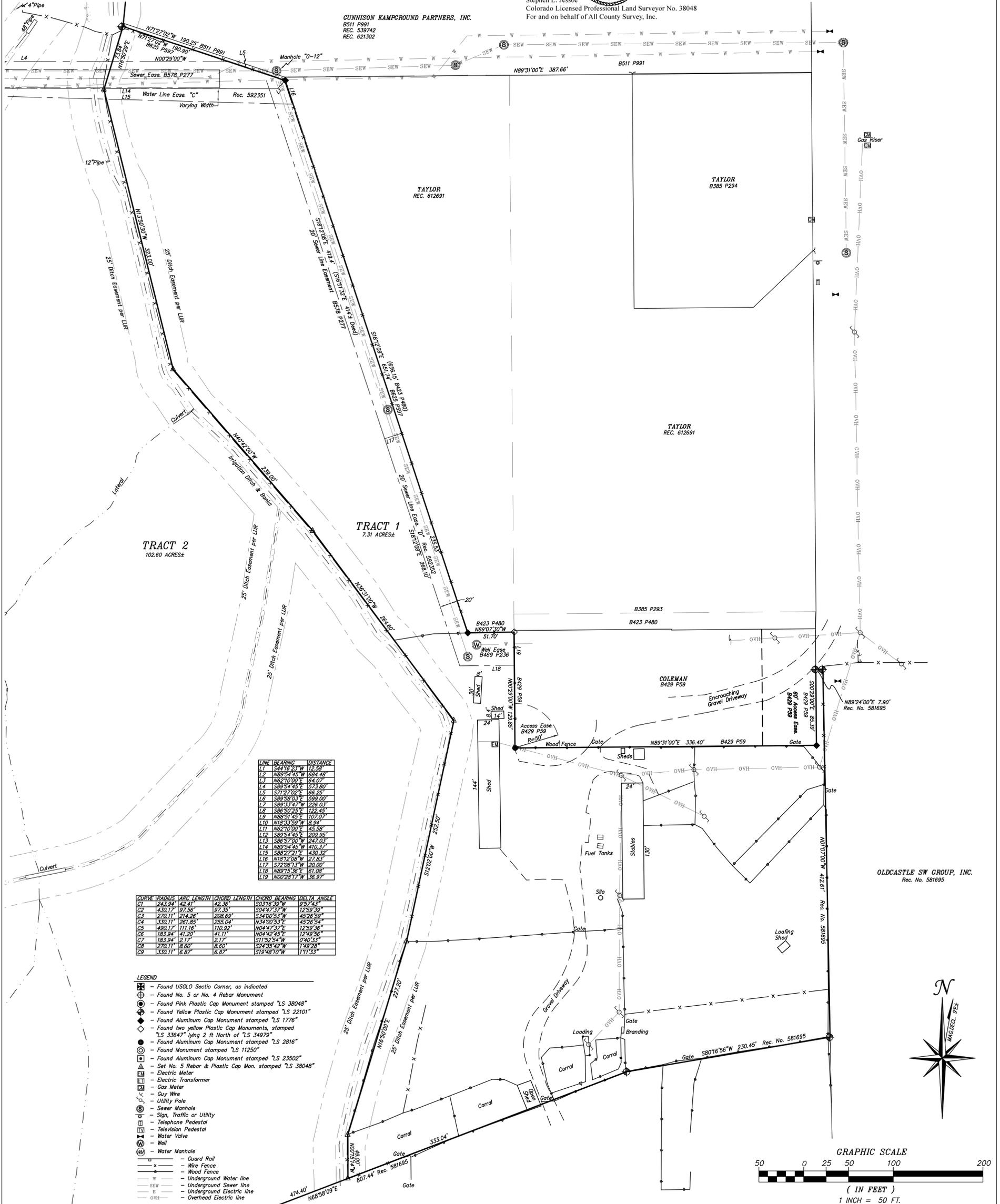
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Dated this ____ day of _____, A.D. 2024.

(Seal)
 Stephen L. Jessoe
 Colorado Licensed Professional Land Surveyor No. 38048
 For and on behalf of All County Survey, Inc.

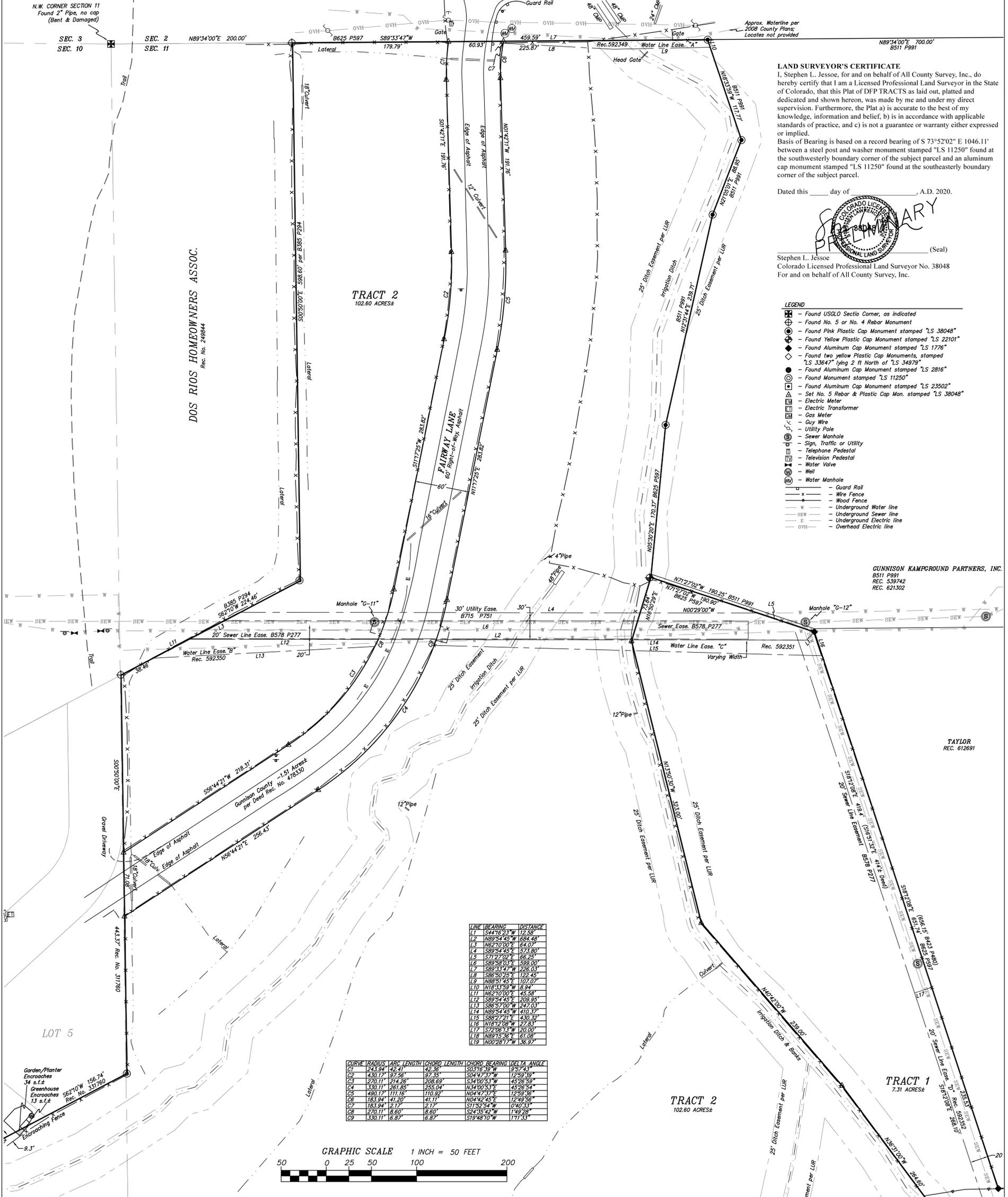
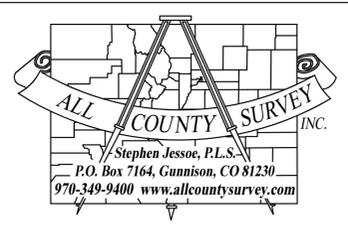


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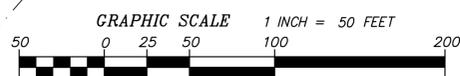
Dated this _____ day of _____, A.D. 2020.

Stephen L. Jesso
 Colorado Licensed Professional Land Surveyor No. 38048
 For and on behalf of All County Survey, Inc.

- LEGEND**
- ⊗ - Found USGLO Section Corner, as indicated
 - ⊕ - Found No. 5 or No. 4 Rebar Monument
 - ⊙ - Found Pink Plastic Cap Monument stamped "LS 38048"
 - ⊚ - Found Yellow Plastic Cap Monument stamped "LS 22101"
 - ⊛ - Found Aluminum Cap Monument stamped "LS 1776"
 - ⊜ - Found two yellow Plastic Cap Monuments, stamped "LS 33647" lying 2 ft North of "LS 34979"
 - ⊝ - Found Aluminum Cap Monument stamped "LS 2816"
 - ⊞ - Found Monument stamped "LS 11250"
 - ⊠ - Found Aluminum Cap Monument stamped "LS 23502"
 - ⊡ - Set No. 5 Rebar & Plastic Cap Mon. stamped "LS 38048"
 - ⊣ - Electric Meter
 - ⊤ - Electric Transformer
 - ⊥ - Gas Meter
 - ⊦ - Guy Wire
 - ⊧ - Utility Pole
 - ⊨ - Sewer Manhole
 - ⊩ - Sign, Traffic or Utility
 - ⊪ - Telephone Pedestal
 - ⊫ - Television Pedestal
 - ⊬ - Water Valve
 - ⊭ - Well
 - ⊮ - Water Manhole
 - - Guard Rail
 - - Wire Fence
 - - Wood Fence
 - - Underground Water line
 - - Underground Sewer line
 - - Underhead Electric line
 - - Overhead Electric line

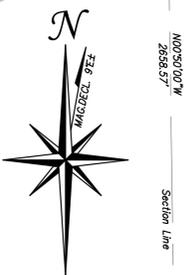
LINE	BEARING	DISTANCE
L1	S44°16'23"W	122.29
L2	N89°54'45"W	1284.48
L3	N62°10'00"E	64.07
L4	S89°54'45"E	573.80
L5	S71°27'02"E	68.25
L6	S89°58'03"E	599.00
L7	S89°33'47"W	226.03
L8	S86°50'25"E	122.45
L9	N88°51'42"E	102.07
L10	N18°33'59"W	8.94
L11	N62°10'00"E	45.58
L12	S89°54'45"E	209.95
L13	S86°57'00"W	242.03
L14	N89°54'45"W	410.37
L15	S89°27'21"E	430.32
L16	N16°12'00"W	27.33
L17	S72°06'13"W	20.00
L18	N89°15'36"E	61.08
L19	N00°28'17"W	136.97

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	243.94	42.41	42.36	S03°16'38"W	95°43'
C2	430.17	97.26	97.35	S04°23'17"W	125°55'
C3	270.11	214.26	208.69	S34°00'53"W	45°26'59"
C4	330.11	261.85	255.04	N34°00'53"E	45°26'54"
C5	490.17	111.60	110.32	N04°23'17"E	125°55'
C6	183.94	41.20	41.11	N04°23'17"E	125°55'
C7	183.94	2.17	2.17	S11°25'54"W	0°40'33"
C8	270.11	8.60	8.60	S24°35'42"W	1°49'28"
C9	330.11	6.87	6.87	S19°48'10"W	1°11'33"



SURVEY NOTES

- Basis of Bearing is based on a record bearing of S 73°52'02" E 1046.11' between a steel post and washer monument stamped "LS 11250" found at the southwesterly boundary corner of the subject parcel and an aluminum cap monument stamped "LS 11250" found at the southeasterly boundary corner of the subject parcel, as shown hereon.
- Boundaries and boundary measurement calls are based on either the deed or the subdivision plat of record for each adjoining to the subject parcel, as shown hereon. The subject parcel is substantially the same parcel as granted in General Warranty Deed recorded September 9, 2016 at Reception No. 641870.
- Easements, encumbrances, and/or restrictions (where capable of being shown hereon) are based solely on Gunnison County Abstract Company's Title Commitment No. G16-412 dated August 9, 2016. This Plat does not constitute a title search by this surveyor. Additional easements and encumbrances may exist.
- Dimensions are in U.S. Survey Feet. Measurements were taken using GNSS observations on October 4, October 22, November 1, and November 14, 2019. These observations were taken in NAD 83, NAVD 88, State Plane Coordinates, Colorado Central Zone 0502, Geoid 12 applied. The measurements are in ground distance.
- The subject parcel is not located in a Flood Hazard Area, according to National Flood Insurance Program Flood Insurance Rate Map 08051C1264D dated May 16, 2013.
- The subject parcel is located within Gunnison County and is subject to Gunnison County's amended Land Use Resolution (LUR), dated March 5, 2019. The irrigation ditch easements shown hereon reflect the LUR requirements.
- Utility locations are based solely on above-ground observed evidence and were located by others. Please contact the respective Utility Provider(s) for additional information.



TO: Planning Commission

SUBJECT: Planning Commission Decision
Dunbar Family Partnership LLC Subdivision Minor Impact
LUC-24-00053

DATE: March 20, 2025

PREPARED BY: Rachael Blondy

At its regular scheduled public hearing meeting on March 20, 2025 the Planning Commission made recommendation for approval for the following Minor Impact Decision in a __ to __ vote, motioned by _____ and seconded by _____.

PROJECT DESCRIPTION:

The Applicant, Dunbar Family Partnership LLC, is proposing a two-lot subdivision of Parcel # 3787-000-00-109. The 109.91 acre parcel is .70 miles south of the City of Gunnison. The parcel currently has an assortment of agricultural buildings and sheds. The Applicant is proposing to split the parcel into a 7.31 acre parcel (Tract 1) and a 102.6 acre parcel (Tract 2). Tract 1 will be accessed with an easement off County Road 50 and Tract 2 will be accessed off Fairway Lane.

PLANS/REPORTS/SUBMITTALS:

Plans, reports, letters and other submittal documents informing this decision include, but are not limited to:

- Application 9/16/2024
- Proposed Subdivision Plat 9/16/2024
- Gunnison County Fire Protection District 10/18/2024
- Gunnison Conservation District Comments 10/23/2024
- Colorado Geological Survey Comments 11/4/2024
- Gunnison County Public Works Sewer and Potable Water Availability 11/12/2024
- City of Gunnison Planning and Zoning Comments 12/11/2024
- Planning Commission Staff Memo 1/9/2025
- Planning Commission Staff Report 1/9/2024
- Planning Commission Staff Memo 3/13/2024

IMPACT CLASSIFICATION:

The Project has been classified as a Minor Impact Project, based upon Gunnison County Land Use Resolution SECTION 6-102:A 2-4 UNITS. 2-4 units that are subdivision lots or multi-family residences.

MEETING DATES:

The Planning Commission held work sessions and public hearings to discuss the application on the following dates:

- January 9, 2025 Work Session
- March 20, 2025 Joint Public Hearing

SITE VISIT:

The Planning Commission determined that a site visit was not necessary.

REVIEW AGENCY REFERRAL COMMENTS:

A copy of the complete application was sent via email on October 17, 2024 to the following agencies:

- Colorado Geological Survey – Jill Carlson
- Gunnison Conservation District – Ben Prior
- City of Gunnison – Andy Tocke
- Gunnison County Fire Protection District – Hugo Ferchau
- Gunnison County Public Works – Martin Schmidt (No comments received)
- Gunnison Watershed School District – Leslie Nichols (No comments received)

Comments from the agencies and are noted in the applicable sections below.

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

Section 9-101: E. and F.: *Secondary residences are allowed, and standards are addressed in covenants*

Not applicable, the application is not for subdivision.

Section 9-102: *Home occupations*

Not applicable, this use is not proposed in the application.

Section 9-103: *Bed and breakfast*

Not applicable, this use is not proposed in the application.

Section 9-203: *Mobile home communities*

Not applicable, this use is not proposed in the application.

Section 9-302: *Farm or ranch stand*

Not applicable, this use is not proposed in the application.

Section 9-303: *Dude ranches and resorts*

Not applicable, this use is not proposed in the application.

Section 9-304: *Adult-oriented uses*

Not applicable, this use is not proposed in the application.

Section 9-305: *Seasonal recreational vehicle parks and campgrounds*

Not applicable, this use is not proposed in the application.

Section 9-400: *Minerals and construction materials*

Not applicable, this use is not proposed in the application.

Section 9-501: *Special events*

Not applicable, this use is not proposed in the application.

Section 9-502: *Temporary structures*

Not applicable, this use is not proposed in the application.

Section 9-503: *Satellite dishes*

Not applicable, this use is not proposed in the application.

Section 9-504: Attached wireless communications devices

Not applicable, this use is not proposed in the application.

Section 9-505: Freestanding wireless communications structures

Not applicable, this use is not proposed in the application.

Section 9-506: Child care center

Not applicable, this use is not proposed in the application.

Section 9-507: Group home

Not applicable, this use is not proposed in the application.

Section 9-508: Keeping of livestock not on an agricultural operation

Not applicable, this use is not proposed in the application.

Section 9-509: Camping on individual parcel

Not applicable, this use is not proposed in the application.

Section 9-600: Essential housing

Not applicable, this use is not proposed in the application.

Section 10-102: Locational Standards for Residential Development

The application meets the locational standards listed in Section 10-102:B as it is approximately 0.7 miles south of the City of Gunnison. The parcels are able to be served by the Dos Rios Water and Sewer Division of the Gunnison County Water and Sanitation District. The City of Gunnison Planning and Zoning Commission provided comment:

The City has the following observations regarding this proposed use:

- 1. The Three-Mile Plan (1997) defines the parcel as Moderate Density Residential (1-6 units/acre) and Rural Residential with a density of 1 unit/5-25 acres.*
- 2. The Minor Impact is partially within the Urban Growth Boundary.*
- 3. The Minor Impact proposes to subdivide a 109.91 – acre parcel into two parcels: Tract 1 at 7.31 acres and Tract 2 at 102.6 acres.*
- 4. The site has several existing structures including an equipment shed, livestock shed, hay shed, and utility shed, and corrals; all of which will be within Tract 1 of the subdivision.*
- 5. Adjacent land uses include agricultural, commercial (KOA Campground), residential, Hartman’s Castle and industrial park to the east, County Road 38 to the north, and residential to the south and west.*
- 6. The proposed Minor Impact is compatible with the surrounding neighborhood.*

Based on the above observations and the compatibility of the Minor Impact with the surrounding neighborhood, the Commission supports the Dunbar Family Partnership Subdivision Request.

Section 10-103: Residential Density

The proposed subdivision splits the 109.91 acre into a 7.31 acre parcel (Tract 1) and a 102.6 acre parcel (Tract 2). The proposed subdivision will be served by the Dos Rios Sewer and Water Division. The surrounding area includes a range of lot sizes, from smaller residential parcels (0.29, 0.5, 3.2 acres) to larger agricultural tracts (66, 99, 134.5 acres).

Section 10-104: Locational standards for commercial, industrial or other non-residential uses

Not applicable, this use is not proposed in the application.

Section 11-102: Voluntary best management practices

No submittal requirements; no standard of compliance

Section 11-103: Development in flood hazard areas

Not applicable, development is not in a flood hazard area.

Section 11-104: Development in Areas Subject to Geologic Hazards

Proposed subdivision is mapped as no geologic hazard. Colorado Geological Survey provided comment:

No geologic hazards are known or suspected to be present that impact the 111.5-acre proposed LUC-24-00053 subdivision. The applicant states that no new uses or structures are planned, and that both tracts will remain in agricultural uses, so CGS has no objection to approval.

Section 11-105: Development in Areas Subject to Wildfire Hazards

All future development will be required to comply with applicable Fire and WUI codes at time of permit. All future development will need to be referred to and reviewed by Gunnison County Fire Protection District (GCFPD). GCFPD provided comment:

No fire issues with the subdivision.

Section 11-106: Protection of Wildlife Habitat Areas

The proposed subdivision does not contain Gunnison Sage Grouse Tier 1 Habitat. It exists within already disturbed area, and it is unlikely that subdividing the lots would negatively impact the Gunnison Sage Grouse. Gunnison Conservation District provided comment:

Based upon this analysis, a review of the data available, and the nature of the proposed activity, I find that the proposed activity will not adversely impact Gunnison sage-grouse or their habitats beyond that which has already occurred.

Section 11-107: Protection of water quality

Not applicable, development is not 125 feet from a water body or mudflow.

Section 11-108: Standards for development on ridgelines

Not applicable, development is not in ridgeline.

Section 11-109: Development that affects agricultural lands

Not applicable, development is not adjacent to agricultural lands.

Section 11-110: Development beyond snowplowed access

Not applicable, the subject parcel is not beyond snowplowed access.

Section 11-111: Development on Inholdings in national wilderness

Not applicable, the subject parcel is not an inholding in a national wilderness.

Section 11-112: Development above timberline

Not applicable, the subject parcel is not above timberline.

Section 12-103: Road System

All individual parcels will be required to apply for an access permit through Gunnison County Public Works to ensure they abide by road and bridge construction standards and municipal standards. Tract 1 will be accessed with an easement off County Road 50 and Tract 2 will be accessed off Fairway Lane.

Section 12-104: Trails

Not applicable, the development does not propose any trails.

Section 12-105: Water Supply

Applicant obtained a letter from the Gunnison County Water and Sanitation District on stating that:

The above parcel being subdivided into two parcels located between Fairway Lane and County Road 50 in the Dos Rios Water and Sewer Division of the Gunnison County Water and Sanitation District is adjacent to the Dos Rios Water Public Water System which could provide drinking water to the two subdivided parcels.

Section 12-106: Wastewater Treatment

Applicant obtained a letter from the Gunnison County Water and Sanitation District on stating that:

The above parcel being subdivided into two parcels located between Fairway Lane and County Road 50 in the Dos Rios Water and Sewer Division of the Gunnison County Water and Sanitation District is located within 400 feet of the Dos Rios Sewer Collection System.

Section 12-107: Fire Protection

All development will need to be referred to and reviewed by Gunnison County Fire Protection District to ensure it meets current standards at time of building permit.

Application was referred to GFPD on October 17, 2024. Hugo Ferchau with GFPD provided comment on October 18, 2024: "No fire issues with the subdivision".

Section 13-102: B.: Location within municipal three-mile plan area

Applicable. Subdivision is located .70 miles south of the City of Gunnison and meets the adopted three-mile plan requirements.

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

The proposed subdivision splits the 111.505 acre into a 7.31 acre parcel (Tract 1) and a 102.6 acre parcel (Tract 2). As the proposed subdivision can tie onto County water and sewer, the standard regarding non-conforming lots less than 1 acre does not apply. All future development will abide by the standards listed in Section 13-103.

Section 13-104: Setbacks from Property Lines and Road Rights-of-Way

Applicable. The LUR states that front setbacks must be 25 feet, and side setbacks must be 15 feet. All future development will be required to meet County setbacks.

Section 13-105: Residential Building Sizes And Lot Coverages

Not applicable, the subdivision does not propose any residential buildings.

Section 13-107: Installation Of Solid-Fuel-Burning Devices

Not applicable, the development does not propose any solid-fuel burning devices.

Section 13-108: Open Space And Recreation Areas

Not applicable, the development does not propose any open space or recreation areas.

Section 13-109: Signs

Not applicable, no signs are proposed.

Section 13-110: Off-Road Parking And Loading

Not applicable, no parking is proposed.

Section 13-111: Landscaping and Buffering

Not applicable, no landscaping or buffering is required for this application.

Section 13-112: Snow Storage

Not applicable, snow storage not required as part of this application.

Section 13-113: Fencing

Not applicable, no fencing proposed as part of this application.

Section 13-114: Exterior Lighting

Not applicable, no exterior lighting proposed as part of this application.

Section 13-115: Reclamation And Noxious Weed Control

Not applicable. A reclamation permit is not required because there will not be 10,000 sq. ft. of ground disturbance.

Section 13-116: Grading And Erosion Control

Not applicable. Grading and erosion control is not required because there will not be 10,000 sq. ft. of ground disturbance.

Section 13-117: Drainage, Construction And Post-Construction Storm Water Runoff

Not applicable. Development is not located within 100 feet of a water body.

Section 13-118: Water Impoundments

Not applicable, no water impoundments, as defined in this Section, are proposed as part of this application.

Section 13-119: Standards to Ensure Compatible Uses.

The proposed development is unlikely to create any hazards or nuisances. It is unlikely to have adverse impacts to adjoining land, especially considering the neighboring parcels are the same residential use.

FINDINGS:

The Gunnison County Planning Commission finds that:

1. The project is classified as a Minor Impact Land Use Change pursuant to SECTION 6-102:A 2-4 UNITS. 2-4 units that are subdivision lots or multi-family residences.
2. The proposed subdivision is consistent with the residential development within the adjacent subdivision.

3. This application is consistent with the standards and requirements of this Resolution.
4. This review and decision incorporates, but is not limited to, all the documentation submitted to the County and included within the Community Development file relative to this application; including all exhibits, references and documents as included therein.

DECISION:

The Gunnison County Planning Commission, having considered the submitted plan, site observations and public testimony, has reached the above findings and recommends that LUC-24-00053 be classified as a Minor Impact, and be approved with the following conditions:

1. This permit is limited to activities described within the “Project Description” of this application, and as depicted on the Plan submitted as part of this application. Expansion or change of this use will require either an application for amendment of this permit, or submittal of an application for a new permit, in compliance with applicable requirements of the *Gunnison County Land Use Resolution*.
2. A Gunnison County Reclamation Permit shall be required for any site disturbing activities on this parcel. That permit shall contain specific reclamation conditions. Disturbed areas shall be reseeded with an approved seed mix. 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.
3. 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 The Gunnison County Weed Management Program should be contacted (970-641-4393) for additional information and technical assistance.
4. This approval is founded on each individual requirement. Should the applicant successfully challenge any such finding or requirement, this approval is null and void.
5. This permit may be revoked or suspended if Gunnison County determines that any material fact set forth herein or represented by the applicant was false or misleading, or that the applicant failed to disclose facts necessary to make any such fact not misleading.
6. The removal or material alteration of any physical feature of the property (geological, topographical or vegetative) relied on herein to mitigate a possible conflict shall require a new or amended land use change permit.
7. Approval of this use is based upon the facts presented and implies no approval of similar use in the same or different location and/or with different impacts on the environment and community. Any such future application shall be reviewed and evaluated, subject to its compliance with current regulations, and its impact to the County.

**GUNNISON COUNTY BOARD OF ADJUSTMENT & PLANNING COMMISSION
MEETING MINUTES
Thursday, March 6, 2025**

The Gunnison County Board of Adjustment conducted a meeting before a joint Planning Commission and Board of Adjustment meeting in the Planning Commission Meeting Room in the Blackstock Government Center, 221 N. Wisconsin, Gunnison, Co. and on Zoom **Present:**

<p><u>Planning Commission</u> Chairperson- Roland Mason Vice-Chairperson- Eric Phillips Commissioner- Julie Baca Commissioner- Fred Niederer Alt. Commissioner- Catherine McBreen Alt. Commissioner Sean Patrick <u>Board of Adjustment</u> Chairperson- Laura Puckett Daniels Vice-Chairperson- Liz Smith Andy Tocke Drew Brookhart John O'Neal</p>	<p>Director of Community and Economic Development-Cathie Pagano Director of Planning- Hilary Seminick Planner-Rachel Blondy Planning Technician – Caroline Danielson Others present as listed in text</p>
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Absent: Jonathan Houck (BOA)

Recused: Bill Barvitski (PC)

Zoom: Fred Niederer (PC), Phillips (PC), Baca (PC)

GUNNISON COUNTY BOARD OF ADJUSTMENT MEETING:

With a quorum present Chairperson Daniels opened the March 6, 2025 meeting of the Board of Adjustment at 8:45 am. Chairperson Daniels sat alternate Board of Adjustment Member O'Neal and Brookhart. Noted that Baca would be fulfilling role of Planning Commissioner in this meeting.

Moved by Smith, seconded by Daniels to approve Board of Adjustment meeting minutes, dated July 10, 2024. The motion passed unanimously in support. Daniels noted that O'Neal and Brookhart were recused from this vote given they were not present at the July 10, 2024 meeting.

Chairperson Daniels noted that they would not be voting to approve minutes from July 18, 2024 due to a lack of quorum from that meeting present.

Moved by Smith, seconded by Tocke to elect Houck as Board of Adjustment Chair and Daniels as Board of Adjustment Vice Chair. The motion passed unanimously in support.

BOA Public Hearing: LUC-24-00046 | Pennington Setback Variance

The Applicant proposed the construction of a shed for personal use at 14 2nd Street in Somerset. The Applicant requested a variance from the 25' and 15' setbacks to utilize more space on their parcel.

Confirmation of Adequate Public Notice

Blondy confirmed that adequate public notice was given.

Applicant Presentation

Pennington summarized her proposed project, noting that she is open to turning the shed 90 degrees.

Staff Comments

Blondy confirmed that the Board of Adjustment would only review the site plan that was provided at the time of public notice. Seminick clarified that the building inspector has not reviewed the building, only the site plan as proposed. Staff mentioned that the building inspector has identified a number of conditions to ensure WUI compliance.

BOA Questions

BOA discussed the proposed project, clarifying setback variance requests, discussing existing issues with regard to setbacks in Somerest, and adjustments to plan needed to conform with WUI codes.

Public Comments

John Mlakar- Expressed concern with setback variance impacting snow storage for the town.

Steve LaCroix- Noted that if the site plan was altered, there would be no need to a setback variance.

Applicant Response

Pennington clarified that the proposed building would be metal, expressed belief that removal of cedar fence would not have an affect due to wooden fence on neighboring parcel.

Staff Response

Daniels clarified that the fence was being reviewed due to variance request, and that fences are not typically considered in the building permit review. Noted that WUI requirements need to be met due to this being the primary structure on the parcel. Brookhart inquired with the applicant on her primary goal with this site, to which she responded that she would like to maximize the lot potential.

Next Steps

Daniels suggested that they continue the public hearing to allow for the alternate site plan to be considered. Tocke expressed that he was comfortable with granting the variance with current site plan. Brookhart agreed, with the conditions proposed.

Moved by O’Neal, seconded by Smith to approve with proposed conditions. The motion passed unanimously in support.

Daniels closed the public hearing.

GUNNISON COUNTY PLANNING COMMISSION MEETING:

With a quorum present Chairperson Mason opened the March 6, 2025 meeting of the Planning Commission at 10:03 am.

Moved by Phillips, seconded by McBreen to approve Planning Commission meeting minutes, dated February 4, 2025. The motion passed unanimously in support.

Moved by McBreen, seconded by Phillips to approve Planning Commission meeting minutes, dated February 6, 2025. The motion passed unanimously in support.

Staff announcements/ miscellaneous:

Staff proposed moving the April Planning Commission meetings to April 10th and April 24th to avoid conflict with CB Spring Break. Planning Commission agreed.

BOA/PC Joint Public Hearing: LUC-24-00057 | Ohio City Mother Lode Minor Impact

The Applicant proposed a remodel to The Mother Lode store and bar in Ohio City. The proposed remodel would create three long-term rental units and one short-term rental unit. All commercial aspects of the property would be abandoned, and the historical store and bar area would be remodeled into residential use.

Mason opened the Joint Public Hearing.

Confirmation of Adequate Public Notice

Blondy confirmed that adequate public notice was given.

Applicant Presentation

Reno summarized the proposed project. He noted that they have no desire to change front profile of the building but will update materials to meet WUI requirements. He noted that they hope to eliminate the RV park.

Staff Comments

Blondy clarified that they are applying for a setback variance, from 15 ft to 13.6 ft. She noted that a portion of the building already encroaches into the setback, and the request is to expand the existing nonconforming nature of the building.

PC/BOA Questions

Smith suggested the addition of a condition in the draft decision document that would define the length of the long-term rental.

Public Comments

Geoffrey Luchetta- Expressed support for the project.

Mason closed public comment at 10:26 AM

Applicant Response

N/a

Staff Response

N/a

Next Steps

Moved by Baca, seconded by McBreen to close public hearing. The motion passed unanimously in support.

Moved by McBreen, seconded by Phillips to approve the draft decision document as presented and amended. The motion passed unanimously in support.

Moved by Tocke, seconded by O'Neal to approve the setback variance. The motion passed unanimously in support.

BOA adjourned at 10:40AM.

PC adjourned at 10:40AM.