DATE: WEDNESDAY, OCTOBER 23, 2019
TIME: 7:00 PM
PLACE: CITY HALL, COUNCIL CHAMBERS, 201 WEST VIRGINIA AVE.

REGULAR MEETING

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE TO THE FLAG

III. UNSCHEDULED CITIZENS

IV. THREE-MILE COUNTY REFERRAL – LAND USE CHANGE REQUEST, MINOR IMPACT, SUBMITTED BY GUNNISON COUNTY FOR SHADY ISLAND RIVER PARK.

V. CONSIDERATION OF THE OCTOBER 9, 2019 MEETING MINUTES

VI. COUNCIL/PLANNING – STAFF UPDATE

VII. COMMISSIONER COMMENTS

VIII. ADJOURN TO WORKSESSION

a. UPDATE ON COMPREHENSIVE PLAN

To comply with ADA regulations, people with special needs are requested to contact the City of Gunnison Community Development Department at 641-8090. This agenda is subject to change, including the addition or deletion of items at any time. Regular Meetings and Special Meetings are recorded and action can be taken. Minutes are on the City website at www.gunnisonco.gov. Work sessions are not recorded and formal action cannot be taken. For further information, contact the Community Development Department at 641-8090.
GUNNISON COUNTY, COLORADO
MINOR IMPACT REVIEW PROJECT
LAND USE CHANGE PERMIT APPLICATION

GUNNISON COUNTY COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING OFFICE
221 N. WISCONSIN ST, STE D., GUNNISON, CO 81230
TELEPHONE: 970-641-0360
Website: [https://www.gunnisoncounty.org/144/Community-and-Economic-Development](https://www.gunnisoncounty.org/144/Community-and-Economic-Development)
Email: planning@gunnisoncounty.org

DATE RECEIVED: ____/____/_____
APPLICATION FEE $1,325.00 - SUBMITTED AT TIME OF APPLICATION: ____/____/_____
Additional fees will be assessed according to the Gunnison County Land Use Change Fee Schedule

APPLICANT:

<table>
<thead>
<tr>
<th>MAILING ADDRESS:</th>
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<tr>
<td>CITY:</td>
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<tr>
<td>PHONE (day):</td>
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<td>FAX:</td>
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PROPERTY OWNER (If other than applicant, a copy of a contract of sale or lease between applicant and owner, or a notarized letter from the property owner consenting to this application, must be submitted.)

NAME:

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<th>MAILING ADDRESS:</th>
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<td>CITY:</td>
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<td>PHONE (day):</td>
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<td>FAX:</td>
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PRIMARY CONTACT PERSON and AUTHORIZED REPRESENTATIVE (The person the Community Development Department should contact regarding scheduling of meetings and information for this application. A NOTARIZED LETTER from the property owner authorizing the representative must be submitted.)

NAME:

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<tr>
<th>MAILING ADDRESS:</th>
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<tr>
<td>CITY:</td>
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<td>PHONE (day):</td>
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</table>
PROPERTY LOCATION and LEGAL DESCRIPTION OF PROPERTY:

1. Legal Description. Cite lot and block or tract numbers, mining claim or homestead references; attach copy of deed and/or metes and bounds description(s).

____________________________________________________________________________________________
____________________________________________________________________________________________

2. Property Address.________________________________________________________________________
____________________________________________________________________________________________

3. Common Description (include mileage from highway or County road, or other recognized landmarks).
____________________________________________________________________________________________

AFFECTED LANDOWNERS. List all landowners and land uses that are within 500 feet of the boundaries of the entire parcel on which the land use change is proposed, including all properties separated from the parcel by a road or would be adjacent if the road did not exist. The best-available, most current information of this listing of current owners is in the Gunnison County Assessor’s Office:

<table>
<thead>
<tr>
<th>AFFECTED LANDOWNER’S NAME</th>
<th>PARCEL LOCATION RELATIVE TO PROPOSED LAND USE CHANGE PARCEL</th>
<th>CURRENT LAND USE ON ADJACENT PARCEL</th>
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PROJECT DESCRIPTION. Describe in detail what the applicant wants to do on the parcel, including new uses, division of land, adjustment of boundaries, expansion of existing uses, number of units, estimated amount of new traffic, new structures to be constructed, proposed phases and a description of off-site resources and haul routes (including those used by vehicles related to construction) necessary to accomplish the project. If the proposed land use change is a subdivision, identify the use of each lot (single family residence, duplex, commercial, etc.):
MINING AND CONSTRUCTION ACTIVITIES. As applicable, information pursuant to the individual sections of Division 9-400: *Exploration, Extraction and Processing of Minerals and Construction Materials.*

COMMERCIAL AND INDUSTRIAL USES. As applicable, information pursuant to the individual sections of Division 9-300: *Commercial and Industrial Uses.*

PRESENT LAND USE: identify present land uses and locations and sizes of structures that exist on the property:

IDENTIFY PREVIOUSLY-APPROVED USES. List Land Use Change Permits and/or subdivision approval have been previously approved for the property, and the year in which they were approved.

CHARACTERISTICS and CURRENT CONDITION OF LAND. List physical characteristics and conditions of the land, including streams, irrigation ditches, ponds, soils, roads, vegetation, geologic hazards, any work that has been done to clear the property, etc.)

PROJECT DESIGN. As applicable, all elements of the project design must address and comply with the individual sections of Article 13: *Project Design Standards* in the *Gunnison County Land Use Resolution*; the staff will advise the applicant which of these requirements apply to a specific application:

**SECTION 13-103:** General Site Plan Standards and Lot Measurements.
**SECTION 13-104:** Setbacks from Property Lines and Road Rights-of-Way.
**SECTION 13-105:** Residential Building Sizes and Lot Coverages.
**SECTION 13-107:** Installation of Solid-Fuel-Burning Devices.
**SECTION 13-108:** Open Space and Recreation Areas.
**SECTION 13-109:** Signs.
**SECTION 13-110:** Off-Road Parking and Loading.
**SECTION 13-111:** Landscaping and Buffering.
**SECTION 13-112:** Snow Storage.
**SECTION 13-113:** Fencing.
**SECTION 13-114:** Exterior Lighting.
**SECTION 13-115:** Reclamation and Noxious Weed Control.
**SECTION 13-116:** Grading and Erosion Control.
**SECTION 13-117:** Drainage, Construction and Post-Construction Storm Water Runoff.
**SECTION 13-118:** Water Impoundments.
**SECTION 13-119:** Standards to Ensure Compatible Uses.
ADDITIONAL SUBMITTALS BASED UPON INFORMATION AVAILABLE ON MAPS USED BY THE COUNTY. If a land use change is proposed on a parcel located within any of the following areas, additional submittals may be required to be submitted (Section numbers refer to sections in the Gunnison County Land Use Resolution). The Community Development Department will provide assistance to the applicant to determine the specific information that must be submitted:

1. **LOCATION OF SITE WITHIN FLOODPLAIN HAZARD AREA.** As applicable, an application proposing a land use change on a parcel located within a floodplain hazard area, pursuant to Section 11-103: Development in Areas Subject to Flood Hazards.

2. **LOCATION OF SITE WITHIN GEOLOGIC HAZARD AREA.** As applicable, an application proposing a land use change on a parcel located in a geologic hazard area may be required to submit a geotechnical report that evaluates and predicts the impact of specific geologic conditions on the proposed land use change and measures to mitigate these hazards, pursuant to Section 11-104: Development in Areas Subject to Geologic Hazards.

3. **LOCATION OF SITE WITHIN WILDFIRE HAZARD AREA.** As applicable, an application proposing a land use change on a parcel located within a wildfire hazard area, pursuant to Section 11-105: Development in Areas Subject to Wildfire Hazards.

4. **LOCATION OF SITE WITHIN AREA POTENTIALLY AFFECTED BY WETLANDS AND WETLANDS PERMITTING.** As applicable, an application proposing a land use change on a parcel located in an area in which there are wetlands, pursuant to Section 11-107: Protection of Water Quality.

5. **LOCATION OF SITE VISIBLE FROM RIDGELINE VANTAGE.** As applicable, an application proposing a land use change that is visible from a ridgeline vantage, pursuant to Section 11-108: Standards for Development on Ridgelines.

6. **DEVELOPMENTS IMPACTING AGRICULTURAL LANDS.** If a proposed project adjoins agricultural lands, involves land through which irrigation ditches flow, or over which there are general or exclusive easements for stock drives, the application shall address the requirements of Section 11-109: Development That Affects Agricultural Lands, and Section 15-103: Right-to-Ranch Policy which shall identify, in written and/or graphic form, the following:

7. **AGRICULTURAL LAND OWNER.** The location(s) and name(s) of owner(s) of any agricultural land(s) adjoining or possibly impacted by the proposed land use change.
   a. **AGRICULTURAL DITCHES.** The location(s), name(s), name(s) of owner(s), size(s), and decreed capacity(ies) of any agricultural ditch crossing or adjoining the development property, as available from the Colorado Division of Water Resources, or ditch commissioner’s records.
   b. **EASEMENTS.** The location of historical easements used to gain access to headgates, ditches, and fences for maintenance or operations.
   c. **LIVESTOCK DRIVES AND FENCELINES.** Historic or recorded stock drive easements crossing or adjoining the development property, including the location of any existing fences along property lines, and the location of new fences or other obstacles proposed to be built across any such stock drive.

8. **DEVELOPMENT ON LAND BEYOND SNOWPLOWED ACCESS.** As applicable, an application that proposes development at a location that currently receives no snowplowing services for access, pursuant to Section 11-110: Development of Land Beyond Snowplowed Access.

9. **DEVELOPMENT ON LAND ON AN INHOLDING WITHIN NATIONAL WILDERNESS.** As applicable, an application that proposes development on an inholding within a National Wilderness Area, pursuant to Section 11-111: Development on Inholdings in the National Wilderness.

10. **DEVELOPMENT ON PROPERTY ABOVE TIMBERLINE.** As applicable, an application that proposes development on a parcel located above timberline, pursuant to Section 11-112: Development on Property Above Timberline.

VICINITY MAP: (Submit 12 copies). The attached sample vicinity map can be used as a guide. Minimum scale of 1”=100’ is preferred. Sheet size cannot exceed 34” x 36”. The following are required to be included on a vicinity map:

1. **PROPERTY LOCATION AND NEARBY PARCEL SIZES AND LAND USES.** Location of the property on a United States Geological Survey quadrangle map or on a recorded plat if the proposed development is within an approved subdivision, with the location highlighted so that it is easy to see, and that clearly shows sizes of parcels and land uses within a half-mile of the proposed project.

2. **ROADS.** All U.S. and state highways and nearest County or Forest Service, Bureau of Land Management, and/or subdivision/private roads that provide access to the proposed project.

3. **EASEMENTS.** Easements recorded or historically used that provide access to or across, or other use of, the property.

Updated 6/2019
4. **BOUNDARIES OF DISTRICTS, MUNICIPALITIES OR SUBDIVISIONS.** Locations of special district boundaries, municipalities or residential subdivisions within a half mile of the property.

5. **PROXIMITY OF MINING OR PROCESSING ACTIVITY.** Any parcel located within 1,000 feet of the property proposed for land use change on which there exists an operation involving mineral exploration or extraction or construction materials processing.

**SITE PLAN/LAYOUT.** (Submit 12 copies.) This is a drawing; the attached sample site plan can be used as a guide. Minimum scale of 1"=100' is preferred. Sheet size cannot exceed 36" x 36". When multiple sheets are used, provide an index sheet stating the contents of each sheet. All the listed information MUST be shown on the drawing before you can be scheduled to meet with Planning Commission.

1. **ALL PROPERTY PROPOSED FOR DEVELOPMENT.** Include all land proposed for immediate and anticipated for future development. This can be a simple, hand-drawn layout, but it must be legible, clearly marked, drawn to scale, and signed and dated by the person who drew it.

2. **PHASING.** Any proposed phases of the development, and their timing.

3. **TOTAL ACREAGE OF CONTIGUOUS PROPERTY OWNED BY THE APPLICANT.** Total acreage and location of all contiguous property owned by the applicant.

4. **TOTAL ACREAGE IN PROPOSED LAND USE CHANGE PERMIT AREA.** Total acreage of the site on which the applicant wants to obtain approval for the Land Use Change Permit.

5. **ADJACENT LOT SIZES.** Lot size(s) of properties adjacent to and in the impact area of the site proposed for the land use change.

6. **ADJACENT LAND OWNERS.** Names and actual land uses of adjacent landowners (including federal, State of Colorado and other publicly owned lands), to the site (in addition to the separate narrative listing). This includes properties that may be across a road, stream or river from the applicant's property.

7. **UTILITY LOCATIONS IN AREA.** Location of all existing utilities on the property (septic tanks, wells, electric, gas, telephone or cable lines) that will serve the property.

8. **TOPOGRAPHIC FEATURES.** Streams, lakes, ponds, wetlands, contour lines and elevations, any prominent ridgelines, and any other significant visual resource areas on the property.

9. **LIVESTOCK DRIVES AND FENCELINES.** Historic or recorded stock drive easements crossing or adjoining the development property, including the location of any existing fences along property lines, and the location of new fences or other obstacles proposed to be built across any such stock drive.

10. **IRRIGATION DITCHES.** The location(s), and name(s), of any irrigation ditch crossing or adjoining the development property, as available from the Colorado Division of Water Resources, or ditch commissioner's records.

   - There are no irrigation ditches on or adjacent to the subject parcel.

11. **DRAINAGE.** Drainage patterns, on and adjacent to the project property.

12. **DRIVEWAYS AND PARKING.** Driveways/parking areas, both existing and proposed.

13. **EXISTING STRUCTURES.** Locations and sizes of existing structures.

14. **PROPOSED STRUCTURES.** Locations and sizes of proposed structures.

15. **BOUNDARIES.** Boundaries and related measurements.

**ACCESS:** Indicate the name of the road or highway (name and number) that is the primary access for the proposed land use change. If either a County Access Permit or a Colorado Department of Transportation Highway Access Permit exists for existing access, submit a copy of the permit. Submit copies of deeded easements over the area of private or public lands that will provide access to the parcel proposed for land use change.

1. County Access Permit attached: ________
2. Colorado Department of Transportation Highway Access Permit attached: ________
3. Easement documents attached: ________

**TRAFFIC:** Estimate traffic to be generated by the proposed project, including whether it will be residential, commercial or industrial, or a mix of all uses, and the estimated numbers of vehicle trips per day.

1. Residential trips (estimate ten trips per day per dwelling unit): ________
2. Commercial or industrial uses (describe type and/or weight of vehicles, estimated trips per day and time of day trips will occur): ____________________________

3. Easement documents attached: ________
ROAD SYSTEM. If the development is to include a road or roads, location and design, must be submitted with this application, in compliance with Section-103: Road System and the Gunnison County Specifications for Road and Bridge Construction Standards.

TRAILS. If the parcel on which the development is proposed is land over which there is a public trail, the application must comply with Section 12-104: Trails. Applicants also are encouraged to include public trails and other amenities for non-motorized travel in an application to link existing adjacent public trails or trails easements, and should provide information pursuant to that section if they are interested in providing such trails.

WATER SUPPLY. Indicate which of the following will be used to supply water for the proposed use(s):

- WILL TIE ONTO AN EXISTING CENTRAL SYSTEM. Indicate the name of the municipality, district or other existing system which will provide the service. Attach a copy of a notarized letter of intent to provide, signed agreement or contract between the applicant and the supplier indicating the amount of water and conditions of tie-on.

- WILL PROVIDE NEW CENTRAL SYSTEM. Attach copies of approved well permits, court decrees, augmentation plan, or other deeded water rights. Indicate what operational system is proposed, including treatment options and proposed plans for operation and maintenance, and including information about water available for fire suppression.

- WILL HAVE AN INDIVIDUAL WELL OR SPRING SYSTEM. List, and attach copies of approved well permits, court decrees, augmentation plans, or other deeded water rights. If the source of the supply is not located on your property, indicate on the vicinity map where it is located.

- WATER AUGMENTATION PLAN. If the Colorado Division of Water Resources requires that a plan of water augmentation be approved for the project, a copy of the application for the augmentation, as submitted to the Division.

- SUBDIVISION WATER SUPPLY INFORMATION SUMMARY SHEET. If the application is for a subdivision, complete the attached Colorado Division of Water Resources State Engineer’s Office Memorandum and Water Supply Plan Information for subdivisions. The County is required to submit this information to the Division for review.

FIRE PROTECTION. An applicant for a land use change classified as a Minor Impact project that is located in a specific fire protection district must contact the district before submitting the application, for the purpose of being informed of the District's design and construction standards that will apply to the application. Section 12-107: Fire Protection.

- Parcel located in Crested Butte Fire Protection District
-Parcel located in Gunnison County Fire Protection District
-Parcel located in Carbondale and Rural Fire Protection District

WASTEWATER TREATMENT:

- WILL TIE ONTO AN EXISTING CENTRAL SYSTEM. Indicate which system (municipal, special district, subdivision, as applicable), and attach a copy of a notarized letter of the service provider’s intent to provide, or contract between applicant and the provider that the provider has capacity and is willing to provide.

- WILL PROVIDE NEW CENTRAL SYSTEM. Indicate what operational system is proposed, including treatment options and proposed plans for operation and maintenance, as required by the Colorado Department of Public Health and Environment.
☐ **INDIVIDUAL SEWAGE DISPOSAL SYSTEM(S).** Contact the Gunnison County Environmental Health Office (641-5105) to determine if your existing system is adequate for the proposed use, and/or requirements for any new system. You will be required to pay the standard site-visit costs that may be necessary for that office to review your proposed site. An individual sewage disposal system permit will be issued only after a land use change permit has been approved, unless the Community Development Department approves the issuance of a system repair permit for an existing system.

**MINERAL RESOURCES:**

Is this property known to contain, or reasonably believed to contain mineral resources?

☐ Yes  ☐ No

Has this area been the site of underground or surface mining activity in the past?

☐ Yes  ☐ No

Has an original patent been issued to this property under the mining laws of the United States or Colorado?

☐ Yes  ☐ No

On a separate sheet, list the owners or lessees of underlying mineral estates, if applicable.

**PROTECTIVE COVENANTS, CONDOMINIUM OR TOWNHOME DECLARATIONS, OR DEED RESTRICTIONS.** Any existing, or a draft of proposed, protective covenants, a condominium declaration or deed restrictions that will be imposed on the development.

☐ Covenants and/or deed restriction document attached.

☐ Homeowners’/property owners’ association letter attached

☐ Not applicable.

☐ COPY OF PROPERTY TAX CERTIFICATE. Copy of certification from the Gunnison County Treasurer’s Office indicating that all real property taxes applicable to the subject parcel on which the land use change is proposed have been paid up to the year in which approval is under consideration. Copy of certification from the Gunnison County Treasurer’s Office indicating that all real property taxes applicable to the subject parcel on which the land use change is proposed have been paid up to the year in which approval is under consideration.

☐ LOCATION OF SITE WITHIN SPECIAL GEOGRAPHIC AREA OR DISTRICT. As applicable, an application proposing a land use change on a parcel located within a designated Special Area or special district may be required to comply with regulations of that Area or district. The Community Development Department will assist the applicant in determining if the property lies within a district or special geographic area, and if so, what regulations apply.
Shady Island River Park Project Description

Gunnison County purchased a 10-acre parcel approximately 1.5 miles north of the City of Gunnison in 2017. The parcel known as Shady Island was previously approved for a 16-lot residential subdivision development. It was purchased by Gunnison County to provide access to and use of the Gunnison River for residents and visitors. Currently, river users access the Gunnison River via the 0.5 acre North Bridge site. The North Bridge site is an unsustainable, unpermitted dirt parking area within the CDOT highway right-of-way. There is no infrastructure at the site, only two porta-potties and limited trash service which does not accommodate the existing demand during the busy summer season which can see daily upwards of 60 vehicles (including vans, trucks, trailers, boats, etc.) The current North Bridge site does not provide any river access for anglers or walkers, and riparian and fisheries habitat have been heavily impacted by the heavy use of the site.

The County is proposing moving the river access across Highway 135 to Shady Island River Park. Shady Island River Park includes 730 linear feet of river front access along the Gunnison River, a 980 linear feet side channel within the property and abundant mature trees. This property would provide community and visitor access to the Park, the natural amenities, and safe access to the Gunnison River.

If approved, the County will develop Shady Island River Park to create riverside boat access, recreation amenities, improvement to riparian, wildlife and in-stream fish habitat. The Park will also include camping, picnic, play areas, and improved parking. Key areas along the shoreline will be thinned of vegetation, allowing the bank to lay back, reducing slope. Large boulders will provide slope retention as needed and the river bank will be stabilized for safe access to the river.

To summarize, the County is proposing replacing the existing North Bridge site with Shady Island River providing additional recreational opportunities and amenities within close proximity to the City of Gunnison.
GUNNISON COUNTY, COLORADO
PLANNING DEPARTMENT STAFF REPORT
for MINOR IMPACT

Land Use Change Permit Application: Gunnison County represented by
John Cattles, Sustainable Operations Director
Application No: LUC-19-00037
Date application scheduled with Planning Commission: 2019
Prepared by: Cathie Pagano, Director

APPLICANT NAME: John Cattles
PROPERTY OWNER NAME: Gunnison County

PROJECT DESCRIPTION:
The applicant proposes the development of 10.5-acre site into an river park. The primary purpose of the park will be to provide riverside boat access and adequate parking and sanitary facilities. The current access site (across Hwy 135) at “North Bridge” is not a legal, permitted use nor does it provide adequate parking or infrastructure.

The following amenities are proposed at the Park:
- 36 trailer parking spaces and 43 vehicle parking spaces
- 19 walk in tent only campsites and camp host site
- Boat prep and staging area
- Boat ramp
- Restrooms
- Picnic shelter
- Nature play area
- Nature trails
- ADA access
- Instream fisheries habitat improvements

The parcel includes 730 linear feet of river front access along the Gunnison River, a 980 linear feet side channel within the property and abundant mature trees including spruce, cottonwoods and willows. The Shady Island site was developed as an RV park with some small cabins on the property approximately 40 years ago. In 2006, a developer purchased the parcel and received approval to develop 16 residential subdivision lots on the property. At that time the developer removed the dilapidated cabins that were existing on the property. Today there still exist some buried utilities on the site such as septic tanks. There are no structures on the property.

Shady Island River Park will allow ample parking for bicycles, cars, trucks, and trailers. The site will also include nineteen camping sites, picnic shelters with restrooms, trail loop system, recreation path
Phase 1: Site prep, install and gravel parking areas; infrastructure for water, sewer, electric; boat ramp; staging areas; campground; bathrooms; river, riparian, and habitat restoration. Habitat restoration work includes installation of larger boulders to provide slope retention along shoreline; river bank stabilization, added undulation to shoreline for habitat variety, adding boulder clusters to enhance habitat-creating cover and holding water for fish and enhancing wade angling. Installation of 36 trailer parking spaces and 43 vehicle spaces. Boat ramp is for larger craft; small craft (kayaks, SUPs, peds) will utilize small craft access area upstream of ramp. Pedestrian access will include trail and walkway improvements and routes to riverbank for fishing opportunities. Staff has submitted traffic analysis and proposed plan to CDOT and has discussed the proposal with CDOT staff and in September 2019 submitted a traffic analysis and proposed plan to CDOT for permitting.

Phase 2: Pave parking area and road; bathrooms; picnic pavilions; picnic tables; trails, pedestrian bridge connecting recreation path on west side of Highway 135 to Park (staff has had preliminary conversations with CDOT re bridge). The pedestrian bridge would increase ease of access for pedestrians and cyclists.

The County staff conducted public outreach to obtain feedback on the proposed project in 2018 and 2019. The project team developed a diverse array of public outreach opportunities throughout the planning process. The project team met with government and nonprofit stakeholders to seek advice on water, riparian, fisheries and wildlife habitat. Seven stakeholders attended including the Upper Gunnison River Water Conservancy District; CPW staff aquatic biologist and district wildlife manager, representatives from Trout Unlimited’s local and regional offices, City of Gunnison manager, and Gunnison County staff. Four staff and stakeholder meetings were held throughout the master plan process. Outreach and public participation is further detailed in the application.

PROPERTY LOCATION:
The subject parcel is legally described as 10.5 acres in the NE1/4, Section 24, Township 50 North, Range 1 West, NMPM. 2728 Highway 135, the subject parcel is approximately 1.7 miles north of the City of Gunnison.

SURROUNDING LAND USES:
Uses adjacent to the subject parcel include agricultural, residential and public lands.

AGENCY AND DEPARTMENT REVIEWS:
- Gunnison County Public Works
- Gunnison County Fire Protection District
- Colorado Division of Water Resources
- Colorado Parks and Wildlife
- City of Gunnison
- Colorado Department of Transportation

PRE-APPLICATION CONFERENCE:
None.

STATUS OF APPLICATION:
Complete

ATTACHED EXHIBITS:
Copy of Minor Impact application dated

PLANNING COMMISSION TASKS AT INITIAL WORK SESSION:
- Acknowledge receipt of application by applicant name, name of development (if applicable) and date of application
- Hear applicant presentation
--- Identify and consider issues
--- Determine impact classification, considering both by definition and criteria of Section 3-111: B. 1.
--- Create list at end of meeting of items to be addressed at next meeting, and the date by which related information is to be submitted
--- Set site visit date
--- Determine if application is ready to be set for public hearing, or if other work session is required

<table>
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<tr>
<th>INITIAL IMPACT CLASSIFICATION:</th>
<th>Major Impact Project as identified in Section 7-101: B. New Commercial, Industrial Larger than 5,000 sq. ft. or Five Acres. Applicant is requesting a reduction in impact classification to a minor impact. See below.</th>
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**OTHER CRITERIA OF IMPACT CLASSIFICATION (SEC. 3-111. B. 1.)**

**Demand for public services.** The proposed land use change is expected to generate a minor or a major demand for public services, including roads, transit, schools, water supply, sewage disposal, fire and police protection, and emergency services.

*The proposed River Park is expected to generate a minor demand for public services. The current platting of the parcel allows for the development of 16 residential units. The proposed park use will have a reduced demand for public services including water supply, wastewater, schools, transit, fire and emergency services.*

**Impacts on impact area and the environment.** The proposed land use change is expected to generate a minor or a major impact on the impact area.

*The impacts on the area and environment are expected to be minor. The applicant proposes that the existing unpermitted use at North Bridge causes safety hazards due to access and inadequate infrastructure. The new proposed park will improve safety and reduce impacts in the area. The applicant also proposes instream and riparian area habitat restoration to improve the environment. Impacts associated with a park are expected to be less than impacts associated with a residential subdivision.*

**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.

*The impacts of the proposed park are expected to be minor, particularly in consideration of the existing river access at North Bridge and the current platted approval for a 16-unit subdivision at the site. No new net impacts are expected that would be greater than the existing North Bridge site and the 16-lot subdivision.*

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<tr>
<th>EA or EIS is required for this project</th>
<th>☐ Yes ☒ No</th>
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<tr>
<td>Project located in Special Geographic Area</td>
<td>☐ Yes ☒ No</td>
</tr>
<tr>
<td>Phasing proposed</td>
<td>☒ Yes ☐ No</td>
</tr>
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The applicant proposes two implement the project in two phases.

**Phase 1:** Site prep, install and gravel parking areas; infrastructure for water, sewer, electric; boat ramp; staging areas; campground; bathrooms; river, riparian, and habitat restoration. Habitat restoration work includes installation of larger boulders to provide slope retention along shoreline; river bank stabilization, added undulation to shoreline for habitat variety, adding boulder clusters to enhance habitat-creating cover and holding water for fish and enhancing wade angling. Installation of 36 trailer parking spaces and 43 vehicle spaces. Boat ramp is for larger craft; small craft (kayaks, SUPs, peds) will utilize small craft
access area upstream of ramp. Pedestrian access will include trail and walkway improvements and routes to riverbank for fishing opportunities. Staff has submitted traffic analysis and proposed plan to CDOT and has discussed the proposal with CDOT staff and in September 2019 submitted a traffic analysis and proposed plan to CDOT for permitting.

Phase 2: Pave parking area and road; bathrooms; picnic pavilions; picnic tables; trails, pedestrian bridge connecting recreation path on west side of Highway 135 to Park (staff has had preliminary conversations with CDOT re bridge). The pedestrian bridge would increase ease of access for pedestrians and cyclists.

Is a Partially Exempted land use change (Section 1-106)  
☐ Yes ☒ No

APPLICABILITY OF LAND USE RESOLUTION STANDARDS:

<table>
<thead>
<tr>
<th>STANDARD, BY LUR SECTION, DIVISION AND/OR ARTICLE</th>
<th>Plan complies, or compliance will be determined during review</th>
<th>Staff Comments/References to specific documentation</th>
</tr>
</thead>
<tbody>
<tr>
<td>9-101: E. and F.: Secondary residences are allowed, and standards are addressed in covenants</td>
<td>☐ Yes ☐ No ☒ N/A</td>
<td>Not requested as part of this application</td>
</tr>
<tr>
<td>9-102: Home occupations</td>
<td>☐ Yes ☐ No ☒ N/A</td>
<td>Not requested as part of this application</td>
</tr>
<tr>
<td>9-103: Bed and breakfast</td>
<td>☐ Yes ☐ No ☒ N/A</td>
<td>Not requested as part of this application.</td>
</tr>
<tr>
<td>9-203: Mobile home communities</td>
<td>☐ Yes ☐ No ☒ N/A</td>
<td>Not requested as part of this application</td>
</tr>
<tr>
<td>9-301: Commercial and Industrial Uses</td>
<td>☒ Yes ☐ No ☒ N/A</td>
<td>Applicable, the application describes compliance with this Section. D. GENERAL STANDARDS. The following standards apply to commercial and industrial uses with the exception of mining and associated activities, that are regulated by Division 9-400: Exploration, Extraction and Processing of Minerals and Construction Materials and to home occupations, that are regulated by Section 9-102: Home Occupations. 1. NON-RESIDENTIAL ACCESSORY USES. Uses that shall be considered accessory to a non-residential use include an office to run the business, a cafeteria, and similar support areas. Not applicable, no non-residential accessory uses proposed.</td>
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<tr>
<td><strong>2. FOOD SERVICE REQUIREMENTS.</strong> Food service activities, requiring a license or certificate of inspection pursuant to C.R.S. 12-44-201 through 12-44-213 and the production, storage and dispensing of ice shall be conducted pursuant with the physical and operational requirements of the edition of the Rules and Regulations Governing the Sanitation of Food Service Establishments in the State of Colorado in effect at the time the Land Use Change Permit application is submitted. Not applicable, no food service proposed.</td>
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<tr>
<td><strong>3. ELECTRICAL DISTURBANCES.</strong> No use or activity shall be permitted which creates electrical disturbances (electromagnetic radiation) that have a detrimental effect, including radio and television interference, on the operation of any equipment beyond the boundaries of the site. Electrical disturbances affecting operation of equipment beyond the boundaries of a site will require investigation and satisfactory resolution of the disturbance. Not applicable, no electrical disturbances proposed or expected.</td>
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<tr>
<td><strong>4. FIRE AND EXPLOSIVE HAZARDS.</strong> Materials or products which decompose by detonation shall be handled, sorted and utilized in accord with the National Fire Protection Association (NFPA) Standards and pursuant to standards and requirements of the applicable fire protection district. Design shall comply with the standards of Section 12-107: Fire Protection. Not applicable, no fire and/or explosive hazards at the site.</td>
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<tr>
<td><strong>5. GLARE AND HEAT.</strong> Any commercial or industrial operation producing intense glare or heat shall be conducted within an enclosed building or with other effective screening in such a manner as to make glare or heat imperceptible from any point along the property line. Not applicable, no glare and heat proposed or expected.</td>
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<tr>
<td><strong>6. EXTERIOR LIGHTING.</strong> Whenever exterior lighting is installed in a commercial or industrial development, it shall be designed and installed so that all direct rays are confined to the site and adjacent properties are protected from glare, and shall comply with the applicable standards of Section 13-114: Exterior Lighting. Applicable, any exterior lighting will comply with the standards of this Section and 13-114.</td>
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<tr>
<td><strong>7. ODORS.</strong> No industrial or commercial use shall cause or allow the emission of odors from any single source so as to result in detectable and unreasonable odors.</td>
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</tbody>
</table>
Not applicable, no odors will be generated by the proposed park.

8. RADIOACTIVITY. Releases and use of radioactive materials shall be as follows:
   a. RELEASES. Release of radioactivity shall be subject to state and federal regulations, and any other agency having jurisdiction over such releases. Where conflicts between regulations exist, the most restrictive requirements shall apply.
   b. USE OF RADIOACTIVE MATERIALS. Medical, dental and veterinary sources of radiation residues, including x-ray machines, gamma and neutron sources, and pharmaceutical isotopes which are used for diagnostic and therapeutic purposes, shall be permitted when located within a hospital, clinic, medical, dental or veterinary office, or medical research facility, whether mobile or fixed.
   Not applicable, no radioactivity proposed by the park.

9. VIBRATION. No industrial or commercial use shall result in vibration perceptible to a person without instruments at any point along the property boundaries.
   Not applicable, no vibration proposed as part of the park.

10. NOISE. Every use to which this Section applies shall be conducted so that any noise produced is not objectionable because of intermittence, beat frequency, or shrillness regardless of db(A) measurement. Sound levels of noise radiating 25 or more feet beyond the subject property boundary in excess of the db(A) established for the following time periods and uses may be considered a public nuisance as listed in Table 2: Maximum Permissible Noise Levels for Commercial and Industrial Uses
   Applicable, quiet hours will be established in the campground from 10pm-8am.

<table>
<thead>
<tr>
<th>9-302: Farm or ranch stand</th>
<th>Yes □ No □ N/A</th>
<th>Not requested as part of this application</th>
</tr>
</thead>
<tbody>
<tr>
<td>9-303: Dude ranches and resorts</td>
<td>Yes □ No □ N/A</td>
<td>Not requested as part of this application</td>
</tr>
<tr>
<td>9-304: Adult-oriented uses</td>
<td>Yes □ No □ N/A</td>
<td>Not requested as part of this application</td>
</tr>
<tr>
<td>9-305: Seasonal recreational vehicle parks and campgrounds</td>
<td>Yes □ No □ N/A</td>
<td>Applicable, compliance with this Section is described in the application. C. GENERAL STANDARDS. In addition to the other applicable standards and requirements of this Resolution, recreational vehicle parks shall comply with the following: 1. COMPLIANCE WITH COLORADO DEPARTMENT OF HEALTH STANDARDS. Seasonal recreational</td>
</tr>
</tbody>
</table>
vehicle parks shall comply with the requirements of the Colorado Department of Public Health and Environment’s Standards and Regulations for Campgrounds and Recreation Areas, a copy of which is available in the Community Development Department.

The proposed campground and park comply with the State’s regulations. The campground is defined as a “semi-primitive” or “semi-developed” campground per Section 2.10 c. of the State regulations.

2. VEHICLES, TENTS, TENT TRAILERS, OTHER CAMPING SHELTERS ALLOWED. All types of recreational vehicles as defined in this Resolution, and other camping shelters, may be located in a seasonal recreational vehicle park permitted by Gunnison County so long as each individual camping shelter is accommodated on its own site.

Camp sites are restricted to walk-in tent sites only, with the exception of the camp host site which can accommodate a recreational vehicle. Parking for campers will be allowed in the main parking area for the park.

3. SEASONAL OPERATION ONLY. Recreational vehicle parks shall be designed and constructed for seasonal operation only, and shall not accommodate year around residency, except for permanent constructed primary residences or other similar residences intended to house the property owner or park caretaker.

The campground will be open seasonally and is expected to operate from March through October, weather dependent.

4. PROPERTY LINE SETBACKS. Sites in a recreational vehicle park shall meet the following minimum setbacks from property lines (Table 3: Recreational Vehicle Park Property Line Setbacks):

| FROM THE PERIMETER OF THE RECREATIONAL VEHICLE PARK:          | 75 feet |
| FROM EXISTING PRIMARY RESIDENCES, UNLESS THEY ARE SECONDARY USES WITHIN THE PARK | 250 feet |
| FROM THE EDGE OF A PUBLIC ROAD RIGHT-OF-WAY                     | 100 feet |

The proposed sites are for walk-in, tent camping only and do not accommodate recreational vehicles therefore the
above setbacks do not apply to the tent sites. The camp host site does accommodate an R.V. and complies with the above setback requirements. The LUR includes the following definitions: “RECREATIONAL VEHICLE means a vehicle primarily designed as temporary living quarters for recreational, camping, or travel use, that either has its own motive power or is mounted on or drawn by another vehicle including a travel trailer, camping trailer, truck camper, and motor home.

RECREATIONAL VEHICLE PARK means a parcel of land upon which two or more recreational vehicle sites are located, established, or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreation or vacation purposes.”

5. REFUSE DISPOSAL. Animal-proofed refuse containers shall be supplied and maintained pursuant to recommendations by the Colorado Division of Wildlife. Bear-proof trash containers will be supplied and maintained at the park and campground.

6. DISPOSAL OF WASTE. Septage and other sewage or wastewater shall be disposed of only pursuant to a permit obtained in full compliance with the Gunnison County On-Site Wastewater Treatment System Regulations, and any other applicable County, state or federal standard or regulation. Compliance with those Regulations may require that a long-term On-Site Wastewater Treatment System be installed and maintained on the parcel. Bathroom facilities (no showers) will be installed the park to accommodate users. The site is served by the North Valley sewer extension.

<p>| 9-400: Minerals and construction materials | □ Yes □ No ☒ N/A | Not requested as part of this application |
| 9-501: Special events | □ Yes □ No ☒ N/A | Not requested as part of this application |
| 9-502: Temporary structures | □ Yes □ No ☒ N/A | Not requested as part of this application |
| 9-503: Satellite dishes | □ Yes □ No ☒ N/A | Not requested as part of this application |
| 9-504: Attached wireless communications devices | □ Yes □ No ☒ N/A | Not requested as part of this application |
| 9-505: Freestanding wireless communications structures | □ Yes □ No ☒ N/A | Not requested as part of this application |
| 9-506: Child care center | □ Yes □ No ☒ N/A | Not requested as part of this application |</p>
<table>
<thead>
<tr>
<th>Item</th>
<th>Requirement</th>
<th>Approved</th>
<th>Not Approved</th>
<th>Not Requested</th>
</tr>
</thead>
<tbody>
<tr>
<td>9-507: Group home</td>
<td>☐ Yes ☐ No ☒ N/A</td>
<td></td>
<td></td>
<td>Not requested as part of this application</td>
</tr>
<tr>
<td>9-508: Keeping of livestock not on an agricultural operation</td>
<td>☐ Yes ☐ No ☒ N/A</td>
<td></td>
<td></td>
<td>Not requested as part of this application</td>
</tr>
<tr>
<td>9-509: Camping on individual parcel</td>
<td>☐ Yes ☐ No ☒ N/A</td>
<td></td>
<td></td>
<td>Not requested as part of this application</td>
</tr>
<tr>
<td>9-600: Essential housing</td>
<td>☐ Yes ☐ No ☒ N/A</td>
<td></td>
<td></td>
<td>Not requested as part of this application</td>
</tr>
<tr>
<td>10-102: Locational standards for residential development</td>
<td>☐ Yes ☐ No ☒ N/A</td>
<td></td>
<td></td>
<td>Not requested as part of this application</td>
</tr>
<tr>
<td>10-103: Residential density</td>
<td>☐ Yes ☐ No ☒ N/A</td>
<td></td>
<td></td>
<td>Not requested as part of this application</td>
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</tbody>
</table>

B. PRIMARY LOCATIONAL STANDARD. Proposed commercial, industrial and other non-residential development shall be reviewed for its location relative to existing development. In order of priority, this new growth should be located:

1. ADJACENT TO INCORPORATED MUNICIPALITY. A proposed commercial, industrial, or other non-residential development should be located adjacent to a municipal boundary on land that qualifies for annexation into the municipality by meeting the criteria of the Colorado Municipal Annexation Act, C.R.S. 31-12-101.

The proposed park is not adjacent to the City of Gunnison.

2. CONSISTENT WITH A 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.

Applicable, the proposed park is consistent with the City's

C. ALTERNATIVE LOCATIONAL STANDARDS. When the applicant has demonstrated that a proposed commercial, light industrial, industrial or other non-residential development cannot satisfy the primary locational standard, the location may be approved if the Board finds that in addition to meeting all of the other applicable requirements of this Resolution, the cumulative...
impacts of the proposed development and existing development will result in no significant net adverse impact to neighborhood uses, wildlife, visual quality, air or water quality, and the proposed use complies with the following:

1. LOCATIONAL CONSIDERATIONS.
   a. NECESSARY LOCATION. The location is necessary because of specific circumstances including location of minerals, unique transportation needs or geologic conditions; or
   Not applicable.
   b. NO SITE IS REASONABLY ATTAINABLE IN OR ADJACENT TO THE NEAREST MUNICIPALITY OR EXISTING PERMITTED BUSINESS OR INDUSTRIAL PARK. There is no site reasonably attainable within or adjacent to the municipality or existing permitted businesses or industrial park nearest the proposed development site, in an area that qualifies for annexation, or is consistent with a municipal Three Mile Plan area. Evaluation of suitability shall consider size of parcel needed, reasonable availability of necessary utilities and other infrastructure, and the applicant shall provide documentation of comparable sites. Economic feasibility or practicality of comparable sites may be considered, but shall not be the deciding factor in determining suitability; or
   Not applicable.
   c. LOCATION WELL-SUITED TO SPECIFIC USE. The proposed location is particularly well-suited for the specific use (recreational facilities, including dude ranches or resorts); provided, however, that location in a high traffic area or on a highway artery shall not, in and of itself, qualify a proposed commercial development for approval; or
   Applicable, the proposed park at the subject parcel is particularly well-suited to the use. It is the only location in the north Gunnison area that is publicly owned and allows access to the Gunnison River. The current river access site at North Bridge is in the Highway 135 right-of-way and is neither permitted by the County or CDOT. The current site does not adequately or safely accommodate users. There are few sites along the Gunnison River that are available for public access (others include Almont, Tomichi Riverway park in the City of Gunnison, the Gunnison Whitewater park, and McCabe’s Lane). A river access park cannot be located in a commercial or industrial park, it must be located on a site adjacent to the river that is suitable for public access. This site allows for excellent
public access because of its proximity to the City of Gunnison, and the recreation path adjacent to Highway 135. The site will also provide a park amenity for residences north of the City of Gunnison.

**d. NEED OR USE IS WELL-SUITED IN A PARTICULAR AREA.** There is a documented need for the specific use in the proposed location; or

Not applicable.

**e. USE IS DESIGNED TO SERVE A SPECIFIC RESIDENTIAL AREA.** The development will be located and designed primarily to serve an integral part of a specific residential area or development, and shall provide services that are reasonably likely to reduce vehicle trips between the residential area and population centers.

Not applicable.

### 2. COMPATIBLE WITH EXISTING USES ESTABLISHED IN IMPACT AREA.**

The proposed use is compatible with uses established in the impact area.

Applicable, the proposed park has been designed with public input and input from the neighboring property owners and is compatible and complementary to the existing uses in the impact area. The campground was specifically designed as walk-in tent camping to mitigate concerns from the neighbors about noise from RV’s and their generators. A camp host will also be on site to address any issues that may arise relative to noise or disturbances created by campers.

### 3. NO SIGNIFICANT NET ADVERSE EFFECT.

There will be no significant net adverse effect, including cumulative impacts when there is a reasonable probability that there are cumulative impacts, of the proposed and existing developments on adjacent land uses, County or other infrastructure, or public health, safety or welfare, or the environment.

Applicable, no significant net adverse effect will be created by the development of the park. The park will be a public amenity and will create net positive effect on the adjacent land uses, public health, safety, welfare, and the environment.

<table>
<thead>
<tr>
<th>Regulation</th>
<th>Applicable/No/Not Applicable</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>11-102: Voluntary best management practices</td>
<td>No submittal requirements and no standard</td>
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</tr>
<tr>
<td>11-103: Development in flood hazard areas</td>
<td>Yes No N/A</td>
<td>Applicable, portions of the subject parcel are within the 100 year floodplain. The applicant shall be required to submit a flood elevation certificate and a floodplain development permit for the proposed development. The proposed uses in the floodplain including the boat ramp</td>
</tr>
</tbody>
</table>
and in stream restoration work shall be evaluated for their potential impact on the floodplain by a Colorado licensed engineer.

The application states: “The County has contracted with McLaughlin and Associates, an engineering firm specializing in river restoration, boat ramp design, and river recreation to develop the water side amenity plans and restoration work. Along with those designs McLaughlin will develop the flood hazard analysis to identify any impacts to the floodplain associated with the proposed improvements.”

<table>
<thead>
<tr>
<th>11-104: Development in geologic hazard areas</th>
<th>□ Yes □ No ✗ N/A</th>
<th>Not applicable, the subject parcel is not in an area mapped as containing geologic hazards.</th>
</tr>
</thead>
<tbody>
<tr>
<td>11-105: Development in wildfire hazard areas</td>
<td>□ Yes □ No ✗ N/A</td>
<td>Not applicable, the subject parcel is not in an area of high wildfire hazards.</td>
</tr>
<tr>
<td>11-106: Protection of wildlife habitat areas</td>
<td>✗ Yes □ No □ N/A</td>
<td>Applicable, a copy of the application has been sent to Colorado Parks and Wildlife for review and comment. The applicant did participate in a Gunnison Sage-grouse pre-application conference. Comments from Aleshia Rummel, Wildlife Biologist for the Gunnison Conservation District in a letter dated September 25, 2019 state: “The parcel does not contain Gunnison Sage-grouse Tier 1 Habitat (score ≥ 15) as mapped using the 2018 Habitat Prioritization Tool (Gunnison Basin Sagegrouse Strategic Committee 2018). The overall habitat scores for the parcel range from -22 to -14. The southern portion of the parcel includes the Gunnison River, and the remainder of the parcel is primarily riparian vegetation. The western parcel boundary is adjacent to State Highway 135. Given the existing vegetation and the proximity to the highway and river, this parcel does not contain the physical and biological features of sage-grouse habitat.” The applicant has worked with staff from CPW during the public outreach process to identify opportunities to restore the fisheries and riparian habitat along the river and at the subject parcel.</td>
</tr>
<tr>
<td>11-107: Protection of water quality</td>
<td>Yes □ No □ N/A</td>
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Applicable, the proposed uses are within 125 feet of a water body.

The proposed roads are exempt from the water quality protection setback requirements per Section 11-107: C. f. Roads and Bridges.

The proposed river amenities including the boat ramp are required to demonstrate that the project location is unavoidable and that it has been designed to minimize encroachment into the buffer. The proposed use does meet the criteria for this section because the use is “water dependent and authorized.”

The application states:

2. PLAN FOR WATER QUALITY PROTECTION. A site-specific plan for protection of water quality, including:

The County has worked with the engineering team, Bio-Environs, and the U.S. Army Corps of Engineers to develop a plan that has the few impacts to the water bodies on the property. There are several small wetlands on the property which are noted on the site plan. The current location of the proposed pedestrian bridge and group campsite will be relocated to maintain a 25-ft. setback from the water body.

a. TOPOGRAPHIC FEATURES, DEVELOPMENT AND PROPERTY LINES. A map showing existing topography at no greater than 20-foot contour intervals. The map shall highlight existing and proposed slopes greater than 15 percent but less than 30 percent grade and existing and proposed slopes equal to or greater than 30 percent grade, and shall extend a minimum of 100 feet beyond the development site line and show the location of all property lines; and


b. GRADING PLAN. A grading plan, addressing the requirements of Section 13-116: Grading and Erosion Control. The map shall show elevations, dimensions, locations, extent and slope of all clearing, grading and fills at no greater than 20-foot contour intervals proposed for the development site, including any building sites and driveway grades; and

See attached “Grading and Drainage Plan,” prepared by SGM and stamped by Randy Sackett, P.E. dated August 12, 2019.
<table>
<thead>
<tr>
<th>Paragraph</th>
<th>Content</th>
</tr>
</thead>
<tbody>
<tr>
<td>c. SOIL AND SOIL STOCKPILES</td>
<td>Proposed locations of any stockpiles of soil, gravel, snow or other materials; and See attached water quality protection plan. Materials will be stored outside of the inner restrictive buffer areas.</td>
</tr>
<tr>
<td>d. EQUIPMENT AND WASTE MATERIAL STORAGE</td>
<td>Location(s) of storage areas designated for equipment, fuel, lubricants, chemical and waste storage with an explanation of spill containment structures to be used on-site; and See attached water quality protection plan. Materials will be stored outside of the inner restrictive buffer areas.</td>
</tr>
<tr>
<td>a. DRAINAGE FACILITIES</td>
<td>Proposed drainage plan, pursuant to Section 13-117: Drainage, Construction and Post-Construction Storm Water Runoff, including locations of existing and proposed drainage structures, and natural drainage features on land adjacent to the site and within a minimum of 300 feet from the development site line, including, as applicable, road gutters, storm sewers, drainage channels, other water conveyance structures, water bodies, highly erodible soils, unstable stream banks, and mudflow hazard areas; and See attached “Grading and Drainage Plan,” prepared by SGM and stamped by Randy Sackett, P.E. dated August 12, 2019.</td>
</tr>
<tr>
<td>f. WATER QUALITY DATA</td>
<td>Water quality data, including designation, classification, and numeric standards as established by the Colorado Water Quality Control Commission, for all water bodies located on the site; and g. LOCATION OF PROPOSED PERMANENT AND TEMPORARY ROADS</td>
</tr>
</tbody>
</table>
| 3.b. Showing of Unavoidability | 1. Land Use Change is Water Dependent and Authorized. The proposed land use change in the Restrictive Inner Buffer is water dependent (including docks, piers, watercraft launches and ramps, flood control structures, water diversion facilities, and stream bank stabilization structures) and is authorized by each appropriate regulatory authority (including but not limited to the U.S. Army Corps of Engineers)
The proposed location of the river amenities including the boat ramp and river access sites are water dependent. The County is currently working with McLaughlin and Associates to finalize the design of the boat ramp and instream/riparian restoration work to submit 404 permit applications to the U.S. Army Corps of Engineers. The County requests that the Planning Commission make the 404 permit a condition of approval because of the time required for review and approval by the U.S. Army Corps of Engineers. No construction work would begin in or adjacent to the water bodies unless and until approval has been granted by the U.S. Army Corps.

<table>
<thead>
<tr>
<th>Question</th>
<th>Yes</th>
<th>No</th>
<th>N/A</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>11-108: Standards for development on ridgelines</td>
<td>☒</td>
<td>✓</td>
<td>N/A</td>
<td>Not applicable, the subject parcel is not on a ridgeline.</td>
</tr>
<tr>
<td>11-109: Development that affects agricultural lands</td>
<td>☒</td>
<td>✓</td>
<td>N/A</td>
<td>Not applicable, there are no agricultural operations adjacent to the subject parcel.</td>
</tr>
<tr>
<td>11-110: Development beyond snowplowed access</td>
<td>☒</td>
<td>✓</td>
<td>N/A</td>
<td>The subject parcel is not beyond snowplowed access.</td>
</tr>
<tr>
<td>11-111: Development on Inholdings in national wilderness</td>
<td>☒</td>
<td>✓</td>
<td>N/A</td>
<td>The subject parcel is not an inholding.</td>
</tr>
<tr>
<td>11-112: Development above timberline</td>
<td>☒</td>
<td>✓</td>
<td>N/A</td>
<td>The subject parcel is not above timberline.</td>
</tr>
<tr>
<td>12-103: Road system</td>
<td>☒</td>
<td>✓</td>
<td>N/A</td>
<td>Applicable, the &quot;Road Plan and Profile&quot; has been submitted and is stamped by Randy Sackett, P.E. A copy of the application has been sent to Public Works and CDOT for review and comment.</td>
</tr>
<tr>
<td>12-104: Trails</td>
<td>☒</td>
<td>✓</td>
<td>N/A</td>
<td>Applicable, the applicant proposes new public trails on the parcel. The trails will be constructed utilizing the &quot;Gunnison County Trails Master Plan&quot; for guidance.</td>
</tr>
<tr>
<td>12-105: Water Supply</td>
<td>☒</td>
<td>✓</td>
<td>N/A</td>
<td>Applicable, the applicant proposes the to utilize the existing well(s) on the subject parcel.</td>
</tr>
<tr>
<td>12-106: Wastewater treatment</td>
<td>☒</td>
<td>✓</td>
<td>N/A</td>
<td>Applicable, the applicant proposes the installation of bathroom facilities at the site. The site is currently served by the North Gunnison sewer line extension. No dump station for RV's is proposed at the site.</td>
</tr>
<tr>
<td>12-107: Fire protection</td>
<td>☒</td>
<td>✓</td>
<td>N/A</td>
<td>Applicable, the subject parcel is within the Gunnison Fire District a copy of the application has been sent to the District for review and comment.</td>
</tr>
<tr>
<td>13-102: B.: Location within municipal three-mile plan area</td>
<td>☒</td>
<td>✓</td>
<td>N/A</td>
<td>The subject parcel is within the City of Gunnison municipal three-mile area and a copy of the application has been sent to the City for review and comment.</td>
</tr>
<tr>
<td>13-103: General Site Plan Standards And Lot Measurements</td>
<td>☒</td>
<td>✓</td>
<td>N/A</td>
<td>Application meets the minimum requirements of this Section.</td>
</tr>
<tr>
<td>Section</td>
<td>Requirement</td>
<td>Yes</td>
<td>No</td>
<td>N/A</td>
</tr>
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</tr>
<tr>
<td>13-104: Setbacks From Property Lines And Road Rights-Of-Way</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>N/A</td>
</tr>
<tr>
<td>13-105: Residential Building Sizes And Lot Coverages</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>N/A</td>
</tr>
<tr>
<td>13-107: Installation Of Solid-Fuel-Burning Devices</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>N/A</td>
</tr>
<tr>
<td>13-108: Open Space And Recreation Areas</td>
<td>☒</td>
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<td>13-114: Exterior Lighting</td>
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<td>13-116: Grading And Erosion Control</td>
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<td>13-118: Water Impoundments</td>
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</table>
| 13-119: Standards To Ensure Compatible Uses | ☒ | ☐ | ☐ | N/A | The County staff conducted significant public outreach during the design of the Shady Island River Park. Staff and designers met with neighbors on site, met with the general public and interested stakeholders (outfitters, guides, CPW, Trout Unlimited) to design the park in a
thoughtful and compatible manner. Impacts to adjoining neighbors have been mitigated by creating tent-only campsites and contracting with a camp host to enforce quiet hours and camping regulations at the site. The construction of a fence and relatively light impacts along the border of Cline’s homesites have been designed to limit any adverse impacts to the neighbors. The development of the site as a park rather than a subdivision is anticipated to be a benefit for the neighborhood and community.
Shady Island River Park Proposed Master Plan, subject to change during Land Use Change process
October 23, 2019

Gunnison County Planning Commission
221 N. Wisconsin Street, Ste D.
Gunnison, CO 81230

Hand Delivered

RE: LUC-19-00037 Shady Island River Park – County Referral

Dear Commissioners:

Thank you for giving the City the opportunity to comment on the application for the Shady Island River Park, Land Use Change request. The following comments are based on the submitted application material, and its relation to the Gunnison Three Mile Plan and Urban Growth Boundary, City of Gunnison, Colorado and the City of Gunnison Master Plan.

Based on the existing Three-Mile Map, the property is designated as Rural Residential (1 unit per 5 to 35 acres) and is located outside of the Urban Growth Boundary. The Three-Mile Plan states “Non-urban residential designations are expected to be applied primarily to lands outside of the urban growth boundary.”

The County owned property was purchased to accommodate river access, recreation amenities and wildlife and fish habitat. The City recognizes the existing use of the North Bridge area for access to the river. The current site that is unpermitted and within the CDOT right-of-way creates multiple safety issues. The creation of the park will address many of the existing access and safety issues.

The City supports the proposed minor impact application for the Shady Island River Park and understands the County has received public comment regarding the proposed park through numerous public meetings. The Shady Island River Park will provide needed amenities for multiple users within the valley.

Sincerely,

Greg Larson
Chair, Planning and Zoning Commission
I. CALL TO ORDER AT 6:59 PM BY CHAIR GREG LARSON

II. PLEDGE OF ALLEGIANCE TO THE FLAG

III. UNSCHEDULED CITIZENS- None

IV. CONTINUE PUBLIC HEARING AND POSSIBLE ACTION – CONDITIONAL USE APPLICATION CU 19-10, SUBMITTED BY GILLILAND GROUP PARTNERSHIP, NO. 2 LLC, FOR THE CONSTRUCTION AND OPERATION OF OFFICE/UTILITY SERVICE YARD FOR ATMOS ENERGY IN THE COMMERCIAL (C) ZONE DISTRICT

Re-Open Public Hearing.
Chair Larson opened the public hearing at 7:00 PM.

Commissioner Ferchau and Higgins recused themselves from the hearing procedures.

Proof of Publication.
Proof of publication was entered into the record.

Applicant Presentation. Andrew Hall from Gilliland Group Partnership and Ben White, the architect were present for the applicant presentation. Andrew stated that in response to public input at the last meeting they had re-worked their site plan. A highlight of the changes were decreasing the size of the service yard by 1,700 square feet; asphalt or concrete entire service yard; removed material storage structure; added sidewalk to the south end of the property to continue public walkway on Van Tuyl Circle; added grass and landscaping area at the main entrance; added landscaping to north pedestrian easement area and along the west and east fence lines consisting of a mix of conifers, deciduous trees and shrubs; and moved parking lot to side of the building instead of along Van Tuyl Circle.

Ben stated that they also changed the design to comply with all setback requirements.
Chair Larson asked what their plan was for maintaining the landscaping that is being proposed. Andrew stated that Cal Dobie would ensure that the landscaping is maintained in good condition.

Commissioner Perusek asked about the average expected number of emergency responses that would be made to the new facility if approved. Cal Dobie with Atmos Energy stated that for approximately 90% of the emergencies they are responding directly to the scene from another job site or their home in a company provided vehicle. A response to the office/warehouse is only in the event that they extra equipment that is not on their vehicles. Commissioner Perusek asked on average how many trips a day are made to the office/warehouse. Cal responded that approximately 8 trips/day on average.

Commissioner Tocke asked how has growth occurred for Atmos. Andrew stated that they have had the two locations for approximately the last 25 years and that the current facilities are inadequate for maintaining their equipment, which is a safety hazard. Commissioner Tocke clarified with Andreew that it was because of inadequate facilities that they are seeking a new facility and not due to PUC changes. Dan Higgins, Area Supervisor for Atmos Energy stated that it is PUC driven in that they require Atmos have adequate facilities to maintain their equipment and adequately respond to gas emergencies. The current facilities are not adequate. Commissioner Tocke asked when they started looking for property. Cal stated they started looking for the first time in 2017, by trying to buy land that is adjacent to their current warehouse location. The owner of that property was not interested in selling enough land to make it feasible. Then last year they bought land to the north of town along Highway 135 but then was told by the county that the county really did not want any more storage facilities along the highway, citing the 3-Mile Plan. The process of finding land is time sensitive in nature due to the current leases on current locations. A few months ago they found the current site that was zoned Commercial and already has utilities installed then found out that it would require the Conditional Use. Commissioner Tocke asked Andrew and Cal what they foresee as an ideal location. Andrew responded stating property that is priced reasonably enough to be viable, north of Gunnison or on north edge of Gunnison (to cover Crested Butte) and large enough to accommodate Atmos’s current needs in one location. Cal stated that from Atmos perspective they need a building that can house all their equipment, provide some office space, and allow for safe storage of vehicles and equipment. Commissioner Tocke asked what is the franchise fee. Ken Fogo with Atmos Energy stated it is a percentage of sales (4% gross tax) that is paid to the City for using their streets and right-of-ways for gas lines and responding to gas calls.

Commissioner Taylor asked about the sidewalks. Andrew stated that mixed landscaping was added around the current sidewalks and that they plan to add a sidewalk on the south end of the property along Van Tuyl Circle.

Commissioner Iverson stated he was curious what was the issue with the county. Cal responded stating that they were essentially told by the county that they were not going to allow any more storage facilities to the north and the county apparently wants residential instead.
Andrew stated that there will be minimal public use of the building; additionally they have changed landscaping to try to blend better with the neighborhood. Andrew also reminded the Commission that the City does receive revenue from Atmos Energy.

Public Input. Chair Larson re-opened hearing for Public Input.

Daniel Brown – Opposed. Daniel stated that he likes the modifications in the design and landscaping. He stated the building looks nice, but he still doesn’t think it belongs there and that it is better suited for Industrial zone district.

Jeff Wilkinson – In Favor. Jeff is the owner of West Elk Investments, which owns the property. He stated that he does not see Atmos as an industrial use. He stated they do not build anything, they do not manufacture anything and they do not store anything. He stated that Atmos Energy runs a tight ship and are a top shelf company. The fenced area for the equipment makes sense.

Bob Williams – In Favor. Bob is both a neighbor and an investor. As a neighbor, Bob is sympathetic to Daniel and was at first against the project himself, however after having time to think about it he came to realize that it is probably the least impactful use possible. He has worked with Atmos Energy and they are a good company.

Christopher Klein – In Favor. Chris will be the contractor on this project if it is approved but is also a current neighbor of Atmos Energy. Atmos Energy has always been a good neighbor, helping him out when he needed help. Atmos Energy runs a very quiet operation.

Staff Presentation. Community Development Director Anton Sinkewich addressed the Commission stating that as the Commission had asked he had contacted the County Community Development Director Cathie Pagano. Cathie stated that the County had been contacted by Atmos regarding a lot north of Gunnison along Highway 135. Upon hearing their proposal she had told them it would be difficult to impossible to get a Land Use Change to be able to have a utility storage yard on that lot. She stated Atmos should look in the City or one of the existing Industrial parks in the Gunnison area. Cathie sited the 3-Mile Plan for the reason the county was not interested in completing a Land Use Change that would have allowed Atmos to construct their office/utility storage yard on the site in the county.

Director Sinkewich also presented a map showing possible lots within the City that met the size requirements of Atmos along with a spreadsheet listing the properties; inclusion on the list was strictly based on meeting size requirement and zoning and does not imply that the property is available for purchase. The property of this Conditional Use application is one of the properties listed.

Director Sinkewich reiterated that Atmos could certainly screen the lot and operate in the proposed location however; it does not necessarily enhance the neighborhood.

Commissioner Tocke asked staff if they had any idea of the amount of sales tax revenue is on lots of comparable lots is. Staff stated they did not. Commissioner Tocke asked what the
possibility of this use fitting in with the revised 3-Mile Plan. Director Sinkewich stated that it is possible that it could fit in with the updated 3-Mile Plan but it would need to be part of a Master Plan which is dependent on several factors but this process does not fit with Atmos Energy’s timeline.

Bob Williams stood up to address the Commission concerning the 3-Mile Plan. He stated that he has been involved with 3-Mile Plan throughout his career as an engineer and that from his perspective the 3-Mile Plan is a joke. He encouraged the Commission to act on what is good for the City.

Jeff Wilkinson also stood up to address the Commission with regard to the 3-Mile Plan. He stated that when he was on the County Planning Commission (left in 2006) there was talk of updating the 3-Mile Plan and it has yet to be updated. Reiterated what Bob Williams said that the 3-Mile Plan is pretty much a joke.

**Commission Discussion.**

Commissioner Taylor – stated that he appreciated staff confirming and clarifying the conversations that occurred between the County, Gilliland Group Partnership and Atmos Energy.

Chair Larson – stated that as a reminder, he lives in the neighborhood and at first he had mixed feelings but seeing the modifications made to the plans and the improved landscaping he has changed his mind. He believes that they would not have much impact the neighborhood and would be good neighbors.

Commissioner Tocke – stated that his understanding of what the City wants is concentrated growth. He agrees that Atmos Energy would probably not have much impact on the neighborhood but what is needed is a use that will positively influence the neighborhood and promote vibrancy in the area. Commissioner Tocke stated he recognizes that Atmos Energy has been unable to find other locations that will work for them.

**Closed Public Hearing.** Chair Larson closed the public hearing at 8:00 P.M.

**ACTION**

During the regular Planning and Zoning Commission meeting held on October 9, 2019 Commissioner Iverson moved, and Commissioner Perusek seconded, and the Commission voted to **APPROVE** Conditional Use Application CU 19-10, submitted by Gilliland Group Partnership, No. 2 LLC for Atmos Energy for the operation of an office/utility and outdoor storage yard at 204 Sydney Street within the Commercial zone district, based on the following findings of fact and conditions:

**FINDINGS OF FACT:**

1. The Planning and Zoning Commission finds that the record of this action includes the application contents on file with the City of Gunnison; all comments entered into the Public Hearing record; and provisions of the City of Gunnison Land Development Code and the City of Gunnison Master Plan.
2. The Planning and Zoning Commission finds that the applicant is requesting the construction and operation of an office/utility and outdoor storage yard within the Commercial zone district which requires conditional use approval based on the City’s Land Development Code.

3. The Planning and Zoning Commission finds that surrounding uses include single family, duplex and multi-family residential, commercial retail and service and vacant commercial.

4. The Planning and Zoning Commission finds that the site is bordered by Sydney Street to the west, VanTuyl Circle to the south and County Road 13 (unincorporated Gunnison County) to the north.

5. The Planning and Zoning Commission finds that the applicant proposed an office (1,322 square feet), storage bay (2,222 square feet) and warehouse (935 square feet) structure for a total of approximately 4,479 square feet with an outdoor storage area of approximately 17,300 square feet.

6. The Planning and Zoning Commission finds that the proposed use is compatible with the surrounding neighborhood as long as certain conditions are fulfilled.

7. The Planning and Zoning Commission finds that the site allows for adequate off-street parking for all uses of the property.

8. The Planning and Zoning Commission finds that the hours of operation are Monday through Friday from 7:30 a.m. to 4:00 p.m. with 24/7 emergency response to gas emergencies.

9. The Planning and Zoning Commission finds that zone and street buffer requirements must be met as well as the perimeter parking lot landscaping requirement.

10. The Planning and Zoning Commission finds that the outdoor storage yard must meet screening requirements for outdoor storage.

11. The Planning and Zoning Commission finds the applicant will need to submit a revised site plan to comply with all the standards of the Land Development Code.

12. The Planning and Zoning Commission finds that an office/utility service yard will not be a detriment to the community’s health, safety and welfare as long as the following conditions are fulfilled:

CONDITIONS:

1. A revised site plan shall be submitted to the Community Development Director for review and final approval prior to submittal of a building permit application.
2. The outdoor storage areas shall be fully screened from view from the public rights-of-way (VanTuyl Circle, Sydney Street and County Road 13) and adjacent residential zone districts by a 100 percent opaque visual barrier or screening in compliance with the Land Development Code as indicated on the site plan received October 3, 2019.

3. The site must meet the zone and street buffer landscaping requirements as well as the parking lot perimeter landscaping requirement.

4. The applicant shall apply for a building permit for construction prior to Conditional Use expiration of October 9, 2022.

Roll Call Yes: Tocke, Larson, Taylor, Perusek, Iverson
Roll Call No:
Roll Call Absent:
Roll Call Abstain: Ferchau, Higgins

Motion carried

V. CONSIDERATION OF THE SEPTEMBER 25, 2019 MEETING MINUTES
Commissioner Tocke moved and Commissioner Ferchau seconded, to approve the September 25, 2019 meeting minutes with stated correction.

Roll Call Yes: Perusek, Larson, Taylor, Higgins, Iverson, Ferchau, Tocke
Roll Call No:
Roll Call Absent:
Roll Call Abstain:

Motion carried

VI. COUNCIL / PLANNING - STAFF UPDATE
- City Council had second reading and passed resolution for Artisan’s Makers Space text amendment.
- Fire Marshal Ferchau did a presentation to City Council on needed improvements to firehouse.
- Staff received a Major PUD change for Gunnison Rising.
- Staff will be involved with an interdepartmental meeting on marijuana establishments and review of regulations.
- Staff expecting first draft of the Comprehensive Plan the end of October.
- Expect a joint Planning and Zoning Commission and City Council meeting regarding the Comprehensive Plan the first part of November.
- Staff received a demonstration of electronic permitting software this morning, will be looking to implement some type of electronic permitting next year.
- Zoning Board of Adjustments and Appeals had a meeting asking for a variance from the setback requirement to renovate the historic Lunch Counter. Variance was approved.
- Staff is continuing to work with representatives of the Lot 22 Rock Creek project.
Schematic designs for the pocket parks in the VanTuyl Subdivision are on display in the Gunnison Recreation Center.

VII. COMMISSIONER COMMENTS
Commissioner Higgins – asked about the survey of Lazy K and if it had any impacts to the current plans for the project.

Commissioner Tocke – pointed out that there could be different perceptions of locals versus tourists of the marijuana establishments in town.

Commissioner Ferchau – Asked staff if they had any discussion with the County concerning the discrepancy in valuation assessment of downtown buildings by the County assessor.

Next meeting will be October 23, 2019.

VIII. ADJOURNED AT 8:28 PM BY CHAIR LARSON

Attest: Greg Larson, Chair

Caree Musick, Planning Technician