

# **GUNNISON COUNTY PLANNING COMMISSION**

PRELIMINARY AGENDA: Friday, October 12, 2007

- 8:45 a.m.      • **Call to order; determine quorum**  
• **Approval of Minutes**  
• **Unscheduled citizens:** A brief period in which the public is invited to make general comments or ask questions of the Commission or Planning Staff about items which are not scheduled on the day's agenda.
- 9:00 a.m.      **Tredway Subdivision**, joint public hearing/no action, request for subdivision of 3.56-acres; Lot 1 is 2.36 acres and contains an existing single-family residence and outbuildings; Lot 2 is 0.50 acres, located west of the City of Gunnison, at 332 Bevington Rd.
- 10:00 a.m.      Break
- 10:15 a.m.      **Crested Butte Fire Protection District**, work session/possible action, recommendation to Board of Commissioners, request to adopt the **2003 *International Fire Code with amendments***
- 11:45 a.m.      Lunch
- 12:00 p.m.      **Rocky Mt. Christian Ministries, represented by Doug Duryea**, work session/no action, request to convert existing building into a church; 1040 Highway 135, north of the City of Gunnison
- 1:00 p.m.      **Crested Butte Nordic Council**, public hearing/no action, request for the placement and use of a yurt as a seasonal warming hut for the C. B. Nordic trails system; located in Magic Meadows, north of Crested Butte, in the Slate River drainage, above Peanut Lake.
- 2:00 p.m.      **Gunnison/Crested Butte Regional Airport**, work session/possible action, request to replace an existing Gunnison Valley Aviation aircraft hangar, located at Gunnison/Crested Butte Regional Airport.
- 3:00 p.m.      Break
- 3:15 p.m.      **Shady Island Subdivision**, work session/no action, presentation of Preliminary Plan, request for the subdivision of 10.36 acre parcel into 16 single-family residential lots, located north of the City of Gunnison.
- 4:15 p.m.      **Transfer of Development Rights, Mike Pelletier, Long Range Planner**, work session/no action, discussion of transfer of development rights program
- Adjourn**

**GUNNISON COUNTY PLANNING COMMISSION**  
**Regular Meeting**  
**October 12, 2007**

The Gunnison County Planning Commission conducted a regular meeting, in the Commissioners' Meeting Room in the Blackstocks Government Center, Planning Commission meeting room. **Present were:**

Chairman- Ian Billick	Director of Planning-Joanne Williams
Vice- Chairman -Ramon Reed	Assistant Director of Planning-Neal Starkebaum
Commissioner- Nick Lypps	Planner-Cathie Pagano
Commissioner- Richard Karas	Administrative Assistant-Beth Baker
Commissioner-David Owen	
Commissioner-John Messner	
Commissioner-Sam Lumb	Others present as listed in text

With a quorum present Chairman Ian Billick opened the regular meeting of the Gunnison County Planning Commission at 8:45 a.m.

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**TREADWAY SUBDIVISION;** The Commission and Board held a joint public hearing with the applicant Melinda Tredway, Doug Tredway and applicants' attorney Russ Mullins. They discussed a request for the subdivision of 3.56-acres; Lot 1 is 2.36 acres and contains an existing single-family residence and outbuildings; Lot 2 is 0.50 acres, located west of the City of Gunnison, at 332 Bevington Rd.

Board member Paula Swenson attended the meeting.

With a quorum present Chairman Ian Billick opened the joint public hearing.

Administrative Assistant Beth Baker confirmed that the applicants had submitted the certified mailing receipts and the proof of posting and the Planning Department had the public notice published in the Gunnison Country Times and Crested Butte News.

Mullins explained that they are requesting an approval of a subdivision. The property is in the Island Acres Subdivision. There are two wells on the property, one is inoperable. They will tie onto the Dos Rios sanitation district. The driveway has been reviewed by public works, they have approved individual driveways. There will be no restrictive covenants on the property. There have been no negative comments from the neighbors. Mullins explained that the covenants for the Island Acres Subdivision have expired.

Swenson questioned the size of the lots in the vicinity surrounding this parcel. Planner Cathie Pagano provided a vicinity map.

Commissioner Richard Karas asked where the well would be placed. Tredway explained the approximate location of the well, on the new parcel. Mullins said the well can be used for irrigation of .33 acres and household uses. The applicants will get additional water through the Upper Gunnison Water Conservancy District. They have not bought the water yet, they will need it when the well is dug.

Karas asked if the applicants were sure they did not want to put covenants on the new lot. He explained that restrictions on animals and the type of construction are often addressed in other subdivisions. Melinda and Doug Tredway confirmed that they do not want covenants at this time.

The applicants responded to the commission's request to consider increasing the size of the second lot; they do not want to increase the size.

Commissioner David Owen asked if Dos Rios sewer district had provided a letter of approval and if the Division of Water Resources had submitted a letter. Planner Cathie Pagano confirmed that there had been a letter of approval submitted from Dos Rios and Pagano has been in contact with the Division of Water Resources.

Owen asked if there will be an additional letter from the Division of Water Resources. Pagano explained she had contacted the Division.

Billick closed the joint public hearing at 9:20 a.m.

The commission directed staff to prepare the recommendation for the applicants' next work session.

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**CRESTED BUTTE FIRE PROTECTION DISTRICT (CBFPD);** The Commission held a work session with applicants' representatives Ric Emms and Scott Wimmer. They reviewed the recommendation to Board of Commissioners, request to adopt the **2003 *International Fire Code with amendments.***

With a quorum present Chairman Ian Billick opened the work session.

Director of Planning Joanne Williams explained that the purpose of this meeting is two fold. They will be working on the *Gunnison County Land Use Resolution (LUR)* amendments and the request for the adoption of the *2003 International Fire Code with amendments.*

Billick explained that the fire code adoption will be worked through first followed by the LUR amendment.

Commissioner Ramon Reed questioned how much being is considered would be specific to CBFPD, as opposed to the county as a whole. Williams explained that the LUR amendment will apply to the county as a whole. The fire code is specific to the CBFPD. Emms explained that no other fire district in the county has adopted a fire code yet; CBFPD will be the first district to do so.

The commission reviewed the waiver process. Lypps questioned the difficulty of getting through the CBFPD waiver process. Emms explained that if you are on an all season access road or on a central water system a waiver would not be necessary.

Williams suggested that the CBFPD consult their attorney concerning their liabilities in relation to any exemptions.

Billick asked which element the sprinkler system or the defensible space is the most important. Emms replied that they go hand in hand. Emms said the sprinkler system is for the inside of the structure and the defensible space is for the outside of the structure.

Billick said there is the concern with potential damage to the National Forest. Messner explained that these exemptions do not ever apply to defensible space.

Billick polled the commission on the exemptions: the majority of the commission was in favor; except Karas. .

Commissioner David Owen said it appears that an individual could have a difficult time receiving a waiver. Emms replied that they have never denied the "outcome." CBFPD representative Kent Coward said they are open and flexible with the applicants, in reaching a solution.

Karas asked about conflicting standards between the district and the county. Williams explained said the LUR states that when there are conflicting standards the county enforces their own standards.

Reed suggested the exceptions should refer to the site and the property rather than just the structure. Wimmer explained that they are addressing isolated structures.

Reed noted his concern with individuals who choose to ignore the appropriate access and use an alternate access because of views etc. He suggested in the situations of personal choice individuals should be required to adhere to the standards.

Billick polled the commission as to their comfort with the changes to the fire code; the majority of the commission was comfortable with the changes to the fire code. Messner still questioned sprinkling and Karas was not satisfied with the exemptions.

Colorado State Forest Service representative Brian Ayers discussed additional mitigation methods needed for effective fire control. Defensible space is a start, but not the whole package. When a fire is in the crowns of the trees it can not be controlled. Billick noted that the existing standards do allow for requiring wildfire mitigation methods on the entire parcel. Messner said that this could tie up too much property, which could not be developed. Ayers said a plan to ensure the

safety of all the people should be considered. Billick suggested that the building envelopes be required to be at moderate or below fire hazard level and the entire parcel could be required to have an appropriate wildfire mitigation plan.

The commission discussed the LUR amendment. Williams said there is language currently in the LUR that should be more specific. Karas suggested changing the language as it applies to each building permit.

Williams requested that the commission consider these regulations in relation to existing, as well as, new developments. She asked which set of standards the commission wants to apply to new development and would the standards apply retroactively to existing developments.

The next work session is tentatively scheduled for November 2, 2007.

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**ROCKY MOUNTAIN CHRISTIAN MINISTRIES;** The Commission met with applicants John Clement, Gary Haney and owner Doug Duryea to discuss their request to convert an existing building into a church; located at 1040 Highway 135, north of the City of Gunnison.

With a quorum present Chairman Ian Billick opened the work session.

Commissioner Richard Karas asked if they had applied to annex into the City of Gunnison and how that could affect this procedure. Starkebaum replied that the annexation could be a two or three year process. He said they would have to comply with the *Gunnison County Land Use Resolution (LUR)*.

Duryea explained that Rocky Mountain Christian Ministries would be the lessee of the building. They are asking to change the use of the structure from commercial to a church.

Clement said they have submitted an auxiliary level two turn lane assessment to CDOT. They have been told that the existing access for the church is sufficient.

The applicants submitted a parking plan. Assistant Planning Director Neal Starkebaum explained that the parking plan complies with the LUR.

Starkebaum explained that the Fire Marshal has verbally indicated that there is no requirement for sprinkling, although he did request adding a secondary egress at the rear of the building.

The applicants submitted a specific floor plan; engineer Bob Williams recommended fire rocking the escape route and there will be two egresses.

Starkebaum noted the drainage plan was reviewed by engineer Bob Williams. Williams submitted stamped plans for the parking lot. The sewer line will cross Clarke Boulevard and tie into the property. There will be a utility easement provided on the adjacent lot by owner Duryea.

Clement explained that if the church grows to the point that they can not accommodate the patrons he will add additional services. Commissioner Nick Lypps asked if this is a temporary location for the church. Haney explained that they will move locations but would they also would like to remain in the existing building should that be an option.

The commission agreed that the application should be reviewed using the primary locational standards.

The commission directed staff to prepare a draft decision of approval for the public hearing. The public hearing will be held November 16, 2007.

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**CRESTED BUTTE NORDIC COUNCIL;** The Commission conducted a public hearing with applicant's representatives Keith Bauer, Skip Berkshire, Jake Jones and Jesse Crandall to review their request for the placement and use of a yurt as a seasonal warming hut for the C. B. Nordic trails system; located in Magic Meadows, north of Crested Butte, in the Slate River drainage, above Peanut Lake.

With a quorum present Chairman Ian Billick opened the public hearing.

Administrative Assistant Beth Baker confirmed that the applicants had submitted the certified mailing receipts and the proof of posting and the Planning Department had the public notice published in the Gunnison Country Times and Crested Butte News.

Bauer submitted photographs of the parcel and the additional information that had been requested at the last work session.

Commissioner David Owen asked if the Town of Crested Butte and the Land Trust had approved this application. Billick noted that their approvals had been submitted with the application.

Commissioner Ramon Reed asked for clarification of the actual use of the yurt. He was concerned with the limitations of the easement. Bauer explained that it will be used as a warming hut during the day, and locked at night. They will also stage several races from the yurt. They will hold moon light tours monthly. The community will be allowed to hold special events. If any food is served it will be brought it and all trash will be taken out daily. Berkshire reiterated that no food would be prepared on site.

Billick explained that the commission is not the enforcement agent for the conservation easement. The holders of the conservation easement will have to be contacted as well as the county.

Commissioner Nick Lypps asked what color the yurt is. Bauer explained that it is brown and tan, in the summer it will be camouflaged in the trees.

The port-o-potty will have a management plan put together with the environmental health official. They will contract with a contractor to service it. The groomer will take them out and the contractor will service them every two weeks.

There was no public comment.

Assistant Planning Director Neal Starkebaum noted that the planning department had received no public comment.

The commission agreed to review the application using the primary locational standards.

The commission directed staff to prepare a draft decision of approval. The tentative date of the next work session is November 2, 2007.

Billick closed the public hearing at 1:15 p.m.

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**GUNNISON/ CRESTED BUTTE REGIONAL AIRPORT;** The Commission held a work session with applicants Pat Lazarus and Dick Hayes to discuss their request to replace an existing Gunnison Valley Aviation aircraft hangar, located at Gunnison/Crested Butte Regional Airport.

With a quorum present Chairman Ian Billick opened the work session.

Hayes commented that a color change sometimes causes more of a visual impact than maintaining the same colors. Commissioner Sam Lumb asked about the size of the windows. Hayes said the plans have not been submitted. Lumb said the clear dimensions of the windows would be beneficial, and shutters are used by architects to soften the look of a building. Commissioner Ramon Reed suggested using charcoal grey on the north side of the building because it would be less obtrusive. Billick suggested earth tones.

Billick noted that the applicants had not submitted a visualization study that had been requested. He stated that the absence of the visualization study has been frustrating for the commission.

Commissioner Richard Karas said he is uncomfortable with the commission choosing the color of the building. He is prepared to accept the color the applicant has proposed. Billick agreed with Karas. Karas reiterated that a visualization study would have helped. He noted that the north side of the hangar is well shielded by foliage. The commissioners reiterated their frustration with the applicants' unwillingness to provide a visualization study. Hayes stated that they have tried to work with the commission.

Assistant Planning Director Neal Starkebaum noted that the airport has agreed to match the \$5,000 being spent by the City of Gunnison to improve the appearance of the western entrance to the City of Gunnison.

Following a discussion of colors of the north wall; Reed made a motion that one of the darker colors be used on the north wall of the hangar Lypps seconded the motion. The motion passed with Reed, Owen, Billick, Lypps, Messner voting yes; Lumb and Karas voting no.

The commission reviewed the draft approval decision.

**MOVED:** by Reed seconded by Owen to approve LUC-2007-36 as amended. The motion passed unanimously.

**PROJECT DESCRIPTION:**

The applicant requests the replacement of an existing 4000 square foot aircraft hangar, with a 10,575 square foot aircraft hangar, located on a lease area at the Gunnison-Crested Butte Regional Airport.

All application materials are dated July 18, 2007, including a site plan, architectural plans – prepared by Thomas L. Carr, Architect. This review and Decision incorporates, but is not limited to, all the documentation submitted to the County and included within the Planning Department file relative to this application; including all exhibits, references, testimony and documents as included therein.

**LOCATION:**

The land is located on a lease area at the Gunnison-Crested Butte Regional Airport, 711 West Rio Grande Avenue, within the SW1/4 Section 2, Township 49 North, Range 1 West, N.M.P.M.

**WATER SUPPLY/ WASTEWATER:**

The hangar may be served by an extension of the Gunnison Municipal water system and the Municipal wastewater treatment system.

**SECTION 3-111: CLASSIFICATION OF IMPACT:**

**B. CRITERIA FOR CLASSIFYING IMPACT.** The criteria the County shall use to classify the impact of proposed land use changes is described in the separate Division that establish the review procedures for each impact classification: Division 4-200: *Administrative Review Projects That Do Not Require Land Use Change Permits*, Division 4-300: *Administrative Review Projects that Require Land Use Change Permits*, Division 4-400: *Minor Impact Projects*, and Division 4-500: *Major Impact Projects*.

**1. ADDITIONAL CRITERIA.** In addition to the specific criteria of each section, the County shall also consider the following in determining the impact classification:

**a. DEMAND FOR PUBLIC SERVICES.** Whether 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; and

**b. IMPACTS ON IMPACT AREA AND ENVIRONMENT.** Whether the proposed land use change is expected to generate a minor or a major impact on the impact area or on the impact on the impact area or on the environmental resource and hazard area defined within and regulated by Division 5-200: *Resource Protection Standards*; and

**c. IMPACTS RELATED TO ALL EXISTING 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.

The Planning Commission determined that the proposed replacement of the hangar would generate minor impacts on the demand for public services, impacts to the impact area and environment and minor impacts to all existing and proposed development in the impact area. The classification of the project is Minor Impact.

**BUILDING HEIGHT:**

The maximum height of the building, to the peak, will be approximately 40 feet in height. As measured by the LUR standard, the height of the building, as estimated from the architectural drawings, is approximately 35 feet.

**Section 13-303 H. Allowed Structure Heights.**

**3. COMMERCIAL OR INDUSTRIAL STRUCTURES.** Unless otherwise exempted or regulated by this Resolution, commercial and industrial structures shall not exceed 30 feet in height, except that the allowable height may be increased to a maximum of 45 feet upon findings by the applicable decision-making body that:

a. **ADEQUATE FIRE PROTECTION AVAILABLE.** Adequate fire protection shall be available, pursuant to Section 11-105: Development in Areas Subject to Wildfire Hazards; and Section 12-107: Fire Protection;

Comment: There is adequate fire protection available from the Airport Fire/Rescue.

b. **VIEWS AND SOLAR ACCESS NOT OBSTRUCTED.** Views and solar access shall not be significantly obstructed by the increased height; and

Comment: This is a replacement of an existing hangar. No views or solar access will be significantly obstructed by the increased height.

c. **USE AND ENJOYMENT OF ADJACENT LAND USE NOT DIMINISHED.** Use and enjoyment of adjacent lands shall not be diminished.

Comment: No use or enjoyment of adjacent land will be diminished.

d. **NO INTERFERENCE WITH AIRPORT PATHS OR ZONES.** There shall be no interference with established airport flight paths or structural height restrictions within airport influence zones.

Comment: There will be no interference with airport flight paths or structural height restrictions. The hangar will comply with all FFA height regulations.

**CITY OF GUNNISON COMMENTS:**

In a letter from Diane Lothamer, Chairperson, City of Gunnison Planning and Zoning Commission, dated August 29, 2007, she noted that the west entrance to the City of Gunnison is important, and that a collaborative effort should be developed to address a landscaping and buffering plan. In addition, the height of the building exceeds the City's height standard.

**COMPLIANCE WITH THE APPLICABLE STANDARDS OF THE *GUNNISON COUNTY LAND USE RESOLUTION*:**

**Section 10-104: *Locational Standards for Commercial, Industrial and Other Non-Residential Development***

The site is at the Gunnison-Crested Butte Regional Airport, and the proposed commercial aircraft hangar will replace an existing commercial aircraft hangar.

**Section: 11-202: *Voluntary Best Management Practices***

Voluntary; not mandated.

**Section 11-203: *Development in Areas Subject to Flood Hazards.***

The site is not located within the floodplain.

**Section 11-204: *Development in Areas Subject to Geologic Hazards.***

The site is not located within an area subject to geologic hazards.

**Section 11-205: *Development In Areas Subject to Wildfire Hazards.***

The site is not subject to wildfire hazards.

**Section 11-206: *Protection of Wildlife Habitat Areas.***

The site is not within critical wildlife habitat, and will have limited, if any, impact on wildlife in the area during and after construction. The airport has expended substantial resources to keep the conflicts between wildlife and aircraft to a minimum.

**Section 11-207: *Protection of Water Quality.***

No streams or wetlands are near or on the building site

**Section 11-209: *Development That Affects Agricultural Lands.***

Not applicable.

**Section 12-303: *Road System.***

Existing access is from the secure airport access to the lease area.

**Section 12-304: *Public Trails.***

There is no public trail existing or proposed on this site.

**Section 12-305: *Water Supply.***

The hangar may be served by an extension of the Gunnison Municipal water supply.

**Section 12-306: *Sewage Disposal/Wastewater Treatment.***

The hangar may be served by an extension of the Gunnison Municipal wastewater treatment system.

**Section 12-307: *Fire Protection.***

The property is located within the Gunnison County Fire Protection District. Fire Protection is provided by the Airport Fire and Rescue facility.

**Section 13-403: *General Site Plan Standards And Lot Measurements.***

The proposed location complies with property line setback requirements.

**Section 13-407: *Installation of Solid Fuel-Burning Devices***

Not applicable.

**Section 13-408: *Open Space And Recreation Areas***

No open space is required of this development, as it is not a subdivision, a multi-family development, or a non-residential development.

**Section 13-409: *Signs.***

There are no signs proposed as part of the application

**Section 13-410: *Off-Road Parking And Loading.***

Parking is permitted adjacent to the hangar.

**Section 13-411: *Landscaping And Buffering.***

The hangar will be screened and buffered by existing trees. No landscaping plan is required to be submitted, and no landscaping is required.

**Section 13-412: *Snow storage.***

Adequate snow storage areas are located at the airport.

**Section 13-413: *Fencing***

Perimeter fencing of the airport is in place.

**Section 13-414: *Exterior Lighting.***

Exterior lighting shall comply with this section and a lighting plan is required at the time of application for building permit.

**Section 13-415: *Reclamation And Noxious Weed Control.***

A Reclamation Permit is required, as applicable, for the construction of the hangar.

**Section 13-416: Grading And Erosion Control.**

The disturbance to the area for construction will be minimal, and will be consistent with drainage and erosion control plans for the airport.

**Section 13-417: Drainage, Construction And Post-Construction Stormwater Runoff.**

There is no proposed significant change in runoff patterns and no drainage plan is required for the proposed activities.

**PUBLIC HEARING:**

A public hearing was held on September 7, 2007; the minutes of the hearing are attached to this decision document.

**FINDINGS:**

The Commission finds that:

1. This application, as determined by the Planning Commission, pursuant to Section 3-111: Classification of Impact, is a Minor Impact Project.
2. The term and use of the hangar is permitted by a lease agreement between the applicant and the Gunnison County Board of County Commissioners.
3. A memo was received from John DeVore, Airport Manager, dated August 28, 2007, noting that "This memorandum confirms that the proposed replacement of Hangar 4 by Gunnison Valley Aviation is consistent with the adopted Airport Master Plan. In fact this project is supported by the Gunnison/Crested Butte Regional Airport in terms of our goal of replacing some of the aging infrastructure at the Airport." The Airport Master Plan was adopted by the Board of County Commissioners on March 7, 2006.
4. A letter was received from Diane Lothamer, Chairperson, City of Gunnison Planning and Zoning Commission, dated August 29, 2007, noting that the west entrance to the City of Gunnison is important, and that a collaborative effort should be developed to address a landscaping and buffering plan. In addition, the height of the building exceeds the City's height standard.
5. The proposed hangar complies with all applicable standards of the *Land Use Resolution*.
6. The Commission finds that the increase in the height of the hangar complies with Section 13-303 H. Allowed Structure Heights. 3. Commercial and Industrial Structures.
7. The proposed hangar is compatible with the character of existing land uses in the area, and does not adversely impact the future development of the surrounding area.
8. This Decision is made in reliance on the present and continued existence of all physical features of the property (geological, topographical and vegetative including trees) cited in this Decision, as applicable, as mitigating a possible conflict with County land use policies.
9. This permit is limited to activities described within the "Project Description" of this application, and as depicted on the site plan as submitted. 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*.
10. This review and decision incorporates, but is not limited to, all the documentation submitted to the County and included within the Planning Office file relative to this application; including all exhibits, references and documents as included therein.

**DECISION:**

The Gunnison County Planning Commission, having reviewed all the documentation submitted to the County and included within the Planning Office file relative to this application, including all exhibits, references and documents as included therein, and including provision of a public hearing, and having reached the above cited Findings, classifies LUC No.

2007-36, Gunnison Valley Aviation Aircraft Hangar, as a Minor Impact Project, approves the Land Use Change Permit with the following conditions, and shall be memorialized by recordation of a Minor Impact Certificate with the Gunnison County Clerk and Recorder:

1. This permit is limited to activities described within the "Project Description" of this application, and as depicted on the site 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. Operations at the hangar are permitted only during normal Airport operating hours.
3. All exterior lighting shall be fully shielded.
4. The exterior color of the hangar shall be one of the following colors, as identified on the Metallic Building Company's "Signature 200" Siliconized Polyester Paint System spec sheet, submitted by the applicant, on October 12, 2007:
  - a. Fern Green
  - b. Charcoal Gray
  - c. Desert Sand
  - d. Burnished Slate
  - e. Koko Brown
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.

**GUNNISON COUNTY PLANNING COMMISSION**  
**Regular Meeting**  
**September 7, 2007**

The Gunnison County Planning Commission conducted a regular meeting, in the Commissioners' Meeting Room in the Blackstocks Government Center, Planning Commission meeting room. **Present were:**

Chairman-	Ian Billick	Director of Planning-	Joanne Williams
Vice- Chairman	-Ramon Reed	Assistant Director of Planning-	Neal Starkebaum
Commissioner-	Nick Lypps	Planner-	Cathie Pagano
Commissioner-	Sam Lumb	Administrative Assistant-	Beth Baker
Commissioner-	David Owen		
Commissioner-	John Messner		

Others present as listed in text

**Absent was:** Commissioner Richard Karas

With a quorum present Chairman Ian Billick opened the regular meeting of the Gunnison County Planning Commission at 8:45 a.m.

**GUNNISON CRESTED BUTTE REGIONAL AIRPORT;** The Commission conducted a public hearing with County Airport Manager John Devore and Dick Hayes and Pat Lazurus representing the Fixed Base Operations (FBO), to review the request to replace an existing aircraft hangar, located at Gunnison Crested Butte Airport.

With a quorum present Chairman Ian Billick opened the public hearing.

Administrative Assistant Beth Baker confirmed that the applicant had submitted the proof of posting, and certified mailing receipts, and the Planning Department had the public hearing notice published in the Crested Butte News and the Gunnison Country Times.

DeVore said hangar number four is older and in disrepair, they are applying to replace it with a 10,000 sq. ft. hangar. He submitted several photographs of the airport from different vantage points. He confirmed that they are applying for a larger 10,000 sq. ft. hangar. They will put in windows along the highway side. To be compliant with the FAA the maximum height is 45 ft.; this hangar will be 40 ft. 2in. at the peak. DeVore said they will work with an engineer to address adjacent lease holder Mark Warren's drainage concerns.

Commissioner Nick Lypps asked about the 15 ft. between Warren's proposed hangar and this hangar. Hayes responded that they will split the 15 ft.; 7 ½ ft each. Starkebaum said the 15 ft. requirement is a fire safety issue. Hayes also said the proposed hangar will be taller than the existing hangar.

Gunnison County Beautification and Scenic Corridor Committee representative Sue Oates reiterated her request for a visualization study, to represent what the new structure would look like from various points. DeVore said he is not willing to do that; it is not a requirement of the LUR. It is not the airports' responsibility to landscape the entrance to the City of Gunnison. There are severe limitations on landscaping imposed by the FAA, they are not allowed to encourage wildlife with habitat. There is going to be a growth of hangars in this area, there are a number of aging hangars that will need to be replaced.

Lypps and Billick disagreed with DeVore noting that the commission has in the past, and could now, require a visualization study.

Oates added that if the County owns this property the County should take the lead, as to how this will look coming in to the City of Gunnison. It should not be dangerous to the aviators, but it is not unrealistic to work with the County.

City of Gunnison's' Director of Planning Steve Westbay said they are looking at spending \$10,000 for improvements to the entrance to the City; revegetation, improve signage, a fence buffer, and looking at a landscaping plan along the highway. He said they are concerned with the esthetic value and the safety of the aviators. The height limitations within the City are also a concern; 35 ft. is the maximum height allowable, although 40 ft. is the maximum that a fire truck ladder could extend. He said they were encouraged by the 40 ft 2 in. height proposed. He cautioned that when looking at mitigating building design, screening can be used, but the height increases make that less useful; buffering is the preferable method.

Oates asked what colors would be used. Hayes said it will be gray similar to another hangar on the property. Oates reiterated the committees' preference for darker colors.

Commissioner Sam Lumb asked if several different materials could be used; wainscoting etc. Hayes said that it is done sometimes when offices are included in the hangars. Lypps reiterated the problem with the mass of larger buildings. Pat Lazurus said that she thinks the hangars that have been replaced and built recently are significantly more attractive than the older hangars.

Adjacent lease holder Mark Warren showed an illustration of the property as it currently is. He also showed the commission what he is tentatively considering as a hangar design.

Billick said that the windows and height limitations are tools used to soften the visual impacts and darker colors could also be used.

Oates pointed out while the City has a plan, the County should participate as well. The County should work with the City. She asked about the view shed mitigation fee; can it be required. Hayes said that it sounds very much like a tax that no one in the past has had to pay. Billick suggested that Oates go the Board and discuss the Committees' concerns.

Attorney Mike Dawson pointed out that because of the Western Gas easement, this hangar will be set back and will be more shielded than the others.

Commissioner Ramon Reed asked Oates if the committee has a set criterion for the entrance. She said there are no set rules, but they have suggestions.

Warren said his concern is still the drainage issue, but he will work with DeVore and the airports' engineer.

Billick outlined issues of concern:

- What could be done with the building in terms of visual impacts?
- Color options on the north side of the building

Billick closed the public hearing. The commission directed staff to draft a decision for the next work session

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**SHADY ISLAND SUBDIVISION;** The Commission conducted a work session with applicant Bill Lacy and applicant's representative Marcus Lock to review the Preliminary Plan, for the subdivision of a 10.36 acre parcel into 16 single-family residential lots, located north of the City of Gunnison.

With a quorum present Chairman Ian Billick opened the work session.

Commissioner Nick Lypps was recused from the proceedings.

It was the consensus of the commission that a site visit was needed.

Billick asked about the timing of the submittal of the Preliminary Plan. Planner Cathie Pagano explained that the applicant submitted the Preliminary Plan within 12 months of the approval of the Sketch Plan.

Lacy explained that this was previously a RV park that used septic systems. He noted that they have eliminated two of the lots that were approved at Sketch Plan. There are now 16 lots being proposed. They will tie on to the north Gunnison sewer line extension. They have done the well testing. The wells have been approved and there will be no water augmentation necessary.

Commissioner Ramon Reed asked about the open space referred to in the plan. Reed was concerned that the wetlands have not been clearly delineated and the commission needs something with the delineated lines for the open space. Lacy said they have done a wetlands delineation and the wetlands are along the river bank. The commission asked for a clear delineation of the open space. They requested a wetlands map that is clearer than the one that had been submitted.

Billick questioned the zero lot line proposal. Pagano explained that a waiver is not needed.

Billick asked about the fill material needed. Pagano said they will need a permit to bring in the fill necessary to bring the property up above the flood plain.

Billick suggested adding a requirement for full cutoff fixtures for any exterior lighting to the covenants. He questioned the two solid fuel burning devices allowed per lot, which could result in 32 solid fuel burning devices on the 10.36 acre parcel. He added that the covenants should be changed to state that the county must be party to any amendments made to the covenants.

Commissioner Richard Karas suggested requiring an additional letter of service from another trash removal company.

Commissioner Ramon Reed said the covenants should allow all owners access to the Gunnison River. He requested a clear map noting the access to the river.

Reed asked if the property boundary in question was resolved. Lacy explained that if they lose the quiet title suit there is still an adequate amount of open space, just over the 30% requirement. Billick requested a summary sheet stating the gross density of the parcel and the open space both with the property in question and without it.

Reed requested clarification of an easement. Lacy explained that the easement is one that has historically been used as a fishing easement. Reed asked if the property lines of the lots along the river extend into the river. Lacy replied that they go to the edge of the river.

Lacy explained that they are relocating the Hyzer Ditch. He added that it will be beneficial to all the users because they will be taking a culvert out and moving the ditch to the north.

Reed suggested the covenants be made stronger in regards to the protection of the wetlands.

Commissioner David Owen asked for clarification of the wetlands map.

Lacy explained that the lots are between .2 acres and ½ acre in size. Billick stated that during the Sketch Plan review they had taken into consideration that this had previously been a trailer park, with very small lots.

Pagano noted that this is a request for a zero lot line development. The building department has several considerations with a zero lot line development. Several of the considerations are: no overhang within two feet of the property line, no openings on the zero lot line side, the runoff has to be contained within the zero lot line. Reed suggested that a finding in the recommendation should recognize the building department regulations. Billick noted that the commission is charged with ensuring that the easement exists and when a building permit is requested the zero lot line issues must be complied with.

Karas asked about the issues raised by the Division of Natural Resources. The applicants agreed to respond to this letter and the City of Gunnison comment letter.

The consensus of the commission was this project would be reviewed under the primary locational standards.

Reed said he had an exparte conversation with city council person, Diane Lothimer concerning the comments submitted by the City.

Billick flagged the issues of concern:

- Snow storage- contact Public Works
- Provide the exact location of the ditch
- Provide the location of the school bus stop
- Current status of CDOT access permit
- Provide clear and accurate open space maps
- Provide a clear and accurate wetlands delineation map
- The commission will conduct a site visit
- Provide a wetlands table showing density- that illustrates what was approved at Sketch Plan and what could happen if they lose the quiet title suit
- Submit a response to the Division of Natural Resources letter and the City of Gunnison letter
- Submit a letter from the Hyzer ditch users noting their approval of the relocation
- Review the highway access including the school bus stop

A joint public hearing will be scheduled following the site visit.

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**TRANSFER DEVELOPMENT RIGHTS (TDR):** The Commission met with Long Range Planner Mike Pelletier for a discussion of transfer of the proposed transfer development rights program.

With a quorum present Chairman Ian Billick opened the work session.

Pelletier said he has spoken to the stock growers. They have not submitted any comments yet, but he anticipates a formal response. He has also spoken to several developers and builders. The developers have liked that this program is relatively cost neutral, one can pay when lots are purchased and the cost is proportional across the board.

Billick pointed out that during the comprehensive plan review it seemed that the TDR concept had support. He said that this can be a valuable tool to help with one of the most difficult issues presented to the county; where should development be and where should it not be.

Pelletier explained that a TDR payment can be met in several ways: provide a conservation easement approved by the county, provide cash up front resulting in a 10% discount, pay as the lots are sold, deed restrictions on the housing, or any combination of the options.

Commissioner John Messner asked if a developer owned two pieces of property, could they pay themselves. Pelletier replied that if they could convince the land trust that that both properties have value, they could pay themselves.

Pelletier said the 30% open space requirement would be reduced to 20%.

Commissioner Nick Lypps stated that affordable housing is the number one problem not open space. He said that any revenue acquired should be spent on affordable housing. Pelletier responded that it could not be a requirement, but it is an option.

Messner was concerned with the difference between a minor and major subdivision. He said it could be beneficial to apply this only to major subdivisions. Pelletier said any fees could be paid when the lots are sold. Commissioner David Owen reiterated his point that minor subdivisions should be included.

Commissioner Ramon Reed requested clarification on how many lots the developer can expect with and without this amendment. Pelletier replied that this is not an exact science.

Lypps reiterated his concern with the affordable housing option. He said a strong message should be sent to the Board that affordable housing is a priority.

Commissioner Richard Karas asked how the commission can actually judge the numbers; concerned this has the potential for a lot of grey area. Billick explained that the only difference is the calculation of open space; decreasing it from 30% to 20%.

The commission directed staff to prepare a draft amendment.

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The regular meeting of the Gunnison County Planning Commission was adjourned at 5:40 p.m.

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/S/ Beth Baker  
Administrative Assistant  
Gunnison County Planning