

GUNNISON COUNTY PLANNING COMMISSION
REVISED AGENDA: FRIDAY, DECEMBER 15, 2006

- 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.** Staff, work session, proposed **amendments to Gunnison County Land Use Resolution**, Section 11-106 concerning wildlife habitat, incorporating portions of the *Temporary Regulations for Gunnison County Land Use Change, Access, Reclamation, Individual Sewage Disposal System or Building Permits on Lands Located Wholly or Partially Within a 0.60 mile radius of a Gunnison Sage-Grouse Lek, or Located Wholly or Partially Within Gunnison Sage Grouse Occupied Habitat.*
- Note that this discussion will continue at the end of today's agenda items.
- 11:00 a.m.** **Glacier Lily Homeowner's Association**, Work session/no action, request to change the use of open space/club house parcel to single-family residential; the open space/club house parcel is 3.95 acres and the applicant proposes the new single-family residential parcel to be 1.1 acres with the remainder of the 3.95 acres to be open space; Glacier Lily Estates Subdivision located between the towns of Crested Butte and Mt. Crested Butte.
- 11: 45 a.m. Lunch** (Work-through): Staff, work session/possible action, **application from Arrowhead Subdivision to form the Arrowhead Fire Protection District.**
- Work session/possible action on **proposed amendments to Gunnison County Land Use Resolution** regarding: 1) Determination of density requirements; 5) Square footage standard for attached garages.
- 1:00 p.m.** **RPC/Hargrove**, work session/possible action, proposed 8,000-square foot commercial/industrial structure with attached residential unit, Lot 20, Riverland Industrial Park, Filing #2, south of the Town of Crested Butte.
- 2:00 p.m.** **Richard Stenson, Environmental Health Official**, work session/no action, discussion with Planning Commission regarding operation, performance and maintenance of septic systems
- 2:30 p.m.** Staff, possible Planning Commission action, proposed **amendments to Gunnison County Land Use Resolution**, Section 11-106 concerning wildlife habitat, incorporating portions of the *Temporary Regulations for Gunnison County Land Use Change, Access, Reclamation, Individual Sewage Disposal System or Building Permits on Lands Located Wholly or Partially Within a 0.60 mile radius of a Gunnison Sage-Grouse Lek, or Located Wholly or Partially Within Gunnison Sage Grouse Occupied Habitat.*

Adjourn

GUNNISON COUNTY PLANNING COMMISSION
Regular Meeting Minutes
December 15, 2006

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

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

Absent: None

With a quorum present Chairman Ian Billick opened the regular meeting of the Gunnison County Planning Commission, December 15, 2006, at 8:45 a.m.

MOVED: by Reed seconded by Karas to approve the minutes of December 1, 2006 as amended. The motion passed unanimously.

UNSCHEDULED CITIZENS: There were no unscheduled citizens present.

SAGE GROUSE LUR AMENDMENT: The Staff, Sage Grouse Coordinator Jim Cochran, and the commission, conducted a work session. They reviewed the proposed amendments to *Gunnison County Land Use Resolution*, Section 11-106 concerning wildlife habitat, incorporating portions of the *Temporary Regulations for Gunnison County Land Use Change, Access, Reclamation, Individual Sewage Disposal System or Building Permits on Lands Located Wholly or Partially Within a 0.60 mile radius of a Gunnison Sage-Grouse Lek, or Located Wholly or Partially Within Gunnison Sage Grouse Occupied Habitat.*

Commissioner Richard Karas complimented Chairman Ian Billick on the comments that he had submitted.

Commissioner David Owen questioned if there were any methods in place to measure the effectiveness of the mitigation methods required. Cochran replied that the general standards are believed to be effective; it would take a study beyond going to the site and observing it to thoroughly understand the final consequences of the mitigation measures taken. He suggested the commission recommend to the Division of Wildlife that standards are developed to measure the effectiveness of mitigation.

Sue Navy, High Country Citizens Alliance (HCCA) representative, said that a project's construction phase can be more disruptive than the actual structure. She said that mitigation should also be used during the construction phase. Commissioner Nick Lypps agreed, pointing out that construction workers often bring their dogs to a construction site. Navy suggested that during sensitive periods of the year, hours of construction should be limited. Cochran noted that the *Gunnison Sage Grouse Range Wide Conservation Plan* (Range Wide Plan) addresses the construction phase of a project. Billick suggested including a reminder, rather than a new reference to limiting construction activities, during sensitive periods of the year.

Billick said it is necessary to clarify which agency physically prepares the maps. Cochran replied that the information on the maps concerning sage grouse comes from the Division of Wildlife. Billick suggested the maps state that they have been prepared by Gunnison County, based upon information provided by the Division of Wildlife.

Billick noted as result of an applicant's positive mitigation, incentives can be given. The intent is to guarantee some certainty early in the process. The staff agreed to work on that process, to either be part of this amendment or as an amendment made at a later date. Cochran said because biological and technological changes occur constantly, the reviews should expire, after a specified period of time.

Lypps suggested requiring physical controls of domestic cats and dogs; physical control should also be required during the construction of the structure.

Navy said a qualified biologist should be present at each inspection. Cochran responded that the Division of Wildlife is present, to identify the location of a lek, not verify the existence of a lek.

Attorney David Leinsdorf requested a clear definition of the word habitat. He said specific identifiable standards are needed, so the applicants are aware of the mitigation requirements. Cochran explained there are standards defined in the Range Wide Plan. Karas suggested adopting the terms, in the *Gunnison Sage-Grouse Range Wide Conservation Plan*. Billick agreed a definition of habitat is needed. Director of Planning Joanne Williams explained that the *Gunnison County Land Use Resolution (LUR)* does contain two definitions-one for critical habitat and one for sensitive habitat.

Billick continued the work session to 2:30 p.m.

GLACIER LILY ONE LOT SUBDIVISION OF OPEN SPACE: The Commission held a work session with attorney for Glacier Lily Homeowner's Association, David Liensdorf, and homeowners Bob Colby, and Seymour Everett. They discussed the request to change the use of open space/club house parcel to a single-family residential lot; the open space/club house parcel is 3.95 acres and the applicant proposes the new single-family residential parcel to be 1.1 acres with the remainder of the 3.95 acres to be open space; Glacier Lily Estates Subdivision is located between the towns of Crested Butte and Mt. Crested Butte.

Planner Cathie Pagano explained that because a new parcel is not being created, it is reviewed similarly, but not exactly like a subdivision; there will be a joint public hearing, and a recommendation to the Board.

Leinsdorf explained the purpose of the application is to create a twenty-first lot, but not necessarily a new living unit. The existing structure is a clubhouse, and a small apartment above the clubhouse. Everett said the clubhouse was built twenty years ago and does not get used on any consistent basis. The apartment is rented out, but the rent does not cover the upkeep of both facilities. The HOA is proposing the removal of the clubhouse/apartment, and the conversion of the lot to a residential lot, sold on the open-market. The proceeds of the sale would go towards the upkeep, and repair of the subdivision infrastructure.

Pagano noted this request would require a change in the subdivision covenants, but the change could be done in tandem with the application. She explained this is a minor impact application, and as such it does not have open space requirements.

Billick said the original application for the Glacier Lily Subdivision met the previous open space requirements. Billick and Lypps agreed that losing an affordable housing unit, when the apartment is replaced with a single family residence, is a concern.

Billick questioned whether there would be an opportunity to create a second lot, which could be an affordable housing deed-restricted lot. Leinsdorf responded that the only proposal approved by the HOA is a request for one single-family lot. The addition of another lot might not be approved by the HOA. Everett pointed out some of the existing physical challenges, which could preclude creating an integrated second, deed-restricted unit. Commissioner Mike Potoker suggested stating, if a second unit is constructed, it would be deed-restricted.

Commissioner Ramon Reed questioned the uses on the entirety of the parcel. Colby responded that there is a large augmentation pond, wetlands- not suitable for any kind of construction, and a tennis court. The clubhouse/apartment will be removed.

Billick asked if there was an easement, which had been donated to the Land Trust. Colby confirmed that the original developer, Dick Eflin, had donated an easement, when the parcel was originally subdivided.

The commission was concerned with the subdivision tying onto the central sewer line. Pagano explained that if a parcel is within 400 ft of an existing sewer line it must tie on to the central sewer line. An existing septic system is allowed to remain, but if a repair or replacement is needed, a permit would not be granted, and the parcel would be required to tie on to the central sewer line.

The commission outlined their issues of immediate concern as:

- A copy of the original Glacier Lily subdivision approval
- A letter from the DOW that describes the wildlife issues mentioned in their comments
- Specification as to the number of units- one or two

- Provide the distance between the lot and the central sewer line- and look at the issue of tying on to the central sewer line
- Covenants restricting any further subdivision
- The existing lots are regular shaped, and this lot is irregular shaped- is that appropriate
- Is Saddleridge on central sewer?
- Encourage the applicants to consider an affordable housing unit
- Feedback from the environmental health official
- Provide language that addresses the pump house
- Provide a drainage plan

The commission will conduct a site visit before the public hearing is held.

ARROWHEAD FIRE PROTECTION DISTRICT: The Staff and commission conducted a work session to discuss the application from Arrowhead Subdivision to form the Arrowhead Fire Protection District.

Dennis Spritzer, Gunnison Fire Protection District Manager, said the proposed district would encompass the Arrowhead Subdivision. He said that the Board of County Commissioners has signed a letter of intent to provide mutual aid. The Gunnison Fire Protection District would still respond to an emergency, but on a different basis. He explained that the proposed district would decrease the Gunnison Fire Protection District funding by as much as \$30,000.00 per year. Spritzer was concerned with the possibility of too many small fire protection districts, although the long distance from Arrowhead Subdivision could warrant this district.

The next work session with the commissioners, will include a review and recommendation to the Board, and the Board will hold a public hearing.

GUNNISON COUNTY LAND USE RESOLUTION AMENDMENTS: The Staff and commission held a work session to review the proposed amendments to *Gunnison County Land Use Resolution* regarding: 1) Determination of density requirements; 2) Square footage standard for attached garages.

The commission decided not to include the reference to clustering. The reference to open space was also deleted. They agreed that if there are varying degrees of density in a subdivision, the higher density areas should be adjacent to the higher density neighborhood. They agreed that mitigation could be used to establish compatibility.

Commissioner Mike Potoker reiterated his view that subdivisions served by public utilities should be granted higher density.

Billick queried several commissioners, asking them if the reference to open space should be taken out. Reed agreed that open space could be taken out. Lypps said open space could be used as a mitigation tool to achieve higher density. Billick said providing public benefit could be a tool to achieve higher density. Owens suggested using affordable housing as a tool to achieve higher density.

The commission agreed upon the square footage standard for attached garages as written. The amendment would allow for any configuration of the square footage for the house and attached garage, not to exceed a total of 10,000 sq. ft.

The commission agreed to revise the determination of density section to address: subdivisions served by public utilities and subdivisions adjacent to compatible uses. They also agreed to use mitigation tools to include, but not limited to the following: changing the lot design or configuration, providing some public benefit, providing open space, provide affordable housing, and trails.

The commission agreed to work on the industrial/ commercial language, and if it is not complete by January, the commission will exclude it from this round of LUR amendment recommendations.

The commission has not yet agreed on the maximum wattage allowed, but they will continue to discuss the lighting at the LUR amendment next work session.

HARGROVE/ RIVERLAND COMMERCIAL: The commission conducted a work session with applicant Scott Hargrove to discuss his request. They discussed the proposed 8,000-square foot commercial/industrial structure with attached residential unit, located on Lot 20, Riverland Industrial Park, Filing #2, south of the Town of Crested Butte.

Commissioner Mike Potoker recused himself stating he was an adjacent property owner.

Hargrove confirmed that the outstanding issue of fire suppression sprinkling of the structure had been resolved, and memorialized in a letter from the building official. He explained that the current configuration of the building will not require fire suppression sprinkling.

Chairman Billick sat Commissioners Karas and Owen for the vote.

MOVED: by Reed seconded by Karas to approve LUC-2006- 52 as amended. The motion passed unanimously.

PROJECT DESCRIPTION:

RPC II has submitted a land use application for the construction an 8,000 square foot industrial/commercial building. The 8,000 square foot building will have three stories with four bays, five offices and one showroom. The building is depicted on a site plan prepared by Andrew Hadley Design, dated October 19, 2006.

LOCATION:

Lot 20, Riverland Industrial Park, Filing No. 2, south of the Town of Crested Butte.

WATER:

This use will be served by the Riverland Industrial Park central water system.

WASTEWATER:

Wastewater from the development is proposed to be treated by an individual sewage disposal system, subject to compliance with the *Gunnison County Individual Sewage Disposal System Regulations*. Richard Stenson, Environmental Health Specialist conducted a site inspection and notes the site as suitable for installation of ISDS, based upon his field investigation. A septic permit application will include further assessment of the site for the type of ISDS to be installed.

In addition, Part XV 15-101 of the *Gunnison County ISDS Regulations* identifies the *Requirements for Business, Commercial, Industrial Waste Systems, Table 5 Point Source Operations Excluded from County ISDS Permits*. The applicant has agreed to record a deed restriction on Lot 20 identifying the list of tenant uses excluded.

ACCESS:

Access will be via a driveway from Riverland Drive.

COVENANTS/LOT OWNERS' ASSOCIATION:

In a letter, dated August 29, 2006, the Riverland Lot Owners' Association approved the construction plans for Lot 20, RPC II.

COMPLIANCE WITH COUNTY LAND USE REGULATIONS:

This land use change application is partially exempted from the requirements of the *2001 Gunnison County Land Use Resolution*, pursuant to *Section 1-106 Partially Exempted Land Use Changes*. There are no unmitigable conflicts with County land use standards, so long as the structures and uses are maintained in compliance with the Declaration of Protective Covenants for Riverland Industrial Park and the *Gunnison County ISDS Regulations*.

COMPLIANCE WITH DIVISION 5-600: COMMERCIAL AND INDUSTRIAL USES:

The proposal complies with all standards within this Division.

RECLAMATION:

A reclamation permit shall be obtained from the Gunnison County Public Works Department for all new disturbed areas.

LANDSCAPING:

Landscaping is required by the Covenants; each lot is required to have a minimum of 15 trees planted with a minimum average height of five feet within 18 months of being issued a building permit. The applicant indicates that they will plant the required landscaping, as identified on the site plan. Gunnison County requires a landscaping development improvements agreement to be executed to ensure the planting of and survival of the landscaping for two growing seasons.

PUBLIC HEARING:

The Planning Commission conducted a public hearing on November 17, 2006. The only member of the public present was John Murphy, who also owns a lot in Riverland. He discussed possible changes to the Riverland Protective Covenants with the Planning Commission.

SITE VISIT:

The Planning Commission conducted a site visit on October 20, 2006. The members viewed the lot, locations of the proposed buildings and the neighborhood.

COMPLIANCE WITH COUNTY LAND USE POLICIES:

This land use change request is partially exempted from the requirements of the new *Gunnison County Land Use Resolution*, pursuant to *Section 1-106 Partially Exempted Land Use Changes*. There are no unmitigable conflicts with County land use standards, so long as the structures are constructed and maintained in compliance with the Declaration of Protective Covenants for Riverland Industrial Park and *Gunnison County ISDS Regulations*.

SECTION 11-103: *Development in Areas Subject to Flood Hazards.*

The site is not located in an area subject to flood hazards.

SECTION 11-104: *Development in Areas Subject to Geologic Hazards.*

The parcel is not located in an area subject to geologic hazards.

SECTION 11-107: *Protection of Water Quality.*

The proposed structure meets the 25 foot setback requirement for the "Inner Restrictive Buffer".

SECTION 12-105: *Water Supply.*

This use will be served by the Riverland Industrial Park central water system.

SECTION 12-106: *Sewage Disposal/Wastewater Treatment.*

Wastewater from the new development is proposed to be treated by a new individual sewage disposal system, subject to compliance with the *Gunnison County Individual Sewage Disposal System Regulations*.

In addition, Part XV 15-101 of the *ISDS Regulations* identifies the *Requirements for Business, Commercial, Industrial Waste Systems, Table 5 Point Source Operations Excluded from County ISDS Permits*. The applicant has agreed to record a deed restriction on Lot 28 identifying the list of tenant uses excluded in Part XV.

SECTION 12-107: *Fire Protection.*

The subject property is located within the Crested Butte Fire Protection District. The District will review the building plans at submittal of building permit application.

SECTION 13-114: *Exterior Lighting.*

The applicant has submitted a lighting plan, dated November 17, 2006. The Planning Commission finds the lighting plan is in compliance with Section 13-114.

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

The applicant shall obtain a stormwater management permit, as applicable. The applicant has provided a drainage plan, certified by a Colorado licensed engineer.

ADDITIONAL SECTION APPLICABLE TO PARTIALLY EXEMPTED COMMERCIAL, INDUSTRIAL OR OTHER NON-RESIDENTIAL LAND USE CHANGES. In addition to complying with the requirements listed above, new construction of, or expansion to, commercial, industrial or other non-residential land use changes that are partially exempted from this *Resolution* by Section 1-106: *Partially Exempted Land Use Changes*, shall comply to the maximum extent feasible with Section 12-103: *Road System*.

SECTION 12-103: *Road System.*

Access is via an existing driveway via Riverland Drive to State Highway 135.

FINDINGS:

The Gunnison County Planning Commission, based on the facts set forth in this Decision and on the material facts represented by the applicant, whether or not repeated herein, finds that:

1. The Riverland Lot Owners Association has reviewed and approved of the proposed use in a letter dated August 29, 2006.
2. This land use change permit is in compliance with *Section 1-105 Sections Necessary For Immediate Preservation Of Public Health And Safety of the new Gunnison County Land Use Resolution*.
3. Use of individual lots must comply with the *Declaration of Protective Covenants* for Riverland Industrial Park, including, but not limited to, compliance with those provisions which may affect employees, parking, the hours of operation, provision of landscaping, snow storage and other aesthetic and public health and welfare concerns.
4. Currently the Protective Covenants for the Riverland Industrial Park do not permit any outside storage on Lot 20.
5. The Riverland Property Owner's Association is in the process of amending their protective covenants which shall require the final approval of Gunnison County. The amendments may include an allowance for outside, screened storage.
6. The recent adoption of the International Building Code has resulted in new requirements for industrial and commercial buildings including the requirement for a sprinkler system to be installed in buildings meeting certain criteria as identified in the IBC. Riverland Industrial Park does not have adequate water supply or fire flows to provide a functional sprinkler system.
7. Based upon the design of the building and a letter from Richard Wojdakowski, Gunnison County Building Inspector, dated December 12, 2006, a sprinkler system will not be required for the proposed building.
8. A site inspection was conducted by Richard Stenson, Environmental Health Official. Based upon the site inspection, he notes that the initial site assessment considers the site suitable for installation of an individual sewage disposal system.
9. The applicant has provided a drainage plan, certified by a Colorado licensed engineer, prior to issuance of ISDS or building permits.
10. The applicant will record a deed restriction on the lot requiring exclusion of tenant uses identified in Part XV 15-101 Requirements for Business, Commercial, Industrial Waste Systems, Table 5 Point Source Operations Excluded from County ISDS Permits.
11. Approval of the land use change permit does not constitute approval of a building or individual sewage disposal system permit. Each of those permits is required to be obtained by the applicants, and the construction and use of the improvements shall comply with the *Uniform Building Code, American Disabilities Act* and the *Gunnison County Individual Sewage Disposal System Regulations*.
12. 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. Any use other than that allowed by the *Declaration of Protective Covenants* for Riverland Industrial Park 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*.
13. 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 and evaluated this application and having reached the above Findings, determines that LUC-2006-52, Lot 20, Riverland Industrial Park, Filing No. 2, is approved with the following conditions and that approval be memorialized by a recorded Certificate of Minor Impact Approval, including the language of these conditions and notations:

1. This permit is limited to activities described within the "Project Description" of this application, and as depicted on the site plan titled "Site Plan – Lot 20 Riverland Industrial Park", dated October 19, 2006 and 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. That if the Protective Covenants for Riverland Industrial Park are amended and approved by Gunnison County and allow for outside, screened storage the applicant shall be permitted to have outdoor storage in compliance with the Protective Covenants.
3. The applicant shall meet the requirements set forth in the International Building Code and shall specifically meet the requirements for sprinkling of a building based on size and occupancy.
4. Uses on this lot shall comply with the *Declaration of Protective Covenants for Riverland Industrial Park*. Uses on this lot shall comply with the *Gunnison County Individual Sewage Disposal System Regulations*.
5. The applicant shall obtain a stormwater management permit, as applicable.
6. A reclamation permit shall be issued by the Gunnison County Public Works Department prior to the issuance of an Individual Sewage Disposal System permit or a Building permit.
7. No building or septic permits shall be issued until the applicant provides the Planning Department with documentation, recorded with the Gunnison County Clerk & Recorder, of a deed restriction on Lot 20, Riverland Industrial Park, Filing No. 2, including:
 - a. The exclusion of tenant uses identified in *Part XV 15-101 Requirements for Business, Commercial, Industrial Waste Systems, Table 5 Point Source Operations Excluded from County ISDS Permits*.
 - b. Acknowledgement that in the event of septic absorption field failure, and no other suitable location is available on the lot, then the lot owner will provide for the removal of the absorption field materials, provide legal disposal, and provide for the reconstruction of a new absorption field with replacement materials in the same location.
6. A Landscaping Development Improvements Agreement with Gunnison County shall be submitted by the applicant subject to approval by the Gunnison County Attorney, including a cost estimate for the landscaping stock and labor for installation of the landscaping, and referencing the landscaping plan as shown on the submitted site plan, shall be executed by the Board of County Commissioners. The Certificate of Minor Impact shall not be recorded until this condition is fulfilled.
7. That a performance bond, letter of credit or other means of surety acceptable to the County, shall be submitted to cover costs of the landscaping, including stock and labor for installation, plus 25 percent and that said surety be retained by the County for a period of two growing seasons to ensure the survival of the landscaping. The Certificate of Minor Impact shall not be recorded until this condition is fulfilled.
8. 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.
9. 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.
10. Approval of this permit is not effective until the Certificate of Minor Impact Approval is recorded with the Gunnison County Clerk and Recorder.

ENVIROMENTAL HEALTH OFFICIAL/ SEPTIC SYSTEMS: Richard Stenson, Environmental Health Official, Staff and the commission conducted a work session. They discussed the operation, performance and maintenance of septic systems.

Richard Stenson, Environmental Health Official, explained that his office is in the process of updating the Individual Septic Disposal System (ISDS) regulations.

He said permits are required if new systems are installed, and if systems are repaired or modified.

He noted that it is the owner's responsibility to maintain and monitor their ISDS system. He pointed out that monitoring means sampling the effluent quality and quantity, as well as the periodic pumping of the ISDS system. He explained

monitoring the quality of the effluent is best done at the leach field, because it will reflect what quality of water is going to recharge the aquifer.

Stenson stated that there are three types of ISDS systems: a tertiary system- as used in the Crested Butte water shed, a system professionally installed and monitored, and an owner installed and monitored system. He said the determination of which type of system will be required in a new subdivision, will depend upon several factors including: the proposed density, the proximity to water bodies, and the proximity to a public water supply. The determination will be made by the environmental health office.

The commission expressed their support of the environmental health office and asked Stenson to come back at a later date to discuss the cumulative effects of too many septic systems in an area.

SAGE GROUSE LUR AMENDMENT: The Staff, Sage Grouse Coordinator Jim Cochran, and the commission, conducted a work session. They reviewed the proposed amendments to *Gunnison County Land Use Resolution, Section 11-106* concerning wildlife habitat, incorporating portions of the *Temporary Regulations for Gunnison County Land Use Change, Access, Reclamation, Individual Sewage Disposal System or Building Permits on Lands Located Wholly or Partially Within a 0.60 mile radius of a Gunnison Sage-Grouse Lek, or Located Wholly or Partially Within Gunnison Sage Grouse Occupied Habitat.*

Chairman Ian Billick reopened the work session to continue the Sage Grouse LUR amendment discussion.

The commission reviewed the proposed amendment. Billick thanked David Leinsdorf, Sue Navy, and Jim Cochran for their expertise and input.

Craig Haas, President of the Eagle Ridge Ranch HOA, said the Eagle Ridge Ranch HOA has participated in this process. They had worked out a mitigation credit in the temporary regulations. The HOA has put over 400 acres into a conservation easement; now they expect credit for the conservation easement. He expressed his concern that the proposed amendment does not contain any reference to credits. He added that based upon the temporary regulations, the HOA placed another 120-acres into a conservation easement. He is also concerned with the expansion of the sage grouse regulations into the wildlife section of the LUR. He was concerned that this will adversely impact older platted subdivisions and developments; lessening the value of a parcel.

Cochran confirmed that mitigation was addressed in the temporary regulations. Williams agreed to include the suggested language from the temporary regulations into the amendment.

Chairman Billick seated Commissioner Karas for the vote.

MOVED; by Lypps seconded by Potoker to approve the recommendation of the LUR Gunnison Sage-Grouse amendment as amended. The motion passed unanimously.

The regular meeting of the Gunnison County Planning Commission was adjourned, December 15, 2006, at 4:00 p.m.

/S/ Beth Baker
Administrative Assistant
Gunnison County Planning Commission