AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Public Hearing; Amendments to the Gunnison County

Action Requested: Board of County Commissioners' Signature

Parties to the Agreement:

Term Begins: **Term Ends:** **Grant Contract #:**

Summary:

LUR Amendments - Planning Commission Recommendation

Fiscal Impact:

Submitted by: Neal Starkebaum **Submitter's Email Address:** nstarkebaum@gunnisoncounty.org

Finance Review: ○ Required ◉ Not Required

Comments:

Reviewed by: Discharge Date:

County Attorney Review: ◉ Required ○ Not Required

Comments:
ok - gs

Reveiwed by: GUNCOUNTY1\gstuhr Discharge Date: 1/15/2016 Certificate of Insurance Required Yes ○ No ◉

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\mbirnie Discharge Date: 1/19/2016

○ Consent Agenda ◉ Regular Agenda ○ Worksession Time Allotted: 15 minutes

Agenda Date: 2/16/2016

Revised April 2015

Gunnison County
Community Development Department
Offices of Planning, Building and Environmental Health
221 N. Wisconsin St., Ste. D
Gunnison, CO 81230
Phone: (970) 641-0360 Fax: (970)641-8585

December 18, 2015

TO: **Board of County Commissioners**
Matthew Birnie, County Manager
David Baumgarten, County Attorney

FROM: **Planning Commission**

SUBJECT: **Amendments to the *Gunnison County Land Use Resolution***

The proposed amendments to the *Gunnison County Land Use Resolution* were initiated by staff and Planning Commission. The amendments are intended to clarify, as well as modify several existing standards, to eliminate any ambiguities within the document.

Pursuant to Section 1-113: C.: of the *Resolution*, the Community Development Department and Planning Commission have reviewed the proposed amendments and considered the following:

1. **CONSISTENCY WITH ANY COMPREHENSIVE PLAN ADOPTED BY GUNNISON COUNTY**. Consistency of the proposed amendment with any applicable comprehensive plan adopted by Gunnison County;
2. **CHANGED CONDITIONS**. Changed conditions, including the economy of Gunnison County;
3. **EFFECT ON THE NATURAL ENVIRONMENT**. Effect of the proposed amendment on the natural environment;
4. **COMMUNITY NEEDS**. Community needs;
5. **DEVELOPMENT PATTERN**. Development pattern;
6. **CHANGES IN APPLICABLE LAW**. Changes in applicable law;
7. **PUBLIC HEALTH, SAFETY AND WELFARE**. Public health, safety and welfare;
8. **COMPLIANCE WITH ANY APPLICABLE INTERGOVERNMENTAL AGREEMENTS ADOPTED BY GUNNISON COUNTY**. Compliance with any applicable intergovernmental agreements adopted by Gunnison County.

*****

At its regular meeting of December 18, 2015, the Planning Commission unanimously recommended approval of the proposed amendments to the *Gunnison County Land Use Resolution*, moved by Commissioner Mugglestone and seconded by Commissioner Fulton:

Exhibit A - individual pages attached (<u>underlined</u> text is new language; ~~struck through~~ text is deleted):

EXHIBIT A

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

DATE: **January 5, 2016**

TO: **Board of County Commissioners**
Meeting of February 16, 2016

FROM: **Neal Starkebaum, Assistant Director** NS

SUBJECT: **List of Sections - proposed LUR amendments**

Section 1-119: Impact Fees and Dedications
Section 4-102: Projects Classified As Administrative Review Projects That Do Not Require Land Use Change Permits
Section 5-102 Projects Classified As Administrative Review Projects That Require Land Use Change Permits
Section 6-102: Projects Classified As Minor Impact Projects
Section 9-101: Uses Secondary To A Primary Residence
Appendix Tables
All References to *Gunnison County Individual Sewage Disposal System Regulations* changed to *Gunnison County Onsite Wastewater Treatment System Regulations.*

J. **RECORD OF BOARD OF ADJUSTMENTS PROCEEDINGS**. The Board of Adjustments shall keep a record of its proceedings, which record shall be available to the public during regular business hours of the Community Development Department.

SECTION 1-117: REPEALER

A. **REPEAL OF FORMER *GUNNISON COUNTY LAND USE RESOLUTION.*** Adoption of this *Resolution* repeals the former *Gunnison County Land Use Resolution* and amendments to it.

B. Adoption of this *Resolution* repeals the former Gunnison County Mobile Home Park and Individual Mobile Home Regulations.

C. **REPEAL OF GUNNISON COUNTY SIGN CODE.** Adoption of this *Resolution* repeals the former *Gunnison County Sign Code.*

D. **REPEAL OF GUNNISON COUNTY FLOOD DAMAGE PREVENTION RESOLUTION**. Adoption of this *Resolution* repeals the former *Gunnison County Flood Damage Prevention Resolution.*

E. **REPEAL OF RESOLUTION NO. 99-20**. Adoption of this *Resolution* repeals the Board of County Commissioners' Resolution No. 99-20, *A Resolution Promulgating Temporary Land use Regulations Regarding For Staging Special Events, Erecting Temporary Structures On Construction Sites, And Camping On Private Property.*

F. **NON-REVIVAL OF FORMERLY REPEALED ORDINANCE, CODES, AND OTHER REGULATIONS**. The repeal of the documents listed in Sections 1-117: A through E does not revive any other requirements, resolutions, ordinances, codes, or other regulations repealed by any of those documents.

G. **EFFECT ON PENDING APPLICATIONS AND PREVIOUSLY APPROVED PERMITS**. Repeal of the documents listed in Sections 1-117: A through E does not affect approval of applications pending as of the effective date of this *Resolution*, or enforcement of permit conditions imposed under the requirements of those documents.

SECTION 1-118: SEVERABILITY

If any Article, Division, Section, paragraph, clause, provision, or portion of this *Resolution* is determined to be unconstitutional or invalid by a court of competent jurisdiction, such determination shall not affect the validity of this *Resolution* as a whole or any part of this *Resolution* other than the part determined to be unconstitutional or invalid. If any application of this *Resolution* to a particular structure, parcel of land, or body of water is determined to be unconstitutional or invalid by a court of competent jurisdiction, such determination shall not be applicable to any other structure, land, or water not specifically included or referenced in that judgment.

SECTION 1-119: IMPACT FEES AND DEDICATIONS

Gunnison County may require an applicant, as a condition of approval of a Land Use Change Permit, to dedicate real property to the public, or pay money to a public entity if there is an essential nexus between the dedication or payment and a legitimate government interest, the dedication or payment is roughly proportional both in nature and extent to the impact of the proposed use or development of such property, and Gunnison County has duly adopted standards for such dedication or payment that are sufficiently specific to ensure that the condition is imposed in a rational and consistent manner.

~~A. **CRESTED BUTTE FIRE PROTECTION DISTRICT.** The Board adopted Resolution No. 1996-47 *A Resolution Approving Amendments to the Gunnison County Land Use Resolution to Require Payment of Land Development Charges* for collection of fees for the Crested Butte Fire Protection District and all development, including development in 35-acre tract developments, shall comply with it.~~

SECTION 4-102: PROJECTS CLASSIFIED AS ADMINISTRATIVE REVIEW PROJECTS THAT DO NOT REQUIRE LAND USE CHANGE PERMITS

The following Administrative Review Projects require a Building Permit, an Individual Sewage Disposal System Permit, an Access Permit, Reclamation Permit, or other County permit, but shall not require an additional Land Use Change Permit; such Projects shall comply with all the other requirements of this *Resolution:*

A. EXEMPT PRIMARY RESIDENCE SMALLER THAN 10,000 SQ. FT. A primary residence smaller than 10,000 sq. ft. that is exempted by Section 1-106: *Partially Exempted Land Use Changes*. The residence may include an attached garage, which shall be calculated in the total square footage allowed for the residence.

B. SECONDARY STRUCTURES AND USES. The following secondary structures and uses, pursuant to Section 9-101: C: *Secondary Structures and Uses That Do Not Require a Land Use Change Permit:*

1. **BARNS AND OTHER AGRICULTURAL BUILDINGS ON AN AGRICULTURAL OPERATION.** A barn or other agricultural building used in conjunction with an agricultural operation.
2. **FENCES.** Fences, which shall comply with Section 13-113: *Fencing.*
3. **GARDENS AND GREENHOUSES**. Private non-commercial gardens and greenhouses.
4. **ONE 120 SQ. FT. STORAGE SHED** ~~**ON ONE-ACRE OR LARGER PARCEL.**~~ One storage shed 120 sq. ft. or smaller~~, on a parcel an acre or larger~~.
5. ~~**HORSE/HAY SHED 500 SQ. FT. OR SMALLER ON ANY SIZE PARCEL**. A horse/hay shed 500 sq. ft. or smaller for sheltering horses or other livestock, or for storing hay, that is not part of an agricultural operation.~~
6. **BARNS IN APPROVED SUBDIVISIONS**. Barns located in approved subdivisions in which there are adopted protective covenants that allow barns and that have been approved by Gunnison County.
7. ~~**DETACHED GARAGE AND/OR SHOP 750 SQ. FT. OR SMALLER**. A detached garage or shop, or combination of those uses in one structure, 750 sq. ft. or smaller.~~
8. ~~**ONE STORAGE SHED 120 SQ. FT. OR SMALLER ON PARCEL SMALLER THAN ONE ACRE**. One storage shed, 120 sq. ft. or smaller, on a parcel smaller than one acre~~
9. ~~**TWO STORAGE SHEDS 120 SQ. FT. ON ONE-ACRE OR LARGER PARCEL**. Two storage sheds, each no larger than 120 sq. ft., on a parcel an acre or larger.~~
10. **GARDENS AND GREENHOUSES THAT ARE HOME OCCUPATIONS**. Gardens and greenhouses that are home occupations created and operated pursuant to Section 9-102: *Home Occupations.*
11. **POOLS AND RECREATION FACILITIES**. Private swimming pools and private recreation facilities associated with a primary residence, and not part of a private club or membership group.
12. **INTEGRATED SECONDARY RESIDENCE** ~~**850**~~ **<u>SMALLER THAN 1,200</u> SQ. FT. ON ANY LEGAL LOT.** An integrated secondary residence ~~850~~ <u>smaller than 1,200</u> sq. ft. in a primary residence on any legal lot that meets the standards pursuant to Section 9- 101: F: *Standards for Integrated Secondary Residence.*
13. **ONE HOME OCCUPATION**. One home occupation, pursuant to Section 9-102: *Home Occupations.*

SECTION 5-102: PROJECTS CLASSIFIED AS ADMINISTRATIVE REVIEW PROJECTS THAT REQUIRE LAND USE CHANGE PERMITS

The following types of Projects are classified as Administrative Review Projects that require Land Use Change Permits:

A. **PRIMARY RESIDENCE 10,000 SQ. FT. OR LESS, IN EXISTING PLATTED SUBDIVISION.** A primary residence smaller than 10,000 sq. ft., located within an existing platted subdivision. The residence may include an attached garage, which shall be calculated in the total square footage allowed for the residence.

B. **AGGREGATE RESIDENTIAL SQUARE FOOTAGE LESS THAN 12,500 SQ. FT.** On one parcel, the aggregate square footage of structures less than 12,500 sq. ft., (excluding from the calculation horse/hay sheds less than 500 sq. ft., one 120 sq. ft. storage shed, and a private greenhouse), that may include:

   1. **RESIDENTIAL LIVING AREA AND ATTACHED GARAGES 10,000 SQ. FT. OR LESS.** 10,000 or less sq. ft. of residential living area (one single-family residence, or any combination of a primary single-family residence, an integrated secondary residence, and/or a detached secondary residence allowed by Section 9-101: *Uses Secondary to a Primary Residence*) and a garage attached to a residence.

C. **SECONDARY STRUCTURES AND USES.** The following secondary structures and uses, pursuant to Section 9-101: D: *Secondary Structures and Uses That Require a Land Use Change Permit:*

   ~~1. **INTEGRATED SECONDARY RESIDENCE 851-1,200 SQ. FT. ON 35-ACRE TRACT CREATED AFTER EFFECTIVE DATE OF THIS *RESOLUTION*.** An integrated secondary residence 1,200 sq. ft. or smaller in a primary residence on a 35-acre tract created after the effective date of this *Resolution*.~~

   ~~2. **DETACHED SECONDARY RESIDENCE 2,500 SQ. FT. OR SMALLER ON LEGAL LOT.** A detached secondary residence of 2,500 sq. ft. or less, located on a legal lot smaller than 35 acres.~~

   ~~3. **DETACHED SECONDARY RESIDENCE 3,500 SQ. FT. ON 35-ACRE OR LARGER TRACT.** A detached secondary residence of 3,500 sq. ft. or less, located on a tract of land 35-acres or larger.~~

   4. **SECONDARY STRUCTURE INTENDED ONLY FOR SLEEPING AND HAS NO KITCHEN**. A secondary structure without a kitchen that is to be used only for sleeping facilities. It shall comply with the requirements of the *Gunnison County Individual Sewage Disposal System Regulations*.

   5. **MORE THAN ONE HOME OCCUPATION.** More than one home occupation, pursuant to Section 9-102: *Home Occupations*.

   ~~6. **HORSE/HAY SHED LARGER THAN 500 SQ. FT. ON PARCEL ONE-ACRE OR LARGER.** A horse/hay shed larger than 500 sq. ft., for sheltering horses or other livestock or for storing hay, on a parcel one acre or larger, that is not part of an agricultural operation.~~

D. **MOBILE HOME NOT IN A MOBILE HOME COMMUNITY.** A mobile home proposed to be located on an individual parcel of land not in a mobile home community, but adjacent to a subdivision whose protective covenants do not address, or expressly prohibit mobile homes within the subdivision, pursuant to Section 9-201: *Individual Manufactured and Mobile Homes*.

E. **BOUNDARY LINE ADJUSTMENT**. An application to adjust the lot line between adjacent parcels or lots in platted approved subdivisions when the adjustment is in compliance with Section 5-103: *Standards for Approval of Administrative Review Projects*.

F. **LOT CLUSTERS.** An application to eliminate the lot lines separating adjacent lots that are commonly owned.

G. **CORRECTION PLAT.** An application to correct a technical error in a subdivision plat that has been approved and recorded.

H. **REPAIR OF EXISTING DISTRIBUTION LINES.** Repair of existing distribution lines located substantially within an existing utility easement.

I. **ALTERATION OF APPROVED BUILDING ENVELOPES.** Alterations of building envelopes on lots that were approved as an element of a Land Use Change Permit.

J. **SUBDIVISION EXEMPTION TO "VALIDATE" AN EXISTING LOT.** Pursuant to C.R.S. 30-28-101 (10) (d)., the "validation" of a lot that existed prior to the effective date of this *Resolution*, but did not exist before September 27, 1972 and has not been reviewed and approved by the County as a legally subdivided lot "legal lot").

K. **EXPANSION OR CHANGE OF COMMERCIAL OR INDUSTRIAL USE TO TOTAL SIZE OF 5,000 SQ. FT. OR ONE ACRE OR LESS.** Expansion or change of a commercial or industrial use existing as of the effective date of this *Resolution,* when the expansion will result in the use having a total size of less than 5,000 sq. ft. of a structure, or one acre of land.

L. **PLAT FOR APPROVED CONDOMINIUMS/TOWNHOME PROJECT.** A constructed condominium or townhome Project, or individual phase of a condominium or townhome Project, for which a Land Use Change Permit has been approved for the overall development.

M. **LIMITED MINERAL EXPLORATION.** Limited mineral exploration (activities related to proving up a patented mining claim pursuant to federal law), as addressed in Section 9-402: C.3: *Limited Mineral Exploration.*

N. **UNDERGROUND MINERAL EXPLORATION**. An application for underground mineral exploration for operations existing as of the effective date of this *Resolution*, as addressed in Section 9-402: D: *Extension and Expansion of Current Underground Mineral Exploration Required to File Notice of Activity.*

O. **EXTRACTION OF CONSTRUCTION MATERIALS**. Extraction of construction materials that generates more than 300 cubic yards, per Section 9-402: C. 1: *Limited Construction Material Extraction.*

P. **CONSTRUCTION OF A DRIVEWAY ON A VACANT PARCEL OF LAND PRIOR TO ISSUANCE OF A BUILDING OR ONSITE WASTEWATER TREATMENT SYSTEM PERMIT.** The construction of a driveway on a vacant parcel of land prior to the issuance of a building or onsite wastewater treatment system permit, excluding agricultural and temporary access permits.

SECTION 6-102: PROJECTS CLASSIFIED AS MINOR IMPACT PROJECTS

The following uses shall be classified and reviewed as Minor Impact Projects:

A. 2-4 UNITS. 2-4 units that are subdivision lots, duplex units, or multiple-family residences, except as allowed pursuant to Section 9-101: D. 2. *Secondary Structures and Uses Classified as Minor Impact Projects.*

B. PRIMARY RESIDENCE 10,000 SQ. FT. OR LARGER. A primary residence 10,000 sq. ft. or larger. The residence may include an attached garage, which shall be calculated in the total square footage allowed for the residence, pursuant to Section 13-105: *Residential Building Sizes and Lot Coverages.*

C. AGGREGATE SQUARE FOOTAGE OF 12,500 OR MORE SQ. FT. An aggregate of 12,500 or more sq. ft. of residential living area (one single-family residence, or any combination of a primary single-family residence, an integrated secondary residence, and/or a detached secondary residence allowed by Division 9-100: *Secondary Uses and Activities* on one parcel, pursuant to Section 13-105: *Residential Building Sizes and Lot Coverages.*

D. AGGREGATE SQUARE FOOTAGE GREATER THAN 45 PERCENT OF AREA. An aggregate square footage of structures that exceeds 45 percent of the total area of one parcel, pursuant to *Section 13-105: Residential Building Sizes and Lot Coverages.*

~~**E. INTEGRATED SECONDARY RESIDENCE 1,200 OR MORE SQ. FT.** An integrated secondary residence 1,200 sq. ft. or larger within a primary residence located on a legal lot smaller than 35 acres, or on any 35-acre or larger tract.~~

~~**1. NO DETACHED SECONDARY RESIDENCE ALLOWED.** If an applicant elects to include this size integrated secondary residence within a primary residence, no detached secondary residence is allowed.~~

~~**F. DETACHED SECONDARY RESIDENCE LARGER THAN 2,500 SQ. FT. ON LEGAL LOT SMALLER THAN 35 ACRES**. A detached secondary residence, larger than 2,500 sq. ft., on a legal lot smaller than 35 acres.~~

~~**G. DETACHED SECONDARY RESIDENCE LARGER THAN 3,500 SQ. FT. ON 35-ACRE OR LARGER TRACT CREATED AFTER THIS *RESOLUTION*.** A detached secondary residence larger than 3,500 sq. ft. on a 35-acre or larger tract created after the effective date of this *Resolution*.~~

H. MORE THAN ONE SECONDARY RESIDENCE ON A LEGAL LOT OR TRACT. More than one secondary residence on a legal lot or tract, except as allowed pursuant to Section 9-101: *Uses Secondary to a Primary Residence.*

I. DEVELOPMENT REQUIRING DETAILED RIDGELINE VANTAGE VISIBILITY ANALYSIS. Any development other than a Project classified as a Major Impact Project, and for which a detailed ridgeline vantage visibility analysis is required, pursuant to Section 11-108: F: *Impact Classification.*

J. CLEARING OF MORE THAN 7500 SQ. FT. OF LAND. Clearing of more than 7,500 sq. ft. of land not related to activities permitted by a Building Permit, an ISDS Permit, or Access Permit, or an agricultural operation.

K. NEW COMMERCIAL, INDUSTRIAL 5,000 SQ. FT., OR FIVE ACRES OR LESS. A new commercial or industrial structure equal to or less than 5,000 sq. ft: or a new commercial or industrial use developed on five acres or less.

L. 5.000-9,999 SQ. FT. EXPANSION OF COMMERCIAL OR INDUSTRIAL USE. A 5,000–9,999 sq. ft. expansion of a commercial or industrial use, existing as of the effective date of this *Resolution.*

M. FREESTANDING WIRELESS TELECOMMUNICATION STRUCTURE. Construction and siting of a freestanding wireless communication structure, building, pole, tower or antenna that provides wireless telecommunications services, pursuant to Section 9-505: *Freestanding Wireless Telecommunication Structures.*

N. SMALL NEW OR EXPANDED MINING OPERATION. A new, or expansion of a mining operation that operates for no more than 180 days per year, produces fewer than 10,000 tons of ore/waste per year and

SECTION 9-101: USES SECONDARY TO A PRIMARY RESIDENCE

A. GENERAL. Certain secondary uses are a use by right on any parcel where there is a legal, permitted primary residential use. They require no separate Land Use Change Permit. Any use that has received a Land Use Change Permit shall also be permitted to include those secondary uses, structures, and activities that are necessarily and customarily associated with, and incidental and subordinate to the primary residence.

B. SUBJECT TO SAME STANDARDS AND REQUIREMENTS. Unless otherwise exempted or required by this Section, secondary uses and activities shall comply with all standards and requirements that apply to the primary residence.

~~**C. SECONDARY STRUCTURES AND USES THAT DO NOT REQUIRE A LAND USE CHANGE PERMIT**. The following secondary structures and uses require no Land Use Change Permit, and are reviewed pursuant to Section 4-102: *Administrative Review Projects That Do Not Require a Land Use Change Permit.*~~

~~**1. STRUCTURES AND USES ALLOWED BEFORE BUILDING PERMIT IS ISSUED FOR PRIMARY RESIDENCE.** The following secondary structures or uses may be erected or installed before a Building Permit for a primary residence has been issued:~~

~~**a. BARNS AND OTHER AGRICULTURAL BUILDINGS IN CONJUNCTION WITH AN AGRICULTURAL OPERATION.** A barn or other agricultural building used in conjunction with an agricultural operation.~~

~~**b. FENCES.** Fences, which shall comply with Section 13-113: *Fencing.*~~

~~**c. GARDENS AND GREENHOUSES**. Private non-commercial gardens and greenhouses.~~

~~**d. ONE 120 SQ. FT. OR SMALLER STORAGE SHED ON ONE-ACRE OR LARGER PARCEL**. One storage shed 120 sq. ft. or smaller, on a parcel an acre or larger.~~

~~**e. HORSE/HAY SHED 500 SQ. FT. OR SMALLER**. A horse/hay shed 500 sq. ft. or smaller for sheltering horses or other livestock, or for storing hay, that is not part of an agricultural operation.~~

~~**f. BARNS IN APPROVED SUBDIVISIONS**. Barns located in approved subdivisions in which there are adopted protective covenants that allow barns and which have been approved by Gunnison County.~~

2. STRUCTURES AND USES ALLOWED AFTER A BUILDING PERMIT IS ISSUED FOR A PRIMARY RESIDENCE. The following secondary structures or uses do not require a separate Land Use Change Permit, but may be initiated only after a Building Permit is issued for the primary residence to which these uses are accessory. These shall not apply to the construction of barns or other agricultural buildings used in conjunction with an agricultural operation.

~~**a. DETACHED GARAGE AND/OR SHOP 750 SQ. FT. OR SMALLER**. A detached garage or shop, or combination of those uses in one structure, 750 sq. ft. or smaller.~~

~~**b. ONE STORAGE SHED 120 SQ. FT. OR SMALLER ON PARCEL SMALLER THAN ONE ACRE**. One storage shed, 120 sq. ft. or smaller, on a parcel smaller than one acre~~

~~**c. TWO STORAGE SHEDS 120 SQ. FT. ON ONE-ACRE OR LARGER PARCEL**. Two storage sheds, each no larger than 120 sq. ft., on a parcel an acre or larger.~~

d. GARDENS AND GREENHOUSES, INCLUDING HOME OCCUPATIONS. Private gardens and private greenhouses, including those that are home occupations, constructed and operated pursuant to Section 9-102: *Home Occupations*.

e. POOLS AND RECREATION FACILITIES. Private swimming pools and private recreation facilities associated with a primary residence, and not part of a private club or membership group.

f. INTEGRATED SECONDARY RESIDENCE ~~850~~ <u>1,200</u> SQ. FT. <u>OR SMALLER ON A LEGAL LOT</u> ~~ON ANY PARCEL~~. An integrated secondary residence ~~850~~ <u>1,200</u> sq. ft. <u>or smaller</u> in a primary residence <u>on a legal lot</u> ~~on any parcel~~.

g. **ONE HOME OCCUPATION**. One home occupation, pursuant to Section 9-102: *Home Occupations.*

D. **SECONDARY STRUCTURES AND USES THAT REQUIRE A LAND USE CHANGE PERMIT**. The following structures and uses that are secondary to a primary residence require a land use change permit and shall be reviewed pursuant to Section 5-105*: Administrative Review Project Review Process.*

1. **SECONDARY STRUCTURES AND USES CLASSIFIED AS ADMINISTRATIVE REVIEW PROJECTS.** The following are classified as Administrative Review Projects pursuant to ~~Article 4: *Administrative Review Projects That Do Not Require Land Use Change Permits* and~~ Article 5: *Administrative Review Projects That Require Land Use Change Permits*:

   a. **INTEGRATED SECONDARY RESIDENCE LARGER THAN ~~851~~ 1,200 SQ. FT. ON A LEGAL LOT ~~SMALLER THAN 35 ACRES~~.** An integrated secondary residence ~~851-~~ larger than 1,200 sq. ft. on a legal lot ~~smaller than 35 acres. If the applicant elects to include this size integrated secondary residence within a primary residence, no detached secondary residence is allowed.~~

   b. ~~**INTEGRATED SECONDARY RESIDENCE 851-1,1200 SQ. FT. ON 35-ACRE OR LARGER TRACT CREATED AFTER EFFECTIVE DATE OF THIS *RESOLUTION*.** An integrated secondary residence 851-1,200 sq. ft. on any 35-acre or larger tract that was created after the effective date of this *Resolution*.~~

   c. ~~**DETACHED SECONDARY RESIDENCE 1,200 SQ. FT. OR SMALLER ON 35-ACRE OR LARGER TRACT CREATED AFTER EFFECTIVE DATE OF THIS *RESOLUTION*.** A detached secondary residence 1,200 sq. ft. or smaller, on a 35-acre or larger tract that was created after the effective date of this *Resolution*. If the applicant elects to construct this detached secondary residence, no integrated secondary residence is allowed.~~

   d. **DETACHED SECONDARY RESIDENCE ~~2,500 SQ. FT. OR SMALLER~~ ON A LEGAL LOT ~~SMALLER THAN 35 ACRES~~.** A detached secondary residence ~~2,500 sq. ft. or smaller,~~ on a legal lot ~~that is smaller than 35 acres~~.

   e. ~~**DETACHED SECONDARY RESIDENCE 3,500 SQ. FT. OR SMALLER, ON 35-ACRE OR LARGER TRACT, CREATED BEFORE THE EFFECTIVE DATE OF THIS *RESOLUTION*.** A detached secondary residence 3,500 sq. ft. or smaller, on a 35-acre or larger tract.~~

   ~~f. **SECONDARY STRUCTURE INTENDED ONLY FOR SLEEPING.** A secondary structure that is to be used only for sleeping facilities, shall not include a kitchen and shall meet the requirements of Section 9-101: E: *Standards for Development of a Secondary Detached Residence or Secondary Structure Intended for Sleeping.*~~

   ~~g. **STRUCTURES AND USES ALLOWED BEFORE BUILDING PERMIT IS ISSUED FOR PRIMARY RESIDENCE.** The following secondary structures or uses require a Land Use Change Permit, but may be erected or installed before a Building Permit for a primary residence has been issued. When a Building Permit is required for any of these uses, the Building Permit is considered to be the Land Use Change Permit, and no additional Land Use Change Permit application must be filed.~~

      ~~1. **DETACHED GARAGE AND/OR SHOP LARGER THAN 750 SQ. FT.** A detached garage or shop, or combination of those uses located in one structure larger than 750 sq. ft.~~

      ~~2. **TWO 120 SQ. FT. STORAGE SHEDS ON ONE PARCEL SMALLER THAN AN ACRE.** Two storage sheds, each no larger than 120 sq. ft., on a parcel smaller than an acre.~~

      ~~3. **MORE THAN TWO 120 SQ. FT. STORAGE SHEDS ON ANY SIZE PARCEL.** More than two storage sheds, each no larger than 120-sq. ft., on any size parcel.~~

      ~~4. **ONE STORAGE SHED LARGER THAN 120 SQ. FT. ON PARCEL ONE-ACRE OR LARGER.** One storage shed that is larger than 120 sq. ft. on a parcel one acre or larger.~~

      ~~5. **HORSE/HAY SHED LARGER THAN 500 SQ. FT. ON PARCEL ONE-ACRE OR LARGER.** A horse/hay shed larger than 500 sq. ft., for sheltering horses or other livestock or for storing hay, on a parcel one acre or larger, that is not part of an agricultural operation.~~

2. **SECONDARY STRUCTURES OR USES CLASSIFIED AS MINOR IMPACT PROJECTS**. A separate Land Use Change Permit is required before obtaining a Building Permit for any of the following structures, which shall be reviewed pursuant to Article 6: *Minor Impact Projects:*

   ~~a. **INTEGRATED SECONDARY RESIDENCE LARGER THAN 1,200 SQ. FT. ON A LEGAL LOT SMALLER THAN 35 ACRES**. An integrated secondary residence larger than 1,200 sq. ft. on a legal lot smaller than 35-acres.~~

   ~~b. **INTEGRATED SECONDARY RESIDENCE LARGER THAN 1,200 SQ. FT. ON 35-ACRE OR LARGER TRACT, CREATED AFTER EFFECTIVE DATE OF THIS *RESOLUTION*.** An integrated secondary residence 1,200 sq. ft. or larger on any 35-acre or larger tract that was created after the effective date of this *Resolution*.~~

   ~~c. **DETACHED SECONDARY RESIDENCE LARGER THAN 2,500 SQ. FT. ON A LEGAL LOT SMALLER THAN 35 ACRES.** A detached secondary residence larger than 2,500 sq. ft., on a legal lot that is smaller than 35 acres.~~

   ~~d. **DETACHED SECONDARY RESIDENCE LARGER THAN 3,500 SQ. FT. ON 35-ACRE OR LARGER TRACT.** A detached secondary residence larger than 3,500 sq. ft., on a 35-acre or larger tract.~~

   e. **MORE THAN ONE SECONDARY RESIDENCE ON ONE LEGAL LOT**. More than one secondary residence on one legal lot.

   f. **TOTAL AGGREGATE 12,500 SQ. FT. OR LARGER. An aggregate square footage of 12,500 sq. ft. or larger of all structures that may include a combination of residential living area (**one single-family residence, or any combination of a primary single-family residence, an integrated secondary residence, and/or a detached secondary residence allowed by this Section)**, attached and/or detached garages.**

   g. **TOTAL AGGREGATE RESIDENTIAL LIVING AREA AND ATTACHED GARAGE 10,000 SQ. FT. OR LARGER**. An aggregate square footage including residential living area 10,000 sq. ft. or larger (one single-family residence, or any combination of a primary single-family residence, an integrated secondary residence, and/or a detached secondary residence allowed by this Section and any attached garage).

E. **STANDARDS FOR DEVELOPMENT OF A DETACHED SECONDARY RESIDENCE OR SECONDARY STRUCTURE INTENDED FOR SLEEPING.** A secondary detached residence or secondary structure intended for sleeping shall meet these standards:

   1. **SECONDARY SMALLER THAN PRIMARY RESIDENCE.** The secondary residence or structure intended for sleeping shall be smaller than the primary residence, and the total floor area of the two buildings shall not exceed any floor area limitations applicable to the parcel pursuant to Section 13-105: *Building Sizes and Lot Coverages.*

   2. **LOCATION.** The secondary residence or structure intended for sleeping shall be located in close proximity to the primary residence, so that it will not be more visually obtrusive and will not increase land use impacts, including the building of additional roads or upgrading existing roads, removing additional trees, or disturbing additional irrigated meadows or sensitive wildlife habitat.

   3. **DESIGNATION OF BUILDING ENVELOPE.** A building envelope designated on the site plan in which all structures, wastewater treatment system(s) and well are to be located.

   4. **ADEQUATE PARKING.** At least that number of parking spaces required for both the primary residence and the secondary residence or structure intended for sleeping shall be provided, pursuant to Section 13-110: *Off-Road Parking and Loading.*

   5. **SHARED WATER SUPPLY AND WASTEWATER TREATMENT SYSTEM**. To the maximum extent feasible, the second residence or structure intended for sleeping shall be legally and physically served by the same water and wastewater treatment systems that serve the primary residence.

6. **COMPLIES WITH DEED RESTRICTIONS OR PROTECTIVE COVENANTS**. The second residence or structure intended for sleeping shall comply with deed restrictions and/or declarations of protective covenants applicable to the parcel.

F. **STANDARDS FOR INTEGRATED SECONDARY RESIDENCE.** An integrated secondary residence shall meet these standards:

1. **SUBORDINATE TO PRIMARY RESIDENCE.** It is subordinate by area, extent and purpose to the primary residence.
2. **LIMITED TO ~~850~~ 1,200 SQ. FT.** The floor area of the integrated secondary residence shall be no larger than ~~850~~ 1,200 sq. ft., and may be as small as allowed by the applicable building code, adopted and amended by Gunnison County.
3. **ADEQUATE PARKING**. There shall be parking adequate to serve both the primary and secondary residences, pursuant to Section 13-110: *Off- Road Parking and Loading.*
4. **ADEQUATE WATER SUPPLY AND WASTEWATER TREATMENT SYSTEM.** It shall be legally and physically served by the same water and wastewater treatment systems that serve the primary residence.
5. **STRUCTURALLY INTEGRATED.** It shall be structurally integrated within the primary residence, share common roof lines and utility systems, and there shall be an internal access between the primary residence and the secondary residence.
6. **COMPLIES WITH DEED RESTRICTIONS OR PROTECTIVE COVENANTS.** It shall comply with deed restrictions and/or declarations of protective covenants applicable to the parcel on which the primary residence is located.
7. **KITCHEN AND SEWAGE DISPOSAL FACILITIES**. It shall contain a full kitchen, and sanitation facilities.
8. **COMPLIES WITH APPLICABLE CODES**. It shall comply with the applicable building code, adopted and amended by Gunnison County, and the requirements of the applicable fire protection district. When the district's standards conflict with County standards, the County shall only enforce the County standards.

APPENDIX TABLE 1: IMPACT CLASSIFICATIONS

ADMINISTRATIVE REVIEW PROJECTS THAT DO NOT REQUIRE A LAND USE CHANGE PERMIT	*ADMINISTRATIVE REVIEW PROJECTS THAT REQUIRE A LAND USE CHANGE PERMIT*	*MINOR IMPACT PROJECT*	*MAJOR IMPACT PROJECT*
• **EXEMPT PRIMARY RESIDENCE SMALLER THAN ~~9~~ 10,000 SQ. FT.** A primary residence smaller than ~~9~~10,000 sq. ft. that is exempted by Section 1-106: *Partially Exempted Land Use Changes*. ~~The residence may include an attached garage no larger than 1,000 sq. ft., which shall not be calculated in the total square footage allowed for the residence~~. • **BARNS AND OTHER AGRICULTURAL BUILDINGS ON AN AGRICULTURAL OPERATION.** A barn or other agricultural building used in conjunction with an agricultural operation. • **FENCES.** Fences, which shall comply with Section 13-113: *Fencing*. • **GARDENS AND GREENHOUSES**. Private non-commercial gardens and greenhouses. • **ONE 120 SQ. FT. STORAGE SHED ~~ON ONE-ACRE OR LARGER PARCEL~~**. One storage shed 120 sq. ft. or smaller~~, on a parcel an acre or larger~~. • ~~**HORSE/HAY SHED 500 SQ. FT. OR SMALLER ON ANY SIZE PARCEL**. A horse/hay shed 500 sq. ft. or smaller for sheltering horses or other livestock, or for~~	• **PRIMARY RESIDENCE ~~9~~10,000 SQ. FT. OR LESS, IN EXISTING PLATTED SUBDIVISION.** A primary residence smaller than ~~9~~10,000 sq. ft., located within an existing platted subdivision. ~~The residence may include an attached garage no larger than 1,000 sq. ft., which shall not be calculated in the total square footage allowed for the residence.~~ • **AGGREGATE RESIDENTIAL SQUARE FOOTAGE LESS THAN 12,500 SQ. FT.** On one parcel The aggregate square footage of structures less than 12,500 sq. ft., (excluding from the calculation horse/hay sheds less than 500 sq. ft., one 120 sq. ft. storage shed, and a private greenhouse), that may include: • **RESIDENTIAL LIVING AREA ~~9~~10,000 SQ. FT. OR LESS.** ~~9~~10,000 or less sq. ft. of residential living area (one single-family residence, or any combination of a primary single-family residence, an integrated secondary residence, and/or a detached secondary residence allowed by Section 9-101: *Uses Secondary to a Primary Residence*); and • ~~**ATTACHED GARAGE(S)**. A garage or garages that together are no larger than 1,000 sq. ft., and that are attached to the primary residence~~. • **INTEGRATED SECONDARY RESIDENCE 1,200 OR MORE SQ. FT.** An integrated secondary residence	• **PRIMARY RESIDENCE ~~9~~10,000 SQ. FT. OR LARGER.** A primary residence ~~9~~10,000 sq. ft. or larger. ~~The residence may include an attached garage no larger than 1,000 sq. ft., which shall not be calculated in the total square footage allowed for the residence, pursuant to Section 13-105: *Residential Building Sizes and Lot Coverages*.~~ • **AGGREGATE SQUARE FOOTAGE OF 12,500 OR MORE SQ. FT.** An aggregate of 12,500 or more sq. ft. of residential living area (one single-family residence, or any combination of a primary single-family residence, an integrated secondary residence, and/or a detached secondary residence allowed by Division 9-100: *Secondary Uses and Activities* on one parcel, pursuant to *Section 13-105: Residential Building Sizes and Lot Coverages*. • ~~**INTEGRATED SECONDARY RESIDENCE 1,200 OR MORE SQ. FT.** An integrated secondary residence 1,200 sq. ft. or larger within a primary residence located on a legal lot smaller than 35 acres, or on any 35-acre or larger tract. If an applicant elects to include this size~~	• **MORE THAN FOUR UNITS.** More than four units that are subdivision lots, duplex units, or multiple-family residences. • ~~**AGGREGATE SQUARE FOOTAGE GREATER THAN 45 PERCENT OF AREA**. An aggregate square footage of structures that exceeds 45 percent of the total area of one parcel, pursuant to *Section 13-105: Residential Building Sizes and Lot Coverages*.~~ • **NEW COMMERCIAL, INDUSTRIAL LARGER THAN 5,000 SQ. FT. OR FIVE ACRES.** A new commercial or industrial use of more than 5,000 sq. ft. of structure, or on a parcel of more than five acres, or which, because of projected traffic, hours of operation, or type of use, may be classified as a Major Impact project, or would be the first instance of a commercial or industrial land use in an area in which no other commercial or industrial land use currently exists. • **EXPANSION OF**

APPENDIX TABLE 1: IMPACT CLASSIFICATIONS			
ADMINISTRATIVE REVIEW PROJECTS THAT DO NOT REQUIRE A LAND USE CHANGE PERMIT	*ADMINISTRATIVE REVIEW PROJECTS THAT REQUIRE A LAND USE CHANGE PERMIT*	*MINOR IMPACT PROJECT*	*MAJOR IMPACT PROJECT*
~~storing hay, that is not part of an agricultural operation.~~ • **BARNS IN APPROVED SUBDIVISIONS**. Barns located in approved subdivisions in which there are adopted protective covenants that allow barns and that have been approved by Gunnison County. • ~~**DETACHED GARAGE AND/OR SHOP 750 SQ. FT. OR SMALLER.** A detached garage or shop, or combination of those uses in one structure, 750 sq. ft. or smaller.~~ • **ONE STORAGE SHED 120 SQ. FT. OR SMALLER** ~~**ON PARCEL SMALLER THAN ONE ACRE**~~. One storage shed, 120 sq. ft. or smaller~~, on a parcel smaller than one acre~~ • ~~**TWO STORAGE SHEDS 120 SQ. FT. ON ONE-ACRE OR LARGER PARCEL.** Two storage sheds, each no larger than 120 sq. ft., on a parcel an acre or larger.~~ • **GARDENS AND GREENHOUSES THAT ARE HOME OCCUPATIONS**. Gardens and greenhouses that are home occupations, created and operated pursuant to Section 9-102: *Home Occupations.* • **POOLS AND RECREATION FACILITIES**. Private swimming	1,200 sq. ft. or larger within a primary residence ~~located on a legal lot smaller than 35 acres, or on any 35-acre or larger tract.~~ If an applicant elects to include this size integrated secondary residence within a primary residence, no detached secondary residence is allowed. • ~~**INTEGRATED SECONDARY RESIDENCE 851-1,200 SQ. FT. ON 35-ACRE TRACT CREATED AFTER EFFECTIVE DATE OF THIS *RESOLUTION*.** An integrated secondary residence 1,200 sq. ft. or smaller in a primary residence on a 35-acre tract created after the effective date of this *Resolution*.~~ • ~~**DETACHED SECONDARY RESIDENCE 2,500 SQ. FT. OR SMALLER ON LEGAL LOT.** A detached secondary residence of 2,500 sq. ft. or less, located on a legal lot smaller than 35 acres.~~ • ~~**DETACHED SECONDARY RESIDENCE 3,500 SQ. FT. ON 35-ACRE OR LARGER TRACT.** A detached secondary residence of 3,500 sq. ft. or less, located on a tract of land 35 acres or larger.~~ • **SECONDARY STRUCTURE INTENDED ONLY FOR SLEEPING AND HAS NO KITCHEN**. A secondary structure without a kitchen that is to be used only for sleeping facilities. It shall comply with the requirements of the *Gunnison County Individual Sewage Disposal System Regulations.*	~~integrated secondary residence within a primary residence, no detached secondary residence is allowed.~~ • ~~**DETACHED SECONDARY RESIDENCE LARGER THAN 2,500 SQ. FT. ON LEGAL LOT SMALLER THAN 35 ACRES.** A detached secondary residence, larger than 2,500 sq. ft., on a legal lot smaller than 35 acres.~~ • ~~**DETACHED SECONDARY RESIDENCE LARGER THAN 3,500 SQ. FT. ON 35-ACRE OR LARGER TRACT CREATED AFTER THIS *RESOLUTION*.** A detached secondary residence larger than 3,500 sq. ft. on a 35-acre or larger tract created after the effective date of this *Resolution*.~~ • **MORE THAN ONE SECONDARY RESIDENCE ON A LEGAL LOT OR TRACT.** More than one secondary residence on a legal lot or tract, except as allowed pursuant to Section 9-101: *Uses Secondary to a Primary Residence.* • **2-4 UNITS.** 2-4 units that are subdivision lots, duplexes, or multiple-family residences, except as allowed pursuant to Section 9-101: G: *Secondary Structures and Uses Classified as Minor Impact*	**COMMERCIAL OR INDUSTRIAL USE OF 10,000 SQ. FT. OR MORE.** Expansion of a commercial or industrial use, existing as of the effective date of this *Resolution*, of 10,000 sq. ft. or more. • **LARGE NEW OR EXPANDED MINING OPERATIONS.** New or expanded mining operations that operate for more than 180 days per year, produces more than 10,000 tons of ore/waste per year, or affects more than two surface acres of land, pursuant to Division 9-400*: Exploration, Extraction and Processing of Minerals and Construction Materials.* • **LARGE CONSTRUCTION MATERIALS OPERATIONS.** Any sand, gravel or quarry operation providing material that will operate for more than two years, pursuant to *Division 9-400: Exploration, Extraction and Processing of Minerals and Construction Materials.* Larger operations may require

APPENDIX TABLE 1: IMPACT CLASSIFICATIONS

ADMINISTRATIVE REVIEW PROJECTS THAT DO NOT REQUIRE A LAND USE CHANGE PERMIT	*ADMINISTRATIVE REVIEW PROJECTS THAT REQUIRE A LAND USE CHANGE PERMIT*	*MINOR IMPACT PROJECT*	*MAJOR IMPACT PROJECT*
pools and private recreation facilities associated with a primary residence, and not part of a private club or membership group. • **INTEGRATED SECONDARY RESIDENCE ~~850~~ SMALLER THAN 1,200 SQ. FT. ON ANY LEGAL LOT.** An integrated secondary residence ~~850~~ smaller than 1,200 sq. ft. in a primary residence on any legal lot that meets the standards pursuant to Section 9-101. 7.: *Standards for Integrated Secondary Residence.* • **ONE HOME OCCUPATION**. One home occupation, pursuant to Section 9-102: *Home Occupations.* • **CAMPING.** Camping in a recreational vehicle or other camping shelter on an individual parcel pursuant to Section 9-509: C. *No Land Use Change Permit Required For Camping in a Recreational Vehicle or other Camping Shelter on an Individual Parcel.* • **SPECIAL EVENTS**. A special event, pursuant to Section 9-501: *Special Events.* • **TEMPORARY STRUCTURES.** Temporary structures, pursuant to Section 9-502: *Temporary Structures.*	• **MORE THAN ONE HOME OCCUPATION.** More than one home occupation, pursuant to Section 9-102: *Home Occupations.* • ~~**HORSE/HAY SHED LARGER THAN 500 SQ. FT. ON PARCEL ONE-ACRE OR LARGER.** A horse/hay shed larger than 500 sq. ft., for sheltering horses or other livestock or for storing hay, on a parcel one acre or larger, that is not part of an agricultural operation.~~ • **MOBILE HOME NOT IN A MOBILE HOME COMMUNITY.** A mobile home proposed to be located on an individual parcel of land not in a mobile home community, but adjacent to a subdivision whose protective covenants do not address, or expressly prohibit mobile homes within the subdivision, pursuant to Section 9-202: *Individual Manufactured and Mobile Homes.* • **BOUNDARY LINE ADJUSTMENT**.. An application to adjust the lot line between adjacent parcels or lots not in platted approved subdivisions, when the adjustment is in compliance with Section 5-103: *Standards for Approval of Administrative Review Projects.* • **LOT CLUSTERS.** An application to eliminate the lot lines separating adjacent lots that are commonly owned. • **CORRECTION PLAT.** An application to correct a technical error in a subdivision plat that has been approved and recorded.	*Projects.* • **DEVELOPMENT REQUIRING DETAILED RIDGELINE VANTAGE VISIBILITY ANALYSIS**. Any development other than a project classified as a Major Impact project, and for which a detailed ridgeline vantage visibility analysis is required, pursuant to *Section 11-108: E: Impact Classification.* • **CLEARING OF MORE THAN 7500 SQ. FT. OF LAND**. Clearing of more than 7,500 sq. ft. of land not related to activities permitted by a Building Permit, an ISDS Permit, or Access Permit, or an agricultural operation. • **NEW COMMERCIAL, INDUSTRIAL 5,000 SQ. FT., OR FIVE ACRES OR LESS**. A new commercial or industrial structure equal to or less than 5,000 sq. ft: or a commercial or industrial use developed on five acres or less. • **5.000-9,999 SQ. FT. EXPANSION OF COMMERCIAL OR INDUSTRIAL USE**. Expansion of a commercial or industrial use, existing as of the effective date of this *Resolution*, of 5,000 – 9,999 sq. ft. • **FREESTANDING WIRELESS TELECOMMUNICATION**	review under the *Gunnison County Special Development Projects Regulations.* • **WATER IMPOUNDMENT PROJECTS CLASSIFIED AS CLASS I DAMS**. New projects, or facilities, or expansion of existing projects or facilities, that involve the design, construction and operation of a water impoundment that includes a dam classified by the Colorado Division of Water Resources as a Class I dam, pursuant to Section 13-118: *Water Impoundments.* • **TRANSMISSION LINES.** Construction of a new transmission line(s) in an area in which no line(s) currently exists, but not including a project for which a Land Use Change Permit has been granted in which the design, construction, location and impacts of the utility line(s) were reviewed and approved. • **PRECEDENT FOR FUTURE LAND USE THAT IS DIFFERENT THAN EXISTING USE.** Any proposal that sets a

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

DATE: **November 20, 2015**

TO: **Planning Commission**

FROM: **Neal Starkebaum, Assistant Director**

SUBJECT: **Proposed LUR Amendment**
Change reference in the *Land Use Resolution* from *Gunnison County Individual Sewage Disposal System Regulations* to *Gunnison County On-Site Wastewater Treatment System Regulations*

The Board of County Commissioners adopted the new *Gunnison County On-Site Wastewater Treatment System Regulations*, formerly known as the *Gunnison County Individual Sewage Disposal System Regulations*, on July 1, 2014.

The proposed amendment will change all references in the *Land Use Resolution* from the *Gunnison County Individual Sewage Disposal System Regulations* to the *Gunnison County On-Site Wastewater Treatment System Regulations*.

There are 25 references within the LUR that will be corrected to reflect the current wastewater treatment regulations title.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

RESOLUTION NO. 2016-___

A RESOLUTION AMENDING THE *GUNNISON COUNTY LAND USE RESOLUTION*

WHEREAS, pursuant to the *Gunnison County Land Use Resolution* ("the *Resolution*"), Section 1-113, details a process for initiation, review and Board of County Commissioner action on proposed amendments to the *Resolution*, and

WHEREAS, pursuant to Section 1-113, the Community Development Department and Planning Commission have initiated and completed review of proposed amendments as required by the *Resolution*; and

WHEREAS, the Planning Commission, on December 18, 2015, forwarded its written recommendation to the Board regarding the proposed amendments; and

WHEREAS, the Board of County Commissioners has conducted a duly noticed public hearing on these proposed amendments February 16, 2016; and pursuant to Section 1-113 of the *Resolution* evaluated the proposed amendments using the following criteria:

- Consistency of the proposed amendments with any comprehensive plan that may be adopted by Gunnison County;
- Changed conditions, including the economy of Gunnison County;
- Effect of the proposed amendments on the natural environment;
- Community needs;
- Development pattern;
- Changes in applicable law;
- Public health, safety and welfare; and
- Compliance with any applicable intergovernmental agreements adopted by Gunnison County; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Gunnison County, Colorado that the Board hereby adopts the following amendments to the *Gunnison County Land Use Resolution*, as included in the attached "Exhibit A**."**

INTRODUCED by Commissioner _____, seconded by Commissioner _____ and adopted on this 16th day of February, 2016.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

By: _____
Paula Swenson, Chairperson

By: _____
Phil Chamberland, Commissioner

By: _____
Jonathan Houck, Commissioner

ATTEST:

_____
Deputy County Clerk