



**BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF GUNNISON, COLORADO**

**RESOLUTION NO. 2021- 24**

**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 July 23, 2021, forwarded its written recommendations 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 on September 7, 2021; 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 of the *Gunnison County Land Use Resolution* as included on the attached "Exhibit A."

**INTRODUCED** by Commissioner Smith, seconded by Commissioner Mason and adopted on this 21<sup>st</sup> day of September 2021.

**BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF GUNNISON, COLORADO**

By: [ABSENT]  
Jonathan Houck, Chairperson

By: [Signature]  
Roland Mason, Commissioner

By: [Signature]  
Elizabeth Smith, Commissioner

ATTEST:

[Signature]  
Deputy County Clerk



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# EXHIBIT A

FOLLOWING PAGES



# Gunnison County, Colorado Land Use Resolution Amendments 2021





**DISCLAIMER  
REGARDING THE ELECTRONIC VERSION OF  
THE GUNNISON COUNTY, COLORADO  
LAND USE RESOLUTION**

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## Amendments

The *Gunnison County Land Use Resolution* was adopted by the Board of County Commissioners of Gunnison County, Colorado January 8, 2001 (the "effective date of this *Resolution*") and has been amended as follows:

Amendments approved May 15, 2001	<i>Resolution No. 18 Series 2001</i>
Amendments approved June 18, 2002	<i>Resolution No. 34 Series 2002</i>
Amendments approved August 8, 2002	<i>Resolution No. 41 Series 2002</i>
Amendments approved September 3, 2002	<i>Resolution No. 45 Series 2002</i>
Amendments approved February 18, 2003	<i>Resolution No. 22 Series 2003</i>
Amendments approved August 5, 2003	<i>Resolution No. 37 Series 2003</i>
Amendments approved September 11, 2003	<i>Resolution No. 44 Series 2003</i>
Amendments approved September 18, 2003	<i>Resolution No. 45 Series 2003</i>
Amendments approved September 25, 2003	<i>Resolution No. 48 Series 2003</i>
Amendments approved October 22, 2003	<i>Resolution No. 53 Series 2003</i>
Amendments approved October 22, 2003	<i>Resolution No. 54 Series 2003</i>
Amendments approved October 22, 2003	<i>Resolution No. 55 Series 2003</i>
Amendments approved November 4, 2003	<i>Resolution No. 58 Series 2003</i>
Amendments approved January 6, 2004	<i>Resolution No. 02 Series 2004</i>
Amendments approved June 29, 2004	<i>Resolution No. 37 Series 2004</i>
Amendments approved July 27, 2004	<i>Resolution No. 45 Series 2004</i>
Amendments approved September 7, 2004	<i>Resolution No. 52 Series 2004</i>
Amendments approved September 7, 2004	<i>Resolution No. 53 Series 2004</i>
Amendments approved August 4, 2005	<i>Resolution No. 42 Series 2005</i>
Amendments approved June 13, 2006	<i>Resolution No. 44 Series 2006</i>
Amendments approved August 1, 2006	<i>Resolution No. 56 Series 2006</i>
Amendments approved April 3, 2007	<i>Resolution No. 17 Series 2007</i>
Ministerial changes and previously-approved amendments, ratified July 10, 2007	<i>Resolution No. 28 Series 2007</i>
Amendments approved October 16, 2007	<i>Resolution No. 36 Series 2007</i>
Amendments approved October 21, 2008	<i>Resolution No. 10 Series 2009</i>
Amendments approved November 3, 2009	<i>Resolution No. 47 Series 2009</i>
Amendments approved July 6, 2010	<i>Resolution No. 23 Series 2010</i>
Amendments approved December 20, 2011	<i>Resolution No. 49 Series 2011</i>
Ministerial changes and previously-approved amendments, ratified December 4, 2012	<i>Resolution No. 35 Series 2012</i>
Amendments approved May 7, 2013	<i>Resolution No. 06 Series 2013</i>
Amendments approved November 5, 2013	<i>Resolution No. 23 Series 2013</i>
Amendment approved July 1, 2014	<i>Resolution No. 19 Series 2014</i>
Amendment approved August 19, 2014	<i>Resolution No. 24 Series 2014</i>
Amendment approved April 21, 2015	<i>Resolution No.10 Series 2015</i>
Amendment approved February 16, 2016	<i>Resolution No. 06 Series 2016</i>
Amendment approved October 2, 2018	<i>Resolution No. 37 Series 2018</i>
Amendment approved March 5, 2019	<i>Resolution No. 06 Series 2019</i>
Amendment approved August 18, 2020	<i>Resolution No. 30 Series 2020</i>
Amendment approved September 21, 2021	<i>Resolution No. 24, Series 2021</i>

# ARTICLE 4: ADMINISTRATIVE REVIEW PROJECTS THAT DO NOT REQUIRE LAND USE CHANGE PERMITS

## SECTION 4-101: PURPOSE

The purpose of this Article is to identify Administrative Review Projects that do not require Land Use Change Permits.

- A. INITIAL CLASSIFICATION OF IMPACT AND REASONS FOR A HIGHER LEVEL OF REVIEW.** If the Community Development Department determines during review of a proposed use, including an application for a Building Permit, that the proposed use exceeds the classification criteria of Administrative Review Project listed within this Section, the criteria detailed in Section 3-111: B. 1: *Additional Criteria* shall be considered and the appropriate review process and submittals for an Administrative Review Project that requires a Land Use Change Permit, or a Minor or Major Impact Project shall be required.

## 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 On-Site Wastewater Treatment 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 5,000 SQ. FT.** A primary residence smaller than 5,000 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. BARN 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 200 SQ. FT. STORAGE SHED.** One storage shed 120 sq. ft. or smaller is permitted without obtaining a building permit, when a single-family residence has been legally permitted on the property.
  - 5. BARN 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.
  - 6. GARDENS AND GREENHOUSES THAT ARE HOME OCCUPATIONS.** Gardens and greenhouses that are home occupations created and operated pursuant to Section 9-102: *Home Occupations*.
  - 7. 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.
  - 8. INTEGRATED SECONDARY RESIDENCE SMALLER THAN 1,200 SQ. FT. ON ANY LEGAL LOT.** An integrated secondary residence smaller than 1,200 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*.
  - 9. ONE HOME OCCUPATION.** One home occupation, pursuant to Section 9-102: *Home Occupations*.
- C. 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*.



- D. **SPECIAL EVENTS.** A special event, pursuant to Section 9-501: *Special Events*.
- E. **TEMPORARY STRUCTURES.** Temporary structures, pursuant to Section 9-502: *Temporary Structures*.
- F. **SATELLITE DISHES.** Satellite dishes, pursuant to Section 9-503: *Satellite Dish Devices*.
- G. **ATTACHED WIRELESS TELECOMMUNICATIONS DEVICE.** Attached wireless telecommunications device, pursuant to Section 9-504: *Attached Wireless Telecommunications Devices*.
- H. **KEEPING OF LIVESTOCK NOT ON AN AGRICULTURAL OPERATION.** Keeping of livestock not on an agricultural operation, pursuant to Section 9-508: *Keeping of Livestock Not on an Agricultural Operation*.
- I. **SITE APPROVAL APPLICATION FOR WATER SUPPLY OR WASTEWATER TREATMENT SYSTEM.** The Colorado Department of Public Health and Environment's site approval application for a proposed expansion or alteration of an existing wastewater treatment system.
- J. **DISTRIBUTION OR SERVICE LINE TO PRIMARY RESIDENCE.** A distribution or service line providing service to a single primary residence, multiple family residences, or other residence that would not otherwise require a Land Use Permit under the requirements of this *Resolution*.
- K. **ALTERATION AND REPAIR OF EXISTING SERVICE LINES OR DISTRIBUTION LINES.** Conversion of above-ground distribution lines or service lines to underground distribution or service lines located substantially within an existing utility easement.

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# ARTICLE 5: ADMINISTRATIVE REVIEW PROJECTS THAT REQUIRE LAND USE CHANGE PERMITS

## SECTION 5-101: PURPOSE

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The purpose of this Article is to establish the review process, application submittal requirements and review standards that apply to the review of applications classified as Administrative Review Projects that require Land Use Change Permits.

- A. INITIAL CLASSIFICATION OF IMPACT AND REASONS FOR A HIGHER LEVEL OF REVIEW.** If the Community Development Department determines during review of an application, including a Building Permit, that the proposed use exceeds the classification criteria of an Administrative Review Project, the criteria detailed in Section 3-111: B. 1: *Additional Criteria* shall be considered and the appropriate review process and submittals for an Administrative Review Project, a Minor or Major Impact Project shall be required and an application for a Land Use Change Permit shall be required to be submitted.

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

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

- A. PRIMARY RESIDENCE 5,000 SQ. FT. OR LESS, IN EXISTING PLATTED SUBDIVISION.** A primary residence smaller than 5,000 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. PRIMARY RESIDENCE 5,000 SQ. FT. OR LESS AND AGGREGATE SQUARE FOOTAGE 7,000 SQ. FT. OR LESS.** A residential living area (one single-family residence, and any combination of a primary single-family residence, an integrated secondary residence, a detached secondary residence) and a garage attached to a residence 5,000 sq. ft. or less (excluding from the calculation horse/hay sheds less than 500 sq. ft., one 200 sq. ft. storage shed, and a private greenhouse) and accessory structures or secondary use structures with an aggregate of 7,000 sq. ft. or less on one parcel, pursuant to Section 13-105: *Residential Building Sizes and Lot Coverages*.
- C. MULTIPLE FAMILY RESIDENCE 10,000 SQ. FT. OR LESS.** A multiple family residence 10,000 sq. ft. or less. The multiple family residence may include an attached garage(s), which shall be calculated in the total square footage allowed for the residence, pursuant to Section 13-105: *Residential Building Sizes and Lot Coverages*.
- D. AGGREGATE SQUARE FOOTAGE 12,500 SQ. FT. OR LESS FOR MULTIPLE FAMILY RESIDENCE(S).** An aggregate of 12,500 sq. ft. or less of residential living area and/or accessory structures and/or secondary use structures, pursuant to Section 13-105: *Residential Building Sizes and Lot Coverages*.
- E. 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. 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 On-Site Wastewater Treatment System Regulations*.
  - 2. MORE THAN ONE HOME OCCUPATION.** More than one home occupation, pursuant to Section 9-102: *Home Occupations*.
- F. 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*.
- G. 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*.

SECTION 5-103: STANDARDS FOR APPROVAL OF ADMINISTRATIVE REVIEW PROJECTS

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- H. **LOT CLUSTERS.** An application to eliminate the lot lines separating adjacent lots that are commonly owned.
- I. **CORRECTION PLAT.** An application to correct a technical error in a subdivision plat that has been approved and recorded.
- J. **REPAIR OF EXISTING DISTRIBUTION LINES.** Repair of existing distribution lines located substantially within an existing utility easement.
- K. **ALTERATION OF APPROVED BUILDING ENVELOPES.** Alterations of building envelopes on lots that were approved as an element of a Land Use Change Permit.
- L. **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").
- M. **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.
- N. **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.
- O. **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*.
- P. **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*.
- Q. **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*.
- R. **CONSTRUCTION OF A DRIVEWAY ON A VACANT PARCEL OF LAND PRIOR TO ISSUANCE OF A BUILDING OR ON-SITE WASTEWATER TREATMENT SYSTEM PERMIT.** The construction of a driveway on vacant land prior to the issuance of a building or on-site wastewater treatment system permit., excluding agricultural or temporary access permits.
- S. **NON-COMMERCIAL USE OF HELICOPTER FOR ACCESS TO PRIVATE PROPERTY.** The non-commercial use of a helicopter solely for the use by the property owner for access to private property.
- T. **AMENDMENT OR TERMINATION OF SUBDIVISION COVENANTS.** Amendment or termination of subdivision covenants, for covenants approved as part of the subdivision approval by Gunnison County.

**SECTION 5-103: STANDARDS FOR APPROVAL OF ADMINISTRATIVE REVIEW PROJECTS**

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- A. **GENERAL STANDARDS.** An application for a Land Use Change Permit for an Administrative Review Project shall comply with the following standards:
  - 1. **COMPLY WITH APPLICABLE STANDARDS.** The land use change shall comply with all applicable standards and other provisions of this *Resolution*.
  - 2. **COMPATIBILITY WITH COMMUNITY CHARACTER.** The proposed land use change shall be compatible with, or an enhancement of, the character of existing land uses in the area, and shall not adversely impact the future

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# ARTICLE 6: MINOR IMPACT PROJECTS

## SECTION 6-101: PURPOSE

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The purpose of this Article is to establish the review process, application submittal requirements, and review standards that apply to the review of Land Use Change Permit applications for developments classified as Minor Impact Projects.

- A. INITIAL CLASSIFICATION OF IMPACT AND REASONS FOR A HIGHER LEVEL OF REVIEW.** If the Community Development Department determines during review of an application, including a Building Permit, that the proposed use exceeds the classification criteria of a Minor Impact Project as listed within this Article, the criteria detailed in Section 3-111: B. 1: *Additional Criteria* shall be considered, the appropriate submittals shall be required, and the appropriate review process initiated.

## SECTION 6-102: PROJECTS CLASSIFIED AS MINOR IMPACT PROJECTS

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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 LARGER THAN 5,000 SQ. FT.** A primary residence larger than 5,000 sq. ft. 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 LARGER THAN 7,000 SQ. FT.** An aggregate square footage larger than 7,000 sq. ft. of residential living area (one single-family residence, and any combination of a primary single-family residence, an integrated secondary residence, a detached secondary residence) and a garage attached to a residence (excluding from the calculation horse/hay sheds less than 500 sq. ft., one 200 sq. ft. storage shed, and a private greenhouse) and accessory structures or secondary use structures on one parcel, pursuant to Section 13-105: *Residential Building Sizes and Lot Coverages*.
- D. MULTIPLE FAMILY RESIDENCE LARGER THAN 10,000 SQ. FT.** A multiple family residence larger than 10,000 sq. ft. The multiple family residence may include an attached garage(s), which shall be calculated in the total square footage allowed for the residence, pursuant to Section 13-105: *Residential Building Sizes and Lot Coverages*.
- E. AGGREGATE SQUARE FOOTAGE LARGER THAN 12,500 SQ. FT. MULTIPLE FAMILY RESIDENCE(S).** An aggregate of 12,500 sq. ft. or larger of residential living area and/or accessory use structures and secondary structures on one parcel, pursuant to Section 13-105: *Residential Building Sizes and Lot Coverages*.
- F. 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*.
- G. 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*.
- H. 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: *Impact Classification*.
- I. CLEARING OF MORE THAN 7,500 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.
- J. NEW COMMERCIAL, INDUSTRIAL 10,000 SQ. FT., OR FIVE ACRES OR LESS.** A new commercial or industrial structure equal to or less than 10,000 sq. ft. or a new commercial or industrial use developed on five acres or less.
- K. 10,000-15,000 SQ. FT. EXPANSION OF COMMERCIAL OR INDUSTRIAL USE.** A 10,000–15,000 sq. ft. expansion of a commercial or industrial use, existing as of the effective date of this *Resolution*.

- L. **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*.
- M. **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 affects no more than two surface acres of land, pursuant to Division 9-400: *Exploration, Extraction and Processing of Minerals and Construction Materials*.
- N. **CONSTRUCTION MATERIALS OPERATION RELATED TO CONSTRUCTION OF PUBLIC ROAD.** Any sand, gravel, or quarry operation providing material for public road construction that will operate for less than two years.
- O. **GENERAL ROAD CUTTING OR CONSTRUCTION.** Road cutting or construction, except that cutting or construction and maintenance of a road that provides access solely for an agricultural operation shall not be classified as a Minor Impact Project, and shall not require review.
- P. **SUBDIVISION PLAT VACATION, AMENDMENT OR REPLAT.** Vacation, amendment or replat of a recorded subdivision plat.
- Q. **TRANSMISSION LINES.** Upgrade of an existing utility transmission line(s) within an existing easement(s), but not including a Project for which a Land Use Change Permit has been granted in which the design, construction and impacts of the utility line were reviewed and approved.
- R. **BED AND BREAKFAST.** Bed and breakfast business, pursuant to Section 9-103: *Bed and Breakfast*.
- S. **CHILD CARE CENTER.** A child care center, pursuant to Section 9-506: *Child Care Center*.
- T. **GROUP HOME.** A group home, pursuant to Section 9-507: *Group Home*.
- U. **WATER IMPOUNDMENT PROJECTS CLASSIFIED AS CLASS II 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 II dam, pursuant to Section 13-118: *Water Impoundments*.
- V. **EXPANSION OR EXTENSION OF SNOWPLOWING.** Expansion or extension of snowplowing, pursuant to Section 11-110: F: *Expansion or Extension of Snowplowing*.
- W. **COMMERCIAL WEDDING SITE.** The site on which weddings are regularly or frequently conducted as a commercial operation, irrespective of the number of people or vehicles generated by the wedding event.
  - 8. **SIZE OF AFFECTED WORK FORCE.** The size of the affected workforce of a business shall be considered, but shall not be the deciding factor in determining the legitimacy of an emergency.
  - 9. **ALL STRUCTURES TEMPORARY; RECLAMATION TO ORIGINAL CONDITION REQUIRED.** All structures approved by the Exception shall be temporary, and the site approved for the Exception shall be returned, to the maximum extent feasible, to the condition in which it was before the temporary land use approved by the Exception was initiated.

## DIVISION 9-100: SECONDARY USES AND ACTIVITIES

### 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. **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. **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*.
  - b. **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.
  - c. **INTEGRATED SECONDARY RESIDENCE 1,200 SQ. FT. OR SMALLER ON A LEGAL LOT.** An integrated secondary residence 1,200 sq. ft. or smaller in a primary residence on a legal lot.
  - d. **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 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 1,200 SQ. FT. ON A LEGAL LOT.** An integrated secondary residence smaller than 1,200 sq. ft. on a legal lot.
    - b. **DETACHED SECONDARY RESIDENCE ON A LEGAL LOT.** A detached secondary residence on a legal lot.
    - c. **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*.
  - 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. **MORE THAN ONE SECONDARY RESIDENCE ON ONE LEGAL LOT.** More than one secondary residence on one legal lot.
    - b. **TOTAL AGGREGATE 7,000 SQ. FT. OR LARGER.** An aggregate square footage of 7,000 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.
    - c. **TOTAL AGGREGATE RESIDENTIAL LIVING AREA AND ATTACHED GARAGE 5,000 SQ. FT. OR LARGER.** An aggregate square footage including residential living area 5,000 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).

## **SECTION 11-107: PROTECTION OF WATER QUALITY**

- A. PURPOSE.** The purpose of this Section is to protect the quantity, quality and dependability of water resources in Gunnison County by avoiding development in and adjacent to water bodies and mudflow hazard areas whenever possible, by minimizing adverse impacts of development, including siltation, sedimentation, salinization, runoff, loss of decreed minimum in-stream flows, stream bank erosion and change to existing drainage patterns.
- B. RELATIONSHIP TO OTHER SECTIONS.** As applicable, of the standards imposed by this Section, and Section 11-103: *Development in Areas Subject to Flood Hazards*, Section 13-116: *Grading and Erosion Control*, and Section 13-117: *Drainage, Construction and Post-Construction Storm Water Runoff*, the more restrictive shall apply.
- C. APPLICABILITY.** Unless otherwise exempted, this Section shall apply to all Land Use Change Permit applications that involve uses within 125 feet of water bodies and mudflow hazard areas in unincorporated areas of Gunnison County, except as exempted in Section 11-107: C. 1.: *Exempt*, and Section 11-107: C. 2.: *Partially Exempt*.



1. **EXEMPT.** The following structures, improvements, activities, or areas shall be exempt from all of the requirements of this Section:
  - a. **STRUCTURES USED FOR DECREED WATER RIGHT.** Structures or improvements used for the exercise of a decreed water right, including headgates and measuring devices; and
  - b. **WETLANDS RESULTING FROM AGRICULTURAL OPERATIONS.** Wetlands and riparian areas created solely by normal and customary agricultural activities; and
  - c. **PROJECTS PRIMARILY FOR WATER PROTECTION THAT HAVE RECEIVED REQUIRED STATE OR FEDERAL PERMITS.** Projects that have received all applicable permits required by state and/or federal agencies, such as those designed primarily for the enhancement, protection and/or restoration of water body banks or channels, wetlands, riparian areas and/or piscatorial wildlife habitat; and
  - d. **WATER IMPOUNDMENTS.** Water impoundments that are a component of an approved mineral exploration or extraction Project or construction materials processing Project, and comply with Section 13-118: *Water Impoundments*, and with all applicable federal codes and regulations; and
  - e. **EMERGENCY FLOOD CONTROL MEASURES.** A structure or other land use change necessary, in an emergency declared by the County Manager to eliminate or reduce potential flood hazards or damage. If it is to be removed, it shall be removed as soon as possible; and
  - f. **ROADS AND BRIDGES.** Maintenance, repair or replacement of roads, roads that approach bridges, and bridges, existing as of the effective date of this *Resolution*, or constructed thereafter pursuant to this *Resolution* and all other County, state and federal regulations.
2. **PARTIALLY EXEMPT.** The following Projects, classified as Administrative Review Projects pursuant to Section 3-111: *Classification of Impact*, approved pursuant to this *Resolution* are exempt from Section 11-107: D: *Submittal Requirements* but are required to comply with all other requirements of this Section:
  - a. **A PRIMARY RESIDENCE SMALLER THAN 5,000 SQ. FT. IN AN APPROVED SUBDIVISION.** The development of a primary residence smaller than 5,000 sq. ft. (which may include an attached garage in the calculation of square footage), pursuant to Section 13-105: *Residential Building Sizes and Lot Coverage*, in a subdivision approved by Gunnison County and platted as of the effective date of this *Resolution*; and
  - b. **LIMITED MINERAL EXPLORATION.** Limited mineral exploration (activities related to proving up a patented mining claim pursuant to federal law), as addressed in Division 9-400: *Exploration, Extraction and Processing of Minerals and Construction Materials*, and limited construction materials exploration, pursuant to Section 9-402: C: *Activities Exempted from Submittal and Review Requirements*; and
  - c. **UNDERGROUND MINERAL EXPLORATION.** Underground mineral exploration as identified in Division 9-400: *Exploration, Extraction and Processing of Minerals and Construction Materials*; and
  - d. **BOUNDARY LINE ADJUSTMENTS.** An application to adjust the lot line between adjacent parcels or lots that are separately owned; and
  - e. **LOT CLUSTERS.** An application to eliminate the lot lines separating adjacent lots that are commonly owned; and
  - f. **CORRECTION OF PLAT.** An application to correct a technical error in a subdivision plat that has been approved and recorded; and
  - g. **TECHNICAL MODIFICATION.** An application to allow a minor deviation of not more than ten percent from any minimum or maximum numerical standard of this *Resolution*, and that is identified as a category in Section 8-101: *Technical Modifications*.

## **SECTION 13-105: RESIDENTIAL BUILDING SIZES AND LOT COVERAGES**

- A. **PURPOSES.** This Section establishes standards for structure sizes and building envelopes to achieve the purposes stated in Section 1-103: *Purposes* and in addition, to preserve the historic and architectural scale of structures and building envelopes in the county, to provide for innovation and flexibility in the use of individual parcels, and to recognize that a variety of appropriately sized, sited and scaled buildings are an amenity to Gunnison County.
- B. **APPLICABILITY.**

1. **RESIDENTIAL AND RESIDENTIAL/MIXED USES.** The requirements of this Section shall apply to all residential and residential/mixed land uses, including multiple-family residences and housing developments.
2. **RESIDENCES ASSOCIATED WITH AGRICULTURAL, COMMERCIAL OR INDUSTRIAL OPERATIONS.** Residences associated with agricultural, commercial or industrial operations shall be subject to maximum structure size requirements of this Section. However, the size of accessory structures, the aggregate size of residences and accessory structures, the constraints on coverage and on building envelopes shall not apply to agricultural, commercial or industrial operations.
- C. **PARCELS SMALLER THAN 6,500 SQ. FT.** The aggregate square footage of all structures on a parcel that is smaller than 6,500 sq. ft. shall not exceed 45 percent of the square footage of the parcel unless approved pursuant to Section 13-105: G: *Impact Classification And Required Findings For Coverage Exceeding Standard*.
- D. **PARCELS EQUAL TO OR LARGER THAN 6,500 SQ. FT.** The following shall apply to residential structures on parcels equal to or larger than 6,500 sq. ft:
  1. **PERCENT OF COVERAGE.** In no event shall the aggregate square footage of coverage by structures on a parcel 6,500 sq. ft. or larger exceed 45 percent of the total area of the parcel, or 4,100 sq. ft. whichever is greater, unless approved pursuant to Section 13-105: G: *Impact Classification And Required Findings For Coverage Exceeding Standard*.
  2. **MAXIMUM BUILDING SIZE AND MAXIMUM AGGREGATE OF ALL STRUCTURES.** No building on a parcel equal to or larger than 6,500 sq. ft. shall exceed 5,000 sq. ft. and the aggregate of all structures shall not exceed 7,000 sq. ft. unless:
    - a. **LAND USE CHANGE PERMIT APPROVES GREATER SIZE.** Approved pursuant to Section 13-105: G: *Impact Classification and Required Findings for Coverage Exceeding Standard*.
  3. **MAXIMUM BUILDING SIZE AND MAXIMUM AGGREGATE OF ALL STRUCTURES FOR MULTIPLE-FAMILY RESIDENCE(S).** No building(s) on a parcel equal to or larger than 6,500 sq. ft. shall equal or exceed 10,000 sq. ft. and the aggregate of all structure shall not equal or exceed 12,500 sq. ft. unless:
    - a. **LAND USE CHANGE PERMIT APPROVES GREATER SIZE.** Approved pursuant to Section 13-105: G: *Impact Classification and Required Findings for Coverage Exceeding Standard*.
- F. **BUILDING ENVELOPE.** The following standards shall apply in the location and use of a residential building envelope:
  1. **BUILDINGS SHALL BE CONFINED IN ENVELOPE.** Except as approved pursuant to Section 13-105: G: *Impact Classification And Required Findings For Coverage Exceeding Standard*, all structures on a parcel equal to or larger than 6,500 sq. ft. must be confined in a compact building envelope.
  2. **BUILDINGS SHALL SHARE SAME SERVICES.** Except when not practicable or efficient, or as may be modified or prohibited by County, state or federal regulation, all buildings on a parcel that is 6,500 sq. ft. or larger shall:
    - a. **SHARE SEWAGE DISPOSAL.** Share the same On-Site Wastewater Treatment System;
    - b. **SHARE WATER SUPPLY.** Utilize the same water supply;
    - c. **BE LOCATED IN SAME DRAINAGE BASIN.** Be located in the same drainage basin; and
    - d. **SHARE ROAD AND DRIVEWAY.** Be accessed by the same road and driveway.
- G. **IMPACT CLASSIFICATION AND REQUIRED FINDINGS FOR COVERAGE EXCEEDING STANDARD.** An application for a primary residence larger than 5,000 sq. ft. or for an aggregate of structures larger than 7,000 sq. ft. or for a multi-family residence on parcels 6, 500 sq. ft. or larger where a multiple family residence is larger than 10,000 sq. ft., or the aggregate of all multi-family residence(s) and accessory use structures and secondary structures is larger than 12,500 sq. ft. shall be classified and reviewed as a Minor Impact Project. No approval shall be given to a Project that exceeds the maximum coverage, building size, or the aggregate size of buildings allowed by this Section unless, in addition to the proposal's having complied with Article 10: *Locational Standards*, Article 11: *Resource Protection Standards*, Article 12: *Development Infrastructure Standards*, and Article 13: *Project Design Standards*, the Planning Commission finds by clear and convincing evidence that the Project shall meet or exceed the following standards:
  1. **FINDING OF NO OBTRUSIVE VISIBILITY REQUIRED FOR APPROVAL.** The structure(s) is found not to be obtrusively visible. Elements to minimize such visibility shall include:
    - a. **MINIMIZE VISIBILITY OF STRUCTURE BY SITING.** The proposed Project and structures have been sited and shall be constructed using existing topography and natural vegetation for screening to the maximum extent feasible, to minimize the visibility of each structure from outside of the parcel on which it is to be built.

During construction and use, disturbance and removal of existing vegetation outside of the permanent footprint of the structures shall be constrained to the maximum extent feasible, and restored substantially to its preconstruction state, to the maximum extent feasible; and

b. **MINIMIZE VISIBILITY OF STRUCTURE BY SCREENING.** After such siting, any structure that would be obtrusively visible from outside of the parcel on which it is to be built shall be screened to the maximum extent feasible from such visibility to preserve the natural characteristics of the site by natural vegetation, landscaping and architectural techniques (including colors that blend with the natural background, forms, and textures of the site, non-reflectability and clustering). Natural land forms are acceptable as screening; earth berming is acceptable only if it replicates the natural forms, scale and characteristics of the site. Deciduous vegetation of adequate density in its non-foliage season to provide effective screening is acceptable in combination with other screening techniques.

c. **LOCATION OF UTILITIES UNDERGROUND.** Utilities shall be located and installed, to the maximum extent feasible, to not be visible. If installed underground, the natural environment disturbed by installation shall be restored to the maximum extent feasible to its condition before the utilities were installed.

2. **OBTRUSIVE VISIBILITY SHALL CAUSE DENIAL.** If, after such siting and screening, any portion of a structure is obtrusively visible from outside of the parcel on which it is to be built, that portion of the Project shall be denied. In order to meet this standard, the entire structure need not be invisible from outside of the parcel on which it is to be built.

H. **FURTHER SUBDIVISION.** Nothing in this Section forbids, or shall be construed to forbid, subdivision of a parcel on which there exists a residential structure larger than 5,000 sq. ft. or an aggregate of structures larger than 7,000 sq. ft., except that no subdivision shall be permitted unless the resulting parcel that contains the structure that exceeds 5,000 sq. ft., and/or all of the buildings that total an aggregate of 7,000 sq. ft. is at least 35 acres in size.

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# APPENDIX

## Tables in the Appendix:

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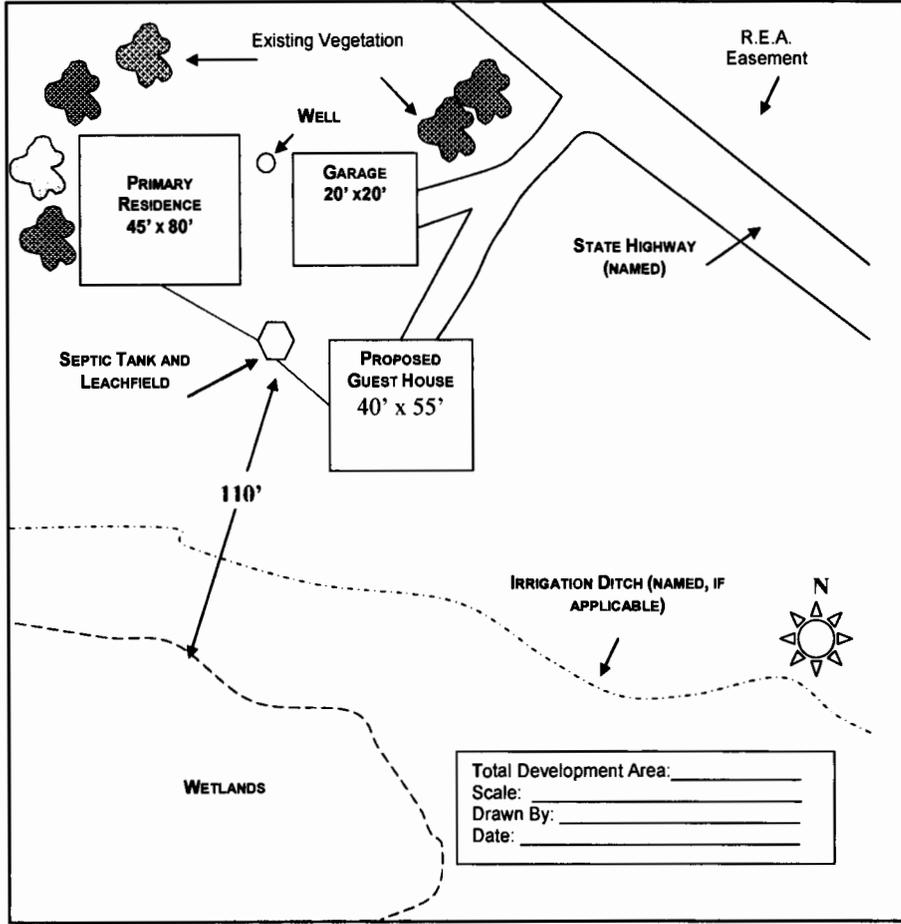
- Appendix Table 1: *Impact Classifications*
- Appendix Table 2: *Summary of Review Processes*
- Appendix Table 3: *Off-Road Parking Requirements*

## Figures in the Appendix:

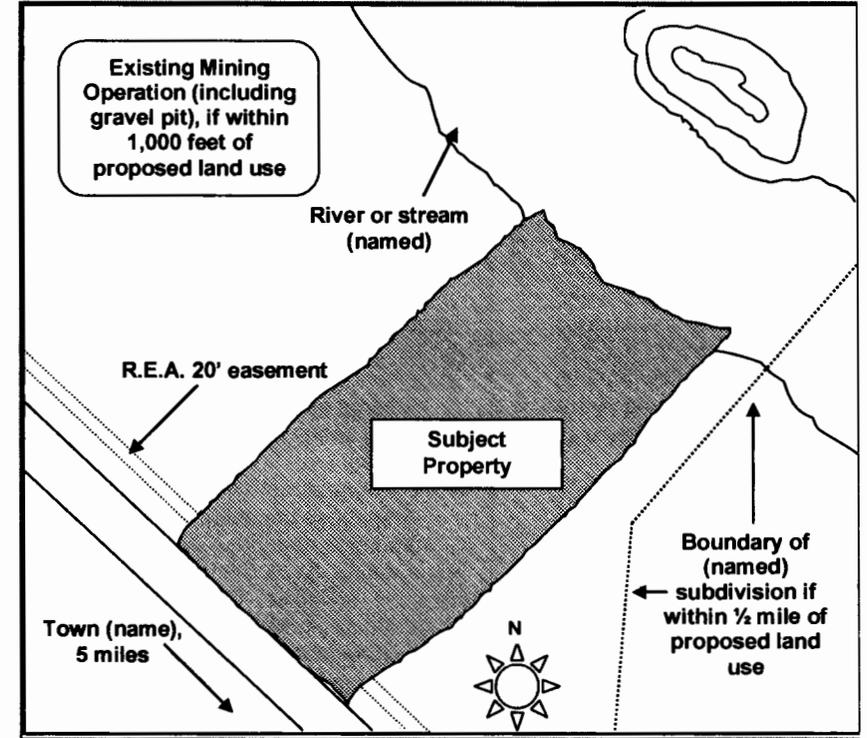
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- Appendix Figure 1: *Site Plan Example*
- Appendix Figure 2: *Vicinity Map Example*
- Appendix Figure 3: *General Review Process for Land Use Change Permits*
- Appendix Figure 4: *General Review Process for Administrative Review Projects That Require Land Use Change Permits*
- Appendix Figure 5: *General Review Process for Minor Impact Projects*
- Appendix Figure 6: *Sketch Plan Review Process for Major Impact Projects*
- Appendix Figure 7: *Preliminary Plan Review Process for Major Impact Projects*
- Appendix Figure 8: *Final Plan Review Process for Major Impact Projects*

APPENDIX FIGURE 1: SITE PLAN EXAMPLE



APPENDIX FIGURE 2: VICINITY MAP EXAMPLE



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**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
<ul style="list-style-type: none"> <li>• <b>EXEMPT PRIMARY RESIDENCE SMALLER THAN 5,000 SQ. FT.</b> A primary residence smaller than 4,200 sq. ft. that is exempted by Section 1-106: <i>Partially Exempted Land Use Changes</i>.</li> <li>• <b>BARN AND OTHER AGRICULTURAL BUILDINGS ON AN AGRICULTURAL OPERATION.</b> A barn or other agricultural building used in conjunction with an agricultural operation.</li> <li>• <b>FENCES.</b> Fences, which shall comply with Section 13-113: <i>Fencing</i>.</li> <li>• <b>GARDENS AND GREENHOUSES.</b> Private non-commercial gardens and greenhouses.</li> <li>• <b>ONE 120 SQ. FT. STORAGE SHED.</b> One storage shed 120 sq. ft. or smaller.</li> <li>• <b>BARN IN APPROVED SUBDIVISIONS.</b> Barns located in approved subdivisions in which there are adopted protective covenants that allow barns and that have been approved by Gunnison County.</li> <li>• <b>GARDENS AND GREENHOUSES THAT ARE HOME OCCUPATIONS.</b> Gardens and greenhouses that are home occupations, created and operated pursuant to Section 9-102: <i>Home Occupations</i>.</li> <li>• <b>POOLS AND RECREATION FACILITIES.</b> Private swimming pools and private recreation facilities associated with a primary residence,</li> </ul>	<ul style="list-style-type: none"> <li>• <b>PRIMARY RESIDENCE 5,000 SQ. FT. OR LESS, IN EXISTING PLATTED SUBDIVISION.</b> A primary residence 5,000 sq. ft. or less, located within an existing platted subdivision.</li> <li>• <b>PRIMARY RESIDENCE 5,000 SQ. FT. OR LESS AND AGGREGATE SQUARE FOOTAGE 7,000 SQ. FT. OR LESS.</b> A residential living area (one single-family residence, and any combination of a primary single-family residence, an integrated secondary residence, a detached secondary residence ) and a garage attached to a residence 5,000 sq. ft. or less (excluding from the calculation horse/hay sheds less than 500 sq. ft., one 200 sq. ft. storage shed, and a private greenhouse) and accessory structures or secondary use structures with an aggregate of 7,000 sq. ft. or less on one parcel, pursuant to Section 13-105: <i>Residential Building Sizes and Lot Coverages</i>.</li> <li>• <b>MULTIPLE FAMILY RESIDENCE 10,000 SQ. FT. OR LESS.</b> A multiple family residence 10,000 sq. ft. or less. The multiple family residence may include an attached garage(s), which shall be calculated in the total square footage allowed for the residence, pursuant to Section 13-105: <i>Residential Building Sizes and Lot Coverages</i>.</li> <li>• <b>AGGREGATE SQUARE FOOTAGE 12,500 SQ. FT. OR LESS FOR MULTIPLE-FAMILY RESIDENCE(S).</b> An aggregate 12,500 sq. ft. or less of residential living area and/or accessory on one parcel, pursuant to Section 13-105: <i>Residential Building Sizes and Lot Coverages</i>.</li> <li>• <b>SECONDARY STRUCTURE INTENDED ONLY FOR SLEEPING AND HAS NO</b></li> </ul>	<ul style="list-style-type: none"> <li>• <b>PRIMARY RESIDENCE LARGER THAN 5,000 SQ. FT.</b> A primary residence larger than 5,000 sq. ft. or larger.</li> <li>• <b>AGGREGATE SQUARE FOOTAGE LARGER THAN 7,000 SQ. FT.</b> An aggregate square footage larger than 7,000 sq. ft. of residential living area (one single-family residence, and any combination of a primary single-family residence, an integrated secondary residence, a detached secondary residence) and a garage attached to a residence (excluding from the calculation horse/hay sheds less than 500 sq. ft., one 200 sq. ft. storage shed, and a private greenhouse) and accessory structures or secondary use structures on one parcel, pursuant to Section 13-105: <i>Residential Building Sizes and Lot Coverages</i>.</li> <li>• <b>MULTIPLE FAMILY RESIDENCE LARGER THAN 10,000 SQ. FT.</b> A multiple family residence larger than 10,000 sq. ft. The multiple family residence may include an attached garage(s), which shall be calculated in the total square footage allowed for the residence, pursuant to Section 13-105: <i>Residential Building Sizes and Lot Coverages</i>.</li> <li>• <b>AGGREGATE SQUARE FOOTAGE LARGER THAN 12,500 SQ. FT. FOR MULTIPLE FAMILY RESIDENCE(S).</b> An aggregate square footage larger than 12,500 sq. ft. of residential living area and/or accessory structures on one parcel, pursuant to Section 13-105: <i>Residential Building Sizes and Lot</i></li> </ul>	<ul style="list-style-type: none"> <li>• <b>MORE THAN FOUR UNITS.</b> More than four units that are subdivision lots, duplex units, or multiple-family residences.</li> <li>• <b>NEW COMMERCIAL, INDUSTRIAL LARGER THAN 5,000 SQ. FT. OR FIVE ACRES.</b> 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.</li> <li>• <b>EXPANSION OF COMMERCIAL OR INDUSTRIAL USE OF 10,000 SQ. FT. OR MORE.</b> Expansion of a commercial or industrial use, existing as of the effective date of this <i>Resolution</i>, of 10,000 sq. ft. or more.</li> <li>• <b>LARGE NEW OR EXPANDED MINING OPERATIONS.</b> 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: <i>Exploration, Extraction and Processing of Minerals and</i></li> </ul>



**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
<p>and not part of a private club or membership group.</p> <ul style="list-style-type: none"> <li>• <b>INTEGRATED SECONDARY RESIDENCE SMALLER THAN 1,200 SQ. FT. ON ANY LEGAL LOT.</b> An integrated secondary residence smaller than 1,200 sq. ft. in a primary residence on any legal lot that meets the standards pursuant to Section 9-101. 7.: <i>Standards for Integrated Secondary Residence.</i></li> <li>• <b>ONE HOME OCCUPATION.</b> One home occupation, pursuant to Section 9-102: <i>Home Occupations.</i></li> <li>• <b>CAMPING.</b> Camping in a recreational vehicle or other camping shelter on an individual parcel pursuant to Section 9-509: <i>C. No Land Use Change Permit Required For Camping in a Recreational Vehicle or other Camping Shelter on an Individual Parcel.</i></li> <li>• <b>SPECIAL EVENTS.</b> A special event, pursuant to Section 9-501: <i>Special Events.</i></li> <li>• <b>TEMPORARY STRUCTURES.</b> Temporary structures, pursuant to Section 9-502: <i>Temporary Structures.</i></li> <li>• <b>SATELLITE DISHES.</b> Satellite dishes, pursuant to Section 9-503: <i>Satellite Dish Devices.</i></li> <li>• <b>ATTACHED WIRELESS TELECOMMUNICATIONS DEVICE.</b> Attached wireless telecommunications device, pursuant</li> </ul>	<p><b>KITCHEN.</b> A secondary structure without a kitchen that is to be used only for sleeping facilities. It shall comply with the requirements of the <i>Gunnison County On-Site Wastewater Treatment System Regulations.</i></p> <ul style="list-style-type: none"> <li>• <b>MORE THAN ONE HOME OCCUPATION.</b> More than one home occupation, pursuant to Section 9-102: <i>Home Occupations.</i></li> <li>• <b>MOBILE HOME NOT IN A MOBILE HOME COMMUNITY.</b> 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: <i>Individual Manufactured and Mobile Homes.</i></li> <li>• <b>BOUNDARY LINE ADJUSTMENT.</b> 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: <i>Standards for Approval of Administrative Review Projects.</i></li> <li>• <b>LOT CLUSTERS.</b> An application to eliminate the lot lines separating adjacent lots that are commonly owned.</li> <li>• <b>CORRECTION PLAT.</b> An application to correct a technical error in a subdivision plat that has been approved and recorded.</li> <li>• <b>REPAIR OF EXISTING DISTRIBUTION LINES.</b> Repair of existing distribution lines located substantially within an existing utility easement.</li> <li>• <b>ALTERATION OF APPROVED BUILDING ENVELOPES.</b> Alterations of building envelopes on lots that were approved as an</li> </ul>	<p><i>Coverages.</i></p> <ul style="list-style-type: none"> <li>• <b>MORE THAN ONE SECONDARY RESIDENCE ON A LEGAL LOT OR TRACT.</b> More than one secondary residence on a legal lot or tract, except as allowed pursuant to Section 9-101: <i>Uses Secondary to a Primary Residence.</i></li> <li>• <b>2-4 UNITS.</b> 2-4 units that are subdivision lots, duplexes, or multiple-family residences, except as allowed pursuant to Section 9-101: <i>G: Secondary Structures and Uses Classified as Minor Impact Projects.</i></li> <li>• <b>DEVELOPMENT REQUIRING DETAILED RIDGELINE VANTAGE VISIBILITY ANALYSIS.</b> 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: <i>E: Impact Classification.</i></li> <li>• <b>CLEARING OF MORE THAN 7500 SQ. FT. OF LAND.</b> 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.</li> <li>• <b>NEW COMMERCIAL, INDUSTRIAL 5,000 SQ. FT., OR FIVE ACRES OR LESS.</b> 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.</li> <li>• <b>5,000-9,999 SQ. FT. EXPANSION OF COMMERCIAL OR INDUSTRIAL</b></li> </ul>	<p><i>Construction Materials.</i></p> <ul style="list-style-type: none"> <li>• <b>LARGE CONSTRUCTION MATERIALS OPERATIONS.</b> Any sand, gravel or quarry operation providing material that will operate for more than two years, pursuant to <i>Division 9-400: Exploration, Extraction and Processing of Minerals and Construction Materials.</i> Larger operations may require review under the <i>Gunnison County Special Development Projects Regulations.</i></li> <li>• <b>WATER IMPOUNDMENT PROJECTS CLASSIFIED AS CLASS I DAMS.</b> 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: <i>Water Impoundments.</i></li> <li>• <b>TRANSMISSION LINES.</b> 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.</li> </ul>



**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
<p>to Section 9-504: <i>Attached Wireless Telecommunications Devices</i>.</p> <ul style="list-style-type: none"> <li>• <b>KEEPING OF LIVESTOCK NOT ON AN AGRICULTURAL OPERATION.</b> Keeping of livestock not on an agricultural operation, pursuant to Section 9-508: <i>Keeping of Livestock Not on an Agricultural Operation</i>.</li> <li>• <b>SITE APPROVAL APPLICATION FOR WATER SUPPLY OR WASTEWATER TREATMENT SYSTEM.</b> The Colorado Department of Public Health and Environment's site approval application for a proposed expansion or alteration of an existing wastewater treatment system.</li> <li>• <b>DISTRIBUTION OR SERVICE LINE TO PRIMARY RESIDENCE.</b> A distribution or service line providing service to a single primary residence, multiple family residences, or other residence that would not otherwise require a Land Use Permit under the requirements of this <i>Resolution</i>.</li> <li>• <b>ALTERATION AND REPAIR OF EXISTING SERVICE LINES OR DISTRIBUTION LINES.</b> Conversion of above-ground distribution lines or service lines to underground distribution or service lines located substantially within an existing utility easement.</li> </ul>	<p>element of a Land Use Change Permit.</p> <ul style="list-style-type: none"> <li>• <b>SUBDIVISION EXEMPTION TO "VALIDATE" AN EXISTING LOT.</b> Pursuant to C.R.S. 30-28-101 (10) (d), the "validation" of a lot that existed prior to the effective date of this <i>Resolution</i>, 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").</li> <li>• <b>EXPANSION OR CHANGE OF COMMERCIAL OR INDUSTRIAL USE TO TOTAL SIZE OF 5,000 SQ. FT. OR ONE ACRE OR LESS.</b> Expansion or change of a commercial or industrial use existing as of the effective date of this <i>Resolution</i>, 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.</li> <li>• <b>PLAT FOR APPROVED CONDOMINIUMS/TOWNHOME PROJECT.</b> A constructed condominium or townhome project for which a Land Use Change Permit has been approved for the overall development.</li> <li>• <b>LIMITED MINERAL EXPLORATION.</b> Limited mineral exploration (activities related to proving up a patented mining claim pursuant to federal law), as addressed in Section 9-402: C.3: <i>Limited Mineral Exploration</i>.</li> <li>• <b>UNDERGROUND MINERAL EXPLORATION.</b> An application for underground mineral exploration for operations existing as of the effective date of this <i>Resolution</i>, as addressed in Section 9-402: D: <i>Extension and Expansion of Current Underground Mineral Exploration Required to File Notice of Activity</i>.</li> <li>• <b>EXTRACTION OF CONSTRUCTION</b></li> </ul>	<p><b>USE.</b> Expansion of a commercial or industrial use, existing as of the effective date of this <i>Resolution</i>, of 5,000 – 9,999 sq. ft.</p> <ul style="list-style-type: none"> <li>• <b>FREESTANDING WIRELESS TELECOMMUNICATION STRUCTURE.</b> Construction and siting of a freestanding wireless communication structure, building, pole, tower or antenna that provides wireless telecommunications services, pursuant to <i>Section 9-505: Freestanding Wireless Telecommunication Structures</i>.</li> <li>• <b>SMALL NEW OR EXPANDED MINING OPERATIONS.</b> New or expanded mining operation that operates for no more than 180 days per year, produces fewer than 10,000 tons of ore/waste per year and affects no more than two surface acres of land, pursuant to <i>Division 9-400: Exploration, Extraction and Processing of Minerals and Construction Materials</i>.</li> <li>• <b>CONSTRUCTION MATERIALS OPERATION RELATED TO CONSTRUCTION OF PUBLIC ROAD.</b> Any sand, gravel, or quarry operation providing material for public road construction that will operate for less than two years.</li> <li>• <b>GENERAL ROAD CUTTING OR CONSTRUCTION.</b> Road cutting or construction, except that cutting or construction and maintenance of a road that provides access solely for an agricultural operation shall not be classified as a Minor Impact project,</li> </ul>	<ul style="list-style-type: none"> <li>• <b>PRECEDENT FOR FUTURE LAND USE THAT IS DIFFERENT THAN EXISTING USE.</b> Any proposal that sets a precedent for future land use that is significantly different than existing land uses in the impact area.</li> </ul>



**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
	<p><b>MATERIALS.</b> Extraction of construction materials that generates more than 300 cubic yards, per Section 9-402: C. 1: <i>Limited Construction Material Extraction.</i></p>	<p>and shall not require review.</p> <ul style="list-style-type: none"> <li>• <b>TRANSMISSION LINES.</b> Upgrade of an existing utility transmission line(s) within an existing easement(s), but not including a project for which a Land Use Change Permit has been granted in which the design, construction and impacts of the utility line were reviewed and approved.</li> <li>• <b>BED AND BREAKFAST.</b> Bed and breakfast business, pursuant to <i>Section 4-103: Bed and Breakfast.</i></li> <li>• <b>CHILD CARE CENTER.</b> A child care center, pursuant to Section 9-506: <i>Child Care Center.</i></li> <li>• <b>GROUP HOME.</b> A group home, pursuant to <i>Section 9-507: Group Home.</i></li> <li>•</li> <li>• <b>FREESTANDING WIRELESS COMMUNICATION STRUCTURES.</b> Freestanding wireless communication structures, pursuant to <i>Section 9-505: Freestanding Wireless Communication Structures.</i></li> <li>• <b>WATER IMPOUNDMENT PROJECTS CLASSIFIED AS CLASS II DAMS.</b> 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 II dam, pursuant to <i>Section 13-118: Water Impoundments.</i></li> <li>• <b>EXPANSION OR EXTENSION OF</b></li> </ul>	



**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
		<p><b>SNOWPLOWING.</b> Expansion or extension of snowplowing, pursuant to <i>Section 11-110: F: Expansion or Extension of Snowplowing.</i></p> <ul style="list-style-type: none"><li>• <b>COMMERCIAL WEDDING SITE.</b> The site on which weddings are regularly or frequently conducted as a commercial operation, irrespective of the number of people or vehicles generated by the wedding event.</li></ul>	



**APPENDIX TABLE 2: SUMMARY OF REVIEW PROCESSES**

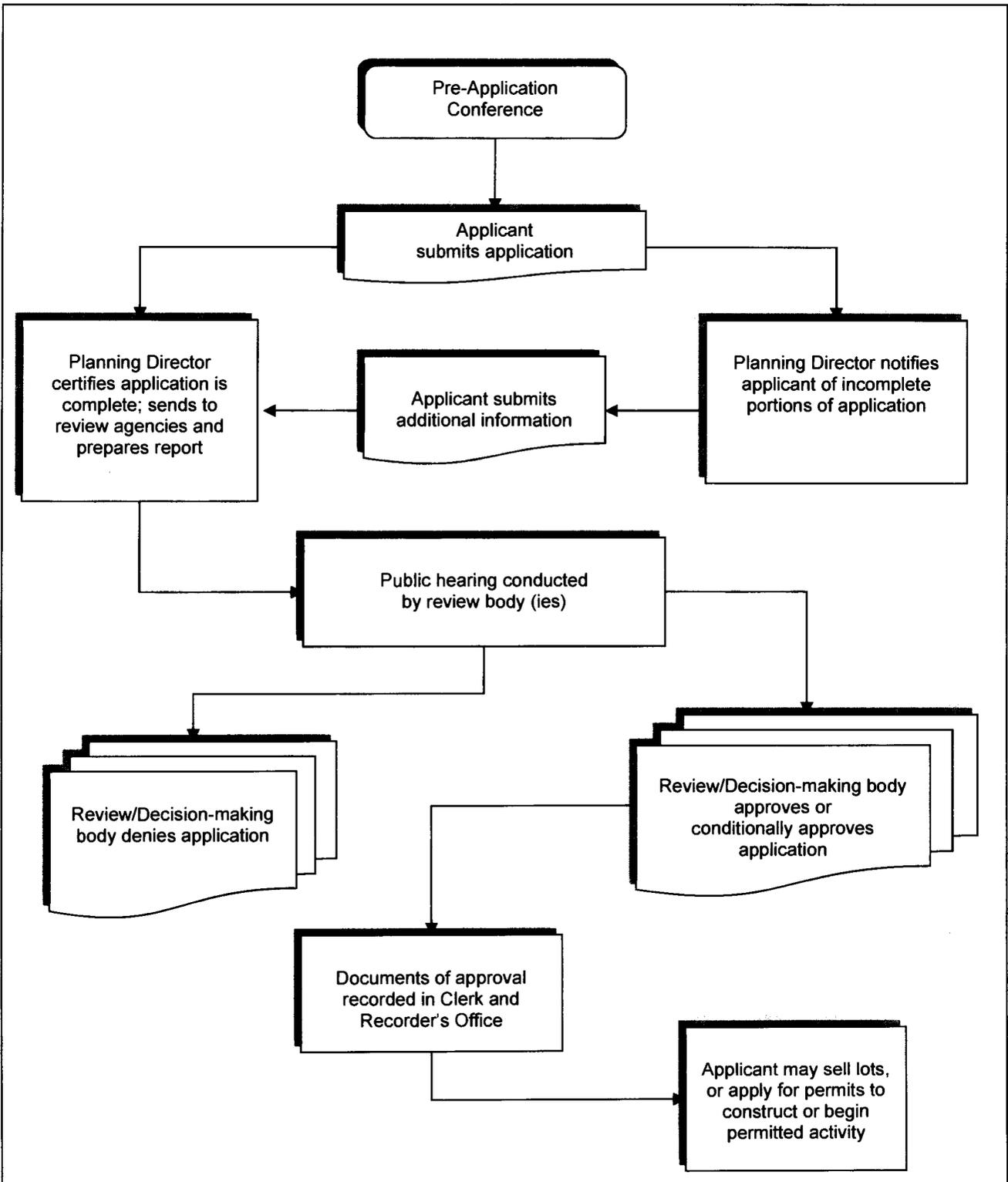
APPLICATION TYPE	PRE- APPLICATION CONFERENCE	COMMUNITY DEVELOPMENT DEPARTMENT	PLANNING COMMISSION	BOARD OF COMMISSIONERS	BOARD OF ADJUSTMENTS	PUBLIC HEARING
<b>ADMINISTRATIVE REVIEW PROJECTS</b>						
<b>ALL ADMINISTRATIVE REVIEW PROJECTS</b>	Optional	Community Development Director makes decision	N/A	Decisions may be appealed to the Board	N/A	None
<b>MINOR IMPACT PROJECTS</b>						
<b>MINOR IMPACT SUBDIVISION</b>	Optional	Provides analysis of Project to Planning Commission	Makes recommendation to Board	Makes decision; subdivision plat requires Board Signature	N/A	Planning Commission and Board jointly conduct one hearing
<b>MINOR IMPACT NOT A SUBDIVISION</b>	Optional	Provides analysis of Project to Planning Commission	Makes decision	Decisions may be appealed to the Board	N/A	Planning Commission conducts one hearing
<b>MINOR IMPACT, EXTENSION OF SNOWPLOWING</b>	Optional	N/A	N/A	Makes decision	N/A	Board conducts one hearing
<b>MAJOR IMPACT PROJECTS</b>						
<b>SKETCH PLAN</b>	Mandatory	Provides analysis of Sketch Plan to Planning Commission	Makes recommendation to Board	Makes decision	N/A	One jointly conducted hearing required by Commission; and Board; Board has option to separately conduct one additional
<b>PRELIMINARY PLAN</b>	Mandatory	Provides analysis of Preliminary Plan to Planning Commission	Makes recommendation to Board	Makes decision	N/A	One jointly conducted hearing by Commission and Board; Board has option to separately conduct one additional



**APPENDIX TABLE 2: SUMMARY OF REVIEW PROCESSES**

APPLICATION TYPE	PRE- APPLICATION CONFERENCE	COMMUNITY DEVELOPMENT DEPARTMENT	PLANNING COMMISSION	BOARD OF COMMISSIONERS	BOARD OF ADJUSTMENTS	PUBLIC HEARING
FINAL PLAN	Optional	Provides analysis of Final Plan to Board	If included as a specific condition of Preliminary Plan Approval, Commission reviews and makes recommendation to board	Makes decision	N/A	None
<b>MISCELLANEOUS PROCESSES</b>						
VARIANCE FROM SETBACKS FROM PROPERTY LINES AND ROAD RIGHTS-OF-WAY	N/A	Building Inspector presents report and analysis to Board of Adjustments	N/A	N/A	Makes decision	Board of Adjustment has one hearing
VARIANCE FROM SIGN REQUIREMENTS	N/A	Building Inspector presents report and analysis to Board	N/A	Makes decision	N/A	None
VARIANCE FROM FLOODPLAIN DEVELOPMENT REQUIREMENTS	N/A	Presents report and analysis to Board	N/A	Makes decision	N/A	None
EXTENSION OF VESTED RIGHT DURING TERM OF PERMIT	N/A	N/A	N/A	Makes decision	N/A	Board conducts one hearing
DESIGNATION OF SPECIAL GEOGRAPHIC AREAS	N/A	Prepares maps and provides analysis for Planning Commission on this <i>Resolution</i> language	Makes recommendation to Board	Makes decision	N/A	Planning Commission and Board jointly conduct one hearing
AMENDING THIS RESOLUTION	N/A	Makes analysis to Planning Commission	Makes recommendation to Board	Makes decision	N/A	Board required to conduct one hearing

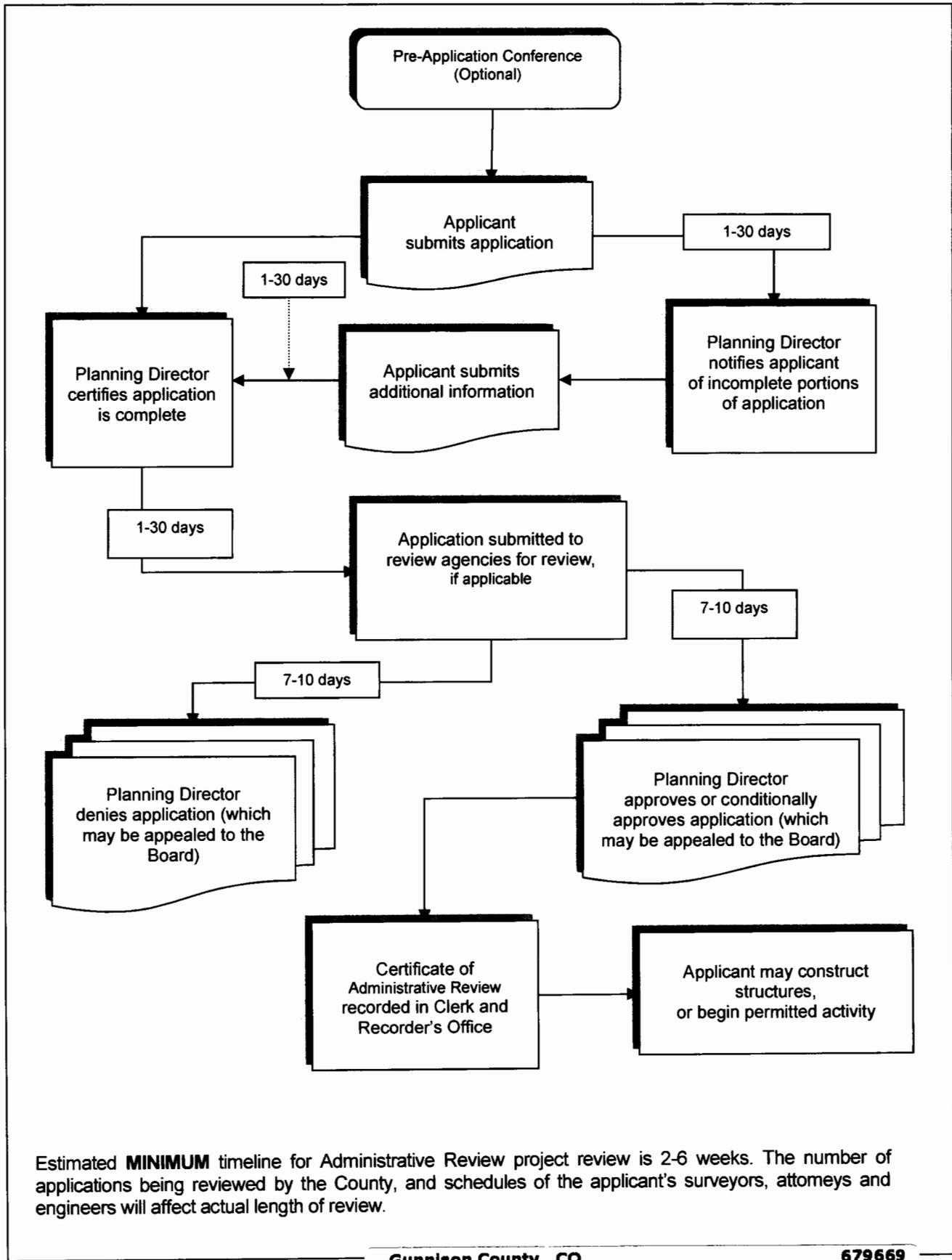
APPENDIX FIGURE 3: GENERAL REVIEW PROCESS FOR LAND USE CHANGE PERMITS



Both the Planning Commission and Board may conduct work sessions and site visits in addition to the described meetings and hearings.



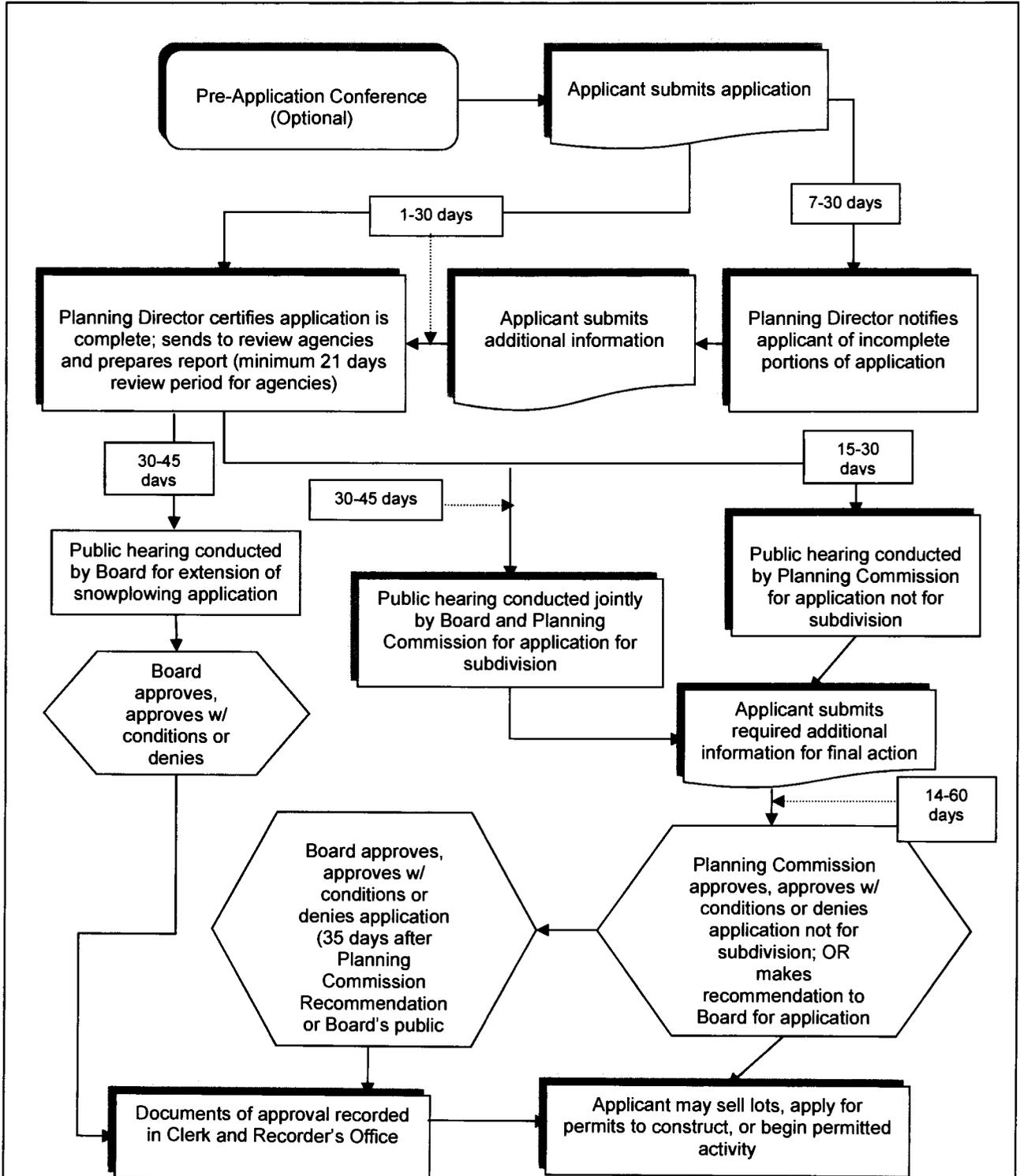
APPENDIX FIGURE 4: GENERAL REVIEW PROCESS FOR ADMINISTRATIVE REVIEW PROJECTS THAT REQUIRE LAND USE CHANGE PERMITS



Estimated **MINIMUM** timeline for Administrative Review project review is 2-6 weeks. The number of applications being reviewed by the County, and schedules of the applicant's surveyors, attorneys and engineers will affect actual length of review.



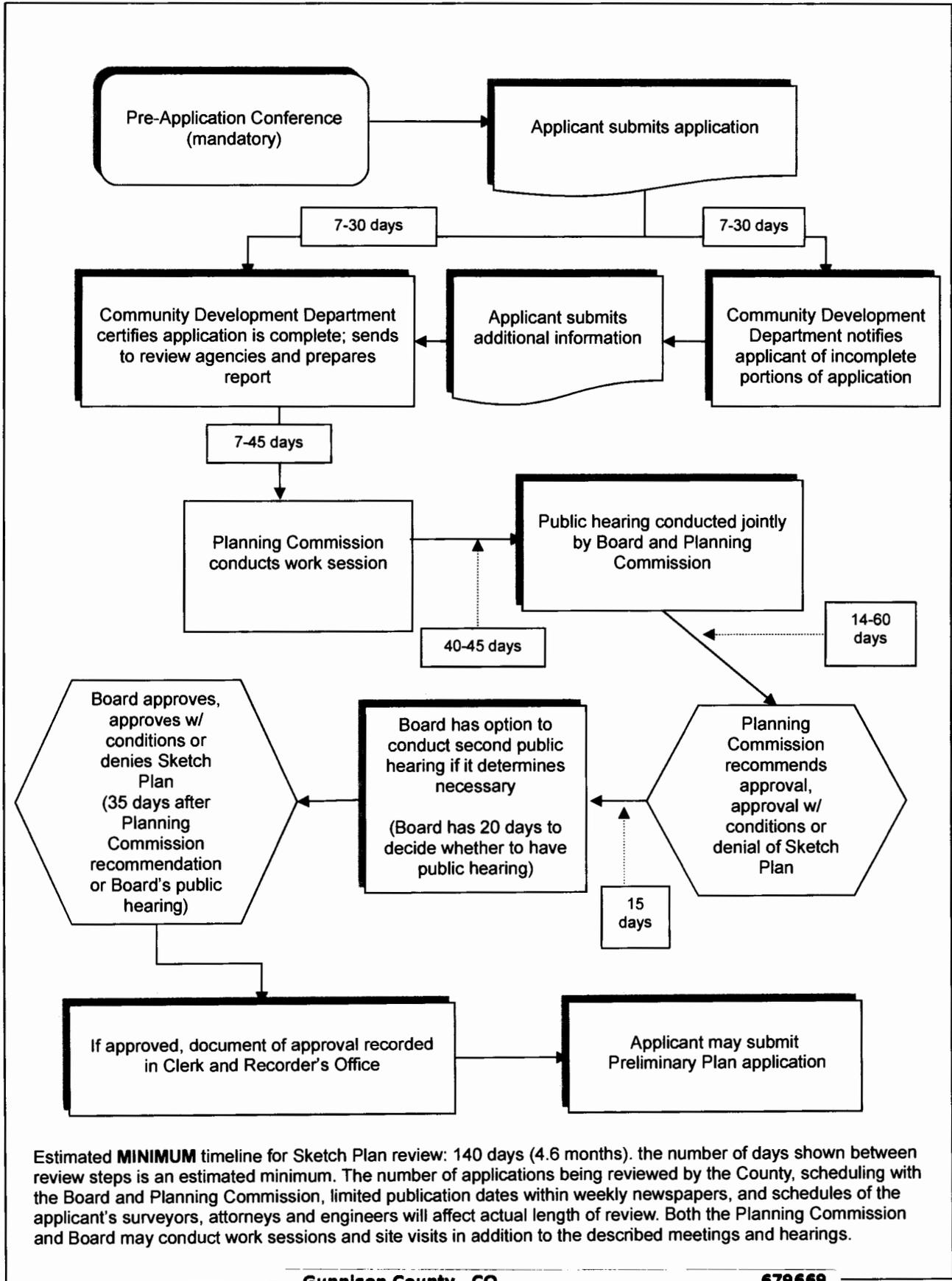
APPENDIX FIGURE 5: GENERAL REVIEW PROCESS FOR MINOR IMPACT PROJECT :



Estimated **MINIMUM** timeline for Minor Impact project review is six weeks to two months. The number of applications being reviewed by the County, scheduling with the Board and Planning Commission, limited availability of publication dates within weekly newspapers, and schedules of the applicant's surveyors, attorneys and engineers will affect actual length of review. Both the Planning Commission and Board may conduct **work sessions** and **site visits** in addition to the described meetings and hearings. The Board also has the option of conducting its own separate additional public hearing.



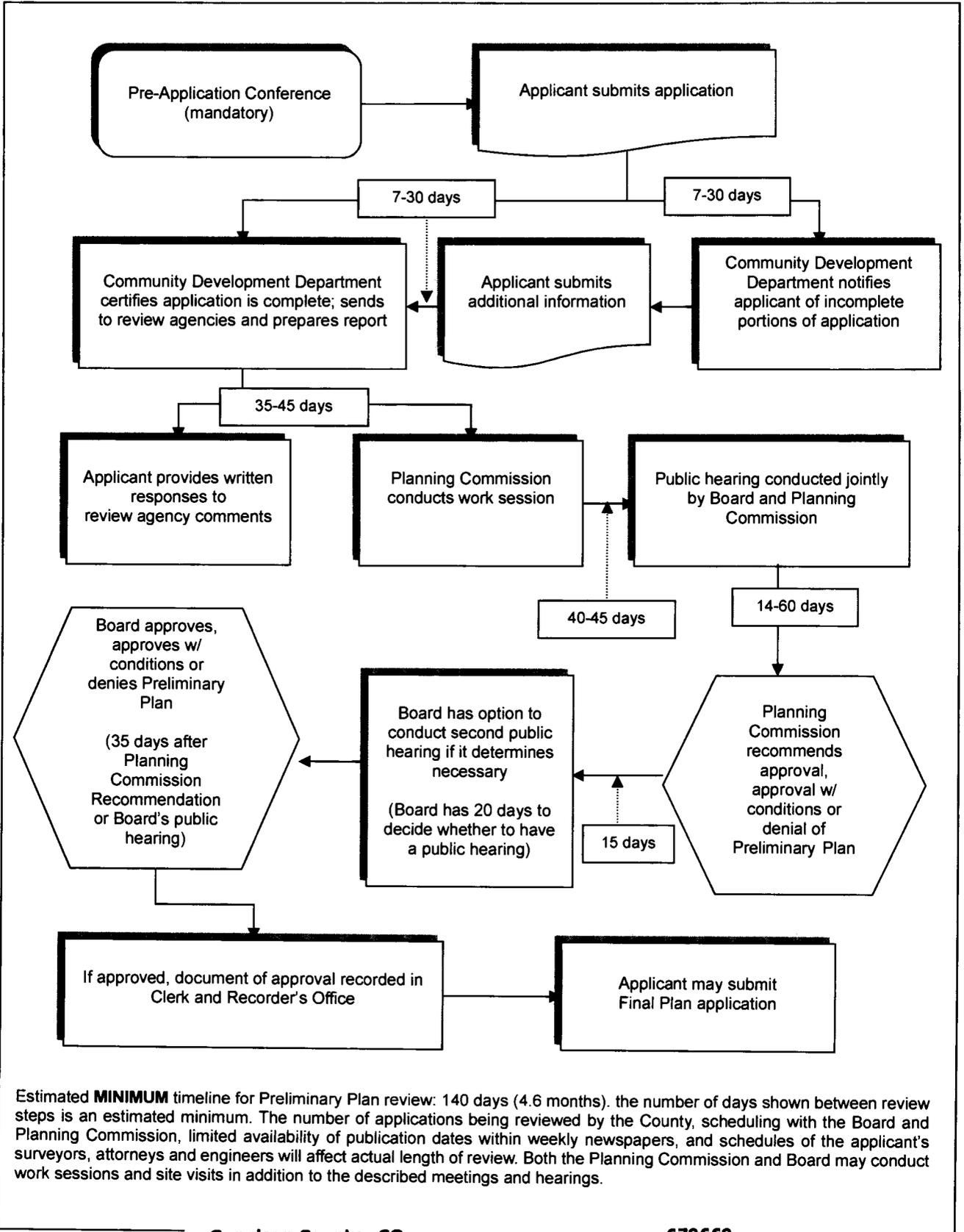
APPENDIX FIGURE 6: SKETCH PLAN REVIEW PROCESS FOR MAJOR IMPACT PROJECTS:



Estimated **MINIMUM** timeline for Sketch Plan review: 140 days (4.6 months). The number of days shown between review steps is an estimated minimum. The number of applications being reviewed by the County, scheduling with the Board and Planning Commission, limited publication dates within weekly newspapers, and schedules of the applicant's surveyors, attorneys and engineers will affect actual length of review. Both the Planning Commission and Board may conduct work sessions and site visits in addition to the described meetings and hearings.



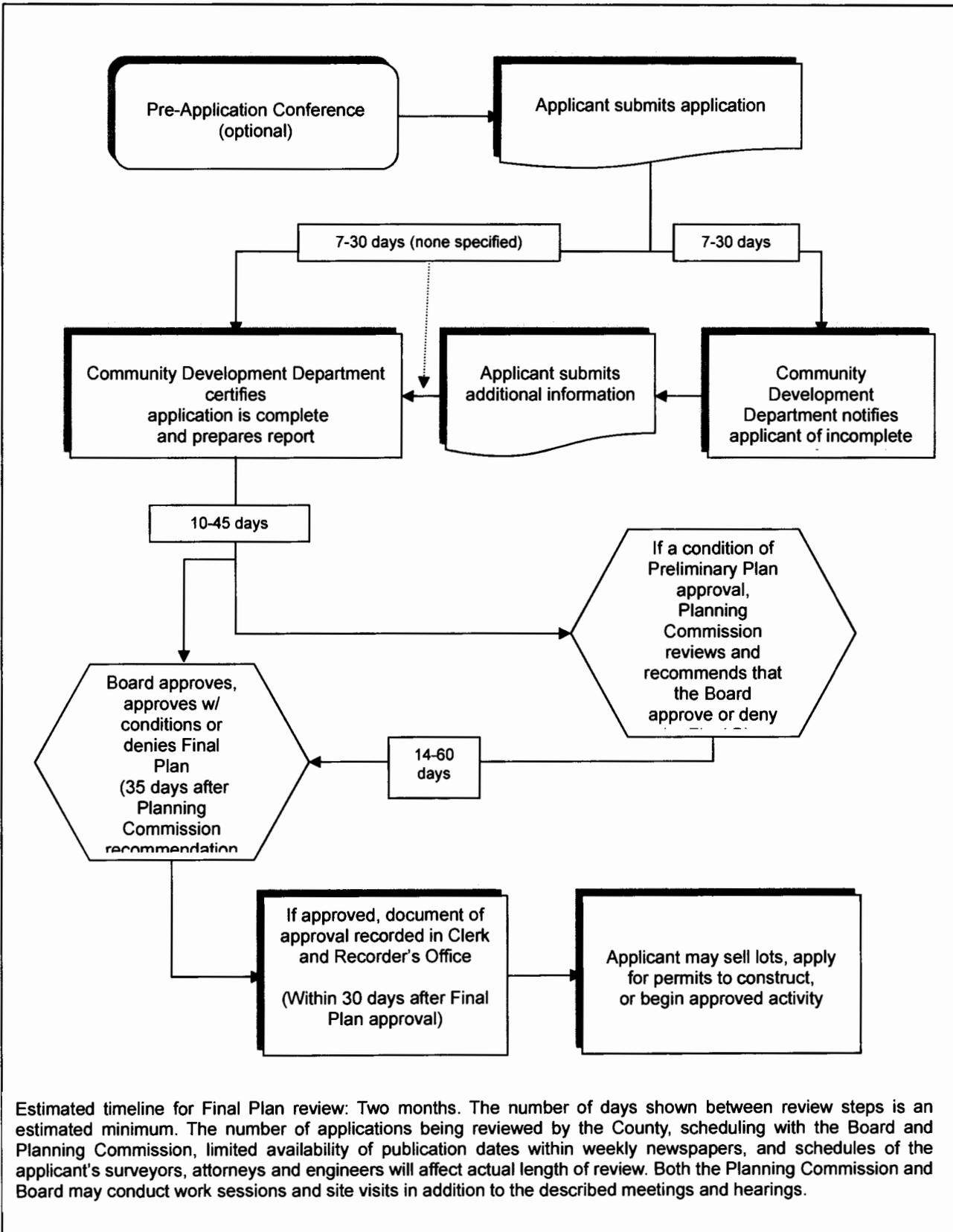
APPENDIX FIGURE 7: PRELIMINARY PLAN REVIEW PROCESS FOR MAJOR IMPACT PROJECTS



Estimated **MINIMUM** timeline for Preliminary Plan review: 140 days (4.6 months). The number of days shown between review steps is an estimated minimum. The number of applications being reviewed by the County, scheduling with the Board and Planning Commission, limited availability of publication dates within weekly newspapers, and schedules of the applicant's surveyors, attorneys and engineers will affect actual length of review. Both the Planning Commission and Board may conduct work sessions and site visits in addition to the described meetings and hearings.



APPENDIX FIGURE 8: FINAL PLAN REVIEW PROCESS FOR MAJOR IMPACT PROJECTS



Estimated timeline for Final Plan review: Two months. The number of days shown between review steps is an estimated minimum. The number of applications being reviewed by the County, scheduling with the Board and Planning Commission, limited availability of publication dates within weekly newspapers, and schedules of the applicant's surveyors, attorneys and engineers will affect actual length of review. Both the Planning Commission and Board may conduct work sessions and site visits in addition to the described meetings and hearings.





**APPENDIX TABLE 3: OFF-ROAD PARKING REQUIREMENTS**

TYPE OF USE OR FACILITY	NUMBER OF OFF-ROAD SPACES RESIDENTIAL (MAY BE A GARAGE, CARPORT OR PARKING AREA)	PER UNIT
<b>MANUFACTURED HOUSING SUBDIVISION OR MOBILE HOME PARK</b>	2 parking spaces/	Residence
<b>MULTIPLE FAMILY, INCLUDING CONDOMINIUMS AND TOWNHOMES</b>	2 parking spaces per residence for up to 3 bedroom residence; one additional space for each additional bedroom in the residence	Residence
<b>SINGLE-FAMILY AND DUPLEX</b>	2 parking spaces per residence for up to 3 bedroom residence; one additional space for each additional bedroom in the residence	Residence
<b>INSTITUTIONAL, PUBLIC, SEMI-PRIVATE</b>		
<b>SPECIAL EVENTS, AUDITORIUMS, ARENAS</b>	1 parking space/	Four persons or spaces of seating capacity
<b>CLUBS</b>	1 parking space/	100 sq. ft. of assembly area
<b>GOVERNMENT OFFICE</b>	1 parking space/	300 sq. ft.
<b>HOSPITAL</b>	1 parking space/	Bed, and for every three employees
<b>CHURCH</b>	1 parking space/	50 sq. ft. of seating/ meeting area
<b>SCHOOLS, PUBLIC OR PRIVATE: ELEMENTARY OR MIDDLE SCHOOL</b>	1 parking space/ 1 drop-off space	Teacher or employee School
<b>SCHOOL, PUBLIC OR PRIVATE: HIGH SCHOOL</b>	1 parking space/ 1 parking space/ 1 drop-off space	Teacher or employee 5 students School
<b>GENERAL COMMERCIAL USES</b>		
<b>ANIMAL SALES (UNRELATED TO AN AGRICULTURAL OPERATION)</b>	1 parking space/	250 sq. ft.
<b>DOMESTIC ANIMAL BOARDING</b>	1 parking space/	400 sq. ft.
<b>DOMESTIC ANIMAL GROOMING</b>	1 parking space/	400 sq. ft.
<b>STABLE</b>	1 parking space/	5 stalls
<b>RIDING SCHOOL</b>	1 parking space/	4 stalls
<b>VETERINARY OFFICE OR HOSPITAL</b>	1 parking space/	400 sq. ft.
<b>COMMERCIAL RECREATION AND ENTERTAINMENT FACILITIES</b>		
<b>GOLF COURSE (PUBLIC OR PRIVATE)</b>	4 parking spaces/ 1 parking space/	Hole Employee
<b>SKATING RINK</b>	1 parking space/ 1 parking space/	Five fixed spaces or 60 sq. ft. of seating 250 sq. ft. of non-seating area
<b>TENNIS AND RACQUETBALL COURTS</b>	3 parking spaces/	Court
<b>EATING AND/OR DRINKING FACILITIES</b>	1 parking space/ 1 parking space/	Four persons of seating capacity Three employees
<b>FINANCIAL INSTITUTION</b>	1 parking space/ based on site design	300 sq. ft. Space sufficient for vehicle stacking area
<b>COMMERCIAL NURSERIES</b>	1 parking space/	Two acres
<b>HOTELS, MOTELS, LODGES, BED AND BREAKFAST FACILITY</b>	1 parking space/ 1 parking space/	Sleeping room Three employees
<b>Retail Sales Facilities and offices</b>		
<b>MEDICAL AND DENTAL</b>	1 parking space/	200 sq. ft.
<b>ALL OTHER OFFICES</b>	1 parking space/	300 sq. ft.
<b>FURNITURE, APPLIANCE OR LARGE STORE</b>	1 parking space/	500 sq. ft.
<b>CONVENIENCE STORE WITH GAS PUMPS</b>	1 parking space 1 vehicle stacking area	200 sq. ft.
<b>VEHICLE OR EQUIPMENT SALES AND SERVICE, REPAIR, OR RENTAL</b>	1 parking space/	400 sq. ft.
<b>CAR WASH</b>	1 parking space/	200 sq. ft. of sales/office area Space sufficient for vehicle stacking area
<b>SERVICE STATION</b>	1 parking space/	200 sq. ft. of sales/ office area Space sufficient for vehicle stacking area
<b>MINI-STORAGE RENTAL UNITS</b>	1 parking space/	100 lockers inside and at least 5 spaces outside fenced area
<b>WAREHOUSING AND STORAGE</b>	1 parking space/	500 sq. ft.
<b>Industrial Uses</b>		
<b>MANUFACTURING &amp; PROCESSING FACILITIES</b>	1 parking space/	350 sq. ft. of gross floor area