



**BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY
RESOLUTION NO. 25 - 18**

CONCERNING LUC-24-00053, A LAND USE CHANGE PERMIT APPLICATION FOR A MINOR IMPACT LAND USE CHANGE FOR A 2-LOT SUBDIVISION LOCATED ON PARCEL # 3787-000-00-109 AND LEGALLY DESCRIBED AS TOWNSHIP 49 NORTH, RANGE 1 WEST, NEW MEXICO PRINCIPAL MERIDIAN: A TRACT OF LAND LOCATED WITHIN THE E1/2 OF SECTION 10, AND IN THE W1/2 OF SECTION 11, TOWNSHIP 49 NORTH, RANGE 1 WEST OF THE NEW MEXICO PRINCIPAL MERIDIAN, SAID TRACT OF LAND ALSO BEING A PORTION OF PARCEL 1 OF THE DOS RIOS RANCHES, INC. AS DESCRIBED IN BOOK 385 AT PAGE 294, ACCORDING TO THE DEED RECORDED SEPTEMBER 9, 2016 AT RECEPTION NO. 641870, COUNTY OF GUNNISON, STATE OF COLORADO

WHEREAS, the Applicant, Dunbar Family Partnership, LLC, proposes the subdivision of Parcel #3787-000-00-109, dividing a 111.05-acre undeveloped parcel into two lots: Tract 1 (7.31 acres) and Tract 2 (102.60 acres). The acreage includes 1.51 acres of County-owned Fairway Lane. No private or public improvements are proposed as part of this subdivision; and

WHEREAS, the parcels can be served by Gunnison County Water and Sanitation District. The County provided a letter stating the following:

The above parcel being subdivided into two parcels located between Fairway Lane and County Road 50 in the Dos Rios Water and Sewer Division of the Gunnison County Water and Sanitation District is located within 400 feet of the Dos Rios Sewer Collection System.

WHEREAS, Tract 1 will be accessed with an existing easement off County Road 50 and Tract 2 will be accessed off Fairway Lane; and,

WHEREAS, the application was sent for referral to Colorado Geological Survey, Gunnison Conservation District, Gunnison Watershed School District, Gunnison County Public Works, Gunnison County Fire Protection District and the City of Gunnison on October 17, 2024. Responses were not received from the following departments/agencies: Gunnison Watershed School District; and,

WHEREAS, pursuant to LUR Section 12-107 *Fire Protection*, the Gunnison County Fire Protection District provided comment:

No fire issues with the subdivision.

WHEREAS, Colorado Geological Survey provided comment as follows:

No geologic hazards are known or suspected to be present that impact the 111.5-acre proposed LUC-24-00053 subdivision. The applicant states that no new uses or structures are planned, and that both tracts will remain in agricultural uses, so CGS has no objection to approval.

WHEREAS, The City of Gunnison Planning and Zoning Commission provided the following



comment in a letter dated December 12, 2024.

The City has the following observations regarding this proposed use:

1. *The Three-Mile Plan (1997) defines the parcel as Moderate Density Residential (1-6 units/acre) and Rural Residential with a density of 1 unit/5-25 acres.*
 2. *The Minor Impact is partially within the Urban Growth Boundary.*
 3. *The Minor Impact proposes to subdivide a 109.91 – acre parcel into two parcels: Tract 1 at 7.31 acres and Tract 2 at 102.6 acres.*
 4. *The site has several existing structures including an equipment shed, livestock shed, hay shed, and utility shed, and corrals; all of which will be within Tract 1 of the subdivision.*
 5. *Adjacent land uses include agricultural, commercial (KOA Campground), residential, Hartman's Castle and industrial park to the east, County Road 38 to the north, and residential to the south and west.*
 6. *The proposed Minor Impact is compatible with the surrounding neighborhood.*
- Based on the above observations and the compatibility of the Minor Impact with the surrounding neighborhood, the Commission supports the Dunbar Family Partnership Subdivision Request; and*

WHEREAS, a Planning Commission work session was held on January 9, 2025 and the Planning Commission directed staff to schedule the public hearing; and,

WHEREAS, a joint public hearing was conducted by the Planning Commission and Board of County Commissioners on March 20, 2025. The Gunnison County Planning Commission approved a Recommendation of conditional approval of the Subdivision and forwarded said Recommendation to the Board of County Commissioners for their review; and

WHEREAS, the Board of Commissioners did, on April 15, 2025, receive and review the Planning Commission's Recommendation and considered the Recommendation in evaluating the request and intends to approve the request by the adoption in full of the Planning Commission's March 20, 2025 recommendation, with the following Findings and Conditions of Approval:

FINDINGS:

The Gunnison County Board of County Commissioners finds that:

1. This application is consistent with the standards and requirements of this Resolution.
2. This review and decision incorporates, but is not limited to, all the documentation submitted to the County and included within the Community Development file relative to this application; including all exhibits, references and documents as included therein.

Conditions of Approval:

1. A mylar subdivision plat, in compliance with Section 6-105, *Gunnison County Land Use Resolution*, shall be provided to the Community Development Department, for signature by the Board of County Commissioners. Approval shall not be effective until and unless the plat is recorded with the Office of the Gunnison County Clerk and Recorder.



2. The approval shall be memorialized by Board Resolution. Approval shall not be effective until the Resolution is recorded with the Office of the Gunnison County Clerk and Recorder.
3. This permit is limited to activities described within the "Project Description" of this application, and as depicted on the Plan submitted as part of this application. Expansion or change of this use will require either an application for amendment of this permit, or submittal of an application for a new permit, in compliance with applicable requirements of the *Gunnison County Land Use Resolution*.
4. This approval is founded on each individual requirement. Should the applicant successfully challenge any such finding or requirement, this approval is null and void.
5. This permit may be revoked or suspended if Gunnison County determines that any material fact set forth herein or represented by the applicant was false or misleading, or that the applicant failed to disclose facts necessary to make any such fact not misleading.
6. The removal or material alteration of any physical feature of the property (geological, topographical or vegetative) relied on herein to mitigate a possible conflict shall require a new or amended land use change permit.
7. Approval of this use is based upon the facts presented and implies no approval of similar use in the same or different location and/or with different impacts on the environment and community. Any such future application shall be reviewed and evaluated, subject to its compliance with current regulations, and its impact to the County.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gunnison County, Colorado, that Land Use Change Permit No. LUC-24-00053 is approved as a Minor Impact Project, subject to each and all conditions, as identified above.

THIS RESOLUTION AND THE APPROVAL GRANTED HEREBY shall not be effective unless and until a copy is recorded in the Office of the Clerk and Recorder of Gunnison County.

INTRODUCED by Commissioner Houck

seconded by Commissioner Smith, and passed on this 15th day of April, 2025.

BOARD OF COUNTY COMMISSIONERS

Laura Puckett-Daniels,
Chairperson

Elizabeth Smith,
Commissioner

Jonathan Houck
Commissioner

ATTEST:
Gunnison County Clerk and Recorder
Deputy County Clerk

