

SPECIAL AREA REGULATIONS GUNNISON SPECIAL AREA

Adopted November 18, 2025

**DISCLAIMER
REGARDING THE ELECTRONIC VERSION OF
THE GUNNISON COUNTY, COLORADO
SPECIAL AREA REGULATIONS**

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These *Gunnison Special Area Regulations* were adopted by the Board of County Commissioners of Gunnison County, Colorado November 18, 2025 (the “effective date of these Regulations”) by Resolution No. 30 Series of 2025.

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SECTION 1. AUTHORITY AND PURPOSE

A. GUNNISON SPECIAL AREA.

1. **TITLE AND AUTHORITY.** The Gunnison Special Area and Gunnison Special Area Regulations have been designated by the Gunnison County Board of County Commissioners (“BOCC”) Regulations (“SAR”) pursuant to Section 1-110: Process for Designating Special Areas of the Gunnison County Land Use Resolution (“LUR”), Resolution 30-2025 as a Special Area.

B. PURPOSE.

1. These Special Area Regulations are intended to ensure development in this area provides appropriate service levels and reflects the community’s goals related to land use, housing opportunities, community character, environmental sustainability, natural hazard mitigation, infrastructure access, access to employment centers and services, and multimodal connectivity. These Special Area Regulations shall be liberally construed to further the following purposes:
 - a. **TO SIMPLIFY THE LUR REVIEW AND APPROVAL PROCESS.** To simplify the LUR review and approval process for real property wholly contained in the Gunnison Special Area.
 - b. **TO CREATE A FRAMEWORK FOR COORDINATED DEVELOPMENT PATTERNS IN THE GUNNISON SPECIAL AREA.** To coordinate development requirements between the City of Gunnison and Gunnison County.
 - c. **TO PROVIDE ADDITIONAL OPPORTUNITIES FOR AFFORDABLE AND ATTAINABLE HOUSING.** To encourage the development of affordable and attainable housing in the Gunnison Special Area in order to further the goals of the Gunnison County Strategic Plan and the Gunnison Valley Housing Needs Assessment.
 - d. **TO PROVIDE OPPORTUNITIES FOR COMPATIBLE COMMERCIAL AND LIGHT INDUSTRIAL USES.** To provide opportunities for neighborhood-scale commercial land uses and light industrial maker spaces, as defined in these Special Area Regulations.
 - e. **TO ENSURE DEVELOPMENT IS SERVED BY ADEQUATE INFRASTRUCTURE.** To locate development in areas where connection to existing and planned infrastructure, including water, sanitation, and roads is possible.
 - f. **TO PROTECT THE ENVIRONMENT, PUBLIC HEALTH, SAFETY AND WELFARE; PUBLIC SERVICES, FACILITIES AND PROPERTY.** To avoid or mitigate potential impacts caused by land development within the Gunnison Special Area, to the environment, to public services and facilities, property and public safety and welfare, and land use within the Gunnison Special Area, to the maximum extent feasible.
 - g. **TO PROTECT LANDS WITH ENVIRONMENTAL VALUE AND NATURAL HAZARDS.** To protect lands with high environmental value or natural hazards by limiting development in these areas.

SECTION 2. APPLICABILITY

A. GUNNISON SPECIAL AREA.

1. The Gunnison Special Area Map is the official map designating the Gunnison Special Area as adopted by the Gunnison County Board of County Commissioners, as amended from time to time.
2. These Special Area Regulations shall apply to all development, including the development of new buildings or structures, expansion of existing uses, and change of the use of land or structures within the Gunnison Special Area, unless otherwise exempted from this title.

SECTION 3. RELATIONSHIP TO GUNNISON COUNTY LAND USE RESOLUTION

A. USES GENERALLY EXEMPT FROM LAND USE RESOLUTION.

Development in the Gunnison Special Area shall be exempt from the standards of the LUR, unless otherwise specified herein, or by Gunnison County.

B. DEFINITIONS.

Terms that are not defined in these Regulations shall be defined pursuant to Article 2: Definitions of the LUR.

C. CONFLICTS.

When there is a conflict between the SAR and the LUR, the LUR shall control.

D. INTERPRETATIONS.

The Gunnison County Community and Economic Development Director shall have the authority to interpret these Regulations, pursuant to Land Use Resolution Section 1-114: Interpretations.

E. TECHNICAL MODIFICATIONS, TAKINGS, APPEAL AND EXCEPTIONS.

LUR Article 8: Technical Modifications, Takings, Appeal and Exceptions shall apply to the SAR.

F. CONSTRUCTION AND WORD USAGE.

Construction and word usage shall be interpreted pursuant to the applicable section(s) of the LUR, including Section 1-111: Construction and Word Usage.

SECTION 4. DEFINITIONS

1. **ANNEXATION.** Annexation is the process by which a city or municipality extends its boundaries to include additional territory.
2. **ARTICULATION, HORIZONTAL.** A method of breaking up large horizontal walls and or masses of a structure through architectural elements.
3. **ARTICULATION, VERTICAL.** A method of breaking up large vertical walls and or masses of a structure through architectural elements.

4. **FAÇADE.** Is the entire vertical plane, including all architectural elements, windows, doors, openings, and design treatments forming the visible exterior surface, of the wall surface as viewed from grade.
5. **FUNCTIONAL TURF.** Turf that is located in a recreational use area or other space that is regularly used for civic, community, or recreational purposes, which may include playgrounds; sports fields; picnic grounds; amphitheaters; portions of parks; and the playing areas of golf courses, such as driving ranges, chipping and putting greens, tee boxes, greens, fairways, and roughs.
6. **GOVERNMENT AND INSTITUTIONAL USES.** A building primarily used by a government entity, educational institution, or a non-profit organization for organized government or institutional uses and supporting uses.
7. **GUNNISON SPECIAL AREA.** Shall mean any of the real property now or hereafter included in the “Gunnison Special Area Map.”
8. **GUNNISON SPECIAL AREA MAP.** Shall mean the official map designating the Gunnison Special Area as adopted by the Gunnison County Board of County Commissioners, as amended from time to time.
9. **GUNNISON SPECIAL AREA PLAN (GUNNISON AREA PLAN or “GAP”).** The Gunnison Special Area Plan is the master planning document for the City of Gunnison Three Mile Area.
10. **LOT AREA, GROSS.** is the total horizontal area of a parcel.
11. **LOT AREA, NET.** is the portion of a parcel that is used for development and to determine the density of the subject parcel.
12. **MAKER SPACE.** A building, parcel, or portion thereof, that provides an area for artists, community members, and patrons to explore ideas, experiment, and create. These can be configured as individual spaces or as a common space. These spaces involve small-scale production, assembly, and fabrication conducted entirely indoors with minimal external impacts, and are a type of light industrial development. Maker Spaces may include the creation of goods, as well as their sale. Residential uses may be combined with Maker Space to create a mixed-use development.
13. **MIXED USE.** The use of a building, parcel, or portion thereof, used for a variety of different land use types. This can be a single building that is used for a mix of uses, such as Neighborhood Commercial and residential, or it can be a single parcel with different buildings or areas used for different uses. In these SAR, Mixed-Use developments shall comply with the standards for Non-Residential Uses.
14. **MULTIPLE-FAMILY RESIDENCE.** means a building that contains three or more residences, but not including hotels, motels, or lodges.
15. **NEIGHBORHOOD COMMERCIAL.** The use of a building, parcel, or portion thereof, for active pedestrian-scale businesses and services primarily intended to serve the immediate needs of the local community. Examples include small shops, galleries, cafes, restaurants, personal services, child care centers, group homes, pharmacies, bakeries, breweries,

distilleries, and the like.

16. **NONFUNCTIONAL TURF.** Turf that is not functional turf.
17. **NON-RESIDENTIAL USES.** These uses are all land uses, not including residential land uses.
18. **PARKS AND OPEN SPACE.** An area dedicated to the public and reserved for recreational, education or scenic purposes.
19. **PEDESTRIAN AMENITY.** These are amenities that create a development pattern that creates safe and comfortable environments for pedestrians.
20. **PRIMARY RESIDENCE.** means the largest single-family residence on a parcel.
21. **RESIDENCE.** means a structure or any part of a structure designed for residential purposes having one or more rooms, not more than one kitchen, and at least one bathroom, that is designed for long-term occupancy by one or more persons for living and sleeping purposes, and that may or may not be placed on a permanent foundation. In addition, residences includes factory-built housing, and alternative construction including, but not limited to, yurts, tepees, or plastic units that comply with the requirements of this Resolution, and, as applicable, with standards of the applicable building code, adopted and amended by Gunnison County. Vehicles, excluding mobile homes, but including recreational vehicles, shall not be considered to be habitable residences.
 - a. **ACCESSORY DWELLING UNIT, ESSENTIAL HOUSING.** means either a detached or attached residence that is subordinate to a Primary Residence, meets the definition of Essential Housing, including a kitchen with food preparation and storage area, sink, stove, and refrigeration, a bathroom with a toilet, sink, and shower or bathtub, a designated area for sleeping, and general living area. All living spaces in the Accessory Dwelling Unit ("ADU") must have adequate natural light and ventilation. ADUs may not be less than 400 sq. ft. in floor area as measured by LUR Section 13-103:E. Measurement of Building Size.
 - b. **DETACHED SECONDARY RESIDENCE.** means a secondary residence that is physically separate from the primary residence.
 - c. **DUPLEX.** means a single building that contains two residences.
 - d. **MULTIPLE-FAMILY RESIDENCE.** means a building that contains three or more residences, but not including hotels, motels, or lodges.
 - e. **PRIMARY RESIDENCE.** means the largest single-family residence on a parcel.
 - f. **SECONDARY OR ACCESSORY RESIDENCE.** means a residence that is an accessory structure to a primary residence, except this shall not include a secondary structure intended only for sleeping, pursuant to LUR Section 9-101: Uses Secondary to a Primary Residence.
 - g. **SINGLE-FAMILY RESIDENCE.** means a building that contains one residence.

22. **SHARED PARKING.** An arrangement in which two or more uses with different peak parking demands (hours of operation) use the same off-street parking spaces to meet their off-street parking standards.
23. **SIDEWALK, ATTACHED.** A pedestrian walkway constructed immediately adjacent to the curb line, without a landscaped buffer or separation between the sidewalk and the street.
24. **SIDEWALK, DETACHED.** A pedestrian walkway constructed parallel to the curb line but separated from the street by a landscaped strip, tree lawn, or buffer area.
25. **TRANSPARENCY.** The amount of fenestration (windows) on buildings that allows the public to see inside from the sidewalk.
26. **URBAN GROWTH BOUNDARY (“UGB”).** Areas eligible for annexation within the City of Gunnison future utility service area as described in the Gunnison Special Area Map.
27. **URBAN TRANSITION AREA, NORTH (“NUTA”).** Areas eligible for pre-annexation within the City of Gunnison utility service area as described in the Gunnison Special Area Map. These areas are generally north of the City boundary and do not extend beyond the Gunnison River to the north.
28. **URBAN TRANSITION AREA, SOUTH (“SUTA”).** Areas not eligible for pre-annexation and located within Gunnison County’s Dos Rios utility service area as described in the Gunnison Special Area Map. These areas are generally south and west of the City boundary.

SECTION 5. DEVELOPMENT REVIEW PROCESS

A. CITY URBAN GROWTH BOUNDARY (“UGB”)

For development located in the Urban Growth Boundary (“UGB”):

1. **CITY OF GUNNISON REVIEW REQUIRED.** City of Gunnison review and approval of development in the UGB is required unless otherwise exempted by this SAR pursuant to the duly adopted Gunnison Area Plan and Intergovernmental Agreement.
2. **PARCELS ELIGIBLE FOR ANNEXATION:** Development in these areas shall be subject to review by the City of Gunnison and shall work with the City to connect to utilities and annex pursuant to the duly adopted Gunnison Area Plan and Intergovernmental Agreement.
3. **PARCELS ELIGIBLE FOR PRE-ANNEXATION:** Any property located in the City Urban Growth Boundary that is not eligible for annexation shall work with the City to connect to utilities and enter into a pre-annexation agreement pursuant to the duly adopted Gunnison Area Plan and Intergovernmental Agreement.
4. **EXEMPTION FROM CITY REVIEW:** The following activities shall be exempt from City annexation requirement and shall be reviewed pursuant to the Gunnison County Land Use Resolution and other applicable regulations in effect at time of application submittal including but not limited to: International Building Code, International Wildland Urban Interface Code, and Gunnison County Public Works Road and Bridge Standards.

- a. **SECONDARY RESIDENCE, ADDITION, NON-HABITABLE STRUCTURE.** Any parcel within the Urban Growth Boundary with a legally established single family residence may construct an addition, secondary residence, or non-habitable structure such as a storage shed or a garage.
- b. **LEGALLY ESTABLISHED CONFORMING AND NONCONFORMING USES AND STRUCTURES.**
 - i. **USE MAY CONTINUE.** Legally established conforming and nonconforming land uses and structures may continue, so long as they remain otherwise legal and comply with the standards of this Section.
 - ii. **REPAIRS AND MAINTENANCE.** Ordinary repairs and maintenance to permit continuation of a legal conforming or nonconforming use and/or structure shall be permitted.
 - iii. **LIMITED EXTENSION OR EXPANSION.** A legal nonconforming use or structure shall not be extended or expanded except as allowed in LUR Section 1-108: B. 3. b: Expansion Shall Not Increase Nonconformance. This prohibition shall be construed to prevent the additional land uses or structures from being used in a nonconforming manner.
 - iv. **EXPANSION SHALL NOT INCREASE NONCONFORMANCE.** A legal nonconforming use or structure shall only be extended, expanded or altered in a manner that does not expand, or that decreases, the nonconforming use or aspect.
 - v. **FORCE MAJEURE.** Replacement of a portion of or the entirety of a structure that was damaged and/or demolished due to circumstances beyond the control of the property owner, also known as an “act of God”, including but not limited to fire or flood.

B. NORTH URBAN TRANSITION AREA

These areas are in Gunnison County that are not immediately eligible for annexation but are within the City of Gunnison utility service area. These areas are appropriate for potential annexation when they become eligible. Growth will be focused in these areas to leverage existing infrastructure, community services, and enhance the greater community.

- 1. **APPLICABILITY.** New development is subject to these SAR and shall work with the City of Gunnison to connect to utilities unless otherwise exempted by this title.
- 2. **CITY REVIEW REQUIRED FOR UTILITY AND INFRASTRUCTURE CONNECTIVITY.** Parcels in this area shall meet with the City to create a pre-annexation agreement for connectivity to current and future city utilities and to ensure compliance with Titles 9 and 12 of the City of Gunnison Municipal Code.
- 3. **EXEMPTION FROM THESE SPECIAL AREA REGULATIONS**
 - a. **SINGLE FAMILY RESIDENCE.** Development of an existing vacant lot as of the effective date of these SAR with a single-family residence shall be reviewed pursuant

to the LUR and not subject to these SAR. City of Gunnison pre-annexation shall not be required.

- b. **SECONDARY RESIDENCE, ADDITION, NON-HABITABLE STRUCTURE.** Any parcel within the North Urban Transition Area with a legally established single-family residence as of the effective date of these SAR may construct an addition, secondary residence, duplex, accessory dwelling unit, or non-habitable structure such as a storage shed or a garage, without triggering the requirements of these SAR. City of Gunnison pre-annexation shall not be required.

- c. **LEGALLY ESTABLISHED CONFORMING AND NONCONFORMING USES AND STRUCTURES.**
 - i. **USE MAY CONTINUE.** Legally established conforming and nonconforming land uses and structures may continue, so long as they remain otherwise legal and comply with the requirements of this Section.

 - ii. **REPAIRS AND MAINTENANCE.** Ordinary repairs and maintenance to permit continuation of a legal conforming or nonconforming use and/or structure shall be permitted.

 - iii. **LIMITED EXTENSION OR EXPANSION.** A legal nonconforming use or structure shall not be extended or expanded except as allowed in LUR Section 1-108: B. 3. b: Expansion Shall Not Increase Nonconformance. This prohibition shall be construed to prevent the additional land uses or structures from being used in a nonconforming manner.

 - iv. **EXPANSION SHALL NOT INCREASE NONCONFORMANCE.** A legal nonconforming use or structure shall only be extended, expanded or altered in a manner that does not expand, or that decreases, the nonconforming use or aspect.

 - v. **FORCE MAJEURE.** Replacement of a portion of or the entirety of a structure that was damaged and/or demolished due to circumstances beyond the control of the property owner, also known as an “act of God”, including but not limited to fire or flood.

C. SOUTH URBAN TRANSITION AREA

These areas are in Gunnison County and are not expected to be annexed into the City. They are served by County utilities and may be served by City electric services. These areas are appropriate for potential annexation if and when they become eligible. Growth will be focused in these areas to leverage existing infrastructure, community services, and community characteristics to benefit future development.

- 1. **APPLICABILITY.** Development is subject to these Special Area Regulations.

- 2. **PRE-ANNEXATION NOT REQUIRED.** Parcels located within the Dos Rios utility service area are not required to annex into the City or sign a pre-annexation agreement.

- 3. **EXEMPTION.**

- a. **SECONDARY RESIDENCE, ADDITION, NON-HABITABLE STRUCTURE.** Any parcel within the South Urban Transition Area with a legally established primary residence may construct an addition, secondary residence, duplex, accessory dwelling unit, or non-habitable structure such as a storage shed or a garage, without triggering the requirements of this SAR.
- b. **LEGALLY ESTABLISHED CONFORMING AND NONCONFORMING USES AND STRUCTURES.**
 - i. **USE MAY CONTINUE.** Legally established conforming and nonconforming land uses and structures may continue, so long as they remain otherwise legal and comply with the requirements of this Section.
 - ii. **REPAIRS AND MAINTENANCE.** Ordinary repairs and maintenance to permit continuation of a legal conforming or nonconforming use and/or structure shall be permitted.
 - iii. **LIMITED EXTENSION OR EXPANSION.** A legal nonconforming use or structure shall not be extended or expanded except as allowed in LUR Section 1-108: B. 3. b: Expansion Shall Not Increase Nonconformance. This prohibition shall be construed to prevent the additional land uses or structures from being used in a nonconforming manner.
 - iv. **EXPANSION SHALL NOT INCREASE NONCONFORMANCE.** A legal nonconforming use or structure shall only be extended, expanded or altered in a manner that does not expand, or that decreases, the nonconforming use or aspect.
 - v. **FORCE MAJEURE.** Replacement of a portion of or the entirety of a structure that was damaged and/or demolished due to circumstances beyond the control of the property owner, also known as an “act of God”, including but not limited to fire or flood.

D. RURAL TRANSITION AREA

These areas are located in proximity to the City of Gunnison, but do not have immediate adjacency to the City boundary or City utilities. The Rural Transition Area provides a critical buffer between developed and rural lands. Its purpose is to manage growth at a rural scale while maintaining scenic quality, protecting environmental resources, and preserving agricultural viability. Development in these areas is limited and regulated under the existing Gunnison County Land Use Resolution. Urban infrastructure and annexation are not expected. Growth will consist primarily of single-family residences and shall be compatible with the surrounding rural landscapes.

1. **APPLICABILITY.** Development in these areas is subject to the Gunnison County Land Use Resolution. The review standards of this SAR shall not apply. The Rural Transition Area is intended to prevent leapfrog development, preserve viewsheds and rural identity by:
 - a. Preserving open lands near the City to retain the rural character of the community.
 - b. Limit sprawl.

- c. Mitigate hazards through strategic preservation and targeted risk management for long term resilience and protection.
- d. Protecting and maintaining prime locations for agriculture and arrange development to provide opportunities for integration with prime conserved lands.
- e. Growth that supports compact communities and community connectivity.

E. RURAL AREA

These are areas within the Three-Mile boundary that are prioritized for preservation. These areas include lands having high ecological value, lands that are on ridgelines, critical wildlife habitat and migration corridors and hazardous lands. These areas are generally not appropriate for new development. Rural areas are landscapes that should remain free of most development within the Three-Mile Plan because they hold ecological, scenic, and agricultural value. These areas are intended to remain largely undeveloped to support habitat protection, wildfire risk mitigation, and long-term land conservation. New development is generally discouraged. When allowed, it is limited to very low-intensity uses, such as one single-family residence. These areas are not intended for urban services or infrastructure expansion.

- 1. **APPLICABILITY.** Development in these areas is subject to the Gunnison County Land Use Resolution. The review standards of this SAR shall not apply.

SECTION 6. GENERAL STANDARDS.

A. APPLICABILITY.

The following standards shall apply to the North Urban Transition Area and South Urban Transition area.

B. BUILDING PERMIT REQUIRED.

The applicant shall submit a building permit application demonstrating compliance with the applicable standards of this SAR.

C. COMPLIANCE WITH THE LUR.

Development shall comply with applicable requirements of the Gunnison County Land Use Resolution.

D. PERMITTED LAND USES.

The following land uses are permitted without additional review.

- 1. **GOVERNMENT AND INSTITUTIONAL USES.**
- 2. **NEIGHBORHOOD COMMERCIAL:** Neighborhood Commercial uses shall comply with LUR Section 9-301: D but do not require additional review.
- 3. **MIXED USE:** Mixed Uses shall comply with LUR Section 9-301: D but do not require additional review.
- 4. **MAKERSPACE:** Makerspace uses shall comply with LUR Section 9-301: D but not require

additional review.

5. RESIDENTIAL USES.

6. ADMINISTRATIVE REVIEW PROJECTS THAT DO NOT REQUIRE LAND USE CHANGE PERMITS. The following projects are permitted pursuant to LUR Section 4-102: Projects Classified as Administrative Review Projects that do not Require Land Use Change Permits:

- a. Barns and Other Agricultural Buildings on an Agricultural Operation
- b. Fences
- c. Gardens And Greenhouses
- d. One 200 Sq. Ft. Storage Shed
- e. Barns In Approved Subdivisions
- f. Gardens And Greenhouses That Are Home Occupations
- g. Pools and Recreation Facilities
- h. Special Events
- i. Temporary Structures
- j. Satellite Dishes
- k. Attached Wireless Telecommunications Device
- l. Keeping of Livestock Not on an Agricultural Operation
- m. Distribution or Service Line to Primary Residence
- n. Alteration and Repair of Existing Service Lines or Distribution Lines

E. PROHIBITED LAND USES.

- 1. Adult-Oriented Uses
- 2. Construction of a Residential Access on a Vacant Parcel of Land Prior to Issuance of a Building or On-Site Wastewater Treatment System Permit
- 3. Marijuana Cultivation, Manufacturing or Testing Facility

F. ADMINISTRATIVE PROJECTS THAT REQUIRE A LAND USE CHANGE PERMIT

- 1. **APPLICABILITY.** The following developments shall be reviewed as an Administrative Land Use Change Permit pursuant to LUR Article 5: Administrative Review Projects that Require Land Use Change Permits.

- a. **SUBDIVISION.**
 - b. **MORE THAN ONE HOME OCCUPATION**
 - c. **BOUNDARY LINE ADJUSTMENT**
 - d. **LOT CLUSTER**
 - e. **CORRECTION OF PLAT**
 - f. **ALTERATION OF APPROVED BUILDING ENVELOPES**
 - g. **SUBDIVISION EXEMPTION TO VALIDATE AN EXISTING LOT**
 - h. **SUBDIVISION PLAT VACATION, AMENDMENT OR REPLAT**
 - i. **PLAT FOR APPROVED CONDOMINIUMS/TOWNHOME PROJECT**
 - j. **AMENDMENT OR TERMINATION OF SUBDIVISION COVENANTS**
- 2. REVIEW PROCESS.** Applications shall comply with the process identified in LUR Section 5-104: Administrative Review Project Application unless otherwise specified by this title.
- a. **PUBLIC NOTICE.** Administrative Review Projects shall not be required to post public notice or public hearing.
- 3. REVIEW STANDARDS.** The following standards shall apply to Administrative Land Use Review Projects that Require a Land Use Change Permit.
- a. **LUR COMPLIANCE.** Projects shall comply with all the other applicable requirements of the LUR.
 - b. **COMPLIANCE WITH SPECIFIC STANDARDS.** In addition, the following standards shall apply to individual types of Administrative Review Projects.
 - i. **SUBDIVISION.** All applications for subdivision shall comply with the following additional standards: Section 6-105 of the LUR, Submittal For Final Action For Minor Impact Project.

G. MINOR IMPACT PROJECTS

The following projects are classified as and shall be reviewed as a Minor Impact Project pursuant to LUR Article 6: Minor Impact Projects:

- 1. EIGHTEEN (18) OR MORE UNITS PER ACRE.** Development that proposes eighteen (18) or more Subdivision, Residential, Commercial, or Maker Space Units per acre.
- 2. FREESTANDING WIRELESS TELECOMMUNICATIONS DEVICES**
- 3. TRANSMISSION LINES**

4. COMMERCIAL WEDDING SITE

H. APPLICABLE COUNTY LAND USE RESOLUTION STANDARDS.

Development shall comply with the following sections from the Gunnison County LUR, as may be amended:

1. Article 1: General Requirements.
 - a. Section 1-104: Permits Required
 - b. Section 1-105: Sections Necessary for Immediate Preservation of Public Health, Safety, Welfare, and the Environmental and Wildlife Resources
 - c. Section 1-106: Partially Exempt Land Use Changes
 - d. Section 1-108: Nonconforming Uses
 - e. Section 1-109: Vested Property Rights
 - f. Section 1-110: Process for Designating Special Areas
 - g. Section 1-111: Construction and Word Usage
 - h. Section 1-112: Use of Maps
 - i. Section 1-113: Amending this Land Use Resolution
2. Article 2: Definitions, unless otherwise defined by these SAR.
3. Article 3: General Review Process with exceptions noted in these SAR.
4. Article 8: Technical Modifications, Taking, Appeals and Exceptions.
5. Article 11: Resource Protection Standards.
6. Article 12: Development Infrastructure Standards
 - a. Section 12-102: Applicability and Overview
 - b. Section 12-103. Road System
7. Article 13: Project Design Standards.
 - a. Section 13-103:E. Measurement of Building Size
 - b. Section 13-103:F: Minimum Residence Floor Area
 - c. Section 13-103: Height Measurements
 - d. Section 13-104:B Measurement

- e. Section 13-107: Installation of Solid Fuel-Burning Devices
 - f. Section 13-109: Signs
 - g. Section 13-112: Snow Storage
 - h. Section 13-113: Fencing
 - i. Section 13-114: Exterior Lighting
 - j. Section 13-115: Reclamation and Noxious Weed Control
 - k. Section 13-118: Water Impoundments
- 8. Article 15: Right-to-Ranch Policy.
 - 9. Article 16: Enforcement.

I. DIMENSIONAL STANDARDS.

Table I. Dimensional Table applies to development located in the North and South Urban Transition Areas.

- 1. **NET LOT AREA.** Net Lot Area shall be used to determine the number of units described in Table I. Dimensional Table. Net Lot Area shall exclude the following from the Gross Lot Area:
 - a. **WETLANDS AND WATERBODIES.** Areas defined as a Water Body, Wetland, and the Inner Restrictive Buffer where development is generally prohibited pursuant to LUR Section 11-107: Protection of Water Quality.
 - b. **IRRIGATION DITCH EASEMENTS.** Irrigation ditch easements required by LUR Section 15-103:A.6.a. Irrigation Ditch Easements. Improvements may be placed within an Irrigation Ditch Easement pursuant to LUR Section LUR Section 15-103:A.6.a. Irrigation Ditch Easements.
 - c. **RIGHTS-OF-WAY AND ACCESS EASEMENTS.** Areas within any public or private access easement or right-of-way.
 - d. **PUBLIC TRAIL, TRAIL EASEMENT, PARKS AND OPEN SPACE.** Areas within any public trail or trail easement, either platted, deeded or otherwise conveyed to the County.
- 2. **MAXIMUM DENSITY.** A development application is not automatically entitled to the maximum density and/or floor area allowed in the SAR in which the land is located. Density and permitted floor area shall be established based upon compliance with adopted standards and consideration of adopted plans and policies.
- 3. **VARIANCE.** Setback variances may be requested pursuant to LUR Section 13-105: E. Variance from this Section.

TABLE 1. DIMENSIONAL TABLE

Use Classification	Maximum Floor Area ¹ (sq. ft) Per Unit	Maximum Net Lot Area in Sq. Ft. (Residential: per Residential Unit; Non-Residential per Building)	Maximum Building Height	Off-Street Parking Spaces (Residential per Residential Unit; Non-Residential per 1,000 sq ft of Net Leasable)	Building Setbacks ²				Minimum Build-to-Line	Units Per Net Acre	
					Front	Street Side	Interior Side	Rear		Minimum	Maximum**
Residential Uses											
Single Family	5,000	11,000	30'	Min: 1 Space Max: 2 Spaces	10'	5'	5'	5'	At least 50% of the street-facing building façade shall be at the front setback line	7	17
Duplex	2,500	6,000	35'								
Multi Family	2,500 ³	N/A	40'								
Mobile Home Communities	5,000	See LUR Division 9-202: <i>Mobile Home Communities</i>									
Non-Residential Uses											
Neighborhood Commercial	10,000	10,000	35'	Min: 1 Space Max: 3 Spaces	0'	0'	5'	0'	At least 50% of the street-facing building shall be at the minimum setback line	N/A	20
Makers Space	6,500	8,000	35'	Min 1 Space Max: 4 Spaces; plus 1 Space for each Residential Unit	0'	0'	5'	5'			

¹ Aggregate floor area per lot subject to LUR Section 13-105:C *Parcels Smaller than 6,500 Sq. Ft.* and LUR Section 13-105:C *Parcels Larger than 6,500 sq. ft.*

² Setback may be increased to 15' along contiguous parcel boundaries with a single-family residential neighborhood established prior to the adoption of these SAR.

³ Floor area per multi-family residential unit is aggregate and inclusive of unit and non-unit floor area including but not limited to mechanical, egress, and common area(s).

SECTION 7. ESSENTIAL HOUSING.

Essential Housing, as defined by the Gunnison County Land Use Resolution and as acceptable by the Gunnison County Housing Authority, shall meet the following standards.

A. EXEMPTIONS.

1. **ONE TO FOUR RESIDENTIAL UNITS.** Projects that include one (1) to four (4) residential units shall not have a requirement for Essential Housing.

B. REQUIRED ESSENTIAL HOUSING.

1. **FIVE TO TEN RESIDENTIAL UNITS.** Projects with five (5) to ten (10) residential units shall provide a minimum of ten percent (10%) or at least one unit, whichever is greater, of the residential units as Essential Housing.
2. **ELEVEN TO SEVENTEEN RESIDENTIAL UNITS.** Projects with eleven (11) to seventeen (17) residential units shall provide a minimum of twenty-percent (20%) of the residential units as Essential Housing.
3. **EIGHTEEN OR MORE RESIDENTIAL UNITS.** Projects in the Urban Transition Area that include eighteen (18) or more residential units per acre shall provide a minimum of thirty percent (30%) of the residential units provided as Essential Housing.
4. **FRACTIONAL UNITS.** When the required number of Essential Housing Units does not equal a whole or half number, the required number shall be rounded to the nearest half or whole unit number.

C. ESSENTIAL HOUSING STANDARDS.

1. **NEIGHBORHOOD INTEGRATION OF ESSENTIAL HOUSING.** To the maximum extent feasible, Essential Housing units shall be dispersed throughout the development to ensure an economically diverse and vibrant neighborhood.
2. **ACCESSORY DWELLING UNITS.** An Essential Housing Accessory Dwelling Unit may be counted as a half (0.5) unit of essential housing so long as it otherwise meets the Essential Housing definition.
3. **PROVISION OF ESSENTIAL HOUSING.** Housing shall be provided in any combination of the following:
 - a. **PHYSICALLY CONSTRUCTED UNITS.** The provision of physical units shall not be considered satisfied until all units provided as required Essential Housing have received a Certificate of Occupancy; or,
 - b. **DEDICATION OF LAND.** Dedication of land to Gunnison County that is of market-rate equivalent to the required percental of Essential Housing Units; or,
 - c. **FEE-IN-LIEU:** Fee-in-lieu equal to the required number of Essential Housing Units according to the most recent adopted fee-in-lieu study (as may be amended from

time to time).

SECTION 8. DEVELOPMENT REVIEW STANDARDS.

Standards, allowances, and limitations apply to development in the North Urban Transition Area and the South Urban Transition Area. Where there are different requirements for the North Urban Transition Area or South Urban Transition Area, these are identified.

A. SUBDIVISION DESIGN.

1. **GENERAL.** Parcels shall be arranged within a connected block and street system.
2. **RECTANGULAR BLOCKS.** Blocks shall be rectangular in form to the maximum extent practicable.
3. **BLOCK LENGTH.** Block lengths shall not exceed 600 feet between street intersections.
4. **PARCEL CONNECTION TO STREET.** All parcels shall have a front lot line facing a street.
5. **ALLEYS.** Alleys are encouraged to provide secondary access and to reduce driveway interruptions along primary streets.
6. **PARCEL WIDTH.**
 - a. **RESIDENTIAL.** Residential parcels shall have a minimum front lot line width of 25 feet.
 - b. **NONRESIDENTIAL.** Non-residential or mixed-use parcels shall have a minimum front lot line width of 20 feet.
7. **PARCEL DEPTH.** Parcel depth shall be sufficient to accommodate traditional building forms, with a minimum of 80 feet and a maximum depth-to-width ratio of 3:1.

B. UTILITY REQUIREMENTS.

All development in Urban Transition Areas shall comply with the following requirements.

1. **GENERAL.**
 - a. **LOCATION OF NEW UTILITIES.** All utility connections, including all electrical, cable, fiber optic and telephone connections and installation of wires to buildings, shall be placed underground from the nearest available power source.
2. **NORTH URBAN TRANSITION AREA.** Development within the North Urban Transition Area shall be subject to the following standards.
 - a. **GENERAL.** Prior to the issuance of any building permit, all necessary utilities, facilities and services, as required by City of Gunnison Land Development Code ("LDC") Div. 15.4.011 Adequate Public Facilities, shall be in place and available to serve the new development.

- b. **WATER.** Connection to City of Gunnison water service is required and shall be at the sole expense of the developer.
 - c. **SEWER.** Connection to an existing county or municipal central sewer service is required. Connection shall be at the sole expense of the developer.
 - d. **ELECTRIC.** Connection to the City of Gunnison electric utility is required and shall be at the sole expense of the developer.
3. **SOUTH URBAN TRANSITION AREA.** Development within the South Urban Transition Areas shall be subject to the following requirements.
- a. **WATER.** Connection to a central water source provider is required and shall be at the sole expense of the developer.
 - b. **SEWER.** Connection to a public central sewer service is required. This connection can be to an existing municipal or other special district central sewage service, or through an extension of an existing central sewage service. Connection shall be at the sole expense of the developer.

C. TRANSPORTATION.

The requirements of this section identify transportation related improvements, including streets, transit, parking, and pedestrian and bicycle facilities.

1. STREETS.

- a. **VEHICULAR ACCESS.** Vehicular access points in the Urban Transition Areas shall be minimized to support pedestrian connectivity and are encouraged to be concentrated at mid-block locations.
 - b. **NORTH URBAN TRANSITION AREA:** A pre-annexation agreement shall be required with the City of Gunnison. The pre-annexation agreement will require compliance with Titles 9 and 12 of the City of Gunnison Municipal Code.
 - c. **SOUTH URBAN TRANSITION AREA:**
 - i. **COMPLIANCE WITH COUNTY STANDARDS.** All development in this area is subject to LUR Section 12-103: Road System and the Gunnison County Standards and Specifications for New Construction of Roads and Bridges.
 - ii. **ON-STREET PARKING.** Street design shall include on-street parking acceptable to Gunnison County Public Works.
 - iii. **SNOW REMOVAL.** Street design shall consider adequate space for snow removal operations acceptable to Gunnison County Public Works.
 - iv. **PUBLIC ACCESS.** Streets shall be dedicated to the public.
2. **TRANSIT.** This section applies to all development of five (5) or more units or lots. Individual single family and duplex residential units are exempt from these requirements.

- a. **TRANSIT SERVICE CONNECTIVITY.** In areas where transit services are anticipated within the next 5–10 years as part of an adopted plan by Gunnison County, the City of Gunnison, RTA, CDOT or other relevant governmental body, the development plan shall include considerations for future transit corridors, considering pedestrian connectivity to future bus stops, transit stations, and infrastructure such as bike lanes or pedestrian paths.
3. **PARKING.** This section applies to any Land Use Change Permit, all new development and any addition to an existing building in the Urban Transition Area.
- a. **REQUIRED NUMBER OF PARKING SPACES.** The number of required parking spaces shall be determined pursuant to Table 1. Dimensional Standards.
 - b. **SHARED PARKING STANDARDS.** Required off-street parking spaces shall be located on the same lot as the structure or business the spaces are intended to serve. Shared parking is permitted, pursuant to the following:
 - i. All developments involved in the shared parking must be located within a 1/8 to a 1/4 mile from the shared parking, measured from the entrance of the use to the nearest parking space within the shared parking lot.
 - ii. The site or sites involved must contain two or more separate and distinct building activities or functions which, by their nature, can use shared parking without having an adverse impact on traffic circulation or without impairing the overall functioning of the site or sites.
 - iii. Shared parking may be required by Gunnison County Community Development to be set forth in an instrument recorded with the Gunnison County Clerk and Recorder, describing the lands affected by the agreement to ensure unified operation, control, and continuation of multiple use or shared parking facilities.
 - c. **ON-STREET PARKING.** On-street parking adjacent to a commercial use can be used to meet the parking standards required in Table 6-2. Parallel parking is preferred over head-in parking, and head-in parking is preferred over diagonal parking.
 - d. **STREET-FACING PARKING LOTS PROHIBITED.** Street-facing parking lots are prohibited and parking lots shall be placed behind buildings. Where placement behind buildings is not possible, they shall be located at the rear of the property.
 - e. **SINGLE-FAMILY AND DUPLEX OFF-STREET PARKING LOCATION.** For single-family and duplex lots, off street parking shall be setback from the front-most façade of the building or accessed from a rear or side alley. A driveway is permitted between a street and a garage.
 - f. **PARKING SPACE STANDARDS.** All parking spaces shall not be less than 9 feet in width and 18 feet in length, except that:
 - i. **COMPACT PARKING.** Up to 20% of parking spaces may be compact parking spaces, which shall measure not less than 7.5 feet in width and 15 feet in length.

- g. **PARKING GARAGE STANDARDS.** All parking provided in a common parking garage shall have a minimum clearance of 8 feet in height.
- h. **ACCESSIBLE PARKING STANDARDS.** Accessible spaces shall be provided in accordance with the Americans with Disabilities Act (“ADA”) Accessibility Standards for parking space size and quantities or as required during site plan review.
- i. **COMMERCIAL PARKING PROHIBITED.** Parking shall be subordinate to the primary development. Commercial parking facilities are not permitted.
- j. **PARKING CALCULATION STANDARDS.** Developments shall comply with the following parking calculation standards:
 - i. Developments containing more than one use shall provide parking spaces in an amount equal to the total of the requirements for all uses.
 - ii. Where fractional spaces result, the required parking spaces shall be construed as the next highest whole number.
- k. **LOADING AREAS.**
 - i. Loading facilities are prohibited from being located on street-facing facades and shall be co-located and screened when possible.
 - ii. Off-street loading spaces shall be located on the same lot as the building or use served and shall not be located within a parking space or an access way or circulation aisle.

4. BICYCLE FACILITIES. This section applies to all development of five (5) or more units or lots.

- a. **LOCATION.** Bicycle racks shall be located on private property whenever possible. Racks may be located within a public or private right-of-way only if there is a clear pedestrian pathway meeting ADA requirements.
- b. **BICYCLE PARKING REQUIRED.** For projects with 21 or more vehicular parking spaces, bicycle parking shall be provided. Bicycle parking shall comply with the following:
 - i. Bicycle parking shall consist of racks, lockers, or other storage systems providing a safe and secure means of storing a bicycle;
 - ii. Provide bike parking for one-half the number of vehicular parking spaces (i.e. if 10 parking spaces are required, 5 bike spaces are also required);
 - iii. Be directly accessible from travel surfaces; and
 - iv. Be located a maximum of twenty-five (25) feet from the building’s main entrance.

5. PEDESTRIAN FACILITIES.

a. **APPLICABILITY.** This section applies to all development of five (5) or more units or lots.

b. SIDEWALK STANDARDS.

- i. **SIDEWALK REQUIRED.** Sidewalks shall be constructed along all public and private streets within and abutting a development.
- ii. **SIDEWALK WIDTH.** A minimum six (6) foot sidewalk shall be provided for all sidewalks located within the right-of-way.
- iii. **ACCESSIBILITY.** Sidewalks shall meet ADA accessibility requirements.
- iv. **SIDEWALK CIRCULATION.** Sidewalks shall connect building entrances to parking areas, open spaces, and other pedestrian circulation routes within the development.
- v. **SIDEWALK LOCATION.** Sidewalks shall be located within the public right-of-way or within a recorded pedestrian easement adjacent to the right-of-way.
- vi. **DETACHED SIDEWALKS.** A detached sidewalk shall be required for all new development adjacent to the right-of-way along Highway 135 and collector streets. The buffer shall be a minimum of three (3) feet and a maximum of six (6) feet. This area may be used for snow storage and may include vegetation, gravel, or xeriscape.
- vii. **ATTACHED SIDEWALKS.** Secondary or residential streets do not require a vegetative buffer between the sidewalk and edge of street. A vegetative buffer between the street and sidewalk may be included on secondary or residential streets at the discretion of the developer.
- viii. **SIDEWALK MATERIALS.** Sidewalk material shall be constructed of firm, stable, and smooth surface free of tripping hazards, irregular joints, or loose materials as acceptable by Gunnison County.

D. LANDSCAPING.

1. REQUIRED DESIGN ELEMENTS. The following standards shall be met.

- a. Nonfunctional Turf areas shall be prohibited. These areas may include medians and areas that receive little, if any, use.
- b. All properties shall manage Noxious Weeds in compliance with the Colorado Noxious Weed Act (35-5.5 CRS, 2003).
- c. Landscaping shall comply with all applicable wildfire codes, as amended and adopted by Gunnison County.

2. LANDSCAPE BUFFERS.

- a. **APPLICABILITY.** New development shall provide buffers to existing single-family residential neighborhoods established prior to the adoption of these SAR.
 - b. **BUFFER LOCATION.** A landscaped buffer shall be provided along property lines adjacent to single-family neighborhoods and subdivisions.
 - c. **BUFFER MATERIALS.** Buffers may include trees, shrubs, or fences to screen views and provide privacy.
 - d. **OPEN SPACE AND AMENITY AREAS.** Open space or amenity areas may be used to provide additional separation between higher-density development and single-family residences.
3. **GENERAL DESIGN GUIDELINES.** Whenever possible, landscaping shall incorporate the following low-water principles and practices to reduce water consumption:
- a. Plant landscaping trees, shrubs and forbs from the Colorado State University Extension Office drought resistant plant list.
 - b. Locate plant materials with similar water needs in the same area.
 - c. Utilize soil amendments that enhance the ability of the soil to conserve moisture, such as organic matter, and certain fertilizers and polymers.
 - d. Use rock or non-flammable natural materials to keep moisture in the soil around the planted materials and to control weeds.
 - e. Irrigation shall be minimized. When included, an automatic irrigation system shall be designed and installed to provide maximum efficiency. The system should be adjustable to meet actual precipitation requirements of the various planting zones and should operate only when necessary. The type of irrigation components should be selected to meet the needs of the type of planting.

E. STORMWATER DETENTION AND TREATMENT.

- 1. **APPLICABILITY.** All non-residential development, and development in areas within one hundred (100) feet of a waterbody, as defined by the LUR Section 13-117 Drainage, Construction and Post-Construction Storm Water Runoff, in Urban Transition Areas shall comply with the following requirements.
- 2. **NORTH URBAN TRANSITION AREA.** Development within the North Urban Transition Area shall be subject to the following requirements.
 - a. **CITY OF GUNNISON DEVELOPMENT STANDARDS.** Prior to the issuance of any building permit, all necessary stormwater detention and treatment facilities and services, as required by City of Gunnison LDC Div. 15.4.011 Adequate Public Facilities, shall be in place and available to serve the new development.

- i. **STORMWATER DESIGN.** Stormwater design shall comply with Section 700, Storm Sewer, Culvert & Irrigation System Specifications, of the City of Gunnison Construction Standards.
 - ii. **CITY OF GUNNISON STORMWATER MANAGEMENT PLAN.** All development shall provide adequate surface, subsurface, and road storm drainage facilities and appurtenances as required by the City of Gunnison Stormwater Management Plan, as it may be amended.
- b. **STORMWATER DETENTION CAPACITY.** Permanent stormwater detention facilities are required to be multipurpose facilities designed to detain flows to historic peak discharge rates and to provide water quality benefits. Runoff after construction shall not exceed the level of runoff that occurred before construction.
 - c. **COMPLIANCE WITH OTHER REGULATIONS.** All development is required to meet or exceed the standards of the City of Gunnison, the Colorado Department of Public Health and Environment, and the U.S. Environmental Protection Agency with regard to water pollution control, stormwater control, and stormwater management. It is both the property owner's and applicant's responsibility to ensure compliance with state and federal regulations.
3. **SOUTH URBAN TRANSITION AREA.** All development within the South Urban Transition Area shall be subject to LUR Section 13-117: Drainage, Construction and Post-Construction Storm Water Runoff.

F. PARKS AND TRAILS

1. PARKS.

- a. **APPLICABILITY.** This section applies to all development of eleven (11) or more residential units or lots. Individual single family and duplex residential units are exempt from these requirements.
- b. **MINIMUM AND MAXIMUM AREA.** Parks shall be a minimum of 1,000 sq. ft and a maximum of 1/2 acre.
- c. **ACCESS.** Parks should be accessible by pedestrian, bicycle, and vehicles.
- d. **COMBINED USE PROHIBITED.** The park area(s) shall not include any area designated as a roadway, unit space, storage area, or snow storage.
- e. **PARK DEDICATION.** Parks shall be dedicated for public use.
- f. **UTILITY EASEMENTS.** Parks shall permit subgrade utility easements without limitation.

2. TRAILS.

- a. **APPLICABILITY.** This section applies to all development of eleven (11) or more residential units or lots. Individual single family and duplex residential units are

exempt from these requirements.

- i. **LOCATION.** Trails should be provided in the locations shown on the Gunnison Metropolitan District Recreation Master Plan that identify future trail locations.
 - ii. **NEIGHBORHOOD CONNECTIVITY.** Where determined by the Community Development Director to be necessary to link the property to schools, shopping areas, parks, trails, greenbelts, and other public facilities, to the maximum extent practicable; and
 - iii. **PUBLIC RIVER ACCESS CONNECTIVITY.** Where determined by the Community Development Director to be necessary to provide public access and fishing easements to adjacent lakes, rivers, and streams, to the maximum extent practicable and consistent with state law.
- b. **DIMENSIONAL STANDARDS.** Trails shall be a minimum 15-foot right-of-way or easement dedicated for public use and have a minimum 8-foot-wide treadway surface which should be centered on the easement center line.
 - c. **DEDICATION FOR PUBLIC USE.** Trails shall be dedicated for public use.
 - d. **CO-LOCATION OF OTHER IMPROVEMENTS OR DEDICATIONS.** The trail easement may overlap and include property previously included in other easements such as ditch, canal, utility and conservation easements, and public or private open space, provided it does not compromise the purpose or functional use of any easement with which it overlaps.
 - e. **SUBGRADE UTILITY EASEMENTS.** Trails shall permit subgrade utility easements without limitation.
 - f. **TRAIL ACCESS.** Access to the trail should be provided within the subject property or from the subdivision and be fully accessible to the general public during reasonable hours.
 - g. **ACCESSIBILITY REQUIREMENTS.** All trails should be designed and constructed in accordance with the ADA.
3. **MAINTENANCE REQUIREMENTS.** For any Park, Trail, or Open Space, the following maintenance requirement applies.
- a. **RESPONSIBILITY.** The long-term maintenance of all designated parks, trails and open space shall ensure the safety and longevity of the improvements. All improvements shall be owned and maintained as public areas by the developer, owner of the property, or an organization established for its ownership and maintenance, unless otherwise approved by the County Community and Economic Development Department.
 - b. **ACCEPTANCE.** Parks and trails shall dedicated to and accepted by Gunnison County.

SECTION 9. DESIGN STANDARDS

Development within the urban transition areas are subject to the following design standards.

A. MINIMUM STANDARDS.

These design standards are intended to ensure a minimum level of design is achieved. If an alternate design can be shown to meet the intent of these standards, or where it can be shown that strict compliance with these standards would cause negative environmental impacts or would result in adverse conditions on- or off-site because of unusual topography, size or shape of the lot, existing vegetation, or other exceptional situations or condition, then the County shall have authority to accept the alternative. The evaluation shall consider whether the alternative will provide for an equivalent level of public safety and whether the alternative will be equally durable, so that normally anticipated maintenance costs will not be increased.

B. DESIGN STANDARDS.

1. **BUILDING PLACEMENT AND ORIENTATION.** All buildings should be oriented to the street where one exists. All building facades shall be oriented to be parallel to the adjacent street.
2. **DEVELOPMENT PATTERN.** New development shall be designed to respect the character and scale of adjacent neighborhoods. Higher-density or taller buildings shall be located toward the interior of a site, with appropriate buffering, stepbacks, or transitions provided where development abuts existing single-family homes. The intent of this section is to reduce abrupt changes in scale, maintaining a gradual shift from higher-density or taller buildings to existing single-family residential neighborhoods.
 - a. **APPLICABILITY.** Development patterns shall consider existing single-family residential neighborhoods established prior to the adoption of these SAR.
3. **HEIGHT AND MASSING.**
 - a. **MAXIMUM HEIGHT.** Maximum height of structures with contiguous parcel boundaries to applicable single-family residential neighborhoods shall be limited to 30 feet.
4. **ENTRANCE STANDARDS.** A building entrance shall include a door and entry feature that provides visitors with direct access to the building.
 - a. **RESIDENTIAL UNIT STANDARDS.**
 - i. The entry door shall be setback no more than eight (8) feet from the front-most wall of the building. The entrance may be accessed from a porch that is no more than one story in height and has a minimum depth of six (6) feet.
 - ii. For duplex, triplex, or multi-family residential buildings with more than one entrance, at least one entrance shall be no more than eight (8) feet from the front-most wall of the building. The entrance may be accessed from a porch that is no more than one story in height and has a minimum depth of six (6) feet.
 - b. **NON-RESIDENTIAL UNIT STANDARDS.**

- i. The facade closest to the front lot line shall have an operable entrance facing the street and a walkway to the nearest sidewalk.
- ii. An operable building entrance is required to be open and accessible during normal business hours. The entrance shall comply with applicable ADA standards.
- iii. Each building shall have clearly defined customer entrances that include at least two (2) of the following features:
 - a) Canopies, porticos, arcades, or overhangs;
 - b) Recesses or projections;
 - c) Over the door or peaked roof forms;
 - d) Arches;
 - e) Outdoor patios or plazas;
 - f) Display windows;
 - g) Obviously differentiating architectural details such as moldings that are integrated into the building structure and design; or
 - h) Integral planters or wing walls that incorporate landscaped areas and/or places for sitting.
- iv. Buildings on corner lots are encouraged to have corner entrances. A chamfered corner is permitted to accommodate this type of entrance. Where a corner entrance is not provided, the building plan shall provide an architectural element or detailing (e.g., tower, beveled corner, art, special trim, etc.) that accentuates the corner location.

5. TRANSPARENCY.

- a. **RESIDENTIAL USES** shall have a minimum transparency of 15% of each street-facing façade at the ground level. This may be achieved through windows or doors. Window area is considered the entire area within the outer window frame, including any interior window grid.
 - i. Windows used to meet this standard must be transparent and allow views from the building to the street. Reflective or darkened glass is prohibited on ground floors and discouraged on upper levels.
 - ii. Garage doors shall not be used to meet this requirement.
 - iii. Glass blocks, frosted glass, and other forms of privacy glazing do not meet this standard.

- b. **NON-RESIDENTIAL AND MULTI-FAMILY RESIDENTIAL USES** shall meet minimum transparency requirements.
 - i. 40% of each street-facing façade at the ground level shall be transparent.
 - ii. A minimum of 20% transparency is required for second levels.
 - iii. Transparency may be achieved through windows or doors. Window area is considered the entire area within the outer window frame, including any interior window grid.
 - iv. Windows used to meet this standard must be transparent and allow views from the building to the street. Reflective or darkened glass is prohibited on ground floors and discouraged on upper levels.

6. STREET LEVEL DESIGN. The following standards apply to Non-Residential Uses, Mixed-Uses, and Multi-Family Uses.

- a. For all ground floor neighborhood commercial or maker space in new development, the distance from the finished floor to the bottom of the ceiling structure above must be at least 12 feet. For ground floor area associated with a residential use, the minimum height must be at least 10 feet.
- b. All non-residential eating and drinking establishments are encouraged to provide street-side outdoor/cafe seating and dining patios. Where possible, this area shall be between the public right-of-way and the front facade along primary streets.
- c. Individual buildings may not exceed 150 feet in length on a street-facing lot line.

7. BUILDING ARTICULATION. A clear visual division shall be maintained between the ground level floor and upper floors, for example, by using a belt course, transom, awning, canopy, or similar division.

- a. All buildings with three or more stories shall be articulated with varied massing to create dynamic facades and prevent flat, static streetscapes. Development should clearly articulate a horizontal hierarchy (base, middle, top), properly scaled to the height of the structure.
 - i. Side and rear elevations that do not face a street, public parking area, pedestrian access way, or plaza may utilize changes in texture and/or color of materials, provided that the design is consistent with the overall composition of the building.
 - ii. Horizontal articulation shall be achieved through one or more of the following architectural features:
 - a) **WALL PLANE OFFSETS:** Wall plane offsets shall be a minimum of 1 foot with a minimum width of 3 feet;
 - b) **ACCENT LINES:** Accent lines shall have a minimum projection from the primary wall plan of 4 inches and a minimum width of 4 inches;

- c) **BAY WINDOWS:** Bay windows shall be a minimum of 2 feet in depth and 4 feet in width;
 - d) **RECESSED ENTRANCES OR WINDOWS:** These shall be recessed a minimum of 4 feet in depth and 6 feet in width;
 - e) **NICHES:** Niches shall be a minimum of 2 feet in depth and 4 feet in width;
 - f) **GATEWAYS:** Gateways that are a minimum of 4 feet in width;
 - g) **PORCHES:** Porches measuring at least 48 square feet; or
 - h) **COLONNADES:** Colonnades that are a minimum of 4 feet in width.
- b. All non-residential buildings are required to provide variation in facades to prevent long blank walls. These standards apply to all facades.
 - i. Structures greater than 60 feet in length, but less than 120 feet in length must exhibit a prominent shift in the facade of the building so that no greater than seventy five percent (75%) of the length of the building Facade appears unbroken. Each shift shall be in the form of either a 10-foot change in Building Facade alignment or a 10-foot change in the building height, or a combined change in building Facade and building height totaling 10 feet.
 - ii. Structures that exceed 120 feet in length on any facade shall provide a prominent shift in the mass of the Structure at each 120-foot interval, or less if the developer desires, reflecting a change in function or scale. The shift shall be in the form of either a 15-foot change in building Facade alignment or a 15-foot stepback on upper levels.

8. ROOF FORMS.

- a. The measurement of building height shall be based on the Gunnison County LUR.
- b. Snow shedding shall be considered in all roof design. Roofs shall be designed and insulated to ensure valleys, areas over wall top plates and other similar building spaces do not form ice dams.
- c. The design of roofs shall address snow accumulation and ice/snow shedding. Entries, walkways and pedestrian areas shall be protected from ice/snow shedding.

SECTION 10. PRESERVATION OF MANUFACTURED HOME COMMUNITIES

A. APPLICABILITY.

The requirements of this Section apply to any existing manufactured home community that contains five or more occupied manufactured homes and is currently operating, where the park is being proposed for a change of use other than renting or offering space for manufactured homes, or if the park is being proposed for closure, either in whole or in part. This applies to properties located in the

City's utility service area (North Urban Transition Area) and properties located in the County's utility service area (South Urban Transition Area).

B. WAIVER.

The requirements of this Section shall not apply if, prior to the change of use, the landowner and at least 75% of the manufactured home park tenants have entered into an agreement to waive the requirement for the conversion impact report. The agreement shall be provided to the County and shall be in a form satisfactory to the Community Development.

C. RESIDENT OWNED COMMUNITY.

Mobile homes provide an important housing option for members of the community. The County prefers that existing Mobile Home Communities are preserved, consistent with the policies of the Regional Housing Study. To support these goals, providing mobile home residents the opportunity to become a Resident Owned Community ("ROC") is preferred. See also Colorado House Bill 20-1201

D. CONVERSION IMPACT REPORT.

A conversion impact report shall be completed and submitted to the County Community and Economic Development Department. The report shall include the following information:

1. The names, addresses, and manufactured home site identification numbers of all persons living in or owning manufactured homes in the manufactured home park.
2. The age and type of each manufactured home in the park, by site identification number, including date of manufacture, characteristics, and size.
3. A list of known available manufactured home sites in comparable manufactured home parks within a 50-mile radius of the subject park.
4. A schedule of site rental rates for each comparable manufactured home park and the criteria of the management of each park for acceptance of new homeowners and used manufactured homes.
5. A relocation plan, including the proposed date for closing the manufactured home park, what, if any, relocation assistance payments will be offered to the park tenants, and the method of calculation of such assistance.
6. The intended use of the property following closure of the manufactured home park, including conceptual plans describing the proposed new use.
7. Other information as may be required by County Staff or the Board of County Commissioners ("BOCC").
8. Certification from the applicant that the conversion impact report has been delivered to all of the owners and tenants of manufactured homes in the manufactured home park at least 60 days prior to the first public hearing.

E. REVIEW.

The County Community and Economic Development Department and the Board of County Commissioners have the authority to review the conversion impact report and evaluate the proposed

use of the property following closure of the manufactured home park. While property owners have the right to propose new uses, approval is subject to compliance with zoning regulations, land use policies, and community impact considerations. The County may impose conditions, require modifications, or deny the proposed use if it is found to be inconsistent with adopted plans, regulations, or if the impacts on displaced residents are deemed inadequately addressed.

1. COMMUNITY IMPACT CONSIDERATIONS:

- a. **PRESERVE NEIGHBORHOOD CHARACTER.** To preserve the character of established residential areas and residential neighborhoods.
- b. **ENCOURAGE HOUSING DIVERSITY.** To encourage a diversity of housing types, densities, and development that assists in providing adequate housing for all people.
- c. **EVALUATE CUMULATIVE IMPACTS.** To evaluate the combined impacts of the proposed conversion on the community.
- d. **ENSURE DEVELOPMENT MEETS DEMONSTRATED HOUSING NEEDS.** To encourage residential development that meets demonstrated housing needs in Gunnison County, to discourage residential development that does not meet demonstrated needs in Gunnison County, and to encourage buildout of platted subdivisions that have been approved by Gunnison County.

SECTION 11. DEVELOPMENT INCENTIVES.

A. PURPOSE.

Affordable and attainable housing opportunities are needed throughout the Gunnison Valley to ensure housing is available for local residents and the workforce. Housing is generally considered to be affordable (or attainable) when the monthly housing payment is equal to no more than 30% of a household's gross income. New housing opportunities located within the Urban Transition Areas is a specific goal of the Gunnison Area Plan. This section provides incentives for the inclusion of deed restricted housing in these areas.

B. APPLICABILITY.

- 1. 40% of the total residential units in the development are deed restricted as affordable housing in accordance with the definition of essential housing in the Gunnison County Land Use Resolution.

C. BENEFITS.

Developments may receive the following benefits:

- 1. Decreased setbacks by up to 50% for all development on the applicable site or subdivision.
- 2. Increased height allowance up to 50 feet for all development on the applicable site or subdivision.
- 3. Expedited Review Process.

4. Reduction in required minimum parking by 100%.

SECTION 12. PHASING OF PROJECTS

A. PURPOSE.

An applicant may propose that a land use change be designed to occur in phases and may request that it be permitted by individual phases, so long as each phase complies with all applicable requirements of these SAR. The County may require a land use change to be designed to occur in phases, if phasing is necessary or appropriate for it to comply with all of the applicable requirements of these SAR. The purpose of this Section is to ensure that these SAR are applied consistently across the entire development area. Projects may not be segmented, phased, or filed separately in a manner that avoids applicability of these SAR, including but not limited to:

1. SAR Essential Housing Standards,
2. GAP Density Standards,
3. Subdivision requirements, or
4. Required infrastructure commitments.

B. LUR COMPLIANCE.

Phasing of projects shall comply with LUR Section 3-106: PHASING OF PROJECT

C. SAR COMPLIANCE REQUIRED.

The County may deny phased applications when:

1. The project is intentionally segmented to avoid SAR standards, including but not limited to the provision of Essential Housing, density standards, or infrastructure requirements.
2. Filing patterns, timing, or ownership structures appear designed to fall below GAP or subdivision thresholds.

SECTION 13. DEVELOPMENT AGREEMENTS AND AMENDMENT

A. DEVELOPMENT IMPROVEMENT AGREEMENT

1. When public or private improvements are a required component of a Land Use Change Permit, the BOCC shall require as a condition of permit approval, in addition to the guarantees identified in C.R.S. 30-28-137 as it may be amended, that the applicant execute and fund with Gunnison County a Development Improvement Agreement acceptable to Gunnison County in form and substance, and amount and type of security. The Development Improvement Agreement shall constitute the applicant's agreement to construct the public improvements and private improvements identified as requirements of project approval. The Development Improvement Agreement shall specifically identify such requirements including plans, drawings and schedules for completion and shall be substantially in the form referenced in Section 16-117: E: Form of Agreement.

2. Development Improvement Agreement shall meet the requirements of LUR Section 16-118: *Development Improvement Agreement Required*.

B. AMENDMENT.

Unless amended or repealed in accordance with this Section, these Regulations shall remain in full force and effect. The following process shall apply to an application for any amendment to the SAR:

1. **INITIATION.** An amendment to the SAR may be initiated by any of the following:
 - a. **PERSONS WITH STANDING.** A person with standing may initiate an application to amend the SAR by submitting an application to Gunnison County.
 - b. **BOCC.** The Gunnison County Board of County Commissioners or the Gunnison County Community and Economic Development Director may initiate amendments to the SAR.
 - i. **NOTIFICATION.** Notification of amendment(s) initiated by the BOCC or Community and Economic Development Director shall be provided pursuant to LUR Section 3-112: NOTICE OF PUBLIC HEARING
2. **SUBMITTAL OF DRAFT AMENDMENT LANGUAGE.** Any initiative or application for amendment shall be submitted to the Gunnison County Community Development and Economic Director, or if initiated by said Director, to the BOCC, and shall include at a minimum the following:
 - a. **IDENTIFICATION OF APPLICANT.** The application shall state whether the application was initiated by a person with standing, the Community Development and Economic Director, or the BOCC.
 - b. **PRECISE WORDING.** The precise wording of the proposed amendment, and the section in which it is proposed to occur.
 - c. **RATIONALE FOR THE PROPOSED AMENDMENT.** A concise statement of the purpose and justification for the proposed amendment.
3. **APPROVAL BY BOCC.** Any amendment to SAR shall be approved by the BOCC in a public meeting. The BOCC, in its sole discretion, may receive written or oral comment from the public.
4. **REPEAL.** Any application for repeal of SAR shall be approved by the BOCC pursuant to LUR Section 1-113: Amending this Land Use Resolution.
5. **ALL OWNERS BOUND.** Any person who now owns or hereafter purchases or acquires rights in any improvements on any lot shall be bound by the terms and conditions herein, whether or not any reference to SAR is contained in the instrument by which such person acquired such interest or ownership.
6. **SEVERABILITY.** If any part of the SAR or the development application or enforcement thereof with respect to any person or circumstance is held invalid by a court of competent jurisdiction, the remainder of the SAR and its application to other persons or circumstances

shall not be affected thereby and shall remain in full force and effect.

7. **NO PRECEDENT SET BY THIS DESIGNATION.** Neither the designation of the Gunnison Special Area, nor the SAR, procedures or approvals hereunder shall be construed as a precedent for any other Gunnison County action.