

MEMBERS	PRESENT	ABSENT	EXCUSED
DIANE LOTHAMER, CHAIR	X		
JIM SEITZ	X		
BOB BEDA	X		
HARVEY HARRIMAN	X		
GREG LARSON	X		
DELANEY KEATING		X	
COUNCILMEMBER ELLEN HARRIMAN	X		

OTHERS PRESENT: DIRECTOR STEVE WESTBAY, PLANNING TECHNICIAN PAM CUNNINGHAM, RICHARD KARAS

I. CALL TO ORDER AT 7:00 pm BY CHAIR DIANE LOTHAMER

II. PLEDGE OF ALLEGIANCE TO THE FLAG

III. POSSIBLE ACTION: ZA 09-1 COMPLETING REVIEW OF PUD DEVELOPMENT STANDARDS AND POSSIBLE RECOMMENDATION ON OUTSTANDING ITEMS

Chair Lothamer introduced the item before the Commission. Director Westbay said that staff developed the language based on the last meeting and suggests it be established as an additional exhibit to the recommendation to the City Council. He introduced an e-mail from Dennis Minchow asking that his comments be entered into the record, they can't be, but will be forwarded to City Council, where they can be entered into the record. Chair Lothamer summarized Mr. Minchow's comments: they are not in favor of the setback for solar access language, they will discuss the CRV ownership; and, they do not agree with the language in 9.3 regarding replacing destroyed buildings in the C/WP district. Director Westbay stated that this is an interpretation of the *Code* and may be amended through a PUD major change application. Chair Lothamer stated "That is true of the entire exhibit; they can do a PUD Major Change for anything in the PUD." Director Westbay stated that the Commission did discuss what was meant by "destroyed".

Chair Lothamer asked for comments about the document and whether it needs any changes.

Commissioner Harriman asked about section 2.7.1 2nd paragraph, summarizing his interpretation: "Phase IV is restrained by Phase II. Basically Phases I, II, and III are Phase I and Phase IV could be Phase II." Commissioner Seitz said that, "Phase IV could be Phase I". Director Westbay explained that "The numbering describes the utilities sequencing. They could begin on any of those phases at any time." Commissioner Seitz said, "That is different from any discussions as far as phasing went." He expressed concern about having new information since the public hearing was closed. He went on to say, "The new information is the number of spaces for sale in the RV Park, which is more information than we had when we were conducting the public hearings. We have to make a recommendation and we don't have public input. The RV Park raised interest and concern [from the public]." Commissioner Harriman stated, "It could be construed we had a lot of information previously and we could refer to that." Commissioner Seitz responded, "The information is new, the number of sites for sale, it was projections before. This phasing is totally different than what we were discussing in the public hearing." Commissioner Larson said, "Those numbers were the same as in the public hearing." Director Westbay stated, "The number was 210 during the public hearing and we never got to the final number. In relation to the phasing, the new language is meant to represent the discussion of last week, but we could always go back to the original

document. That is an option, if you feel that is necessary. I know this is difficult to process, but it is an “if/then” statement, if we were working on review standards, what would the language be? I was hoping we could discuss the final amendments in the exhibit.” Commissioner Seitz said, “I don’t fault the process, I wish we would have had a chance to complete everything before we closed the public hearing. But, there will be more opportunity [at City Council].” Chair Lothamer stated, “That opportunity will be based on a finalized document and it will be easier for the public to understand what is going on. I commend the applicants for responding to those comments. But, it does make it difficult for the public to track what has changed. This seems like the compromise phasing, whereas the original phasing is pretty strong and says that 50 percent of the IM district has to be complete before going on.” Commissioner Beda asked, “Is the phasing the same as what we had?” Director Westbay responded in the affirmative. Commissioner Beda reviewed the phases. Chair Lothamer summarized, “There will be no restraint on Phases I, II and III.” Director Westbay reminded the Commission that the new language “Was a means to allow an alternative land use to occur in an additional phase.” Councilor Harriman said, “The net result is that it can all happen at the same time.” Director Westbay said that there will be a phasing review [prior to commencement of each phase.]

Commissioner Beda said, “The way it was initially brought up, with 50 percent in each phase, that worked well with the highway plan.” He then asked, “If all of a sudden we put the entire length of the annexation on the board at the same time, does that mean that the highway plan has to happen at the same time too?” Director Westbay responded, “That is correct for the first three phases. The later phases of widening the highway are driven by the land uses outside the corridor, the residential village and single family.” Commissioner Beda observed, “If they do the RV resort, they will have to have turn lanes.” Commissioner Harriman asked, “Are they [the applicants] aware the zoning change will be impacted by the highway structure?” Director Westbay said, “It is required by the development structure. There are highway widening improvements established by CDOT that are bonded at the time of the phasing review. They are still required to do a Phase II review through Phase IX, pursuant to Chapter 2. They will have to define utility and road extensions, grading, drainage and how it will affect later phases. They have to do it at that time.” Commissioner Harriman asked, “So they will have to have all of this access established for the highway by the time they get to Phase III, no matter where they are with Phase IV or later?” Director Westbay said, “That is correct.” Commissioner Seitz observed that, “Regarding the highway plan, there is not any part that has been finalized.” Councilor Harriman responded, “It can’t be. Until there is a project, CDOT won’t talk to them.” Director Westbay said, “Let’s assume the annexation is approved, immediately after approval they can construct the DOW facility and would have to have a driveway access. After that, no other development plan can be submitted until the highway corridor plan is completed with CDOT. The City will submit it to CDOT, and it will be paid for by the applicant. It will be about an 18 month process, and it will establish the parameters for the highway improvements for the phases. After CDOT reviews that, they can submit a development plan for Phase II, which will identify access controls and highway improvements for that phase. At Phase III, there will be another review and it will identify those corridor provisions that would have to be approved to sustain the development proposed.” Jim Seitz stated, “That would be providing that CDOT goes in line with the developer.” Director said, “There is a NEPA process that can have categorical exclusions and environmental impact statements. They will look at spacing on the intersections, width of the highway, wetlands, archaeological sites, and criteria for highway control and access. It is a detailed process; we don’t know how it will come out.” Commissioner Seitz said, “By giving the entitlement and we find out later it won’t work because of the highway corridor, at what point do we address that?” Director Westbay responded, “In the *Annexation Agreement*. The applicant agrees they need a Highway Corridor Access Plan before can move forward with the development.” Commissioner Seitz opined that, “It seems like a difficult way to do things.”

Commissioner Larson said, "The bottom line is, it won't happen until they have the plan," and Commissioner Seitz responded, "The plan doesn't guarantee it will happen." Commissioner Harriman observed, "There could be a situation where takings could be construed." Councilor Harriman said, "That is excluded in annexation agreement." Commissioner Seitz said, "There is more money to be made on takings than development." Director Westbay said, "It is explicit in the *Annexation Agreement*, which has been reviewed by our attorney. There is no perfect plan." Commissioner Seitz responded, "Until recently, we didn't have this document (referring to the avigation influence zone). I wish we had had it earlier and that we had an overlay for the project. When looking at those features and knowing them in relation to the RV Park, I see potential development in the landing zone. It brings those questions back up. Are we entitling something that won't work?" He asked if the Commission could be provided with an overlay [of the avigation influence zone] on the plans [for the proposed annexation] and Director Westbay said he would get it from the County. Commissioner Harriman asked if the County has responded to the Avigation Agreement and Director Westbay said they have not. Chair Lothamer asked if the College has responded and Director Westbay said that the Attorney General's has been in contact with the applicant's attorney and with Rod Landwehr and they are working out the details, but that he [Director Westbay] is not privy to the nature of the negotiations. Councilor Harriman said it is not the college trustees' prerogative [to act on the document], that it has to go higher up [to the Attorney General].

Chair Lothamer asked if there were any other concerns with the proposed Exhibit F. There were some minor editorial changes, which are indicated in red in the Exhibit F language. Notes of the major discussion items follow:

Discussion turned to the Energy Conservation sections (3.3.6, 4.3.6 and 5.3.5). Richard Karas expressed concern that the solar standards will not apply to the C/RV district and the park model units because they are minimally insulated and will have to be heated in the winter whether occupied or not. Commissioner Beda responded that they can be winterized.

Chair Lothamer said that CRV Issue Statement will go to City Council for further discussion, since they are philosophical issues.

Commissioner Beda stated that section 16.8.5 Wall Sign Requirements, subsection E. Colors, should be stricken to allow for corporate type signs. He then said that the same should apply to the free standing signs. Considerable discussion followed about the pros and cons of requiring compatible and harmonious colors on free standing signs with Commissioner Larson supporting the view that corporate colors are very important and that signs should not be limited to three colors. Chair Lothamer said, "The highway corridor defines our city." Commissioner Larson responded that the important part is the design and size of the sign. Director Westbay reminded the Commission that the applicants developed the sign standards with their design team. He cautioned the Commission about having relaxed standards on the highway corridor. Commissioner Larson said, "We are limiting, we should let them use corporate colors."

Richard Karas said, "The applicants have said they want the entrance to town to look more beautiful. They have not emphasized more visibility for the businesses. They proposed this language. Why should the Commission change it?" Commissioner Seitz said, "That is true. It has additional restrictions. Why should we back off?" Commissioner Harriman said, "Tim said it was more restrictive. They want it that way. I see nothing wrong with it." Commissioner Larson said, "I'm looking at it from a business point of view." Commissioner Beda said, "BP had to have their own signage, so did Texaco. There is no getting around it. There are strict corporate requirements." Chair Lothamer responded, "They will bend to local sign codes. If they want to business they will find a way." Commissioner Harriman said, "I don't want to shed crocodile tears over corporate operations. If they can't bend then they are in trouble. They could

redesign the colors of the buildings to match the sign. If they do it right, they can make any color go with any other color.”

[At this point, the secretary left the meeting to go to another commitment and Director Westbay took notes. Some minor language changes made prior to that are indicated in the Exhibit F language in red.]

Commissioner Seitz noted that berms will restrict visibility [of wall signs] from the highway. Commissioner Larson allowing only three colors limits advertising needs. Commissioner Beda said that the language also stated the need to conform to building color. Commissioner Harriman observed that “compatibility” has a broad interpretation; it is not “complimentary” which would be limiting.

Councilor Harriman moved, and Commissioner Beda seconded, to attach *Exhibit F Recommendation on Remanded Issues to be Addressed*, as amended to the Planning and Zoning Commission Recommendation on ZA 09-1. Commissioner discussion followed:

Commissioner Seitz said that the CRV issue has not been resolved.

Chair Lothamer suggested there should be a Finding noting that the Phasing Plan is still an issue regarding Phases I-III. Commissioner Beda asked when the concurrent phasing concept for Phases I through III came forward? Director Westbay responded that it came from the meeting on September 23rd. He further stated that the Commission may provide a finding to address phasing as described in Section 2.7.1.

Finding language was suggested: “City Council should be aware of outstanding issues with the phasing language, which warrants additional review.”

Commissioner Harriman withdrew the motion and Commissioner Beda concurred.

ACTION

During the Special Planning and Zoning Commission meeting held on October 1, 2009, Councilor Harriman moved that *Exhibit F Recommendation on Remanded Issues to be Addressed*, as amended, is to be attached to the Planning and Zoning Commission Recommendation on ZA 09-1, by Gunnison Valley Partners for the Request of a Planned Unit Development (PUD) Zoning in the Proposed Gunnison Rising Annexation. Commissioner Seitz seconded the motion.

Roll Call Yes: Bob, Diane, Greg, Ellen, Jim, Harvey
Roll Call No:
Roll Call Abstain:

Exhibit F

Planning and Zoning Commission
Recommendation on Remanded Issues to be Addressed

RE: ZA 09-1, by Gunnison Valley Partners for the Request of a Planned Unit Development (PUD)
Zoning in the Proposed Gunnison Rising Annexation.

Finding: City Council should be aware of issues with the Phasing language which warrants additional review.

2.7.1 Development Phase Submittal and Acceptance Requirements for all PUD Phases. Prior to, or concurrent with, the City's acceptance of any initial (Sketch Plan) submittal for subdivision or site-specific development application for any Phase, excluding Phase 1, a development submittal complying with the provision of this section (Section 2.7) shall be submitted to the City of Gunnison as a PUD Major Change for review and approval. This review and approval shall be limited to the components as identified below in this Section 2.7. Thereafter, subdivision or site specific development plan applications will be accepted for processing within the specific phase.

Excluding Phases I through III, no development phase submittal will be accepted by the City until the previous Phase is at least 50 percent developed in terms of minimum residential dwelling units and non-residential floor area. Phase IV non-residential uses in the CM District shall not be permitted for development until 50 percent of the non-residential floor area in the Phase II Commercial Modified (CM) district and 50 percent of the non-residential floor area in the Commercial (C) district is developed.

3.3.6 Energy Conservation. All subdivisions shall provide opportunities for solar access that allows for passive, active, or natural heating, cooling, and energy production opportunities to each of the proposed lots, when feasible. Such opportunities may include, but are not limited to:

- A. Siting of structures or building envelopes to take optimum advantage of passive cooling and heating opportunities.
- B. Adjusting building setback lines to promote the optimum spacing of structures to create adequate solar access.
- C. Orienting the longest dimension of each lot within thirty degrees of south, unless the subdivider demonstrates that for certain lots:
 1. The lots are large enough to allow proper building orientation and maximum feasible control of solar exposure by the lot owner, regardless of lot orientation;
 2. Buildings will be constructed as part of the subdivision project (~~as in condominium common interest communities~~) and the buildings themselves will be properly oriented ~~with~~ for adequate solar exposure;
 3. Topography makes variations from the prescribed orientation desirable to reduce grading or to take advantage of a setting which favors early morning or late afternoon exposure, or where topographical conditions make solar energy infeasible;

4. The size of the subdivision in relation to surrounding streets and lots precludes desirable lot orientation.
- D. Easements for solar access. In order to provide for the maximum feasible use of solar energy within subdivisions, the City may require establishment of easements for some or all of the lots to protect access to sunlight. Where required, solar access easements:
1. Shall be established on each parcel for the benefit of neighboring parcels within the subdivision;
 2. Shall be recorded concurrent with recordation of the subdivision map;
 3. The burdens and benefits of the solar easement shall be transferable and run with the land to subsequent grantees of the original grantor(s) and grantee(s);
 4. Shall protect solar exposure during the period from 10 a.m. to 2 p.m. Mountain Time Zone on the winter solstice, unless topographical conditions or other overriding design considerations make protection of some other, equivalent time interval more desirable;
 5. The description of the easement shall include:
 - a. A plan and orthographic view of the easement area in relation to lot lines, together with notations on the maximum height of structures or vegetation which may occupy the easement area;
 - b. A written description specifying the easement as a plane limiting the height of structures or vegetation, ~~such~~ This plane shall begin~~ning~~ at a line clearly defined in relation to ground elevation and lot line location, and extend~~sing~~ upward at a specific angle (altitude) in a specific direction (azimuth);
 - c. The restrictions placed on vegetation, structures or other objects which would impair or obstruct passage of sunlight through the easement; and,
 - d. Any terms or conditions under which the easement may be revised or terminated.
- E. The establishment of solar easements is not intended to result in reducing allowable densities or the percentage of a lot which may be occupied by structures under zoning in force at the time the easement is established. Such easements will not be required when:
1. A plan for building construction and landscaping is approved in conjunction with the subdivision approval, and the plan will provide an acceptable level of solar exposure, as provided in the energy element of the general plan; or
 2. The size and shape of the parcels together with the yard and height restrictions of the zoning regulations will allow subsequent development of each parcel in a way which will not eliminate acceptable solar exposure for neighboring parcels within the subdivision.

- 4.3.6 Energy Conservation. All subdivisions shall provide opportunities for solar access that allows for passive, active, or natural heating, cooling, and energy production opportunities to each of the proposed lots, when feasible. Such opportunities may include, but are not limited to:
- A. Siting of structures or building envelopes to take optimum advantage of passive cooling and heating opportunities.
 - B. Adjusting building setback lines to promote the optimum spacing of structures to create adequate solar access.
 - C. Orienting the longest dimension of each lot within thirty degrees of south, unless the subdivider demonstrates that for certain lots:
 - 1. The lots are large enough to allow proper building orientation and maximum feasible control of solar exposure by the lot owner, regardless of lot orientation;
 - 2. Buildings will be constructed as part of the subdivision project (~~as in condominium common interest communities~~) and the buildings themselves will be properly oriented ~~with~~ for adequate solar exposure;
 - 3. Topography makes variations from the prescribed orientation desirable to reduce grading or to take advantage of a setting which favors early morning or late afternoon exposure, or where topographical conditions make solar energy infeasible;
 - 4. The size of the subdivision in relation to surrounding streets and lots precludes desirable lot orientation.
 - D. Easements for solar access. In order to provide for the maximum feasible use of solar energy within subdivisions, the City may require establishment of easements for some or all of the lots to protect access to sunlight. Where required, solar access easements:
 - 1. Shall be established on each parcel for the benefit of neighboring parcels within the subdivision;
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 - 5. The description of the easement shall include:
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- b. A written description specifying the easement as a plane limiting the height of structures or vegetation, ~~such~~ This plane ~~shall~~ begins ~~ning~~ at a line clearly defined in relation to ground elevation and lot line location, and extends ~~ing~~ upward at a specific angle (altitude) in a specific direction (azimuth);
- c. The restrictions placed on vegetation, structures or other objects which would impair or obstruct passage of sunlight through the easement; and,
- d. Any terms or conditions under which the easement may be revised or terminated.

E. The establishment of solar easements is not intended to result in reducing allowable densities or the percentage of a lot which may be occupied by structures under zoning in force at the time the easement is established. Such easements will not be required when:

- 1. A plan for building construction and landscaping is approved in conjunction with the subdivision approval, and the plan will provide an acceptable level of solar exposure, as provided in the energy element of the general plan; or
- 2. The size and shape of the parcels together with the yard and height restrictions of the zoning regulations will allow subsequent development of each parcel in a way which will not eliminate acceptable solar exposure for neighboring parcels within the subdivision.

5.3.5 Energy Conservation. All subdivisions shall provide opportunities for solar access that allows for passive, active, or natural heating, cooling, and energy production opportunities to each of the proposed lots, when feasible. Such opportunities may include, but are not limited to:

- A. Siting of structures or building envelopes to take optimum advantage of passive cooling and heating opportunities.
- B. Adjusting building setback lines to promote the optimum spacing of structures to create adequate solar access.
- C. Orienting the longest dimension of each lot within thirty degrees of south, unless the subdivider demonstrates that for certain lots:
 - 1. The lots are large enough to allow proper building orientation and maximum feasible control of solar exposure by the lot owner, regardless of lot orientation;
 - 2. Buildings will be constructed as part of the subdivision project (~~as in condominium common interest communities~~) and the buildings themselves will be properly oriented ~~with~~ for adequate solar exposure;
 - 3. Topography makes variations from the prescribed orientation desirable to reduce grading or to take advantage of a setting which favors early morning or late afternoon exposure, or where topographical conditions make solar energy infeasible;
 - 4. The size of the subdivision in relation to surrounding streets and lots precludes desirable lot orientation.

D. Easements for solar access. In order to provide for the maximum feasible use of solar energy within subdivisions, the City may require establishment of easements for some or all of the lots to protect access to sunlight. Where required, solar access easements:

1. Shall be established on each parcel for the benefit of neighboring parcels within the subdivision;
2. Shall be recorded concurrent with recordation of the subdivision map;
3. The burdens and benefits of the solar easement shall be transferable and run with the land to subsequent grantees of the original grantor(s) and grantee(s);
4. Shall protect solar exposure during the period from 10 a.m. to 2 p.m. Mountain Time Zone on the winter solstice, unless topographical conditions or other overriding design considerations make protection of some other, equivalent time interval more desirable;
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 - a. A plan and orthographic view of the easement area in relation to lot lines, together with notations on the maximum height of structures or vegetation which may occupy the easement area;
 - b. A written description specifying the easement as a plane limiting the height of structures or vegetation, ~~such~~ This plane shall begin~~ning~~ at a line clearly defined in relation to ground elevation and lot line location, and extends~~ing~~ upward at a specific angle (altitude) in a specific direction (azimuth);
 - c. The restrictions placed on vegetation, structures or other objects which would impair or obstruct passage of sunlight through the easement; and,
 - d. Any terms or conditions under which the easement may be revised or terminated.

E. The establishment of solar easements is not intended to result in reducing allowable densities or the percentage of a lot which may be occupied by structures under zoning in force at the time the easement is established. Such easements will not be required when:

1. A plan for building construction and landscaping is approved in conjunction with the subdivision approval, and the plan will provide an acceptable level of solar exposure, as provided in the energy element of the general plan; or
2. The size and shape of the parcels together with the yard and height restrictions of the zoning regulations will allow subsequent development of each parcel in a way which will not eliminate acceptable solar exposure for neighboring parcels within the subdivision.

TABLE 4.2: R-2 DIMENSIONAL STANDARDS

Standard	Requirement
Maximum Net Density (units per acre)	1-6 units per acre
Minimum lot size – single family	7,000 square feet
Minimum lot size – attached single family	4,000 square feet per unit
Minimum lot frontage – single family	70 feet
Minimum lot frontage – attached single family ⁽¹⁾	40 feet per unit
Minimum lot depth	100 feet
Minimum landscape coverage	45 percent
Maximum lot coverage: buildings	40 percent
Maximum lot coverage: driveway and exterior parking	15 percent
Minimum snow storage area	15 percent of the driveway and exterior parking area
Minimum setback from side lot line	7.5 feet provided that one additional foot of setback shall be required for each two feet (a 1:2 ratio) of building height over 22 feet
Minimum setback from rear lot line	25 feet
Minimum setback from rear lot line for accessory structures with an area of 120 square feet or less and less than 12 feet in height	5 feet
Minimum setback from front lot line for accessory structures with an area of 120 square feet or less and less than 12 feet in height	5 feet
Minimum setback from front lot line ⁽²⁾	16 feet
Front yard setback for a garage	20 feet
Corner lot setbacks from front and side lot lines	16 feet (Front) 12 feet (Side)
Maximum building height	35 feet
⁽¹⁾ “Common party wall” is required between units within an attached single family dwelling or duplex dwelling. ⁽²⁾ Projections into front yard setback are allowed for porches and stoops, as required by Chapter 16.	

TABLE 6.2: C DISTRICT DIMENSIONAL STANDARDS

Standard	Requirement
Minimum lot size	21,780 square feet
Maximum lot coverage—buildings, driveways, exterior parking, open storage	80 percent
Minimum lot frontage setback—Highway 50	50 feet
Minimum boundary setback from the Open Space/Equestrian district—east	30 feet
Minimum boundary setback from unincorporated Gunnison County—south	30 feet
Minimum setback from front lot line—interior lot lines not adjacent to a district boundary	10 feet
Minimum setback from side lot line—interior lot lines not adjacent to a district boundary	7.5 feet provided that one additional foot of setback shall be required for each three feet (a 1:3 ratio) of building height over 22 feet. ¹
Minimum setback from rear lot line—interior lot lines not adjacent to a district boundary	7.5 feet provided that one additional foot of setback shall be required for each three feet (a 1:3 ratio) of building height over 22 feet. ¹
Minimum Landscaping area	10 percent not including required buffers
Maximum building height	35 feet
¹ Setbacks greater than the minimum standards established herein may be prescribed by the International Building Code as it may be amended by the City. If there is conflict between the setbacks assigned herein and the <i>International Building Code</i> , the more restrictive standard shall apply.	

7.3.1 Landscaping (CM District)

D. Landscaped Buffer for Drive-in Facilities. Lots within the CM district developed for Drive-in Facilities, as defined by the GMC, shall provide a landscaped buffer along the entire length of the drive-through lane. Said buffer shall meet the following standards:

1. Drive through lanes and facilities shall not be located within ~~all~~ lot line setback areas.

2. The buffer shall be a minimum of 4 feet wide and located between the drive-through lane and the adjacent right-of-way or property line, and shall be landscaped and maintained with the planting described below.
3. The buffer screen shall consist of an opaque fence or masonry wall, a compact evergreen hedge, or dense foliage. Screening comprised of vegetation shall be at least 36 inches in height at the time of installation, and shall reach a height of 48 inches within two years of planting. Fence or wall screens shall be a minimum of 48 inches tall. If the screen includes a wall or fence, evergreen plantings shall be installed on both sides, to visually break up lengthy horizontal sections.
4. No drive-through window shall be permitted on the side of a building adjacent to any residential district, unless the proposed drive-through window faces the fifty-foot landscaped buffer described in Section 7.3.1.C, above.

7.3.6 Additional Standards. The following additional standards shall apply to development within the CM district:

This issue was addressed above, no changes necessary.

8.2 Permitted Uses and Parking Space Requirements. The following uses are permitted in this zoning district. Uses not listed below are prohibited.

- A. At the time a site specific plan is developed for the CRV District, the plan shall illustrate all “for-sale” sites and “rental sites”. A maximum of 210 “for-sale” sites shall be permitted within the entire District.¹

TABLE 8.1: CRV PERMITTED USES AND PARKING SPACE REQUIREMENTS

PERMITTED USES	NUMBER OF SITES PERMITTED	PARKING REQUIRED
Manufactured housing on individual sites (Park Model Units)	80 maximum	2 spaces per unit
Recreational Vehicle Park Sites on individual sites	270 maximum	2 spaces per site/RV site (including RV), plus 1 parking space for each five sites for guests

¹ See Planning and Zoning Commission Debate Statements – (text box on following page)

CRV Issue Statement.

The Applicants have proposed a total of 350 CRV unit sites. The Planning and Zoning Commission and the Applicant have agreed that 80 sites will be permitted for Park Model Units and 270 sites will be dedicated for recreational vehicle use. The Debate question discussed herein, focus on standards for regulating ownership of the CRV site. The applicant proposes that a maximum of 210 sites will be “for-sale”. There is no definition of “for-sale” and ownership may occur as fee-title land ownership or a fractional ownership model.

Significant concerns regarding the Commercial Recreational Vehicle Park (CRV) were defined early in the review of the proposed annexation land use. Some Planning and Zoning Commissioners feel the proposed CRV land use is not an appropriate use and this has weighed into their individual votes for denial. Other Planning Commissioners feel that the CRV will be a positive land use that capitalizes on the recreation and tourism economic base.

Justification for Little or No Ownership Controls

- *The Gunnison Rising Market Study* (Metrostudy, 2007) states that “...the RV market is growing through the ageing population and younger families becoming interested in RVing.”
- The justification for taking a laissez faire approach regarding ownership structure is to allow the market to capitalize on economic opportunity.
- ~~All~~ “For sale” sites will provide a means for establishing up-front capital finance improvements.
- The operation of the CRV will be seamless and there will be no distinguishing or segregation between ownership and rental sites.

Justification for Controlling Ownership

- Jeff Winston (Winston & Associates) and Ford Frick (BBC Research) noted during the Annexation Phase 2 review that RV parks have historically been interim-type uses.
 - Beyond the visual impression of the RV park at the city’s entrance, there is concern because once RV sites are subdivided and sold to many individual owners, it will be virtually impossible to reassemble the land for any other kind of development.
 - The applicant has not provided any detail regarding the management structure of the RV-park or the mode of ownership that will be applied to the sites.
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8.3.1 Additional Development Standards – Commercial RV Resort District

A. General Operation Standards

6. Utility design, installation and maintenance shall be in compliance with the provisions of the *City of Gunnison Municipal Code*. Utilities including but not limited to water service lines, sewer service lines, irrigation ditches, and street lighting electrical services that are specific to service of sites and buildings within the CRV District, shall be considered private utilities and the maintenance services responsibilities shall be that of the Owner and Operator. The City will be responsible for the maintenance and operation of primary water trunk lines, sewer mains, large irrigation ditches, primary electrical transmission lines, substations, major electrical transformers, major switch gear and the other primary utility facilities serving the entire PUD.

Each lot and/or site will be required to pay a capital investment fee at the time the lot or site is developed.

9.3 DEVELOPMENT STANDARDS. All future development and use in the C/WP district are subject to the standards set forth herein, and may only be amended through a PUD Major Change application.

- 9.3.2 The existing facilities within the C/WP District may remain. Development of additional facilities is prohibited. No expansion of existing facilities shall be allowed.
- 9.3.3 In the event that any existing facilities are destroyed by fire, wind, flooding or another Act of God, they may be replaced with as-built structures identical to the size and height of the existing facilities, if they comply with Avigation Easement requirements.
- 9.3.4 Utility design, installation and maintenance shall be in compliance with the provisions of the *City of Gunnison Municipal Code*, subject to the provisions of Section 7.1 of the Annexation Agreement. Utilities including, but not limited to water service lines, sewer service lines, irrigation ditches, street lighting and electrical services that are specific services provided for the private facilities and buildings within the C/WP District, shall be considered private utilities and the maintenance services shall be the property owner's responsibility. The City will be responsible for the maintenance and operation of primary water trunk lines, sewer mains, large irrigation ditches, primary electrical transmission lines, substations, major electrical transformers, major switch gear and the other primary utility facilities serving the entire PUD.

Each lot and/or site will be required to pay a capital investment fee at the time the lot or site is developed.

TABLE 11.2: GOV DISTRICT DIMENSIONAL STANDARDS

Standard	Requirement
Minimum lot size	2 Acres
Minimum lot frontage	300 feet
Maximum lot coverage-buildings	The aggregate floor area for all buildings, excluding agricultural outbuildings, shall not exceed 30,000 square feet
Maximum lot coverage parking and outdoor storage	25,000 square feet
Minimum lot coverage landscaping	15 percent not including buffers
Minimum side lot setback	30 feet
Minimum rear lot setback- Principal Building	50 feet
Minimum rear lot setback – accessory building	50 feet
Minimum setback interior front lot	30 feet
Minimum setback Highway 50	50 feet
Maximum building height	35 feet
Zoning district perimeter buffer width	50 feet Highway 50 frontage adjacent to any developed areas.

16.5.4 Requirements (CM district). The following concepts shall be reflected on all development plans prepared pursuant to this section:

D. Parking. No more than 50 percent of all required parking shall be located between the building front façade and the adjacent public right-of-way.

16.8 Sign Regulations. The objective of this section is to create the framework for a comprehensive and balanced system of signage control and thereby to provide an attractive and effective balance between signage and the environment.

16.8.1 Purpose. The regulation of signs shall be based upon the following principles:

- A. Signs help to provide a positive economic climate for business and industry by encouraging better communication with the public, and providing information to the traveling public.
- B. Signs must provide easy and legible identification.
- C. Signs must be compatible with adjacent buildings and uses.
- D. Signs must be visually pleasing and of high-quality design.

16.8.2 Requirements. All signs in Gunnison Rising shall adhere to the following regulations. Any signage not provided for in the following shall be deemed prohibited.

- A. Wall signs shall be located on a building elevation/ façade, in accordance with location restrictions contained within the *City of Gunnison Land Development Code* Sign Standards, as they currently exist, and as they may be amended in the future.
- B. All signs erected, maintained, constructed, relocated, modified, or altered in any way must obtain a Sign Permit from the City of Gunnison.
- C. Freestanding Signs within 400 feet of the Highway 50 right-of-way shall be permitted pursuant to Sections 16.8.3 and 16.8.4 below.
- D. Wall Signs within 400 feet of the Highway 50 right-of-way (ROW) shall be restricted pursuant to Section 16.8.5 below.
- E. All other signs shall comply with the requirements of the *Gunnison Municipal Code* as it currently exists or as may be amended.

16.8.3 Freestanding Signs Adjacent to Highway 50. In addition to signs which may be permitted by the *Gunnison Municipal Code*, the following type and number of freestanding signs are permitted on properties within 400 feet of the Highway 50 right-of-way:

TABLE 16.1: MULTI-TENANT FREESTANDING SIGN REGULATIONS

TYPE	LOCATION	MAX. # OF SIGNS PER ZONING DISTRICT	MAXIMUM HEIGHT	MAXIMUM SIGN AREA	MAXIMUM NUMBER OF TENANTS LISTED ON SIGN
Multi-tenant Commercial Center signs	Commercial / Mixed Use Zoning District	Two	25 feet	100 square feet maximum aggregate; up to 50% of sign area may be allocated to primary tenant and logo areas	Ten
Multi-tenant Commercial Center signs	Commercial District south of Highway 50	One	25 feet	100 square feet maximum aggregate; up to 50% of sign area may be allocated to major tenant and logo areas	Ten
Multi-tenant Business Park signs	Industrial Modified Zoning District	One	25 feet	100 square feet maximum aggregate; up to 50% of sign area may be allocated to major tenant and logo areas	Ten

TABLE 16.2: LOW-PROFILE FREESTANDING SIGN REGULATIONS

TYPE	LOCATION	MAXIMUM NUMBER PER ZONING DISTRICT	MAXIMUM HEIGHT	MAXIMUM SIGN AREA
Residential Subdivision Entrance Signs	Residential Village Zoning District	One	6 feet	50 square feet maximum
RV Resort Identification signs	Commercial RV Zoning District	Two	6 feet	50 square feet maximum
Government Office Identification Signs	Government Zoning District	One	6 feet	50 square feet maximum

16.8.4 Additional Freestanding Sign Requirements.

- A. Location. No Freestanding Sign shall be located within the buffer area established adjacent to Highway 50. All Freestanding Signs must maintain a minimum setback of at least eight (8) feet from any public right-of-way. Signs greater than six (6) feet tall (including sign area and sign structure) shall conform to the building setbacks of the zoning district in which the parcel is located.
- B. Illumination. Freestanding Signs may be internally illuminated or illuminated via spot lighting or similar external forms. Internally illuminated signs shall have an opaque background with only letters and logo illuminated. The illumination of signs is permitted, provided that the full-cutoff fixture requirements and luminaire standards meet the requirements of other exterior lighting as set forth in Section 15.12.
- C. Materials. All materials of any Freestanding Sign shall be compatible and harmonious with the materials of the building, center, or subdivision identified by the sign.
- D. Colors. All colors of any Freestanding Sign shall be compatible and harmonious with the color(s) of the building, center, or subdivision identified by the sign. Furthermore, text on a Freestanding Sign is limited to three (3) colors.
- E. Items of Information. The items of information on a Freestanding Sign shall be limited to the name of the subdivision, business(es) or business center, address, telephone number, and/or business/center/subdivision logo. Please refer to the sketches below for illustrations of the two types of freestanding signs described in the tables above.

16.8.5 Wall Sign Requirements. Wall signs shall be allowed within Gunnison Rising to advertise businesses and services within the CM District with the additional restrictions set forth in sections A-F listed below.

- A. Location: Only buildings with wall plane elevations that directly **abut** the Highway 50 ROW may utilize Highway frontage in calculating allowable sign area; off-premises signs are prohibited, except for those permitted by the free-standing sign standards established herein.
- B. Size: The size of wall signs facing the Highway 50 ROW shall be no larger than 100 square feet or equal to the allowed sign area calculated based on the store front dimension, whichever is most restrictive.
- C. Illumination: Wall signs may be internally illuminated. Internally illuminated signs shall have an opaque background with only letters and logo illuminated.
- D. Materials: All materials of any sign shall be compatible and harmonious with the materials of the building, center, or subdivision identified by the sign.
- ~~E. Colors: All colors of any sign shall be compatible and harmonious with the color(s) of the building, center, or subdivision identified by the sign. Furthermore, text on a wall sign is limited to three (3) colors.~~
- ~~FE.~~ Items of Information: The items of information on a wall sign shall be limited to the name business(es), address, telephone number, and/or business logo.

IV. OTHER BUSINESS

- Director Westbay reviewed upcoming agenda items.
- Councilor Harriman provided an update of the budget retreat and ditch reconstruction on Main Street.

V. ADJOURN

Chair Diane Lothamer adjourned the meeting at approximately 8:30 p.m.

For Diane Lothamer, Chair

Attest:

Pam Cunningham, Secretary