

PLANNING AND ZONING COMMISSION
JUNE 27, 2012 MEETING PACKET
TABLE OF CONTENTS

Page #	Description
1	Agenda
3-8	June 13, 2012 Meeting Minutes
9	Resolution 1, Series 2012 – Commending Dusty Szymanski for his service to the Planning and Zoning Commission
11	Resolution 2, Series 2012 – Commending Stu Ferguson for his service to the Planning and Zoning Commission
13	Comparison of Large Scale Retail Development Standards for Other Municipalities
15-21	Summary of Large Scale Retail Case Studies (University of Washington Department of Landscape Architecture)
23-24	Memo from Steve Westbay – LDC Update, Section 5 Natural Resource Protection
25-38	Draft – Section 5, Natural Resource Protection Standards
Follow Up	Materials – Conditional Uses by Zone District
39	Map
41-42	Summary Table

THIS PAGE INTENTIONALLY LEFT BLANK

**AGENDA
CITY OF GUNNISON
PLANNING & ZONING COMMISSION
REGULAR MEETING
Rev 6/19/2012**

DATE: WEDNESDAY, JUNE 27, 2012
TIME: 7:00 P.M.
PLACE: CITY HALL, COUNCIL CHAMBERS, 201 WEST VIRGINIA AVE.

- 7:00pm**
- I. CALL TO ORDER**
 - II. PLEDGE OF ALLEGIANCE TO THE FLAG**
 - III. ELECTION OF NEW OFFICERS**
 - IV. RESOLUTION 1, SERIES 2012 – COMMENDING DUSTY SZYMANSKI FOR HIS SERVICE TO THE PLANNING AND ZONING COMMISSION**
 - V. RESOLUTION 2, SERIES 2012 – COMMENDING STU FERGUSON FOR HIS SERVICE TO THE PLANNING AND ZONING COMMISSION**
 - VI. CONSIDERATION OF THE JUNE 13, 2012 MEETING MINUTES**
 - VII. UNSCHEDULED CITIZENS**
 - VIII. COUNCIL UPDATE**
 - IX. COMMISSIONER COMMENTS**
 - X. PLANNING STAFF UPDATE**
 - XI. ADJOURN TO WORK SESSION**

WORK SESSION

- I. DISCUSSION OF THE DRAFT LAND DEVELOPMENT CODE –**
 - Overview of Big Box Standards
 - Natural Resource Protection

**TO COMPLY WITH ADA REGULATIONS, PEOPLE WITH SPECIAL
NEEDS ARE REQUESTED TO CONTACT THE CITY OF GUNNISON
COMMUNITY DEVELOPMENT DEPARTMENT AT 641.8090**

This agenda is subject to change, including the addition or deletion of items at any time. Regular Meetings and Special Meetings are recorded and action can be taken. Minutes are posted at City Hall and on the City website at www.cityofgunnison-co.gov. Work sessions are not recorded and formal action cannot be taken. For further information, contact the Community Development Department at 641-8090.

**ALL PLANNING & ZONING COMMISSION MEETINGS
ARE USUALLY BROADCAST LIVE ON LOCAL CABLE CHANNEL 15**

THIS PAGE INTENTIONALLY LEFT BLANK

MEMBERS	PRESENT	ABSENT	EXCUSED
Bob Beda, Chair	X		
Erik Niemeyer	X		
Erich Ferchau	X		
Andy Tocke	X		
Carolyn Riggs	X		
Greg Larson	X		
Councilor Ed Seymour	X		

OTHERS PRESENT: Community Development Director Steve Westbay, Planner Andie Ruggera, Planning Technician Pam Cunningham, City Clerk Gail Davidson.

I. CALL TO ORDER AT 7:01 PM BY CHAIR BOB BEDA

II. PLEDGE OF ALLEGIANCE TO THE FLAG

III. SWEARING IN OF NEW PLANNING AND ZONING COMMISSION MEMBERS.

City Clerk Gail Davidson administered the Oath of Office for new Planning and Zoning Commissioners Erik Niemeyer and Andy Tocke.

IV. VANTUYL RANCH ANNEXATION PHASE 2 – DETAILED SCOPING.

Director Westbay gave an overview of the annexation policy and the three-phase annexation process for the benefit of the new members of the Commission. He also described the Planning and Zoning Commission obligation to look at zoning of the annexed area, which happens concurrently with the City Council process. The annexation and proposed zoning will be brought to City Council for action at the same meeting.

Director Westbay provided a brief history of how the City became the owner of the VanTuyll Ranch and about development of the *VanTuyll Ranch Management Plan*. He then explained the reasons for annexing the Ranch. Animal control, policing, hunting and land uses on the Ranch are the primary concerns. His personal value base is that the Ranch is an icon and jewel of the city and it should be part of the city. To date, the trails system and agricultural management plan have been implemented. He gave an overview of the land uses on the Ranch and explained the reasons for the Colorado Division of Parks and Wildlife (CPW) and Library site deed restrictions. In response to Commissioner Ferchau’s question regarding hunting on the Ranch, Director Westbay explained that it is illegal to discharge a firearm in the city limits, so after the Ranch is annexed hunting will only be allowed on the CPW property (river corridor).

In response to Councilor Seymour’s inquiry, Director Westbay explained why the CPW parcel isn’t being annexed and that it could potentially be traded for a parcel in the Habitat Protection area.

Director Westbay explained the enclaves that are being created by the annexation and that those property owners weren’t interested in being annexed, although they could file an application for annexation in the future. Also, after two years the City has the right to mandate annexation of those properties, but he doesn’t foresee that happening.

In response to Chair Beda’s questions about annexation of County Roads 13, 14, and 15, Director Westbay explained that they won’t be annexed but there may be an agreement between the City and the County for maintenance of the roads.

Commissioner Niemeier asked for an explanation of the power lines and easements. Director Westbay explained that there are three electric providers that have utilities on the Ranch; the Western Area Power Administration (WAPA), Gunnison County Rural Electric Association (GCEA), and the City. He explained the recorded easements of the WAPA line. The GCEA has lines that have been serving the property for decades; in the 1960's they got easements from property owners but didn't record them. When the City purchased the Ranch the easements for GCEA hadn't been recorded, however, they do have prescriptive rights because they have been maintaining the lines [during the time the City has owned the property]. The City has had discussions with GCEA about memorializing the easements, but because they are in a transition due to a change in leadership this probably won't happen for a while. Commissioner Niemeier asked about the implied responsibilities of GCEA to protect the property. Director Westbay replied that the City and GCEA have a good working relationship and that probably won't be a problem, but he agrees that the easements do have to be taken care of. Commissioner Niemeier said he would like to have something in writing that the easements must be taken care of.

Steve explained the easement for the North Sewer District.

Commissioner Riggs asked about use of the term "traditional agriculture" in the proposed land use and zoning. Director Westbay referred to the *VanTuyl Ranch Management Plan (Plan)* and the requirement that lessees have an agriculture management plan developed in conjunction with the Soil Conservation Service and approved by the City. The *Plan* states that agriculture *can* take place; the agriculture management plan spells out the specifics of what *type* of agricultural activities can take place.

Commissioner Ferchau asked about the obligations of the lessee for insurance coverage to cover the City if the animals get out and damage private property. Director Westbay replied that there is an insurance provision in the lease; fencing is the City's obligation and recreation is covered by the City under the Governmental Immunity Act.

Director Westbay explained the City well system and the Water Court decree for future water wells that are anticipated on the Ranch when future development warrants the need for them.

Director Westbay explained the potential realignment of Quartz, Spencer and 11th Street, but that this probably won't happen until the Library site is developed. He then gave a brief overview of the tasks to be completed as outlined in the staff report.

Director Westbay explained that the next step is reporting to Council in a joint meeting. He suggested that this may be an instance that the Council liaison could present the Phase 2 Detailed Scoping to Council. He asked if the Commission is comfortable with that approach. Commissioner Riggs said she would like to be present and Commissioner Larson said it is pretty straight forward.

ACTION: Commissioner Larson moved to forward the Phase 2 Annexation Detailed Scoping to City Council via the Council Liaison. Commissioner Riggs seconded the motion.

Roll Call Yes: Neimeier, Ferchau, Tocke, Beda, Riggs, Larson, Seymour

Roll Call No:

Roll Call Abstain:

Motion carried

V. CONSIDERATION OF THE MAY 23, 2012 MEETING MINUTES

Commissioner Larson moved to approve the May 23, 2012 meeting minutes as corrected.

Commissioner Riggs seconded the motion.

Roll Call Yes: Ferchau, Beda, Riggs, Larson, Seymour

Roll Call No:

Roll Call Abstain: Niemeyer, Tocke

Motion carried

V. UNSCHEDULED CITIZENS

There were none

VI. COUNCIL UPDATE

Councilor Seymour updated the Commission on recent Council business.

At the June 5th Work Session, the Council:

- heard an update from Scott Truex of RTA. They are asking for one-time contributions from municipalities, the County and the ski area to address their budget shortfall.

At the Regular Session on June 12th, the Council:

- heard an update from Habitat for Humanity;
- approved a multi-day special events permit for the Arts Center “Sundays at 6”; and,
- adopted the revised *Sign Code* which will take effect on June 21st.

Councilor Seymour stated that a few weeks ago he gave a report to Council on how the P&Z is approaching review of the “big box” standards and explained to Council the idea of contacting large retail companies to see if they would come and share their thoughts. He said the Council had some concerns with that and that “what it came down to is, Council feels the big box standards are in good shape, it is newest part of the *Code* and a lot [of time and money] has been invested [in developing it]. They say it can be reviewed, but not changed a lot. They also had concern with contacting big box companies because if we aren’t going to drastically alter the *Code*, it would not be the best use of time. The Mayor said that staff can contact companies electronically and see if we can get some feedback.” Councilor Seymour said that with that direction from Council it should help the P&Z speed through the *LDC*.

Commissioner Ferchau said that P&Z had talked about him and Councilor Seymour drafting a letter to [initiate discussions with “big box corporations”]. They didn’t get the letter written. So, he drafted a letter, which he passed out to the Commissioners. He asked “To what degree do we review our agenda with Council to get their approval before we do what we think we need to do? We should have the independence to proceed how we feel necessary. The objective wasn’t to revise the standards. I thought it would accomplish two things: it is an area of expertise no one on the Commission has, so it is an educational process; it is also adopting a philosophy that we recognize the importance of businesses being successful and the challenges they have in the community. The impetus was to become more informed.”

Chair Beda said that at the time when the big box standards were developed, there was a fair amount of sentiment that the standards were purposely drafted to make it so onerous that they [Wal-

Mart] would not pursue coming here and that sentiment still exists. He said that at that time we [P&Z] had consultants from other areas that came in and it worked well.

Councilor Seymour said he agreed that sentiment is still out there. But he said “The other issue we are starting to run into is that we are here to define code and regulations, not to set policy that sends us in another direction. The Council sets out a block and we sculpt it. The block is a general direction of policy. Council feels the big box standards are appropriate. It still warrants review, but they don’t want to see it completely redone. When we look at the amount of work and money spent on big box, it is still new enough that it doesn’t need to be redone.”

Commissioner Ferchau asked, “Is that what you think is being suggested? I wasn’t suggesting an overhaul of those standards.”

Councilor Seymour responded, “People feel there is a disconnect between business and policy at times. This is an example of where people feel that way.”

Chair Beda said, “That is why I wanted to do this [bring representatives from big box in]. This is where we might hear that they don’t have a problem with our *Code*. We haven’t done it before, except when we didn’t have a policy so we put a moratorium on it.”

The following discussion ensued:

Commissioner Larson: “The time to find out is before it becomes a problem. Realistically, where could a 50,000 square foot building go? Only in Gunnison Rising. The Gunnison Rising PUD addresses it.” Director Westbay clarified that the Gunnison Rising PUD refers to the big box standards but that the PUD does have lengthy design standards.

Commissioner Neimeyer: “Having information is always good. I am curious why we haven’t approached other similar-sized communities and looked at their codes. That would be more objective. It is like asking the fox how the chicken coop is that is being built to keep him out.”

Commissioner Ferchau: “It is up to us to have objectivity. We are asking them to understand our objectivity. Reviewing other communities is a good way to get other ideas. At the end of the day, the complexion of this community is the complexion of this community.”

Councilor Seymour: “The Mayor’s suggestion wasn’t to shut the door to the idea, but to frame it a bit. [Council] just doesn’t feel we have a lot to gain from this and doesn’t want to put a lot of resources and time into it.”

Commissioner Ferchau: “There is a public relations aspect to what we do. It isn’t that we want to just open the door and let things come running in. It is nice to be friendly in your approach. I would be happy to do it on my own, but would need some time.”

Commissioner Riggs: “That is not our role. It is the staff’s role. We cannot go on the street and talk to them, it isn’t our job.”

Commissioner Ferchau: “Our job is to be educated and smart about what we are making decisions about. We can’t take an issue on the street, but it is our duty to be well prepared for these meetings even if that means understanding some aspect of some industry.”

Commissioner Riggs: “There is a level of representation that is not our job. It is staff’s.”

Councilor Seymour: “I appreciate you doing it on your time, but it is not appropriate to approach [corporations] as an agent of the City. That is a role much more appropriate for staff. When we are talking about contacting corporations outside the valley, I would feel more comfortable with staff doing it.”

Commissioner Ferchau: “I am always doing that, that’s what I do. Don’t think you will keep me from doing that. I thought it was a good objective exercise that hasn’t been done in the past.”

Councilor Seymour: “I’m not accusing you of doing anything inappropriate.”

Commissioner Riggs: “So, are we asking staff to go forward with the letter?”

Chair Beda: “We are still in Council Update, we can discuss it under Commissioner Comments.”

IV. COMMISSIONER COMMENTS

- Chair Beda addressed Commissioner Neimeyer’s earlier question about Commissioner Riggs’ comment in the May 23rd minutes regarding “too many Conditional Uses popping up in a zone district.” Commissioner Neimeyer asked if there is a threshold of how many Conditional Uses can be in a district before it should be rezoned. Chair Beda asked, “if that were the case should we just make it an allowed use? We may have done that in the *LDC*. We need to come back to the use tables.” Director Westbay gave the example of a day care facility that must meet specific state and local standards. In that case it is still appropriate to use a Conditional Use application process to make sure everything is addressed and to give the neighbors an opportunity for input.

Commissioner Neimeyer asked who is responsible for tracking requests in a certain district. Director Westbay replied that applications haven’t been tracked in a zoning context, but it would be possible to go back and do that. Commissioner Ferchau said that the Commission did ask for a list, which was provided. Staff will get a report together. Chair Beda explained the B1 zone district which was created to make uses allowed that were previously conditional.

- Commissioner Riggs asked if the Commission wanted to send staff on a task to get input [from big box corporations]. Director Westbay said staff will do some research and said that if the Commission wants to follow up and send revisions of the *LDC* he will take that responsibility.

Commissioner Tocke said he sees a benefit in finding out what big box stores like so we can react at a non-contentious time and that looking at communities of a similar nature would be beneficial.

Commissioner Neimeyer said that regarding the Commission members’ need to interface with the public; “One way to assuage concern of onerous policies is to show that as we measure ourselves against other communities, we are equivalent. If we can do that through research, it will give us credibility.”

Commissioner Larson said that getting better educated is never a waste of time and that he likes the idea of contacting other communities to see what worked and what didn't. He also likes the idea of contacting the businesses. It will result in a better product.

Commissioner Neimeyer said that maybe ultimately [the Code] will only need minor tweaks, or none.

Councilor Seymour said that the Commission gained a lot from the matrix on the Sign Code; staff will work on that.

VII. ACTION. Chair Beda asked for a motion to excuse Commissioner Neimeyer from the June 27th meeting for a previously scheduled business trip. Commissioner Larson moved and Commissioner Riggs seconded the motion.

Roll Call Yes: Ferchau, Tocke, Beda, Riggs, Larson, Seymour
Roll Call No:
Roll Call Abstain: Neimeyer
Motion carried

VII. PLANNING STAFF UPDATE

Director Westbay updated the Commission on recent activity in the Community Development Office:

- Staff has been working with CPW to write a grant to the Colorado Water Conservation Board for river restoration on the Ranch. The project would be a four-step process: a detailed survey of the river reach and 70 cross sections; development of a set of alternatives to restore the stream channel on the segment of the river that has been historically affected by headgates and levees; detailed designs of the restoration project; and, an implementation phase to develop a trail spur to the river corridor that will involve a wetlands impact study and ACOE permitting. The total amount being requested is \$294,000. The outcomes will be better fishing habitat, better flood control and reduced impacts in other areas. The Palisades Retreat Club (across the river from the Ranch) and Mr. William Goddard (owner of the Harris Ranch) are interested in the project as well. The grant proposal was approved at the local level and will go to the State in September.
- Staff has been working with Dennis Minchow of the Schuck Corporation regarding a boundary line adjustment, text amendment and highway access control plan for Gunnison Rising;
- The fire danger is still at Stage 1 and local fire managers will meet on June 14th to discuss whether to go to Stage 2. The logic at the local level is that Stage 1 was just implemented and people are still getting used to it. There is always the possibility that the Governor may implement Stage 2 statewide. For now though, the 4th of July Fireworks are still on.

VIII. ADJOURN. Chair Beda adjourned the meeting at 9:02 p.m.

Bob Beda, Chair

Attest:

Pam Cunningham, Secretary

SERIES 2012

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF GUNNISON, COLORADO, COMMENDING DUSTY SZYMANSKI FOR HIS CONTRIBUTIONS TO THE CITY OF GUNNISON PLANNING AND ZONING COMMISSION.

WHEREAS, Dusty Szymanski has served on the City of Gunnison Planning and Zoning Commission from January 2010, through May 2012; and,

WHEREAS, Dusty, by his thoughtful consideration of matters before the Commission has served the best interests of the City of Gunnison, resulting in substantial benefits to the citizens of today and the future; and

WHEREAS, during his service on the Planning and Zoning Commission, Dusty participated in the development and passage of the City’s *Sign Code*, the *VanTuyl Ranch Management Plan*, contributed to review and revision of the *Land Development Code*, and reviewed and participated in processing numerous land use applications; and

WHEREAS, Dusty Szymanski has unselfishly given of his time and sound judgment to successfully carry out the duties of Planning and Zoning Commissioner.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF GUNNISON, COLORADO, THAT:

Dusty Szymanski is hereby commended and thanked for his generous donation of time, knowledge and dedicated service to the City of Gunnison Planning and Zoning Commission; and

is wished continuous success and good fortune in future endeavors.

INTRODUCED, READ, PASSED AND ADOPTED this 27th day of June, 2012.

Chair

(SEAL)

ATTEST:

Pam Cunningham, Secretary

THIS PAGE INTENTIONALLY LEFT BLANK

SERIES 2012

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF GUNNISON, COLORADO, COMMENDING STU FERGUSON FOR HIS CONTRIBUTIONS TO THE CITY OF GUNNISON PLANNING AND ZONING COMMISSION.

WHEREAS, Stu Ferguson has served on the City of Gunnison Planning and Zoning Commission from May 2011, through May 2012; and,

WHEREAS, Stu, by his thoughtful consideration of matters before the Commission has served the best interests of the City of Gunnison, resulting in substantial benefits to the citizens of today and the future; and

WHEREAS, during his service on the Planning and Zoning Commission, Stu participated in the development and passage of the City’s *Sign Code*, contributed to review and revision of the *Land Development Code*, and reviewed and participated in processing numerous land use applications; and

WHEREAS, Stu Ferguson has unselfishly given of his time and sound judgment to successfully carry out the duties of Planning and Zoning Commissioner.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF GUNNISON, COLORADO, THAT:

Stu Ferguson is hereby commended and thanked for his generous donation of time, knowledge and dedicated service to the City of Gunnison Planning and Zoning Commission; and

is wished continuous success and good fortune in future endeavors.

INTRODUCED, READ, PASSED AND ADOPTED this 27th day of June, 2012.

Chair

(SEAL)

ATTEST:

Pam Cunningham, Secretary

THIS PAGE INTENTIONALLY LEFT BLANK

Comparison of Large Scale Retail Development Standards

Municipality	Date	Big Box Standards	Downtown/Historic District Standards	Design Standards	Parking Standards	Landscaping Standards	Street Standards
Alamosa	2/20/2008	facades, roofs, materials and colors, parking lot orientation, rear and sides of building, outdoor storage, trash collection and loading, pedestrian flows, delivery/loading operations, street planting,	yes	in large scale retail	in large scale retail	in large scale retail	in large scale retail
Canon City	Mar-07	none	none	No, just general site development standards	yes	yes	yes
Cortez		none	none	No, just general site development standards	yes	yes	yes
Craig	Mar-12	none		Design standards: lots, blocks, streets, parking, sidewalks, easements, utilities, architecture, parks and public sites, landscaping, buffering, screening, fences, lighting, stormwater, potable water	yes	yes	yes
Delta				no design standards			
Durango	9/4/2007	covered by the overlay districts	Overlay Districts and design criteria for: downtown, historic district, river corridor, commercial use, PUD traditional neighborhoods	lots, blocks, streets, alleys, potable water, sewer, utilities, public improvements	general design standards	general design standards	general design standards
Estes Park	Feb-12	none	yes; also riverfront; viewsheds; blocks treated as an entity regarding color, building horizontal elements and height; facades; renovation to corner buildings should be more elaborate than other buildings; 60% transparent glass on frontage; franchise architecture not allowed. Very specific guidelines.	Natural resource protection	yes	yes	yes
Manitou Springs			yes; Major Change of Appearance Certificate required for renovations	General development standards	yes	yes	yes
Montrose	Aug-11	Large Retail Site Development Application required; development standards for highway corridors; supplemental development standards for large scale retail addresses facades, parking, landscaping, setbacks, roofs, entryways, buffers from residential areas, lighting.		General development standards address fencing, height, façade, refuse, landscaping,			
Pagosa Springs		Design Review Board reviews developments over 5,000 sq. ft. except residential. Commercial and mixed use design standards includes site layout, pedestrian environment, building desing, mass and form; materials; architectural style; 4-sided design; entrance; highway buffer; building orientation	Hot Springs District standards; Town Center District standards; River Frontage District standards	site development, sensitive area protection, access,	general design standards	general design standards	general design standards
Salida	2005	Highway Overlay District addresses facades and exterior walls, articulation, 360 degree architecture, cohesive design, façade treatments (pattern and color)	overlay districts				
Steamboat Springs	6/3/2008	yes; impact assessment; bicycle and pedestrian facilities; building impact; color; landscaping; lighting; natural resource protection;		Design Standards for all districts; mass, character, frontage; height; yards; sidewalks; signs;	general design standards	general design standards	general design standards
Woodland Park	1995	Design standards to encourage the use of materials that are compatible with the natural forested surroundings (mountain-western architecture).		Design Standards for all districts: frontage, height, yards, sidewalks, signs, pedestrian facilities, screening;	yes	yes	yes

THIS PAGE INTENTIONALLY LEFT BLANK

Summary of Large Retail Case Studies

Marcie Bidwell & Stephanie Hurley

Introduction

This collection of case studies offers examples of the ways in which towns and cities have dealt with large retail. Our intention was to present a variety of perspectives and outcomes. Some of the towns we studied have no “big box” retail within their city limits; of those towns that do have big box stores, some have struggled with large retail and others have integrated it gracefully. Among these case studies we have also attempted to consider a range of small towns, with populations ranging from 1,400 to 20,000 people. Because there is “no place like Homer,” it is not possible to directly predict what may happen if large retail comes to Homer based upon what has happened in a parallel town. However, many of the communities surveyed do have strong similarities to Homer, including towns that:

- have economies centered around tourism, fishing, art, and local businesses,
- are located at “the end of the road,”
- have or are experiencing population growth,
- consider their natural surroundings and town character to be vital community assets, and
- seek economic growth that does not infringe upon “quality of life” or community character.

The following case studies describe methods used by town planning boards, city councils, citizens’ groups and others, which have enabled communities to address some of the complex issues that accompany large retail entering small towns. They provide examples of detailed planning codes and guidelines, as well as stories of what has happened in towns without such guidelines. There are also examples of unique approaches that towns have used in the past, and tactics that they are currently implementing, to ensure that established community goals are met and that the future is well planned. We hope that reading these pages will foster a greater understanding of the vast number of strategies available for town planning and the implications of these strategies for large retail within communities.



Ashland, OR
Bainbridge Island, WA
Bozeman, MT
Cannon Beach, OR
Fairview Village, OR
Gig Harbor, WA
Ketchikan, AK
Nelson, B.C., Canada
Port Townsend, WA
Soldotna, AK
Steamboat Springs, CO
Taos, NM

Case Study Towns

Many commonalities exist between Homer and the towns selected for case studies. For instance, **tourism** is an important economic factor for the majority of the towns discussed. Cannon Beach, Port Townsend, Taos, Ashland, and Nelson all actively support the **arts**. Gig Harbor, Ketchikan, and Port Townsend all report **fishing** to be an important part of their local economies. There are **universities** in both Bozeman and Ashland. As a matter of location, Taos, Steamboat Springs, and Port Townsend are all located at “the end of the road.” Both Soldotna and Ketchikan serve as Alaskan case studies.

Large Retail and Small Town Atmosphere: the status quo

The presence, absence and form of a “big box” store in a given town is dependent upon a wide variety of factors. Within the following examples are **stories** about some of the ways in which large retail and small towns have interacted. In addition, potential **methods** for addressing large retail are discussed. Individual towns have employed different **strategies** in treatment of large retail. Each town can, therefore, uniquely inform Homer in its decisions about the fate of large retail within its landscape. It should be noted that, in some instances, two towns have taken the same course of action, or utilized similar strategies, yet were met with very different outcomes (e.g. size caps may have eliminated big box stores from one town, but proved ineffective in regulating them elsewhere). In other cases two different courses of action have elicited identical results (e.g. pressure from citizens groups in one town, and adherence to architectural standards in another may have both resulted in the modification of a façade on a big box store). While one criterion for case study selection was that there be time-frames long enough to observe outcomes, these stories are ongoing; even at the time of this writing, the ends remain unknown.

To date, **large retail** is present within the towns of Bozeman, Nelson, Taos, Fairview Village, Gig Harbor, Steamboat Springs, Port Townsend, Bainbridge Island, Soldotna and Ketchikan, though in several of these towns it is restricted to certain zones. Ashland and Cannon Beach represent the case study towns that do not host large retail.

Soldotna, Ketchikan, Taos, Steamboat Springs, Bozeman, and Nelson are all towns where at least one big box store has been built without being restricted by tight guidelines. To date, Soldotna still has no design guidelines or codes; the town is home to an 158,000 sq.ft. Fred Meyer, in addition to other large retail. Within the Soldotna community, these stores are predominantly viewed as beneficial to the **local economy**. Yet, some residents seem weary of relying entirely on one or two companies for the bulk of the town’s income. Others express concern about the fate of the neighboring town of Kenai, which currently has 11 new commercial spaces that stand empty.

Unlike the Soldotna scenario, in Ketchikan the opening of a 64,000 sq.ft. Wal-Mart motivated the borough council to establish guidelines for shopping center development. Ketchikan planners created a commercial district and wrote codes that encourage the **consolidation of retail** for shopping areas of more than 50,000 sq. ft., rather than scattered development throughout the borough. In addition, the borough codes require compact commercial development that allows for sharing of parking spaces, entrances and exits.

In Gig Harbor and Fairview Village, stringent zoning codes and **design guidelines** are in place to ensure that large retail is restricted to specific areas of town and that the architecture of these big box stores is stylized to fit with the “look” of the individual communities. Bainbridge Island has similar guidelines, and the potential for large retail development, but currently does not host a big box store.

Size caps limit the square footage of buildings in specific districts of Bainbridge Island, Gig Harbor, Taos, and Ashland. In Bainbridge Island large retail may only be built in three commercial zones, one of which has a size cap of 14,400 sq.ft.; additional size caps apply in certain overlay districts. Gig Harbor has designated a single parcel within city limits to be the only place where retail exceeding 35,000 sq.ft. is permitted. This practice-- of concentrating large retail in one location-- has enabled Gig Harbor to retain the sales tax base from big boxes, without compromising the character of the separate downtown commercial district.

When Wal-Mart built a 75,000 sq.ft. store on the outskirts of Taos in 1985, the community was divided: some were in favor of the tax revenue and jobs the big box would generate and others were concerned about the consequences for local shops (which have reportedly since been driven out of business). In 1999, discussion of a new Wal-Mart Supercenter led to the establishment of **architectural standards** and size caps, as well as required reviews by the Planning and Zoning Department. In Taos, size caps apply to all commercial buildings: those exceeding 80,000 sq.ft. are banned, and special permits are required for structures larger than 30,000 sq.ft. Although these techniques have temporarily deterred the Supercenter from building in Taos, Wal-Mart continues to put pressure on the city council to amend the existing size restrictions.

In Ashland, size restriction has essentially excluded large retail from the town, thus preserving the character of its **historic districts**. Ashland is divided into detailed **site review zones**, only one of which permits any large-scale development; further, strict design standards and guidelines set by the Historic Commission are used to retain the pedestrian-oriented small town feel. Both Ashland and Port Townsend have been winners of Main Street awards. As in Ashland, the historic downtown area of Port Townsend is free of big box stores; this is a result of adherence to strict local guidelines, which apply to architectural design and land use. Taos has special restrictions for historic overlays, which also serve to keep those districts free of big boxes. Ketchikan, one of Alaska’s oldest town, places value on its historic area; numerous historic buildings have been retained and special codes apply in the Ketchikan Creek historic district.

The combination of rigorous **design reviews** and a lack of **developable space** have eliminated the potential for large retail in Cannon Beach. Similarly, although Nelson already hosts two big box stores, the topography of the region limits the size of the town, and, thus, there is little opportunity for increased sprawl or an abundance of large retail.

The newly re-developed town of Fairview Village is approaching big box stores from a slightly different angle. Unlike many of the other towns studied, Fairview Village is actively seeking the establishment of large retail in its New Urbanist-style pedestrian-oriented commercial development. Developers and small businesses feel that big box stores, including a 133,000 sq.ft. Target store located several blocks from the town center, are an economic necessity and hope to attract at least two mid-sized (40-50,000 sq.ft.) “**anchor stores**” for the village. Through negotiations with town planners, Target was required to modify its storefront, building materials, and parking in compliance with local architectural styles and zoning codes. The remaining town center is comprised of mixed-use housing, small retail, and civic buildings. Residents are

reported to be satisfied with the manner in which Fairview Village is being developed, particularly in terms of walkability, sense of community, open space protection, trail networks, and extensive ecological restoration projects.

At the other end of the spectrum from the carefully planned and developed new town of Fairview Village, Bozeman has experienced many years of large retail with minimal restrictions. In 2002, realizing that it had become crucial to establish guidelines to govern future growth, city officials in the Planning and Zoning department enacted a temporary moratorium that bans new structures or expansions that exceed 75,000 sq.ft. Further, design guidelines are now required to be applied to buildings between 40,000 and 75,000 sq.ft. Although these restrictions are written in Bozeman's Municipal Code, enforcement has been lacking. Big box developers, such as Wal-Mart, Target, Home Depot, and Costco, are instead given the option of paying **impact fees**, in order to exceed size cap limits. For example, Home Depot negotiated a fee of \$450,000 with the City Manager, which was added to the standard fees for water, sewer, fire, police, and other infrastructure.

Impact fees are not the sole method utilized by towns to ameliorate the presence of big boxes. For instance, Gig Harbor has detailed **mitigation** requirements for large retail, which provide such **community amenities** as roads, traffic circles, stormwater management, and open space preservation. Similarly, Wal-Mart has offered road construction and expansion of infrastructure as incentives for approval of its proposed new Supercenter in Taos, though the city has twice denied lifting size restrictions to allow the superstore. In other towns large retail has made efforts (sometimes as good neighbors, and other times of a legal obligation) to donate funds and/or supplies to **local causes**. For example, in Ketchikan, Wal-Mart offered small grants of \$5,000 to \$15,000 to local non-profits and community development projects. The Chambers of Commerce in Soldotna, Ketchikan, Fairview, and Gig Harbor each report at least one big box store on their membership lists. Although Ashland does not host any large retail, Wal-Mart and Costco, which are located 7 miles away in Talent, are members of Ashland's Chamber of Commerce.

Community Heart

One attribute shared by all of the towns chosen for these case studies is a strong sense of appreciation for community. There is a collective desire among the residents of these towns to maintain a certain quality of life. These facts are evidenced by the amount of public outcry regarding the impact of large retail on small towns, and the concerns voiced by many **citizens' groups** that "Anywhere, USA" -type development has the potential to be both economically and aesthetically detrimental to local business and local character.

In Nelson a particularly vocal community group, which sought to protect the town's waterfront from Wal-Mart expansion, ended up garnering the support of **local investors** who raised \$1 million to purchase the property; they went on to develop a Vision Planning document for the waterfront and corresponding design guidelines. Port Townsend's **activists** were successful in prohibiting the chain drugstore Rite Aid from building within its historic downtown. The Bainbridge Island community organized to strictly limit the number of auto-oriented fast food establishments in town. Cannon Beach prohibited "formula fast food franchises" altogether. Bozeman residents used their shopping dollars to express their values and saved a local downtown business from extinction. In Fairview Village, the required mitigation and restoration of habitat areas was a direct result of the voicing of concern by local residents.

Citizens' groups in Steamboat Springs, Taos, Ketchikan, Gig Harbor, and Ashland have all expressed varying degrees of opposition to large retail. Even in Soldotna-- where it seems the majority of community members welcomed Fred Meyer and its perceived economic benefits-- there were suggestions by some residents that architectural design guidelines be employed. Ultimately, when the fate of town planning is at stake, it is crucial that **diverse opinions** be considered. Although community organizations who have argued in opposition of large retail have not always been able to restrict it, such groups have consistently pushed for increased regulation and planning, and have helped foster important compromises.

Lessons for Homer

In researching these case studies, we uncovered many examples of codes, guidelines, and **unique planning strategies** that may be able to inform the designers of Homer's future. For instance, in an effort to preserve open space, Bainbridge Island has set a goal for itself of concentrating 50% of projected growth within the small urban business district. One of the unique ways in which this density increase has been achieved is by including a residential component within all commercial zones. Further, in Bainbridge Island, housing is required for all commercial developments taller than one story.

Among other examples, Port Townsend's Chamber of Commerce has developed a special program that gives technical assistance and loans to small businesses. The new town center of Fairview Village has been deliberately designed as a mixed-use development, including civic buildings—city hall, a post office, and a library—as well as residential, retail, and community gathering spaces. Comprehensive plans, historic overlays, architectural standards, and design guidelines have been used in Ashland, Gig Harbor, Nelson, Ketchikan, Steamboat Springs, Bozeman, Taos, and Cannon Beach to ensure that downtowns, old-towns, and central and small business districts retain **local charm** and are developed at a **pedestrian scale**. As some of the case studies demonstrate, it is possible for towns to achieve large retail development that is consistent with a town's individual character, and allows for both access and walkability.

As a case study, the town of Steamboat Springs may be useful to Homer as an example of what may happen when large retail develops relatively unchecked. In Steamboat Springs planners, city council members, retailers, and community members are concerned about the results of a Wal-Mart constructed in 1992. Subsequent establishment of other large retail has caused problems on a case-by-case basis, and big box stores are generally considered to be a controversial issue in town. In hindsight, the town is attempting to develop and implement a plan for future growth. The options for Steamboat Springs are similar to those that have been faced by other towns (including Homer), which lack enforceable guidelines and codes. Outlined by CLARION (2002) in Steamboat's Community Plan, these **three choices** are:

- Discourage large regional commercial development and focus on local, community-based retail (i.e. large retail is PROHIBITED).
- Allow large regional commercial development only in designated/zoned locations and require size caps, architectural standards, and/or design reviews (i.e. large retail is INTEGRATED).
- Make no change to current policy, allowing unchecked large regional commercial development (i.e. large retail is UN-RESTRICTED).

Selection of the first option entails the development and enforcement of very tight codes and guidelines. The assessment and conservation of specific areas of ecological significance,

historic buildings, and community landmarks are necessary, as is the development of support systems for local businesses.

The second scenario is achieved in a variety of different manners, many of which have been documented within the case studies and include the development and enforcement of rigorous codes and guidelines. If town planners intend to allow large retail while maintaining control over its impacts, both *aesthetic* and *economic* restrictions must be considered.

There are hundreds, if not thousands, of examples of the third situation described above. These places often qualify as “Anywhere, USA” towns. Although some of the towns included in this case study report have experienced this type of development in the past, most have managed to retain some degree of local character (for example, by creating historic overlay districts). Nonetheless, for these towns it has become very clear in recent years that plans for future growth must be made before their character and economic diversity is eroded by uncontrolled forces.

The notion that in the future Homer’s fate may be parallel to that of one of these case study towns is both daunting and exciting. In order to ensure that Homer charts a desirable course, the town must do its best to answer for itself critical questions, and plan accordingly. Some sample questions:

- What are the community’s long-term goals for economic growth? From what sources might the town expect to gain its income in 20 years? In 40 years?
- What role does retail development play in economic sustainability?
- What are the quintessential aspects that make the town unique? How can the intrinsic natural and cultural assets the community most values be protected?
- How ought land uses be distributed now and in the future? Where is it important to create or preserve natural areas, public meeting places, and open spaces?

Many of the case study towns have already answered similar questions for themselves. We hope that the outcomes documented in these case studies will help Homer to further reflect upon its current circumstances and that the case studies provide memorable stories and strategies that can be applied to planning for Homer’s future.

Table of Case Study Issues

The following table portrays basic information about the towns discussed within the case studies. In general, the towns are ordered from the least restrictive to most restrictive, in terms of large retail. For further depth, please refer to the individual case study documents.

TOWN	BIG BOX	ZONING	SIZE CAPS	DESIGN GUIDELINES	ARCH. STANDARD	DESIGN REVIEW	HISTORIC OVERLAY/DISTRICT	INCENTIVES OFFERED BY BIG BOX*	NOTABLE** COMMUNITY	REPORTED SMALL BUSINESS FAILURE***
Soldotna, AK	X							X		X
Ketchikan, AK	X	X					X	X	X	X
Steamboat Springs, CO	X	X							X	
Bozeman, MT	X	X	X	X		X	X		X	
Nelson, B.C. Canada	X			X		X	X		X	X
Taos, NM	X	X	X	X				X	X	X
Fairview Village, OR	X	X		X	X	X		X	X	
Gig Harbor, WA	X	X	X	X	X	X	X	X	X	X
Bainbridge Island, WA		X	X	X	X	X	X		X	
Port Townsend, WA		X	X	X		X	X	X	X	
Ashland, OR		X	X	X	X	X			X	
Cannon Beach, OR		X		X		X			X	X

* = Incentives offered may include construction of roads, infrastructure, or other community amenities. Locations where large retail has made contribution to local projects or in which a box store is a member of the Chamber of Commerce are also marked.

** = Notable community opposition refers to towns which have reported concern about large retail from any community organization, be it large or small. This may range from complaints to a council member to repeated protests. In many cases, there have also been other community groups who have been active supporters of large retail.

*** = Small business failures were reported in these towns. Especially with the state of our current economy, such conclusions are speculative. Some have been verified by economic reports; others are considered rumors. Also, in the case of Cannon Beach, small business failure may be due to competition with out-of-town large retail. For further detail, please see individual case studies.

THIS PAGE INTENTIONALLY LEFT BLANK

MEMORANDUM

TO: Planning and Zoning Commission
FROM: Steve Westbay
DATE: June 27, 2012
RE: LDC Update – Section 5, Natural Resource Protection

Discussion of the draft *Land Development Code (LDC)* Section 5, Natural Resource Protection Standards, will be initiated during the work session. This memorandum provides an overview of Section 5 and the specific components and standards proposed for natural resource protection. There are five resource components addressed in this section:

- Stormwater Management
- Slope Protection Standards
- Grading and Erosion Control
- Wetland and Streams Corridor Protection

Stormwater Management

The City has existing stormwater facilities that serve the historically developed neighborhoods. Stormwater from these historic neighborhoods drains into curbs and gutters that directed stormwater into buried pipes. These pipes discharge stormwater into two primary basins with one basin discharging into Mergleman Pond adjacent to Dos Rios and the other the other discharging into a pond located within the airport boundary. On-site detention stormwater management systems have been designed in newer neighborhoods such as Sun Spot, Rainbow Meadows Estates, VanTuyl Village and the Meadows Subdivision; fort the most part these developments do convey into the historic stormwater utility system.

Existing City stormwater standards are found in Chapter 15.110, Improvement Standards of the *LDC*. The City's existing standards contain four paragraphs. The existing City stormwater standards require a plan developed by a registered engineer and the major design parameter requires that the system convey off-site flow at the pre-development rate.

Federal and state governments have enacted stormwater quality standards that apply to small urban areas. Presently, municipalities with populations greater than 10,000 must comply with Phase II of the National Pollutant Discharge Elimination System (NPDES) Program Requirements of the Federal Clean Water Act. Smaller jurisdictions may be subject to these federal regulations, at the discretion of federal and/or state water quality regulators.

Contemporary engineering and science practices of stormwater management, which have been driven by federal mandates of the Clean Water Act, are vast in scope and complexity. Modern engineering standards documents are comprehensive and address a broad range of technical detail. City staff has developed a draft document containing policies and minimum technical criteria for the planning, analysis and design of storm drainage systems within the boundaries of the City of Gunnison. The city's existing stormwater utilities serving the historic Gunnison neighborhoods are, for the most part, adequate for existing and future development within these the historic geographic bounds. New developments outside historic Gunnison will be served by more contemporary designs that focus on detention at both the site level and drainage basin scale.

Slope Protection Standards

Historically, there was no need to consider design and grading standards on hillsides, but the Gunnison Rising annexation contains more complex slope terrain. Additionally, the city boundary encompasses a portion of Tenderfoot Mountain; this real property is owned by the State of Colorado.

The proposed slope protection standards incorporate a table specifying increased lot area and frontage length and reduced density for multi-family development as the slope of the terrain increases. Increased lot frontages are necessary on steeper slopes in order accommodate building-pad grading and driveway design.

The staff is developing a digital slope model for the city limits. Figure 1 is preliminary, and it is anticipated that the model detail can be improved.

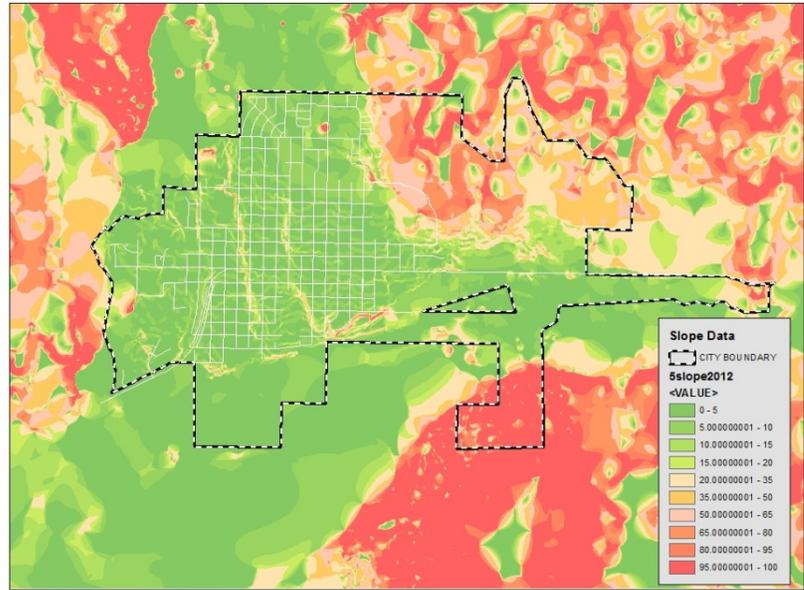


FIGURE 1 SLOPE MODEL

Grading and Erosion Control

Grading standards have a direct relationship to site stormwater drainage design and slope development. Good grading plans tend to fit street and lot layouts into the natural topography. This approach reduces cut and fill work, resulting in lower development costs and easier maintenance. Proposed grading standards establish criteria for the maximum grade change across the slope; defines contemporary retaining wall design standards; and requires restoration of sites after dirt work is complete to mitigate erosion impacts.

Wetland and Streams Corridor Protection

Development of wetland regulations was a Planning and Zoning desire dating back several years. The proposed standards would require that developments along the Gunnison River and Tomichi Creek maintain a 50 foot setback from river corridors and jurisdictional wetlands; lots established prior to the new LDC adoption would be exempt from these standards.

Waivers

The draft LDC incorporates a waiver provision for all natural protection standards. The Council is proposed to be the authorizing authority for all waiver applications.

Section 5. Natural Resource Protection Standards

§5.1 STORMWATER MANAGEMENT

- A. Purpose.** The City recognizes the need and responsibility for adequate engineering standards to accommodate stormwater runoff. The need has become more apparent with the County goal to concentrate development adjacent to municipal boundaries and the *City of Gunnison Master Plan* goal to develop and concentrate urban land uses within its corporate boundary.

The *City of Gunnison Stormwater Management Manual* provides consistent and accurate engineering design management for all developments within the city boundary. The desire is to develop stormwater management and erosion control facilities by promoting Low Impact Design techniques that mimic natural fluvial dynamics found in the area.

The City has adopted stormwater design standards based on the Denver Urban Drainage and Flood Control District *Urban Storm Drainage Criteria Manuals (USD CM)*, Volumes 1, 2 and 3, with appropriate revisions to address local conditions. These design standards for stormwater facilities are commonly used in the State of Colorado and provide consistency for engineer and design professionals.

B. Stormwater Design and Construction Standards

1. The *City of Gunnison Stormwater Management Manual* shall be incorporated herein by reference.
2. Design and Construction of all stormwater water facilities shall be in accordance with the *City of Gunnison Stormwater Management Manual* as it may be amended.
3. The drainage system shall be designed and constructed so that only historic runoff rates, not including historic irrigation, shall be released from the site. Drainage flows in excess of this amount shall be retained, detained or handled in a storm sewer system. All costs associated with handling runoff generated by a development shall be paid by the developer.
4. The drainage system shall comply with applicable state and federal requirements.

- C. Floodplain.** Lands within the City limits and located within an adopted 100 year floodplain are subject to the City's Flood Damage Prevention Regulations found in Chapter 14.60 of the *City of Gunnison Municipal Code*.

§5.2 SLOPE PROTECTION STANDARDS

A. Density Calculation for Residential Development on Steep Slopes in Excess of Ten Percent

1. **Applicability.** These density calculation provisions shall apply to all new residential development and subdivisions in the City of Gunnison.
 - a. All Map Amendments proposed after the adoption date of this *LDC* shall be subject to these Slope Protection Standards.

- b. Non-residential development districts shall be prohibited on slopes greater than 10 percent.
- 2. **Definition.** For the purposes of this Section “average slope” shall be measured as set forth in §15.2 of this *LDC* (See Figure 27).

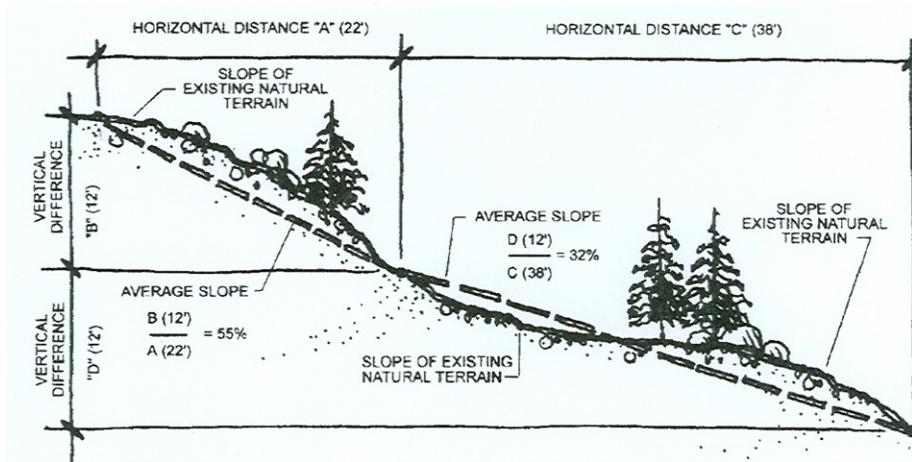


FIGURE 27 SLOPE PROTECTION STANDARDS

- 3. **General Rule.** Notwithstanding the maximum densities permitted by the underlying zoning district, the minimum lot area and front yard dimension for new residential development on parcels containing slopes 10 percent or greater shall be determined by the following factors presented in Table 5-1.

TABLE 5-1 AREA AND FRONT YARD DIMENSIONS IN SLOPE PROTECTION AREAS							
Zone District	Base Minimum Lot Area	Adjusted Minimum Lot Area (Square Feet) at “x” % Slope					
		10 %	15%	20%	25%	30%	35+%
R-1	8,000	12,000	20,000	32,000	64,000	128,000	256,000
R-1M	6,250	12,000	20,000	32,000	64,000	128,000	256,000
R-2	6,250	12,500	25,000	50,000	75,000	Not Permitted	Not Permitted
RMU	6,250	16,250	32,500	Not Permitted	Not Permitted	Not Permitted	Not Permitted
R-3	6,250	16,250	Not Permitted				
Front Lot Length		75	75	80	80	100	100
Density Reduction R-2M Max Units Per Acre		-25%	-50%	NA	NA	NA	NA
Density Reduction R-3 Max Units Per Acre		-25%	NA	NA	NA	NA	NA

B. Development Restrictions on Steep Slopes

1. **Applicability.** These development restrictions shall apply to all new development in the City of Gunnison, except for subdivisions approved for single family residential use prior to the effective date of this *LDC*.
2. **New Structures—Existing Slopes in Excess of Ten Percent**
 - a. New development proposed to be built on any portion of a site containing a 10 percent or greater shall be subject to review and approval pursuant to Section 6. This provision applies to development that would otherwise be exempt from the development plan review process.
 - b. Staff shall review all such development plans and evaluate them according to the following standards:
 - i. Site Disturbance shall be minimized to the maximum extent practicable (§5.2 D., Grading Standards).
 - ii. Cuts for utilities and access driveway shall be shared to the maximum extent feasible;
 - iii. To the maximum extent feasible, new construction shall not take place on any portion of a parcel that shows evidence of slope instability, landslides, avalanche, flooding alluvial fan or other natural or manmade hazards.
 - iv. The applicant shall demonstrate that the slope's ground surface and subsurface are not unstable, that the proposed development will not cause instability or increase the potential for slope failure, and that the development of the slope will not increase the degree of hazard both on-site and on adjacent properties.
 - c. For purposes of this section, steepness of slope shall be measured from the points with the highest and lowest elevation within five feet of any portion of the proposed structure.
3. **Structure Clearance from Steep Slopes.** Structure clearance from ascending or descending slopes greater than 30 percent shall comply with the requirements set forth in the applicable *Building Code* provisions.
4. **Grading, Clearing and Excavation—Slope in Excess of Ten Percent.** Clearing, excavation and grading on slopes greater than 10 percent shall not be allowed, unless expressly approved through a site development application.
5. **Roads/Driveway – Slopes in Excess of 10 Percent.** Shared driveway and access to site or lots containing slopes in excess of 10 percent shall be utilized to the maximum extent feasible (also see §4.3, General Site Access).

C. Ridgeline Protection Standards

1. **Applicability.** This Section shall apply to all new development in the city boundary proposed on slopes greater than 30 percent.

2. **Building/Roof Design for Ridgeline Protection Guidelines.** Development subject to this subsection will be designed and sited to minimize the visible intrusion of building and structures above the designated ridgelines or above existing ridge top trees or vegetation, and thus preserve scenic view across or through the site. Techniques to meet this standard should include but are not limited to, careful consideration of architectural design, building massing, siting, building colors and roofing materials, and the use of native landscaping or other permitted screening materials. Stepping the building mass and form with the natural grade is encouraged.
3. **Development Plan.** All development subject to these ridgeline protection standards shall submit a development plan, including a visual analysis of the proposed development, for staff review and approval. The required visual analysis shall include a photographic simulation of the development from viewpoints as determined by staff.

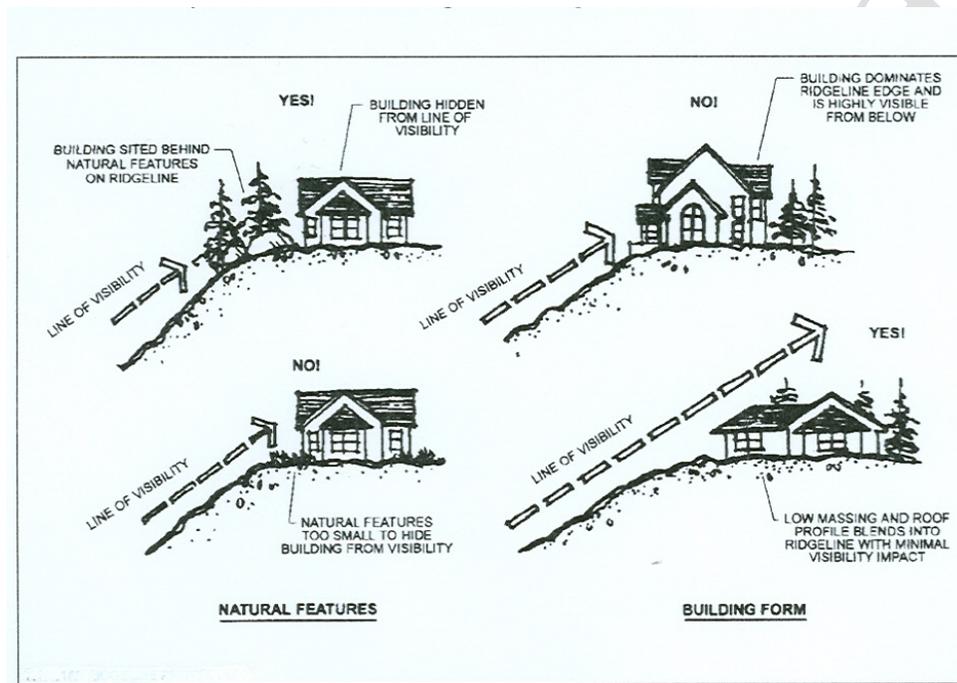


FIGURE 28 RIDGELINE PROTECTION STANDARDS

D. Staff Waivers of Ridgeline Protection Standards

1. Staff may grant such waivers or modifications to the ridgeline protection standard only if it finds based on substantial evidence presented by the applicant, that the following conditions are satisfied:
 - a. Application of the ridgeline standard renders the site undevelopable;
 - b. Application of the ridgeline standards will result in substantial economic hardship and the economic hardship is not created by the applicant or otherwise self imposed; and
 - c. The development conforms to all other development, site design and environmental standards set forth in this Section and in all other applicable ordinances and codes.

2. In granting a waiver from or modification of the ridgeline protection standards set forth in this section, staff may impose conditions if the effect of the conditions is to reduce the adverse impact of the development, including but not limited to a reduction in a maximum building height below what would otherwise be permitted in the applicable zoning district.

§5.3 GRADING AND EROSION CONTROL

- A. **Applicability.** The provisions of this Section apply to all residential and nonresidential development subject to subdivisions and/or site plan applications.
- B. **Grading Plan.** The applicant shall submit a grading plan which illustrates the extent of the land disturbance which is to occur on the property. The grading plan shall illustrate existing site features and shall depict existing and proposed contours, using a contour interval of two feet. Where slopes are greater than 20 percent, five foot contours may be depicted.
- C. **Plan Preparation.** Preparation of an effective grading plan and execution of proper grading involve certain basic steps pertaining to street layout, block grading and lot grading. The objective is to establish the street grades, floor elevations and lot grades in proper relation to each other and to existing topography, considering property protection, and use. The basic steps are as follows:
 1. **Fit to Topography.** If the street layout is still subject to design or adjustment, fit it to the topography to obtain the most favorable types of block and lot grading which are compatible with other objectives.
 2. **Block and Lot Grading.** Determine type of block grading for each block or portion of a block and, if possible, indicate the general lot grading for each lot by drainage arrows.
 3. **Easements.** Determine any easements and other provisions needed for adequate block drainage and erosion control.
 4. **General Limitations.** Determine general lot grading limitations for local conditions such as minimum gradients for grass swales and slopes and maximum for sidewalks and driveways.
 5. **Specific Limitations.** For each type of house and lot determine the specific lot grading limitations along a typical lot grading control line from the street to the house and determine the minimum street-to-floor rise.
 6. **Street Profiles.** If the street profiles are to be designed or adjusted, establish them so as to facilitate the provision of good drainage for both the lots and the streets, giving due consideration to existing topography and lot limitations.
 7. **Elevations.** For each property, determine proposed elevations for key points on the lot and for the dwelling floor, giving due consideration to street elevations, existing topography and lot grading limitations.
- D. **Grading Standards**
 1. **Grading Prohibited Without Prior Approvals/Permits.** No cutting, filling, stockpiling, excavation, or vegetation removal shall be permitted, whether to provide for a building site,

for on-site utilities, or services for any roads or driveway, prior to final approval of a grading and excavation plan submitted in conjunction with a site development plan application or the issuance of a building permit.

2. **Limits on Changing Natural Grade.** The original, natural grade of a lot shall not be raised or lowered more than 10 feet at any point for construction of any structure or improvement except:

- a. Foundation walls incorporated into the principal structure to allow the building mass step in response to natural grade; or
- b. The site's original grade may be raised or lowered to a maximum of twelve feet if a retaining wall or terracing is used to reduce the steepness or manmade slopes, provided that the retaining wall or terracing comply with the requirements set forth in this Section (see Figure 29).

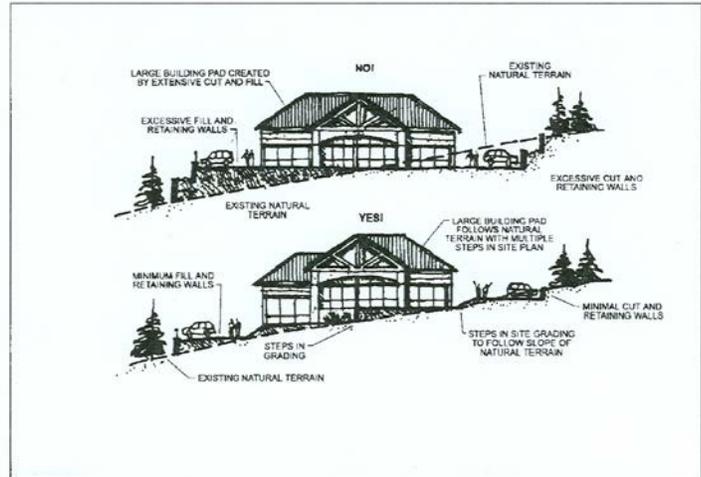


FIGURE 29 LIMITS ON CHANGING NATURAL GRADE

3. **Cutting and Creating Benches.** Cutting and grading to create benches or pads for additional or larger building sites or lawns shall be avoided to the maximum extent feasible.
4. **Grading For Accessory Building Pads Discouraged.** Separate pad for accessory buildings and structures other than garages, such as tennis courts, swimming pools, outbuildings, and similar facilities, shall be discouraged except where the average natural slope is 15 percent or less, as measured from the points with the highest and lowest elevation within five feet of any portion of the proposed accessory building structure or building.

5. **Limits on Graded Filled Manmade Slopes**

- a. Slopes of 20 percent or less are strongly encouraged wherever feasible or practicable.
- b. Except as provided below, graded or filled manmade slopes shall not exceed a slope of 30 percent (3:1 slope) unless civil engineering plans incorporating recommendation from a geotechnical report, both of which shall be submitted by an engineer licensed in the State of Colorado, is furnished to the Community Development Director. The plans and reports shall include a written statement establishing that the site has been investigated and that, in the opinion of the qualified professionals, a cut at a steeper slope will be stable and not create a hazard to public or private property both on the site and directly adjacent to the affected site.
- c. If a steeper slope will result in less overall site disturbance, then graded or filled manmade slopes associated with road construction may exceed a slope of 50 percent (2:1 slope), but shall be subject to City review and approval.

6. Retaining Walls

a. Limited use of retaining walls is encouraged to reduce the steepness of manmade slopes and to provide planting pockets on steep slopes conducive to revegetation, subject to the following standards:

b. Retaining walls shall be used to provide breaks in manmade slopes exceeding 30 percent and to provide planting pockets.

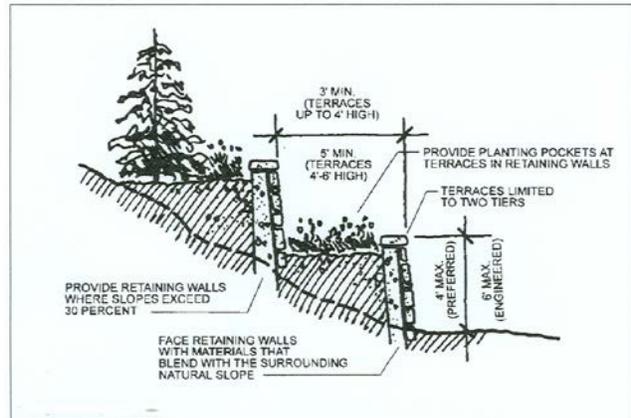


FIGURE 30 RETAINING WALLS

c. Retaining walls may be permitted to support steep slopes but shall not exceed six feet in height from the finished grade except for:

- i. a structure's foundation wall;
- ii. as necessary to construct a driveway from the street to a garage or parking area; or,
- iii. as otherwise expressly allowed by this Section.

d. Any retaining wall or multiple retaining wall design greater than four feet in height shall be designed by an engineer registered in the State of Colorado and the engineer design shall be based on recommendations from a geotechnical engineer soils report. The engineer design shall be submitted to staff for review and approval prior to construction.

e. A three foot minimum horizontal terrace shall be required for any multiple retaining walls that are less than four feet in height. A minimum five foot horizontal terrace shall be required for any multiple retaining walls that are four feet or greater in height. Terraces created between retaining walls shall be permanently landscaped with vegetation.

f. Retaining walls visible from a collector street, arterial street or highway, or from public open areas or parks, shall be screened by vegetation or faced with wood, stone or other earth-colored materials that blend with the surrounding natural landscape.

g. All retaining walls shall comply with applicable *Building Code* provisions, except that when any provision of this Section conflicts with any provision set forth in the *Building Code*, the more restrictive provision shall apply.

h. Filling or Dredging of Waterways Prohibited. Filling, draining or dredging of water courses, wetlands, gullies, stream beds or stormwater runoff channels is prohibited, except as authorized with a floodplain development permit or with an approved site development plan.

i. Detention/Stormwater Facilities. Where detention basins and other stormwater and erosion control facilities may be required, any diverse visual impact on the natural landscape and topography shall be minimized to the maximum extent feasible.

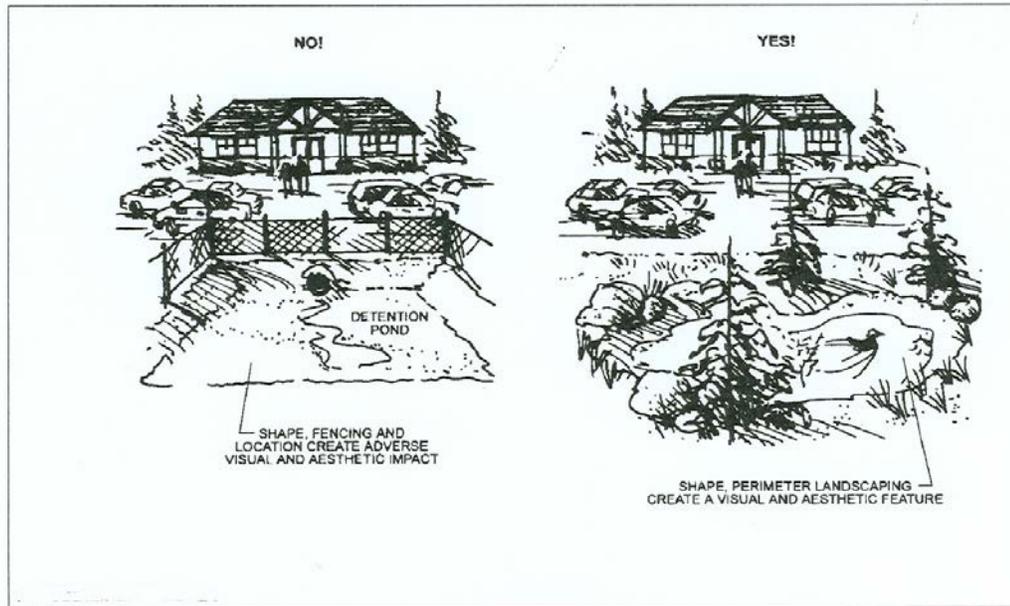


FIGURE 31 DETENTION / STORMWATER FACILITIES

7. Restoration of Disturbed Areas

- a. **Follow Natural Contours.** All disturbed areas shall be restored as natural-appearing land forms, with curves that blend in with the adjacent undisturbed slopes. Abrupt angular transitions and linear slopes shall be avoided.
- b. **Revegetation Required.** Areas disturbed by grading shall be contoured so they can be revegetated and shall be revegetated within one growing season after construction using native species seed mix (see Appendix A). Revegetation shall be sufficient to provide erosion control and prevent the invasion of weeds. Plans for revegetation of cut-and fill and graded slopes shall be included as part of the site development plan application.
- c. **Timeline.** Overlot grading projects affecting an area greater than one acre in size that has been wholly or partially grubbed or wholly or partially graded, construction shall commence and shall be continuous within 60 days after grubbing. Should construction or grading not commence or be continuous within the required 60 day period, the site shall be native seeded within 30 days following the expiration of the required 60 day period. When approved by the Community Development Director, a time extension may be granted for conditions beyond the control of the permittee for items such as flooding or discovery of historic artifacts.
- d. **Surety.** In order to insure conformance with the requirement of paragraph c (Timeline) above, a performance bond or other suitable security in an amount of 125% of the cost to accomplish ground preparation, native seeding fertilizer application, and mulching of the site shall be posted prior to the issuance of a grading permit. Any surety provided pursuant to this subsection shall be returned upon completion of an approved final inspection for the building site; the Community Development Director may require up to a 12 month plant establishment period before releasing surety.

- e. **Man-Made Slopes Greater than Twenty-five Percent.** On man-made slopes of 25 percent or greater, plant materials with characteristics that minimize erosion and reduce surface runoff shall be selected.
- f. **Man-made Slopes Greater than Fifty Percent.** On man-made slopes greater than 50 percent stabilization measures such as erosion netting, hydro mulching or other advanced slope stabilization technique shall be utilized.
- g. **Topsoil Stockpiled.** To the maximum extent feasible, topsoil that is removed during construction shall be stockpiled and conserved for later use on areas requiring revegetation or landscaping, such as cut-and-fill slopes.

8. Limitations of Disturbance

- a. **Defined.** Limits of Disturbance (LOD) means the areas of a site that may be disturbed by earth movement (grading), or cleared of vegetation, including disturbance or clearance to provide space for construction of principal and accessory uses and structures, driveways, parking areas, roads, drainage and stormwater management facilities or utilities.
- b. **Establishment of Limits of Disturbance.** All site development, preliminary subdivision and final subdivision plans shall include a map clearly depicting the limits of disturbance according to the criteria set forth below. The LOD shall indicate the specific area(s) within a development project where the development activity shall be contained.
- c. **Criteria for Establishing LOD.** While LOD may be multiple and noncontiguous on a site, the following criteria shall be taken into account:
 - i. avoidance of visual impact, including but not limited to ridgeline protection areas steep slopes and scenic views;
 - ii. avoidance of steep slopes in excess of 20 percent and provide erosion prevention and control measures including but not limited to protection of natural drainage channels and compliance with an approved stormwater drainage management plan;
 - iii. preservation of native vegetation, trees, rock outcroppings and formations, and other significant natal site conditions;
 - iv. wildfire preventions and safety, including but not limited to location of trees and vegetation near structures;
 - v. mitigation of other geologic hazards, including potential adverse impact down- slope and adjacent to properties;
 - vi. riparian habitat, stream corridors and wetland protection and buffering;
 - vii. floodplains, floodways, flood fringes and flood hazards;
 - viii. significant wildlife habitat areas; and
 - ix. the practical need of approved construction activity in terms of ingress and egress to

the developed project and necessary staging and operation areas.

d. Limits to Disturbance–Development Standards and Guidelines

- i.** No construction activity including, without limitation, grading excavation or stockpiling or fill material, shall be permitted within the limits of disturbance, whether to provide for a building site, on-site utilities or services or for any roads or driveway, prior to the approval of any required erosion and sedimentation control plan for the development.
- ii.** To the maximum extent feasible, no development, grading or vegetation removal or alternation shall occur as part of the development project or associated construction activity outside the LOD except as provided in subsection iii.c) below.
- iii.** Disturbance or construction activity may occur outside the LOD with the written consent of landowner and approval of the Staff for the following limited purposes:
 - a) mitigation of development activities;
 - b) restoration of previously disturbed or degraded areas;
 - c) utility installations and emergency public safety activities when such activities and installations cannot reasonably be contained within the LOD or other nearby developed areas;
 - d) construction of a trail or pedestrian walkway that will provide public access or education or recreational purposes when such trails or walkway cannot reasonably be contained within the LOD or other nearby developed areas; or
 - e) the enhancement of the habitat values and/or other natural resource values of an identified natural area.
- e. Designation on Final Grading and Drainage Plans.** Approved LOD shall be shown on the preliminary and final subdivision grading plan and/or on the development plan for each lot or development site. Respective LOD will be described as necessary to accurately define the boundary, as acceptable to the Community Development Director.
- f. Standards for Protection during Construction.** LOD shall be designated in the field prior to commencement of excavation, grading or construction.

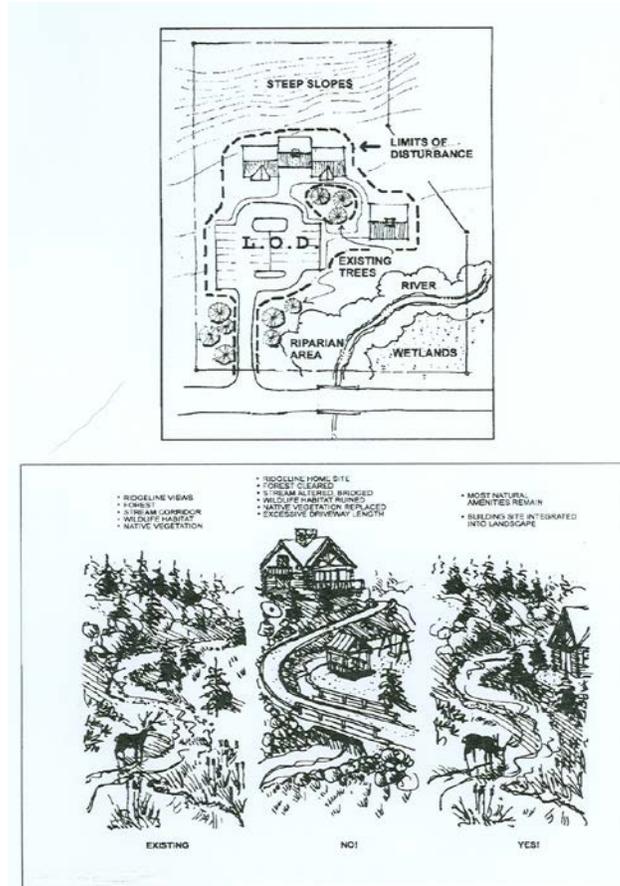


FIGURE 32 LIMITS OF DISTURBANCE

E. Construction Stormwater Management Plan. All grading plans will include the submittal of a Construction Stormwater Management Plan (CSWMP). At a minimum, the CSWMP must contain the requirements listed in the Colorado Department of Public Health and Environment document General Permit Application and Stormwater Management Plan Preparation Guidance available at www.cdphe.state.co.us/wg/PermitsUnit/stormwater, under the Stormwater Construction category. The Community Development Director is authorized to accept alternative plan submittals, waive submittal requirement determined not to be applicable or require additional data to ensure that an efficient construction sediment and stormwater control plan is submitted.

§5.4 WETLAND AND STREAMS CORRIDOR PROTECTION

A. Purpose and Intent. The following requirements and standards are intended to promote, preserve and enhance the important hydrologic, biological, ecological, aesthetic, recreational and educational functions that stream and river corridors, associated riparian areas and wetlands provide.

B. Applicability. This Section shall apply to all new development, except for the following development or activities.

1. Agricultural activities such as soil preparation, irrigation, planting, harvesting, grazing and farm ponds;
2. Maintenance and repair of existing public roads, utilities and other public facilities within an existing right-of-way or easement;
3. Removal of noxious weeds;
4. Maintenance and repair of flood control structures and activities in response to a flood emergency; and
5. Wetland and wildlife habitat restoration, creation and/or enhancement that improve the wetland function provided that the proposed activity is approved by the appropriate agency such as the U.S. Army Corps of Engineers or the Colorado Division of Wildlife.

C. Other Regulations

1. This Section does not repeal or supersede any existing federal, state or local laws, easements, covenants or deed restrictions. When this Section imposes a higher or more restrictive standard than found in another applicable ordinance, statute or regulation, this Section shall apply.
2. No person shall engage in any activity that will disturb, remove, drain, fill dredge, clear, destroy or alter any area, including vegetation, within a wetland that falls in the jurisdiction of the federal government and its agencies, except as may be expressly allowed under applicable federal laws or regulations.

D. Boundary Delineation

1. **Stream and River Corridor Boundaries.** Stream and river corridors shall be delineated at the annual high-water mark, or if not readily discernible, the defined floodway.
2. **Mapped Wetland Boundaries.** The initial boundary delineation of wetlands shall be established by reference National Wetlands Inventory prepared by the U.S. Department of the Interior, Fish and Wildlife Service (www.wetlands.fsw.gov), or other data provided by the applicant.
3. **Unmapped Wetlands.** The review of a development proposal may discover a potential wetland that has not been mapped or for which the boundaries have not been clearly established. In such instances, the Applicant shall retain a qualified wetland expert to delineate the boundaries of the wetland according to accepted professional standards.

E. Buffer/Setback Areas

1. Major Ditch and River Corridors

a. Building/Structure Setbacks

- i. **Major Ditches.** All buildings and accessory structures shall be setback at least 30

feet horizontally (plan view) from the outside edge of adjacent ditch banks. Where defined banks are not readily discernible, the setback shall be measured from the center of the ditch (See Figure 33 Wetland/Stream Setback).

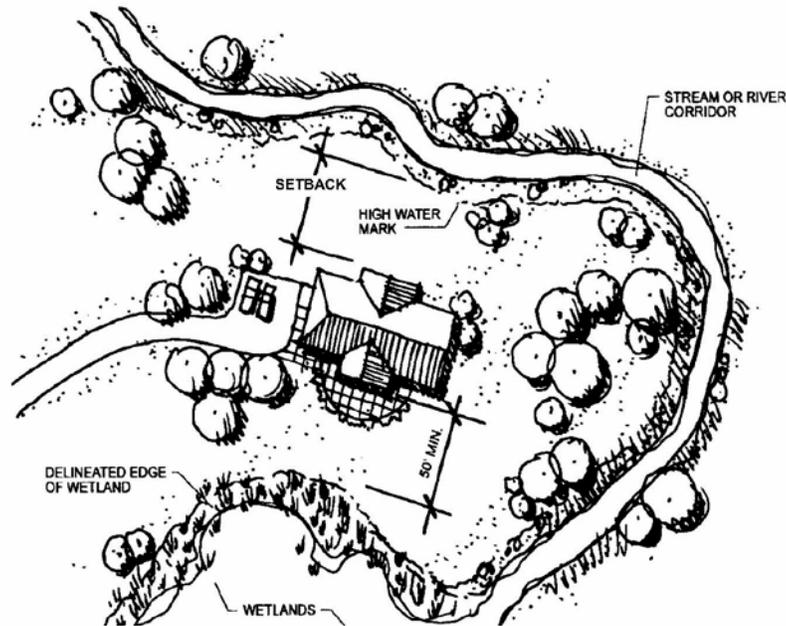


FIGURE 33 WETLAND/STREAM SETBACK

ii. Gunnison River and Tomichi Creek Corridors

- a) **General Rule.** All buildings and accessory structures shall be setback at least 50 feet horizontally (plan view) from the annual high-water mark of river corridors, or, if not readily discernible, from the delineated floodway.
- b) **Exception for Lots Developed Prior to the Adoption of this Code.** All buildings and accessory structures shall be setback at least 30 feet horizontally (plan view) from the annual high-water mark of river corridors or, if not readily discernible, from the defined floodway (see Figure 33).

b. Parking Lot Setbacks. Parking lots shall be setback at least 50 feet horizontally (plan view) from the annual high-water mark of stream or river corridors, or not readily discernible, from the defined floodway of the stream or river.

2. Wetlands

- a. To the maximum extent feasible, wetlands shall not be included as part of a platted development lot.
- b. All buildings, accessory structures and parking lots shall be setback at least 50 feet horizontally (plan view) from the delineated edge of a wetland (see Figure 33). Development on lots that were approved for single-family residential use prior to the adoption of this *LDC* shall be exempt.

- 3. Private Open Areas and Landscaping Credit.** All stream corridor and wetland setback areas shall be credited toward any relevant private open areas requirements or landscaping and buffer requirements.

F. Development Standards

- 1. Prohibited Activities.** No person shall engage in any activity that will disturb, remove, fill, drain, dredge, clear, destroy or alter any area, including vegetation, within stream or river corridors wetlands and their associated buffer/setback areas, except as may be expressly allowed in this Section.
- 2. Utilities.** Utilities may be allowed in a buffer/setback area only if the City determines that there is no practical alternative. Any disturbance of the buffer area shall be reclaimed by final grading and revegetation. Provisions for reclamation of the disturbed area shall be included in any development or improvements agreement for the project, with adequate collateral to guarantee that the reclamation will be completed. Utility corridors in buffer/setback areas shall be located at the outside edge of the area and access roads for maintenance of utilities shall be located outside the buffer/setback area. Access for maintenance of utilities in buffer/setback areas should be at specific points rather than parallel to the utility corridor.
- 3. Recreation, Education or Scientific Activities.** Structures and improvement for recreational, educational or scientific activities such as trails, fishing access and wildlife management and viewing may be permitted in a buffer/setback area provided that a management plan that establishes long-term protection of the buffer/setback area is submitted and approved.

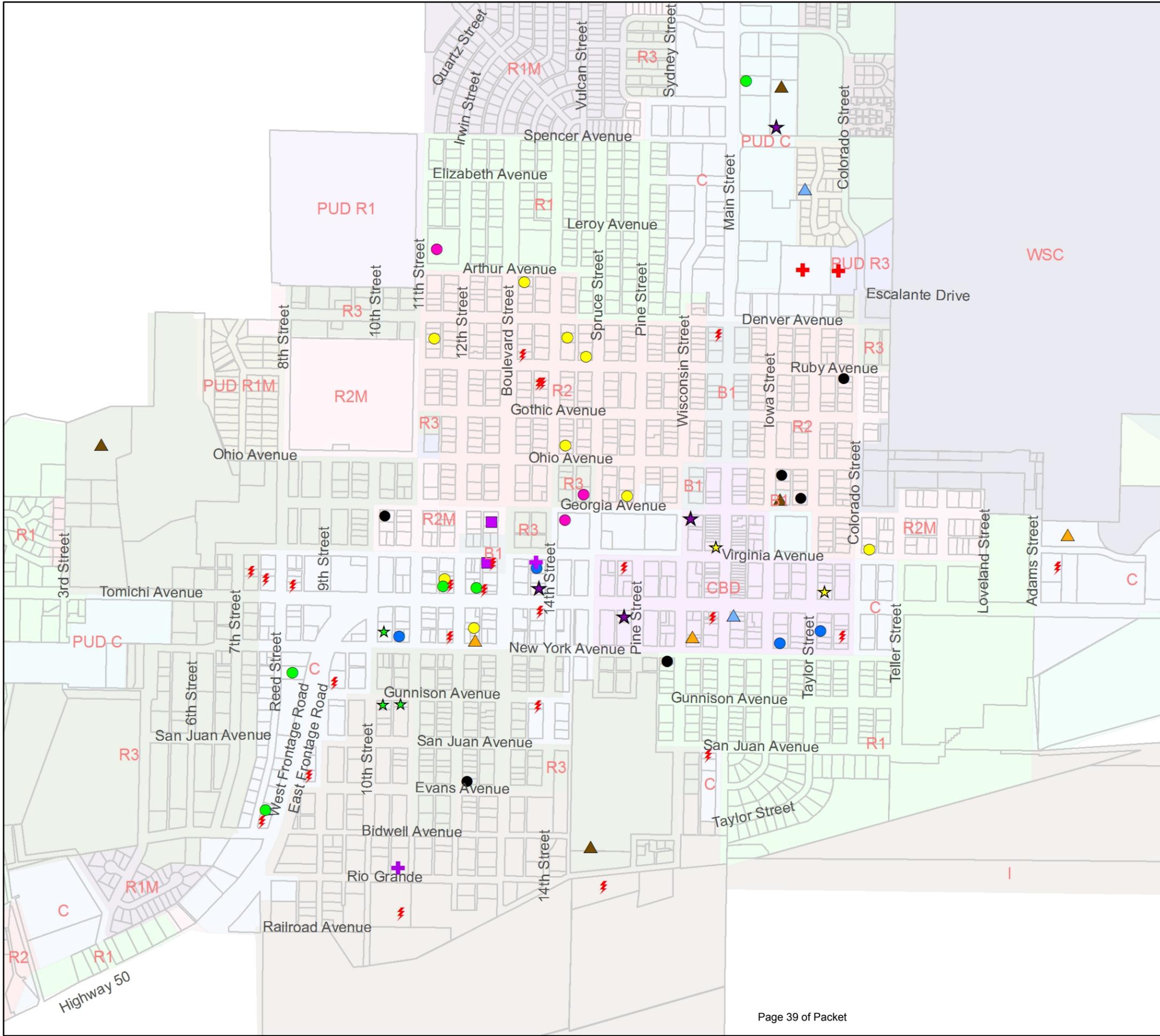
- G. Preservation of Vegetation.** All existing vegetation within the stream/river corridor or wetland buffer/setback area shall be preserved, and where necessary to provide adequate screening or to repair damaged riparian areas, supplemented with additional native planting and landscaping.

H. Wetland Mitigation Requirements

- 1.** Restoration shall be required according to an approved wetland mitigation plan when a wetland or its buffer is altered in violation of law or without specific permission or approval by the Decision-Making Body.
- 2.** All approved alterations of wetlands must be mitigated by replacement or enhancement on the site or within the same drainage basin on a one-to-one basis with equivalent or better biologic and hydrologic functions.

§5.5 NATURAL RESOURCE PROTECTION STANDARDS WAIVER

In order to provide flexibility in the administration of this *LDC* by the City certain natural resource protection standards contained in this Section 5. may be considered for a waiver pursuant to the directives established in §8.10 of this *Land Development Code*.



Legend

Active CU's

- Approv/Cond, ADU
- Assisted Living Home
- Auto Repair/Service
- Bed and Breakfast
- ▲ Cable Facility
- Church
- Contractor Office
- ▲ Daycare
- ★ Drive Through Facility
- Expand Church
- ▲ Govt Offices
- Home Business Massage
- Home Business Salon
- Home Business Windshields
- + Hospital
- + Kennel
- ▲ Multi-Family Res
- ▲ RV Park
- Rectory
- ★ Retail Sales
- ▲ School
- ▲ Single Family
- Small Engine Repair
- ▲ Stockpiling
- ▲ Storage Building
- ★ Temp Commercial
- Towing/Auto Repair
- + Veterinary Office
- ★ Warehouse/Truck Terminal

Non-Active CU's

- ⚡ Approved No Longer In Use
- ⚡ CU Denied
- ⚡ Expired / Not Developed



THIS PAGE INTENTIONALLY LEFT BLANK

Conditional Uses by Zone District

App No	Applicant 1	Applicant 2	Description Comments	Site Address	Zone	Action
CU-11-5	Beth Marcue		Bed & Breakfast	123 N Boulevard	B-1	Approved With Conditions
CU-05-9	Gunnison County	Mike Pelletier	Government Office	202 E. Georgia	B-1	Approved With Conditions
CU-05-5	Sage Mountain School	Lucas Construction	School	123 N Boulevard	B-1	Approved With Conditions
CU-06-4	Sage Mountain School		School - Request for Extension	123 N. Boulevard	B-1	Approved With Conditions
CU-08-02	Tomichi Landmark II	Bob and Steve Meldrum	17 dwelling units	Lots 3 and 4 Meldrums Subdivision	C	Approved With Conditions
CU-07-5	Gerald Lametti		Accessory Dwelling Unit	111 N 12th	C	Approved With Conditions
CU-07-7	Mark Sniffen		Accessory Dwelling Unit	110 S 12th	C	Approved With Conditions
CU-04-9	Pete Peacock		Art Studio/Woodshop	115 S 12th Street	C	Approved With Conditions
CU-03-8	Grease Monkey		Auto Repair	N Main	C	Approved With Conditions
CU-05-3	RA's Garage	Robert A. Gandy	Auto Repair	301 S. 14th Street	C	Approved With Conditions
CU-09-5	Juan Garcia		Auto Repair and Service	702 W. Tomichi Ave.	C	Approved With Conditions
CU-09-7	Race Automotive	Chris Ewald	Auto repair and service	922 W Gunnison	C	Approved With Conditions
CU-03-5	Michael Avery		Bakery	500 W Highway 50	C	Approved With Conditions
CU-03-9	Kathy Hays		Bus Station	312 W Hwy 50	C	Approved With Conditions
CU-11-3	Time Warner Cable	Mike Miller	Cable Satillite Facility	1000 N Main	C	Approved With Conditions
CU-05-1	West Elk Properties, LLC	Mark Lucas	Condominium Units for Contractors	509 W. Virginia	C	Approved With Conditions
CU-03-10	Ace Concrete Pumping, Inc.		Construction Service	301 S 14th St	C	Withdrawn
CU-10-4	Gunnison Valley Hospital		Hospital Expansion	711 N. Taylor	C	Approved With Conditions
CU-06-2	West Elk Wood Floors	Craig Duncan	Light Industrial Use	808 W. New York	C	Approved With Conditions
CU-07-2	St. Peter's Church		Rectory	401 W. Virginia	C	Approved With Conditions
CU-05-8	County/John DeVore	Mike Pelletier	Residence	202 E, Georgia	C	Withdrawn
CU-12-1	Mike Grosse		Residence - Single Family	614 W New York	C	Approved
CU-07-11	Tomichi Landmark II	Meldrums	Residential Units	900 College Ave	C	Approved With Conditions
CU-06-5	Van Tuyl Village		Residential Use		C	Withdrawn
CU-04-8	Paul O' Sullivan		Retail Sales	611 North Main Street	C	Withdrawn
CU-05-4	Sage Mountain School	Lucas Construction	School	101 N. 8th Street	C	Approved With Conditions
CU-07-8	Sage Mountain School	Heidi Finn	School	8th and Tomichi	C	Approved With Conditions
CU-03-01	Fritz Kadrec		Small Engine Repair	500 W. Highway 50	C	Approved With Conditions
CU-10-6	Doug Engel	Lee Connally	Temp Commercial Activity - Food Trailer	508 W. Tomichi	C	Approved With Conditions
CU-09-3	Lindsey Schauer		Temp Tea Stand	608 W. Tomichi Ave.	C	Approved With Conditions
CU-07-4	Wayne Brown		Temporary BBQ Stand	501 W Tomichi	C	Approved With Conditions
CU-04-10	Gifford Jauregui	Triple Cross Towing	Towing and Auto Service	610 West Tomichi Ave.	C	Approved With Conditions
CU-09-4	H&H Towing	Navid Navidi	Towing Business	203 W. Highway 50	C	Approved With Conditions
CU-08-07	Navidi, Navid		Towing Business	702 W. Tomichi	C	Approved With Conditions
CU-12-2	Kathleen MacCarthy		Veterinary Clinic	W Virginia	C	Approved With Conditions
CU-04-1	Recreation Resource Mgmt	Rick Johnson	Warehouse & Truck Terminal	108 S. 10th Street	C	Approved With Conditions
CU-03-2	Randy Melton		Woodworking, welding, single family residence	San Juan and S. Main	C	Approved With Conditions
CU-12-3	Lucky Dog	Cannon Leatherwood	Temp Commercial Activity - Food Trailer	1000 N Main & 301 W Tomichi	C / CBD	Approved
CU-07-6	Christopher Scriminger		Accessory Dwelling Unit	107 S Main	CBD	Approved With Conditions
CU-04-5	Klein, Christopher	Christopher Klein Construction	Contractor	120 S Iowa	CBD	Approved With Conditions
CU-02-4	Green, Chris		Contractor	108 S. Taylor	CBD	Approved With Conditions
CU-10-1	Bank of the West		Drive-through bank window	201 N Main	CBD	Approved With Conditions
CU-05-6	County - John Devore		Residence if rezoned to CBD	202 E. Georgia	CBD	Withdrawn
CU-02-3	Bremer, Grant		Residence, Single Family	116 S. Wisconsin	CBD	Approved With Conditions

Conditional Uses by Zone District

CU-07-12	Sage Mountain School		School	307 W Virginia	CBD	Approved With Conditions
CU-02-5	Youthbuild		School	115 S. Colorado	CBD	Approved With Conditions
CU-11-4	Orsch	Jon Schumacher	School	102 S Main	CBD	Approved With Conditions
CU-10-3	Austin Canney		Temp Commercial Activity - Hot Dog Cart	117 W Georgia	CBD	Approved With Conditions
CU-04-6	County of Gunnison	Public Works	Asphalt Processing		I	Approved With Conditions
CU-11-2	Pam Christian		Doggie Day Care	800 Rio Grand	I	Approved With Conditions
CU-11-6	Church of the Good Samaritan	Sue Ruffe	Retail Sales	304 S 10th	I	Approved With Conditions
CU-12-4	Bret Bradfield		Retail Sales	303 S 11th	I	Approved With Conditions
CU-09-6	Gunnison-CB Regional Airport	John DeVore	Stockpiling Aggregate Material	County Airport	I	Approved With Conditions
CU-12-5	City of Gunnison	Steve Westbay	Temporary Concrete Batch Plant	L 3-4 Blk 51 Wgunnison	I	Withdrawn
CU-11-1	Gunnison/CB Regional Airport	John Devore	Temporary Concrete Batch Plant	Gunnison Airport	I	Approved With Conditions
CU-08-01	Vollendorf, Jessica		Home Daycare	903 Sunny Slope Drive	PUD R1-M	Approved With Conditions
CU-03-4	Erich Ferchau		Minor Subdivision - Sonic	108 N Taylor	PUD-C	Approved With Conditions
CU-03-3	Norman Allard		Chiropractic office	220 S Main	R-1	Withdrawn
CU-03-6	Church of Latter Day Saints		Church expansion	Blk 9, Crills Addition	R-1	Approved With Conditions
CU-03-7	Patricia MacIntosh		Home Business - Massage Therapy Clinic	203 S Wisconsin	R-1	Approved With Conditions
CU-06-2-ZA	Klinowski, Arthur & Martin		Residential use if rezoned to CBD	301 S. Iowa	R-1	Withdrawn
CU-07-9	O'Rourke, Bill and Teal, Susan	Burke Reynolds, LLC	Accessory Dwelling Unit	600 W. Gothic	R-2	Withdrawn
CU-05-2	Tom Gotsch		Accessory Dwelling Unit	402 W. Ruby	R-2	Approved With Conditions
CU-07-10	Miller, Bryan	Sikkink, Lynn	Accessory Dwelling Unit	720 N. Boulevard	R-2	Approved With Conditions
CU-04-4	Osgood, Greg	Greg Osgood	Accessory Dwelling Unit	318 N. Pine Street	R-2	Withdrawn
CU-06-1	Stephen Futrell		Accessory Dwelling Unit	612 N. 11th	R-2	Approved With Conditions
CU-09-1	Susan Wyman	Scott Effner	Accessory Dwelling Unit	303 N. Pine St.	R-2	Approved With Conditions
CU-09-2	Jon Brown		Accessory Dwelling Unit	412 N. 14th St.	R-2	Approved With Conditions
CU-02-7	Carroll, Barb		Accessory Dwelling Unit	616 N. Colorado	R-2	Approved With Conditions
CU-08-05	Stevens, Amy		Bed and Breakfast	221 N. Boulevard	R-2	Approved With Conditions
CU-02-6	Ridgeway, Kathy		Home Business - Accountant	600 N. Boulevard	R-2	Approved With Conditions
CU-02-1	Buscovick, John and Vivian		Home Business - Assisted Living Facility	214 E. Georgia	R-2	Approved With Conditions
CU-02-2	Colson, Sharon		Home Business - Assisted Living Facility	521 N. Colorado	R-2	Approved With Conditions
CU-08-06	Winslow, Greg		Home Business - Windshield Repair	322 N. Iowa	R-2	Approved With Conditions
CU-05-7	Allard, Norman	Tom Marshall	Home Occupation - Chiropractor	513 N. 14th St.	R-2	Approved With Conditions
CU-07-3	Sage Mountain School		School in R-1, R-2 and Multi-family	513 N. 14th	R-2	Denied
CU-04-3	Trinity Baptist Church	Robert Drexel	Temporary Housing	523 N. Pine Street	R-2	Withdrawn
CU-07-13	Mathew and Renee Ebbott		Accessory Dwelling Unit	206 N Colorado	R2-M	Withdrawn
CU-07-1	Ware, Sharon		Home Business - Hair Salon	218 N. 10th	R2-M	Approved With Conditions
CU-10-2	St. Peter's Catholic Church		Church, parish, or religious education	400 W Georgia	R-3	Approved With Conditions
CU-08-04	Crosby, Brad		Home Business - Day spa/yoga	108 N. 7th	R-3	Denied
CU-04-7	Brenda Griffith	Brenda Griffith	Home Business - Hair Salon	426 S 12th Street	R-3	Approved With Conditions
CU-10-5	Gunnison Valley Hospital		Hospital Expansion and Parking	711 N. Taylor	R-3	Approved With Conditions
CU-06-3	Palisades RV Park	Don Crosby	Senior RV park	North 3rd Street	R-3	Approved With Conditions
CU-08-03	Gunnison County		Storage building	275 S. Spruce	R-3	Approved With Conditions