

**AGENDA
CITY OF GUNNISON
PLANNING & ZONING COMMISSION
Rev 3/6/2015**

**DATE: WEDNESDAY, MARCH 11, 2015
TIME: 7:00 P.M.
PLACE: CITY HALL, COUNCIL CHAMBERS, 201 WEST VIRGINIA AVE.**

REGULAR MEETING

7:00pm

- I. CALL TO ORDER**
- II. PLEDGE OF ALLEGIANCE TO THE FLAG**
- III. PUBLIC HEARING AND POSSIBLE ACTION – CONDITIONAL USE APPLICATION CU 15-1, SUBMITTED BY JAVIER AND GEORGINA MOLTENSEN FOR A SINGLE FAMILY DWELLING IN THE COMMERCIAL ZONE DISTRICT**
- IV. THREE-MILE COUNTY REFERRAL – VISTA BUSINESS CENTER, PRELIMINARY PLAN APPLICATION, ADJACENT TO SIGNAL PEAK INDUSTRIAL PARK**
- V. UNSCHEDULED CITIZENS**
- VI. CONSIDERATION OF THE FEBRUARY 11, 2015 MEETING MINUTES**
- VII. COUNCIL UPDATE**
- VIII. COMMISSIONER COMMENTS**
- IX. PLANNING STAFF UPDATE**
- X. ADJOURN TO WORK SESSION**

WORK SESSION

DISCUSSION ON THE PROPOSED TEXT AMENDMENT REGARDING A SUBDIVISION RECLASSIFICATION AND TYPOGRAPHICAL CORRECTIONS TO THE LDC

DISCUSSION ON DRAFT MARIJUANA CODE

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 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.

STAFF REPORT

Conditional Use

Javier and Georgina Mortensen – 8th and Tomichi Avenue

TO: Planning and Zoning Commission
FROM: Community Development Staff
DATE: March 6, 2015
RE: Conditional Use – Single Family Dwelling

CODE PROVISIONS

The City's *Land Development Code (LDC)*, Section 2.6 states that a single family dwelling requires a Conditional Use permit to exist in the Commercial (C) district zone. Conditional Uses are those land uses that are generally compatible with the permitted uses in a zone district, but require site-specific review of their location, intensity, density, configuration and operating characteristics. Conditions may be imposed in order to ensure compatibility of the uses at a particular location and mitigate potentially adverse impacts.

The *LDC* Section 7.2 specifies that Conditional Use applications be reviewed by the City of Gunnison Planning and Zoning Commission (Commission) at a Public Hearing after 15 days public notice. The Commission may approve, approve with conditions, deny or remand the application back to the applicant with instructions for modification.

APPLICANTS

The applicants, Javier and Georgina Moltensen, are requesting a Conditional Use for the construction of a single family dwelling in the Commercial zone district. The legal description of the property is Lots 10-12, Block 18, West Gunnison Addition, City and County of Gunnison, Colorado. The applicants' narrative states:

“...my name is Javier Mortensen, my wife Georgina and I are trying to buy a lot at the corner of Gunnison and 8th. St. Our intention is to build a single family house but the lot is in a commercial zone, I really believe this lot would be an excellent place to build a house for our family since it is surrounded by other homes actually there are also family homes across Tomichi Avenue, actually the lot we are interested in is at the end of the commercial zone. Our plans are to build our home in that lot, that will for sure take us some time to build but in the meantime we want to build a storage shed (10 X 12) in a corner by the alley, the building would be a four bedrooms three bathrooms single family home.

We're really interested on becoming part of this neighborhood.”

SITE ASSESSMENT

The Commercial zone property is located on the northeast corner of 8th Street and Tomichi Avenue. The R3 residential district zone is located to the north and west. Neighborhood uses are mostly residential with a non-profit service (Partners), vacant commercial property and commercial retail (Sears) in the close vicinity.

The vacant property is three lots (9,375 square feet). The applicant is proposing a single family dwelling and the immediate construction of a 120 square foot storage shed. The site provides ample room to comply with all dimensional standards.

STAFF REPORT

Conditional Use

Javier and Georgina Mortensen – 8th and Tomichi Avenue

It is the responsibility of the City to enhance and protect the sales tax base. However, city revenues would be negligible. In addition, the subject parcel is removed from the main commercial corridor and is surrounded by residential uses.

DEPARTMENTAL COMMENTS

Building Official: No issue.

Fire Marshal: No issue.

Parks and Recreation Department: No issue.

Police Department: No issue.

Public Works Director: No issue.

City Engineer: No issue.

Water and Sewer Superintendent: No issue.

Electric Superintendent: No issue.

STAFF OBSERVATIONS

1. The applicant is requesting a Conditional Use application for the use of a single family dwelling.
2. A single family dwelling is compatible with the surrounding neighborhood.
3. The commercial lot is removed from the commercial corridor on the outskirts of the Commercial zone district.
4. A large portion of vacant commercial land exists within the City. The removal of this small lot should not be a detriment to the City's sales tax revenues.
5. The subject property is outside the designated flood hazard area.
6. The requested residence does not affect the health, safety and welfare of the community.

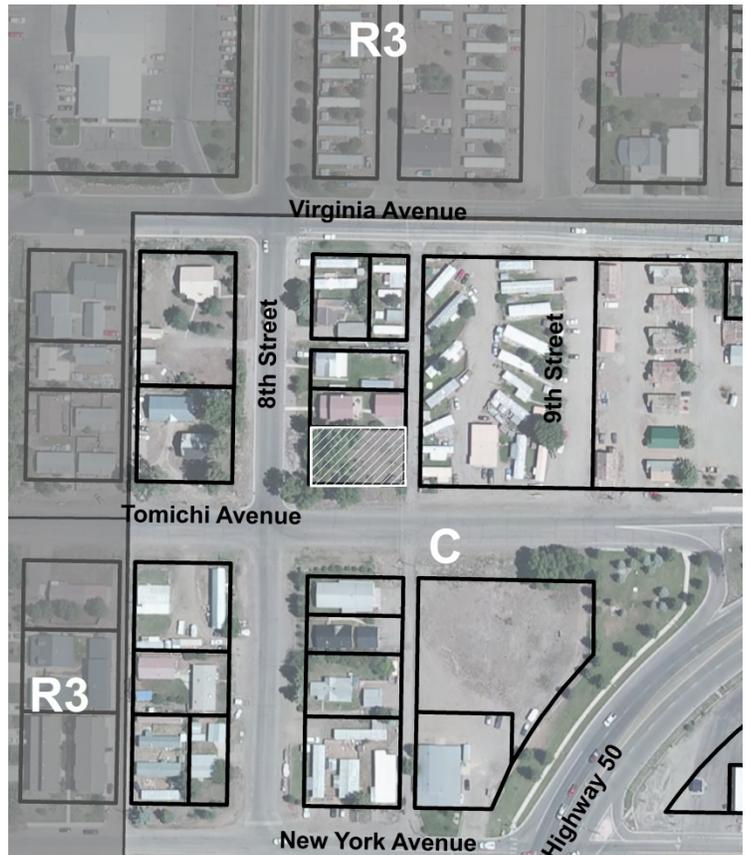
REVIEW STANDARDS

The *LDC* Section 7.5 contains seven specific standards that must be met for a Conditional Use Application to be approved:

A. Consistency with Master Plan. The use shall be consistent with the City of Gunnison Master Plan.

No Conflict:

Chapter 6, Housing, Goal: Gunnison's housing inventory includes diverse housing types in mixed use areas. New construction will be based on energy efficiency. New homes are compatible with community character with respect to density, design and demographics.



STAFF REPORT

Conditional Use

Javier and Georgina Mortensen – 8th and Tomichi Avenue

B. Conformance to Codes. The use shall conform to all other applicable provisions of this *LDC* and the *City of Gunnison Municipal Code*, including but not limited to:

- a. **Zone District Standards.** The purpose of the zone district in which it is located, the dimensional standards of that zone district, Section 2.4 (Principal Use Table) and Section 2.6 (Base Zone district Dimensional Standards).

Possible Conflict: The purpose of the Commercial zone district is to provide locations for offices, service uses, hotel accommodations and businesses retailing durable and convenience goods.

While the site has the potential of generating City sales tax the location of the site is separated from the highway corridor and is on the edge of the Commercial zone district. The surrounding uses are primarily residential. The residential use is compatible with the surrounding neighborhood and the *LDC* contemplates mixed commercial/residential uses.

- b. **Specific Use Regulations.** All Conditional Use applications shall comply with all applicable Special Use Regulations set forth in Section 3 of this *LDC*.

No Conflict: The proposed single family residential use complies with the special use regulations.

- c. **General Development Standards.** All Conditional Use applications shall comply with all applicable regulations, criteria and standards set forth in Section 4 of this *LDC*.

No Conflict: The parcel is vacant and compliance of Section 4 of this *LDC* will be completed through the building permit process. The site provides ample space to meet all the development standards.

- d. **Natural Resource Protection Standards.** All Conditional Use applications shall comply with all applicable regulations, criteria and standards set forth in Section 5, Natural Resource Protection Standards, of this *LDC*.

No Conflict.

C. Use Appropriate and Compatible. The use shall be appropriate to its proposed location and be compatible with the character of neighboring uses, or enhance the mixture of complementary uses and activities in the immediate vicinity.

No Conflict: A single family dwelling at this location is appropriate and compatible with the neighborhood.

D. Traffic. The use shall not cause undue traffic congestion, dangerous traffic conditions or incompatible service delivery, parking or loading problems. Necessary mitigating measures shall be proposed by the applicant.

No Conflict: The site provides ample room for off-street parking.

STAFF REPORT

Conditional Use

Javier and Georgina Mortensen – 8th and Tomichi Avenue

E. Nuisance. The operating characteristics of the use shall not create a nuisance and the impacts of the use on surrounding properties shall be minimized with respect to noise, odors, vibrations, glare, and similar conditions.

No Conflict: The single family dwelling use will not create a nuisance.

F. Facilities. There shall be adequate public facilities in place to serve the proposed use, or the applicant shall propose necessary improvements to address service deficiencies which the use would cause.

No Conflict:

G. Environment. The use shall not cause significant deterioration to water resources, stormwater volume and quality, wetlands, wildlife habitat, scenic characteristics, or other natural features. As applicable, the proposed use shall mitigate its adverse impacts on the environment.

No Conflict.

ACTION

During the Planning and Zoning Commission meeting of March 11, 2015, Commissioner _____ moved, Commissioner _____ seconded and the Planning and Zoning Commission voted to APPROVE Conditional Use application, CU 15-1, submitted by Lorenzo Javier Moltensen and Georgina Cuaulti for single family dwelling on Lots 10-12, Block 18, West Gunnison Addition, with the following findings of fact and condition:

Findings of Fact:

1. The Planning and Zoning Commission finds that the record of this action includes the application contents on file with the City of Gunnison; all comments entered into the Public Hearing record; and provisions of the *City of Gunnison Land Development Code* and the *City of Gunnison Master Plan*.
2. The Planning and Zoning Commission finds that this application is for a Conditional Use to allow the applicant to construct a single family dwelling in the Commercial zone district.
3. The Planning and Zoning Commission finds that a single family dwelling at this location is compatible with the surrounding neighborhood.
4. The Planning and Zoning Commission finds that the site provides ample room to comply with the standards of the *LDC* and final review of the site will be conducted during the building permit process.
5. The Planning and Zoning Commission finds that the proposed single family dwelling use will not have a significant effect on future City sales tax revenues.
6. The Planning and Zoning Commission finds that the single family dwelling use will not affect the health, safety or welfare of the community.

STAFF REPORT
Conditional Use
Javier and Georgina Mortensen – 8th and Tomichi Avenue

7. The Planning and Zoning Commission finds that the review standards for Conditional Uses have been or will be met based on the following condition:

Condition:

1. The applicant shall apply for a building permit for a single family dwelling prior to Conditional Use expiration of March 11, 2018.

Application Fact Sheet

City of Gunnison Land Development Code

Minimum Application Contents

In accordance with §6.5 C.

City of Gunnison

P.O. Box 239

Gunnison, CO 81230

(970)641-8090

Applicant Name(s): Lorenzodavies Moltensen Georgina Cuatli

Phone #: (970)596-1274 **Fax #:** _____ **E-Mail:** ljmoltensen@msn.com

Mailing Address: 220 N. Boulevard st. #5

City: Gunnison **State:** CO **Zip:** 81230

Legal Description

Site Address of Property: N/A Zoning C
Block: 18 Lot(s): 10-12 Addition: West Gunnison

Disclosure of Ownership- Please provide one of the following:

- Assessor Parcel Info
- Mortgage
- Deed
- Judgments
- Liens
- Contract
- Easement Agreement
- Other Agreements

Summary of Request:

We want to build a single family home that will be 4 bedrooms three bathrooms, it will take us some time to get it done but in the meantime we wold like to build a shed on the alley side corner probably 10' by 12'

Attachments: Vicinity Map (8.5"x11") Description of Proposal

- Names, Addresses and Map of Adjoining Property Owners (From Assessor's Office)
- Vested Property Rights
- Authorization of Agent (Power of Attorney from Owner, if not the applicant)
- Site Plan (11"x17") **to scale**, includes dimensions and location of all structures, parking spaces and access, snow storage, landscaping, live cover, utility lines, road/street names, land uses of adjacent properties, setbacks. Include a table for all dimensional requirements based on §2.6. (See attached sample)

YOU ARE REQUIRED TO SUBMIT FOUR (4) COMPLETE COPIES OF YOUR APPLICATION

Signature(s) [Signature] Date 02/10/2015
Date 02/10/2015

- For Office Use Only
- Conditional Use
 - Major Subdivision
 - Mobile Home/RV Park
 - Consolidated Application
 - Variance
 - Minor Subdivision
 - PUD
 - Zoning Amendment
 - Subdivision Exemption
 - Vacation

Hi my name is Javier Mortensen, my wife Georgina and I are trying to buy a lot at the corner of Gunnison and 8th. St. Our intention is to build a single family house but the lot is in a commercial zone, I really believe this lot would be an excellent place to build a house for our family since it is surrounded by other homes actually there are also family homes across Tomichi Avenue, actually the lot we are interested in is at the end of the commercial zone. Our plans are to build our home in that lot, that will for sure take us some time to build but in the meantime we want to build a storage shed (10 X 12) in a corner by the alley, the building would be a four bedrooms three bathrooms single family home. We're really interested on becoming part of this neighborhood.

Thank you

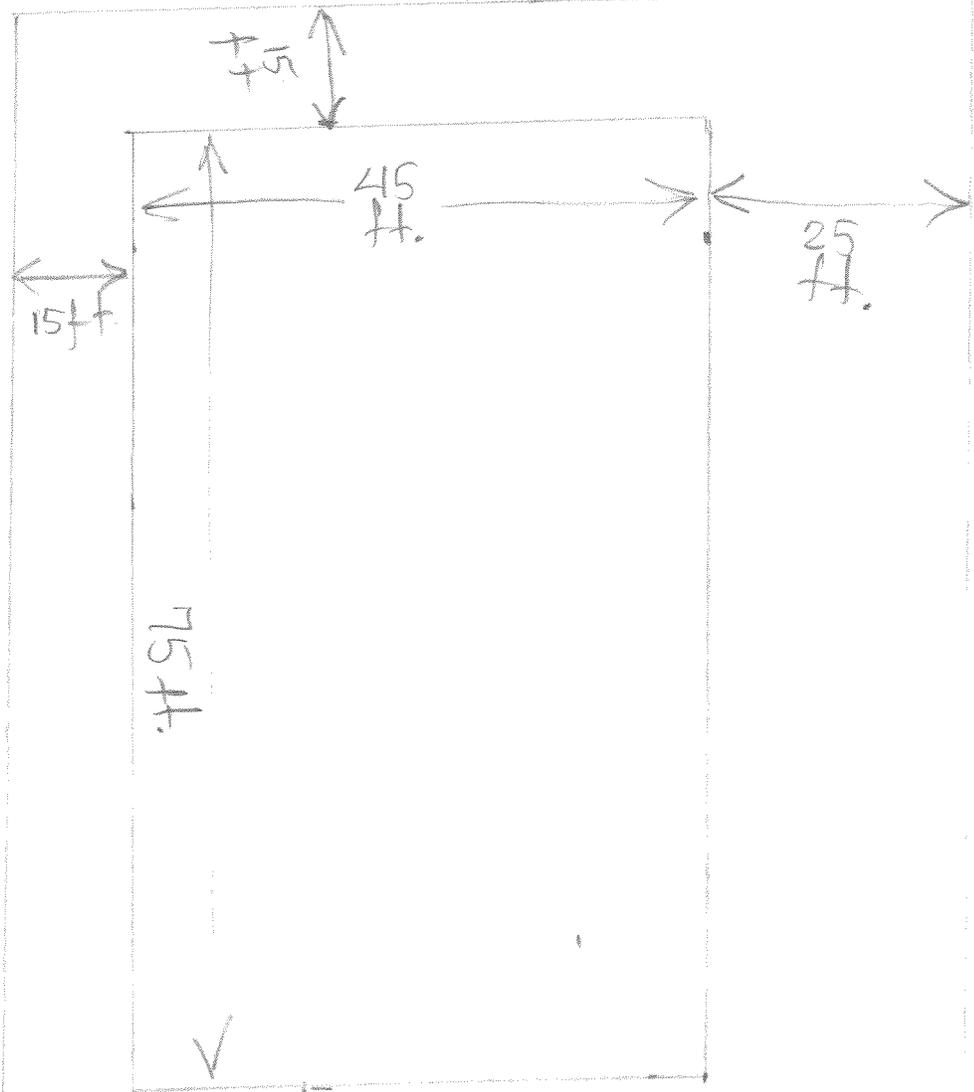
Javier and Georgina Mortensen.

Hi Andie, here is the letter you asked me for, I hope it is good enough, I didn't know what else to write but if it is not good just let me know and we'll go from there.

Thank you

400 ft S 4th St

75 ft.



Tomichi Ave
75 ft

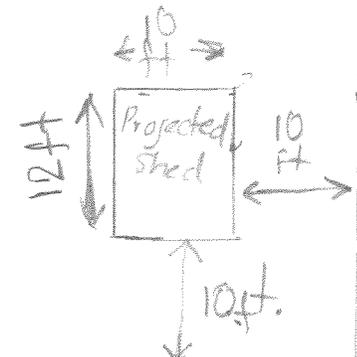
75 ft.

15 ft.

45 ft.

25 ft.

5 ft.



LOT

Alley

- Assessor
- Quick Links
- Gunnison Assessor Home
- Find Property Records



Assessor Property Record Search

Owner and Parcel Information

Owner Name & Mailing Address		Today's Date: February 4, 2015	Account Number: R001272
GUNNISON COUNCIL FOR THE ARTS INC C/O GU PO BOX 1772 GUNNISON, CO 81230-1326		Appraisal Year: 2014	Parcel Number: 3701-354-37-005
Business Name: NA			Account Type: Vacant
			Economic Area: Econ Area 1
			Tax District: 100
			Mill Levy: 56.217
Property Location:		Parcel Map	Show Parcel Map
Neighborhood: 12370		Building Photos	NA
LEA: COMMERCIAL HWY 50 SERVICE RD (12370)		Building Sketches	NA
Subdivision: WEST GUNNISON		Generate Neighboring Owner List by Distance	
Condo:		Search Sales By Subdivision	
Legal Description:	LOT 10-12 BLK 18 WEST GUNNISON #596904 #623511		
Parcel Notes	TOTAL PARCEL = 9,375 SF APPLICATION FOR EXEMPTION SENT TO DPT APR 9 2008 AFFIDAVIT OF SCRIVENER'S ERROR #623511 RECORDED OCT 25 2013 CORRECTS GRANTOR NAME ON GENERAL WARRANTY DEED #596904		

2014 Assessment Information

Land Actual Value	Land Assessed Value	Building Actual Value	Building Assessed Value	Total Actual Value	Total Assessed Value
\$56,250	\$16,310			\$56,250	\$16,310

Prior Year Assessment Information

Year	Actual Value	Assessed Value	Mill Levy	Ad Valorem Taxes
2014	\$56,250	\$16,310	56.217	\$916.89
2013	\$56,250	\$16,310	49.778	\$811.88
2012	\$84,380	\$24,470	44.152	\$1,080.39
2011	\$84,380	\$24,470	44.343	\$1,085.07
2010	\$100,780	\$29,230	40.939	\$1,196.65
2009	\$100,780	\$29,230	39.757	\$1,162.08
2008	\$81,560	\$23,650	41.387	\$978.80
2007	\$81,560	\$23,650	36.186	\$855.80
2006	\$64,690	\$18,760	43.784	\$821.40

Contact the Treasurer's Office for current property tax amount due. Do not use the figures above to pay outstanding property taxes.

Land Information

Land Description	Land Type	Acres	Site Access	Electricity	Sewer	Water	Other Attributes
VACANT COM LOTS	Vacant	0.215	YEAR ROUND	INSTALLED	CENTRAL INSTALLED	DOMESTIC INSTALLED	LAND TYPE PRIMARY - MEADOW

Sales Information

Sale Date	Sale Amount	Grantor	Grantee	Vacant or Improved (at time of sale)	Reception #	Deed Type
02/16/2010		SAGE MOUNTAIN SCHOOL INC	GUNNISON COUNCIL FOR THE ARTS INC	N/A	598062	GEN WARR DEED - NO FEE
02/16/2010		SAGE MOUNTAIN SCHOOL	GUNNISON COUNCIL FOR THE ARTS INC	N/A	596904	GEN WARR DEED - NO FEE
05/30/2007		PHIPPS SARAH L ETAL	SAGE MOUNTAIN SCHOOL INC	N/A	575687	WARRANTY DEED - NO FEE
07/07/2005	\$120,000	WELCH DAVID B ETAL	PHIPPS SARAH L ETAL	Vacant	555581	WARRANTY DEED - FEE
05/17/2005		WELCH RUTH	WELCH DAVID B ETAL	N/A	555000	QUIT CLAIM DEED - NO FEE
09/18/1991	\$5,000	Unknown	Unknown	Vacant	B000695P0000	SPEC WARR DEED - FEE

AUTHORIZATION OF AGENT

I/We, the undersigned owner(s) of the following described real property located in the City of Gunnison, Colorado, hereby authorize the following individual(s):

JAVIER MORTENSEN AND GEORGINA CUAUTLI, (BUYERS)

James MacAllister, 100 E. Gothic Ave. Gunnison
Name (REALTOR) Address 970-209-1599 Phone

to act in my/our behalf concerning the application for action under the Land Development Code of the City of Gunnison.

Legal description and street address of the property for which application is being made:

LOTS 10-12 BLOCK 18 WEST GUNNISON (LAZY K-MHP CORRAL

Type(s) of permit applied for:

- 1) Single Family Residential 2) _____
3) _____ 4) _____

FIRST OWNER OF RECORD:

Gunnison Council of the Arts
William Spicer, President

Printed Name of Property Owner

William Spicer

Signature of Property Owner

2/3/2015
Date

SECOND OWNER OF RECORD:

Printed Name of Property Owner

Signature of Property Owner

Date

Certified mailing public hearing notifications were mailed to the following property owners:

Gunnison Council for the Arts
PO Box 1772
Gunnison, CO 81230
CU 15-1

Gunnison Hinsdale Youth Services
101 N. 8th Street
Gunnison, CO 81230
CU 15-1

Salmon Rentals, LLC
28 Wild Goose Lane
Gunnison, CO 81230
CU 15-1

Lee English, ETAL
62484 Popular Road
Montrose, CO 81403-7981
CU 15-1

Dale Weaver
212 Columbine Road
Gunnison, CO 81230
CU 15-1

Joseph Lochnikar, ETAL
519 N. Boulevard Street
Gunnison, CO 81230
CU 15-1

Bonnie Jolene Elliott, ETAL
106 N. 8th Street
Gunnison, CO 81230
CU 15-1

Lorenzo Javier Moltensen
Georgina Cuautli
220 N. Boulevard, Unit 5
Gunnison, CO 81230

STAFF REPORT
Three-Mile County Referral
Vista Business Center Land Use Change

TO: Planning and Zoning Commission
 FROM: Community Development Staff
 DATE: March 6, 2015

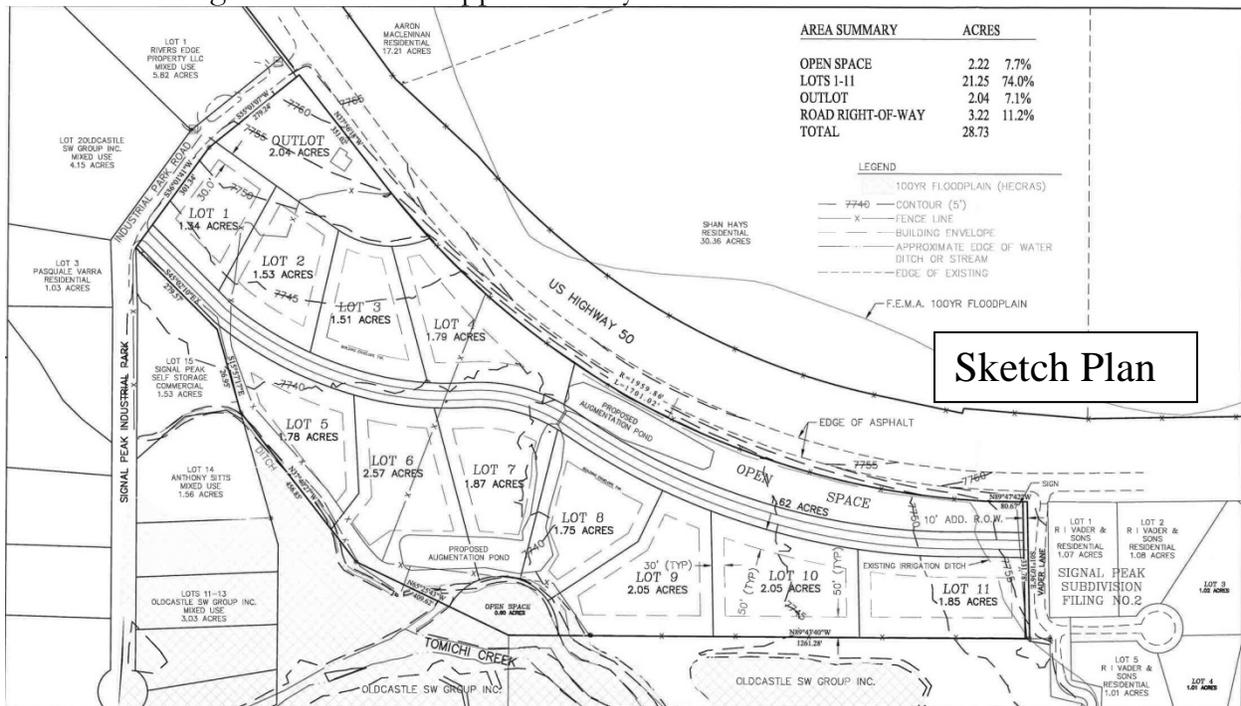
PROCESS

The *Three Mile Plan/Urban Growth Boundary Intergovernmental Agreement* (IGA) specifies the procedure for the review of projects within the Three Mile Planning Boundary and the Urban Growth Boundary. Procedures for such review are outlined in Section III, B.a. of the IGA.

The IGA states “The County Planning Staff shall provide the City Planning Staff with a copy of the complete submittal package at least thirty (30) days prior to the initial action on the application. The City shall provide any comments ... at least 5 days prior to the first scheduled hearing... The decision as to whether to review the Proposed Development Application and whether it shall be reviewed by the City Planning Staff, the City Planning Commission, or the City Council, or some or all other groups, shall be at the discretion of the City; provided however that all Major Impact Proposed Development Applications shall be reviewed by the Technical Review Committee.”

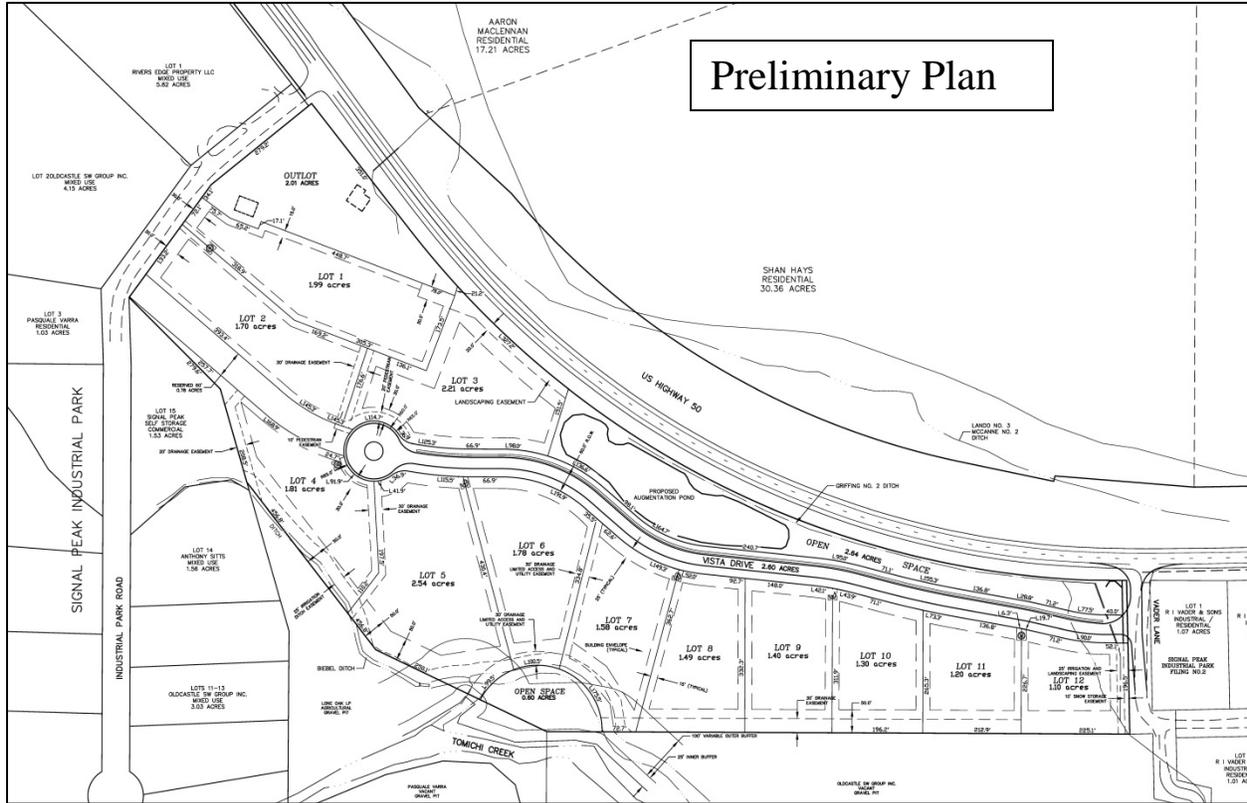
Project Description.

The applicant is Hal Hearne, who is representing the property owner W.K. Edwards. The applicant is proposing to subdivide a 28.7 acre parcel into 13 lots ranging in size from 1.1 to 2.5 acres each with approximately 3.24 acres of open space. The existing house, barn, shop and out-buildings will remain on approximately 2 acres.



STAFF REPORT
Three-Mile County Referral
Vista Business Center Land Use Change

The plan shown above is the Sketch Plan proposal previously reviewed by the Planning and Zoning Commission. The Preliminary Plan has a new lot layout shown below:

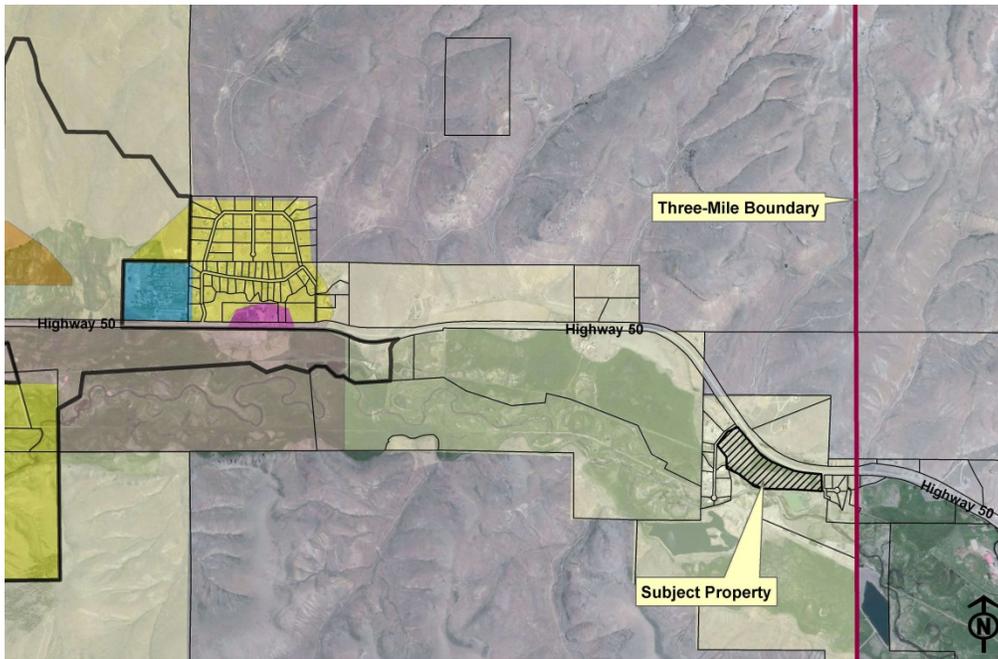


The proposed lots will be accessed through a new road to be constructed through the meadow from east to west connecting at either end to the two existing industrial roads accessed off Highway 50. Applicant proposes 3 different zones of use, as described below:

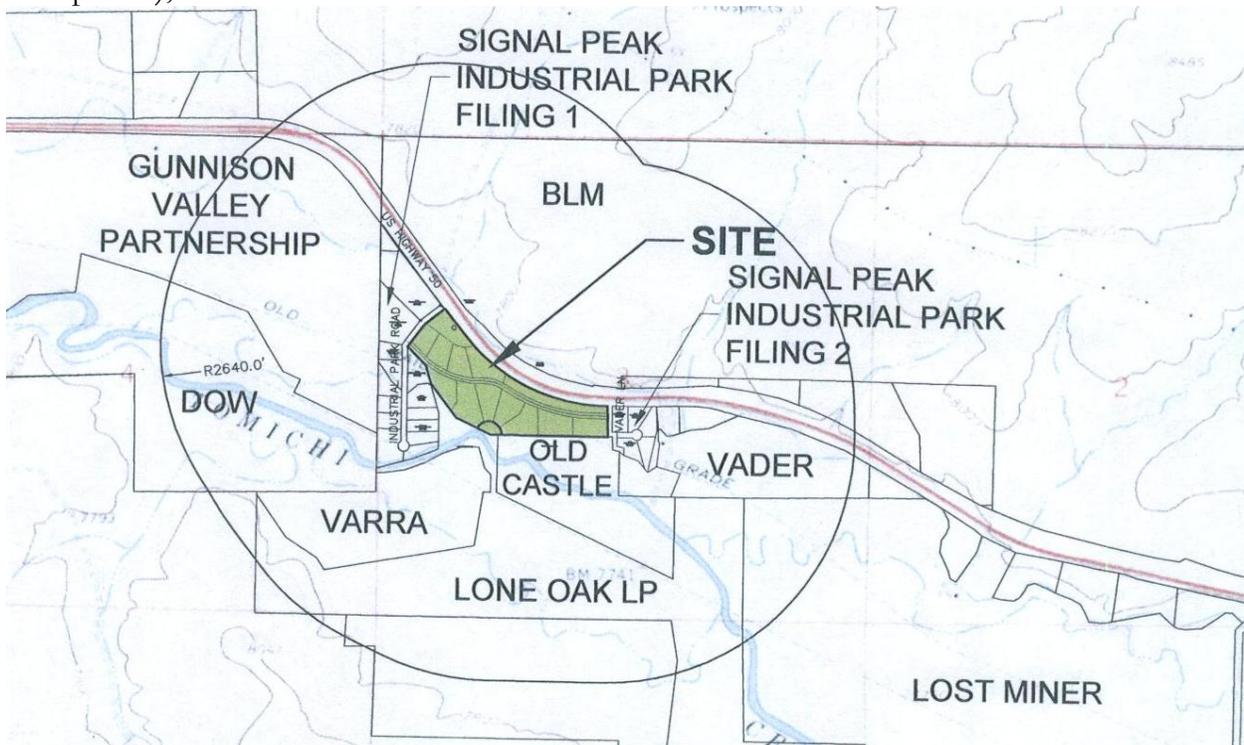
- Lots 1-5, and the outlot (if subsequently added to the subdivision), will be allowed typical industrial and/or commercial uses. There will be no residential use on these lots. These uses are in close proximity to the existing industrial uses in Signal Peak Filing No. 1.
- Lot 6 will have lighter industrial and/or commercial uses, as more particularly described in Section 6.17 of the Declaration. There will be no residential use on this lot. This lot will serve as a buffer between the normal industrial uses on the west side of the property, and the lighter industrial and residential uses on the east side of the property.
- Lots 7-12 will have lighter industrial and/or commercial uses, as more particularly described in Section 6.17 of the Declaration, and each lot may have one ancillary residential unit. These lots are in close proximity to Signal Peak Filing No. 2, which is platted as an industrial park, but which includes numerous residential uses.

Three-Mile Plan Designation. The proposed storage yard is located within the three-mile area and outside the *Urban Growth Boundary* designated in the *Three-Mile Plan (1997)*. Based on the Three-Mile map, the proposed site is located in the rural residential land use area.

STAFF REPORT
Three-Mile County Referral
Vista Business Center Land Use Change



Surrounding Uses. Surrounding uses include industrial and residential uses within the Signal Peak Industrial Park, agricultural uses, Varra gravel pit and concrete plant (aka United Companies), and BLM to the north.



Utilities. The water augmentation plan includes up to two ponds and will be constructed per State requirements. Well service includes one well per two to three lots. The applicant is proposing to use an ISDS for each lot, as all lots are more than the minimum one acre in size for an ISDS.

STAFF REPORT
Three-Mile County Referral
Vista Business Center Land Use Change

Roads and Access. A new road is proposed to extend west from Vader Lane to Industrial Park Road and access easements from these roads have been obtained. Vader Lane and Industrial Park Road are both accessed from Highway 50.

Landscape Buffer. Open space is proposed along Highway 50 to buffer the project as well as the use of berms, landscape vegetation and screening to mitigate the visual impact from Highway 50.

March 11, 2015

Gunnison County Planning Commission
200 West Virginia
Gunnison, CO 81230

RE: Vista Business Center Subdivision

Dear Commissioners:

Thank you for giving us the opportunity to comment on the preliminary plan for the Vista Business Center. The following comments are based on the submitted application material and its relation to the *Gunnison Three Mile Plan and Urban Growth Boundary, City of Gunnison, Colorado* and the *City of Gunnison Master Plan*.

Based on the existing Three-Mile Map, the property is designated as Rural Residential (1 unit per 5-35 or more acres) and is located outside of the Urban Growth Boundary. One of the objectives of the *Three-Mile Plan* is to encourage infill development within the City limits and to “Limit new commercial and industrial development to lands within or immediately adjacent to existing City commercial and industrial zones.” The proposed industrial use on this site is not contemplated by the *Three-Mile Plan*.

Historically, the City has been vocal about proposed uses with associated retail sales because sales tax is a critical component of the City’s General Fund. The Planning and Zoning Commission absolutely opposes any proposed uses in this subdivision that would permit retail sales.

If this LUR application is approved by the County, the City Planning and Zoning Commission urges the development of a highway landscape buffer to mitigate visual impacts. The open space/buffer width appears to be approximately 100 feet between Highway 50 and proposed building envelopes. The Gunnison Rising Annexation has very detailed landscape and buffer standards and it would be appropriate to require very specific performance buffer and landscape standards.

Access is proposed off Industrial Park Road and Vader Lane, which are accessed off Highway 50. It is expected that the applicant, the County and CDOT will coordinate on the highway access. The City, the Colorado Department of Transportation (CDOT) and the County have adopted the Highway 50 Access Control Plan, however does not extend to the Signal Peak Industrial Park. The City was held to half mile separations on the outskirts of the city limits.

The City also strongly encourages the County to address stormwater management and water quality concerns that are associated with industrial uses. Water quality Best Management Practices should be employed to mitigate possible water quality degradation.

We appreciate the opportunity to review this application. Please let us know if the preliminary plan changes substantially from this application.

Sincerely,

Greg Larson
Chair, Planning and Zoning Commission

**DRAFT MINUTES FEBRUARY 11, 2015
CITY OF GUNNISON PLANNING AND ZONING COMMISSION
REGULAR MEETING**

7:00PM

Page 1 of 2

MEMBERS	PRESENT	ABSENT	EXCUSED
Erik Niemeyer	X		
Erich Ferchau			X
Andy Tocke	X		
Bob Beda	X		
Sharon Cave	X		
Greg Larson	X		
Councilor Stu Ferguson	X		

OTHERS PRESENT: Community Development Director Steve Westbay, Planner Andie Ruggera.

I. CALL TO ORDER AT 7:00 PM BY CHAIR GREG LARSON

II. PLEDGE OF ALLEGIANCE TO THE FLAG

III. UNSCHEDULED CITIZENS. There were none

IV. CONSIDERATION OF THE JANUARY 28, 2015 MEETING MINUTES. Commissioner Tocke moved and Commissioner Cave seconded, to approve the January 28, 2015 meeting minutes as amended.

Roll Call Yes: Larson, Beda, Ferguson, Cave and Tocke
 Roll Call No:
 Roll Call Abstain: Niemeyer – was not present at the January 28th meeting
 Motion carried

V. COUNCIL UPDATE. Councilor Ferguson updated the Commission on recent Council business:

- City staff and Terry Schliesman presented the final Community Analysis document;
- Discussed a resolution to support the GOCO Paths to Parks Grant submittal; and
- Discussed the contract with the Fox Tuttle Hernandez Transportation Group for the complete streets project.

VI. COMMISSIONER COMMENTS. Commissioner Beda moved and Commissioner Niemeyer seconded to excuse Commissioner Ferchau from the February 11, 2015 regular meeting.

Roll Call Yes: Tocke, Larson, Cave, Ferguson, Niemeyer and Beda
 Roll Call No:
 Roll Call Abstain:
 Motion carried

VII. PLANNING UPDATE. Director Westbay provided an update on recent Community Development activities:

- Staff has been very busy and completed the Community Analysis;
- Staff is continuing work on the Paths to Parks GOCO grant which is very complicated with one State and three Federal Permits;
- Staff is working on the draft marijuana code; and
- Staff is working with the Fox Tuttle Hernandez Transportation Group on the complete streets project.

VIII. ADJOURN. Chair Larson adjourned the meeting to Work Session at 7:14 p.m.

**DRAFT MINUTES FEBRUARY 11, 2015
CITY OF GUNNISON PLANNING AND ZONING COMMISSION
REGULAR MEETING**

7:00PM

Page 2 of 2

Attest:

Greg Larson, Chair

Andie Ruggera, Secretary

PROPOSED AMENDMENT TO THE LDC

The new Section 12.3.B, Subdivision Reclassification shall be read as follows:

B. Subdivision Reclassification. Major Subdivisions may, at the discretion of the Community Development Director, be reclassified as a Minor Subdivision, prior to the application submittal.

1. **Purpose.** A subdivision reclassification is intended to afford a means for a defined Major Subdivision to be reclassified to a Minor Subdivision, if the proposal provides a demonstrated community benefit that may include but not be limited to, preservation of public open space, development of affordable housing, or accommodate the growth of a non-profit organization providing a valuable community service.
2. **Process.** Prior to the submittal of a formal subdivision application, the applicant may submit a formal written documentation to the Director requesting the reclassification of a Major Subdivision to a Minor Subdivision. The written request shall explanation how the specific characteristics of the said subdivision comply with Reclassification Review Standards. The Director will provide a written decision notification to the applicant and the Commission. The Commission is authorized to deny the Directors decision.
3. **Reclassification Review Standards.** An application for a Subdivision Reclassification shall comply with the following standards:
 - a. **Community Benefit.** The proposed subdivision will provide a derived community benefit as describe in the Purposes of this subsection.
 - b. **Utility Services.** Public utility services (water, wastewater, electrical, gas, stormwater) are easily available to the land tract proposed for subdivision and only private service extensions are anticipated.
 - c. **Dedications.** The land tract is serviced by existing city streets and easements (trails, utilities) and/or the dedication of public streets and easements can be addressed be through the Minor Subdivision Review process.
 - d. **Non-Motorized Facilities.** The extension of non-motorized transportation facilities can be addressed though the Minor Subdivision process.
 - e. **Consistency with the Master Plan.** The intended uses shall be consistent with the *City of Gunnison Master Plan*.
4. **Subdivision Requirements.** A reclassification approval shall not be construed as a waiver from any of the established requirements for subdivision established by the *Land Development Code*.

B.C. Planned Unit Development Subdivision (PUD). ...

The following are typographical errors or proposed corrections to the LDC:

- Table 2-3 Principal Use Table, change bed and breakfasts from prohibited to permitted in the Commercial zone district.

TABLE 2-3 PRINCIPAL USE TABLE											
Specific Uses		RESIDENTIAL ZONING DISTRICTS					NON-RESIDENTIAL ZONING DISTRICTS				Use Standards
		R-1	R-1M	R-2	RMU	R-3	B-1	CBD	C	I	
Accommodations	Bed and breakfasts				C	C	C	C	P		§3.7 A.1.
	Hostels				C	C	C	C	P		§3.7 A.2.
	Hotels and motels							C	P		§3.7 A.3.
	RV Parks					C			C	C	§3.7.A.4.

- Table 4-7 Off-Street Parking Requirements.

TABLE 4-7 OFF-STREET PARKING REQUIREMENTS			
USE CLASSIFICATION	SPECIFIC USE	MINIMUM NUMBER OF SPACES REQUIRED	
Residential Use Categories (§3.2)			
Household Living	Single-Family Dwellings, Townhouses, Two-family Dwellings, Manufactured Home and Mobile Home	2.0 per dwelling unit	
	Multi-Family Dwellings, and Upper Floor Residential	1 st Unit	2.0 per dwelling unit
		Each additional unit	1.75 per dwelling unit
	Accessory Dwelling Unit	1.0 per Accessory Dwelling Unit	
Congregate Living	Rooming and boarding houses, dormitories, fraternities or sororities, hostels	1.0 per bed	
	Nursing Homes	1.0 per employee, plus 1 visitor space per 2 beds	
	Assisted Living	1.0 per employee, plus 1 visitor space per 4 beds	
Accommodations	Hotels; and Motels and Hostels	1.0 per guest room +1 space per 3 employees and 75% of parking required for other associated or accessory uses (restaurants, offices, meeting spaces)	
	Hostels	1.0 per 2 beds	
	Bed and Breakfasts	1 space per guest room, plus 2 spaces for the owner/manager's unit	

- Section 4.8 Signs, D. 3. Exemptions.

3. Flags, ~~limited to three flags per lot.~~ The maximum individual size of a permanently displayed flag shall be 40 square feet.

- Table 4-12 Schedule of Requirements for Nonresidential Zone Districts

TABLE 4-12 SCHEDULE OF REQUIREMENTS FOR NONRESIDENTIAL ZONE DISTRICTS (CBD, I, C) (CONTINUED)			
Prohibited Signs	Maximum Sign Area by Permitted Type	Maximum Number of Signs Permitted	Maximum Height of Signs or other Restrictions
	Time/Temperature/Community Announcement signs: The display area of less than 46-15 square feet shall not be included in the allowable sign area; provided, however, any identification or advertising attached to or incorporated in such signs shall be included in the total allowable sign area.	1 per building face or per business storefront	

- Table 4-14 Schedule of Requirements for Single-Family and Duplex Zone Districts

TABLE 4-14 SCHEDULE OF REQUIREMENTS FOR SINGLE-FAMILY AND DUPLEX ZONE DISTRICTS (R-1, R-1M, R-2)			
Prohibited Signs	Maximum Sign Area Permitted per Business	Maximum Number of Signs Permitted	Maximum Height of Signs or other Restrictions
In addition to §4.8 E., the following signs are prohibited: Awning signs (§4.8 C.38.c.) Canopy signs (§4.8 C.38.f.) Changeable signs (§4.8 C.38.g.) Electronic Message Centers (§4.8 C.38.k and §4.8 H.3.b.) Joint Identification signs (§4.8 C.38.s.) Marquee signs (§4.8 C.38.t.) Portable signs (§4.8 C.38.w.) Roof signs (§4.8 C.38.aa.) Vending Machine signs (§4.8 C.38.hh.) Wind signs (§4.8 C.38.jj.)	Identification signs (§4.8 C.38.q.): 4 square feet	1 per building	6 feet
	Temporary Signs (§4.8 C.38.ee. and §4.8 F): 36 square feet	1 per street frontage	12 feet
	EMC (§4.8 C 38 k): 12 square feet of sign area.	<u>1 per street frontage</u>	Allowed for churches, schools, and community buildings only.
	Free Standing signs (§4.8 C.38.n): calculated PSA or 12 square feet maximum.	<u>1 per street frontage</u>	<u>Allowed for churches, schools, and community buildings only.</u>

- Section 9. Development Standard Waivers, Section 9.1 C. 2.

2. Planning and Zoning Commission Waivers. Waivers that are determined by the Commission and/or administratively by staff are related to Site Development Applications. Waivers recommended to City Council ~~considered~~ by the Commission are acted upon as a public hearing agenda item at a meeting. Waivers considered by the Commission are acted upon at a regular meeting. The administrative review follows all of the procedures set forth in §9.3 with the exception of item D, Public Notice. Waivers may be approved in conjunction with processing site development

applications, land use development applications, including subdivision applications, as defined in §6.2.A of this LDC.

1. Minor Subdivision. A Minor Subdivision is a subdivision which proposes not more than eight lots or units and which subdivides a parent parcel of less than four acres. A Minor Subdivision is subject to an expedited subdivision ~~two-three~~-step review process, wherein the Sketch Plan ~~and Final Plat~~ reviews by the Commission ~~have has~~ been deleted. The applicable review steps are as follows:

a. Step One. Review of the Preliminary Plat by the Commission at a public hearing, as described in §12.6, Preliminary Plat Review.

b. Steps Two and Three. Review of the Final Plat by the Commission and City Council, as described in §12.7, Final Plat Review.

- Section 16.2 General Terms Defined

Recreational vehicle	A pickup camper, motor home, travel trailer, tent trailer, vehicle and tent or similar mobile unit which has wheels, is intended to be transported over streets, roads and highways as a motor vehicle or attached to a motor vehicle, and is designed primarily for use as a temporary unit for human occupancy. <u>Recreation vehicles shall be used for human occupancy only when located within a lawful recreational vehicle park, except that recreational vehicles may be inhabited for no more than five days on private property within a 30-day period.</u>
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