

**CITY OF GUNNISON COUNCIL AGENDA  
MEETING IS HELD AT CITY HALL, 201 W. VIRGINIA AVENUE  
GUNNISON, CO, IN THE 2<sup>ND</sup> FLOOR COUNCIL CHAMBERS**

**APRIL 26, 2016**

**REGULAR SESSION**

**7:00 P.M.**

- I. Call Regular Session Meeting to Order:
- II. Consent Agenda:  
The listing under "CONSENT AGENDA" is a group of items, which Council has already reviewed, to be acted on with a single motion or vote. This agenda is designed to expedite the handling of limited routine matters by Council. The Mayor will ask if any Councilor or Citizen wishes to have any specific item removed from the Consent Agenda and acted upon individually.
  - Approval of Habitat for Humanity Request to Waive Building Permit Fees
  - Appointment of New Election Commission Members and BOZAA Member
  - Approval of Contract for Service for "Sources of Strength Program" in amount of \$3,800.00
  - Set Special Session of Council for Monday, May 9, 2016, at 12:00 P.M. for Council to Hold an Executive Session to Select City Manager Semi-Finalists and Direct SGR to Conduct Reviews of those Semi-Finalists
  - Set Public Hearing on Ordinance No. 4, Series 2016, for 7pm, May 10, 2016
- III. Consideration Minutes:
  - A. Meeting Minutes of April 12, 2016 Regular Session Meeting
- IV. Pre-Scheduled Citizens: None
- V. Old Business: None
- VI. New Business:
  - A. Action on Terms for a Joint City-County Federal Lands Access Grant (FLAP) Grant Application for the Gold Basin Trail Project
  - B. Action on Filing Statement of Opposition on Division 4 Water Court Case No. 16CW3009; Re: Gunnison River Upstream City Wells
  - C. Action on Supporting NWCCOG's Letters to Governor and Senator Re: Federal Drought Action Plan Priority for Colorado River Basin
- VII. Resolutions and Ordinances:
  - A. Ordinance No. 1, Series 2016; Re: Additional Appropriations to 2016 Budget; 2nd Reading
  - B. Ordinance No. 2, Series 2016; Re: Approving a Major Change to the Gunnison Rising PUD; 2nd Reading
  - C. Ordinance No. 3, Series 2016; Re: Text Amendment to Gunnison LDC Regarding Tree and Shrub Buffer Plantings; 2nd Reading
- VIII. Reports:

City Attorney Report: Kathleen Fogo  
City Manager Report: Mark Achen  
Acting City Manager: PW Director Tex Bradford – Semi-Annual Department Report  
City Clerk Report: Gail Davidson  
WSCU Liaison Report: Alex Alejandre
- IX. Non-Scheduled Citizens: **At this agenda time, non-scheduled citizens may present issues of City concern to Council. Per Colorado Open Meetings Laws, NO action or Council discussion will be take place until a later date, unless an emergency situation is deemed to exist by the City Attorney. Speaker has time limit of 3 mins.**
- X. City Council Meeting Reports, Discussion, Items for Future Work Sessions
- XI Meeting Adjournment

The City Council Meeting agenda is subject to change. The City Manager and City Attorney reports may include administrative items not listed. 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](http://www.cityofgunnison-co.gov). Work sessions are recorded, minutes are not produced and formal action cannot be taken. For further information, contact the City Clerk's office at 970-641-8140. **TO COMPLY WITH ADA REGULATIONS, PEOPLE WITH SPECIAL NEEDS ARE REQUESTED TO CONTACT THE CITY CLERK 24 HOURS BEFORE ALL MEETINGS AT 970-641-8140.**



To: City Council  
CC: Interim City Manager Mark Achen  
From: City Clerk Gail Davidson  
Date: April 21, 2016  
RE: Consent Agenda

City Council:

You will note the Regular Session agenda contains a Consent Agenda. This type of agenda item allows City Council to approve, by a single motion, second and vote, matters that have already been discussed by the entire Council or matters that are considered routine or non-controversial. A Consent Agenda allows for the meeting to proceed in a more efficient and timely manner. The agenda items will not be separately discussed unless a Councilor, City Staff, or a citizen requests an item be removed be discussed separately. Items removed from the Consent Agenda will then be considered under New Business.

If all of the Councilors who will vote on an item were not present for the initial discussion, then the item will not be placed on the Consent Agenda.

When a motion is made to approve the Consent Agenda, the Councilor making the motion should, for the record, include the list of the Consent Agenda items being considered in the vote. Please let me know if you have any questions regarding the Consent Agenda process.

Thank you, Gail

**Action Requested of Council:**

Motion, second and vote to approve the Consent Agenda as presented with the following items:

- Approval of Habitat for Humanity Request to Waive Building Permit Fees;
- Appointment of New Election Commission Members and Zoning Board of Adjustment and Appeals Member;
- Approval of Contract for Service for GCSAPP's "*Sources of Strength Program*" in the amount of \$3800 and Authorize Mayor to Sign Said Agreement;
- Set Special Session of Council for Monday, May 9, 2016, at 12:00 P.M. for Council to Hold and Executive Session to Select City Manager Vacancy Semi-Finalists and Direct SFT to Conduct Reviews and Investigations of those Semi-Finalists; and
- Set Public Hearing on Ordinance No. 4, Series 2016, for 7PM, May 10, 2016.



April 12, 2016

Gunnison City Council  
Cc: City of Gunnison Community Development  
201 W. Virginia Ave.  
Gunnison, CO 81230

Dear Council Members; Hagan, Drexel, Furguson, Morrison and Schwartz,

Thank you so much for your time and your past collaborative efforts. Habitat could not truly build affordable homes without the backing of our local municipalities, community builders and volunteers. *Habitat proudly supports local businesses and sub-contractors that in-turn support our cause with discounted and donated materials, working together to benefit our local community and economy.* This building season will be the fourteenth Habitat home constructed and assessed for property tax evaluation. Every home and family served contribute to the stock of affordable homes in our community in addition to supporting the local tax base.

Habitat for Humanity of the Gunnison Valley would like to submit this request that building permit fees be waived for our current project. The project is scheduled to begin May 1<sup>st</sup> and completed by October 1st. The plans include the construction of a two-bedroom, single family home on Parcel 2, Wills Way Community (see attached plans).

If you have any questions about the project or how the program works, we would be happy to present to the Council at your earliest convenience. We really appreciate your assistance in this very important project.

Sincerely,

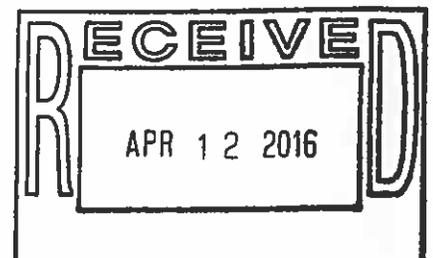
A handwritten signature in cursive script that reads "Joy Wills".

Joy Wills

President, Board of Directors

A handwritten signature in cursive script that reads "Julie Robinson".

Julie Robinson  
Administrative Director



# Memorandum

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**To:** City Council

**CC:** City Manager Ken Coleman

**From:** City Clerk Gail A. Davidson

**Date:** 4/22/2016

**Re:** Appointments to City Election Commission and Board of Adjustment and Appeals

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## **Consent Agenda**

I received emails of interest from Kathleen Kinekma, Susan Crawford and Sharon Cave to serve on the City of Gunnison Election Commission. The City Charter sets the terms for the Commission to expire the first of July in odd number years following the Regular Municipal Election. All three meet the requirements for serving on the Commission. I recommend appointing Kathleen and Susan as full Commissioners and Sharon as the alternate.

Sharon has also applied for one of the three Zoning Board of Adjustment and Appeals vacancies. She meets the requirements to serve on that Board as well. I recommend appointing Sharon to the Zoning Board of Adjustments and Appeals. There is no conflict in serving on both of these Boards/Commissions.

**Action Requested of Council: A motion, second and vote of the consent agenda to appoint Kathleen Kinkema, Susan Crawford and Sharon Cave to the City Election Commission with terms to expire in July, 2017 and appoint Sharon Cave to the Zoning Board of Adjustments and Appeals with a term to expire May 15, 2017.**



To: City Council  
CC: Interim City Manager Mark Achen  
From: Youth City Council and  
City Clerk Gail Davidson  
Date: April 13, 2016  
RE: Sources of Strength Funding Request

**City Council:**

At their last meeting, the Gunnison Youth City Council (YCC) students were approached by GCSAPP's Kari Commerford and several Gunnison High School (GHS) students. That group gave the YCC a presentation on the "*Sources of Strength*" program that is underway at GHS. The program is a peer-based outreach for the prevention of suicide, violence, depression, and substance abuse. Student volunteers are trained to be peer mentors for other students who may need assistance. The trained students offer support and guide the student in need to available community resources.

64 GHS students have been trained in the program. The leaders would like to continue this training program through the summer with three leadership training sessions. Attached to this memo is a page provided by the *Sources of Strength* Program outlining the process. The Program is asking for \$3,800 from the City of Gunnison to conduct this summer's training.

The Gunnison Youth City Council members fully support this program and ask the Gunnison City Council to fund the *Sources of Strength* summer training program in the amount of \$3,800.

Thank you.

## Sources of Strength Summer Program

Who: We are sources of Strength – 64 GHS Peer leaders and 20 caring adults

What is Sources of Strength: An evidence-based prevention for suicide, violence, bullying and substance abuse..

How is it accomplished: By training, supporting, and empowering both peer leaders and caring adults to impact their world through the power of connection, hope, help and strength.

Why: We believe that many strengths are more powerful than one, and our united goal is to activate and mobilize these strengths in ways that positively change individuals and communities.

### SUMMER PROGRAMING –

In order to help sustain the Sources of Strength program we would like to create a youth summer program that continues the peer leadership training that has already begun, allow for new members to join and help spread the Sources of Strength mentality throughout our community.

We would like the City Council to financially contribute to the Sources of Strength program and GCSAPP in order to create this summer leadership experience. We would like to hold three sessions for high school youth.

Session 1 (tentative date July 7<sup>th</sup> and 8<sup>th</sup> or 13<sup>th</sup> and 14<sup>th</sup>) – Two day team-building camp. We envision having a “Taylor Challenge” type event where High School students who currently are Sources of Strength leaders and those who wish to join can work together to build their leadership skills, plan and create strategies for implementation. Depending on the availability of space this may take place as an overnight experience or a three day – day camp at CBMR or WSCU. Estimated cost \$60 per student x 80 = \$4800

Session 2 and 3 (Tentative dates July 18,19, 21, 22 and 25,26,28,29) – Four day small group camp (20 students each session). We will collaborate with WSCU Wilderness Pursuits or CBMR to create a four day team building camp based on the 8 Sources of Strength. Each day will consist of 2 strengths and peer leaders will engage in activities that helps process their current level of support, brainstorm how to increase support, and how to help others identify and increase support in each area. The Four day small group camp will culminate with a community project. Estimated cost \$50 per student x 20 x 2 groups = \$2,000

Total Cost = \$6,800

Requested Amount from City Council = \$3,800

GCSAPP Contribution = \$1,000 + 2 staff x 10 days x 8hr. day x \$25/hr. = \$4,000 = \$5,000

Balance = \$2,000 – will seek additional funding from local businesses contributions and fundraising.

# Memo

**To:** City Council  
**From:** City Clerk Gail Davidson  
**CC:** Interim City Manager Achen  
**Date:** 4/22/2016  
**Re:** Special Session for May 9, 2016

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In order to select the City Manager Vacancy Semi-Finalists with Mike Tanner, the executive search consultant with SGR, in attendance, a Special Session meeting of Council needs to set. The selection will take place in an Executive Session and that session can only take place at a Regular or Special Session meeting of Council. Thank you for your consideration of this action. Gail

**Action requested of Council: Through approval of the consent agenda, to set a Special Session meeting of Council for 12:00 P.M. for Monday, May 9, 2016, for action on the following agenda items:**

- 12:00 P.M. Executive Session to Select Semi-Finalist Applicants for City Manager Vacancy;
- Following Executive Session; Direct Strategic Government Resources to conduct reviews and investigations on selected semi-finalist candidates.

**APRIL 12, 2016**

**CITY OF GUNNISON COUNCIL  
REGULAR SESSION MEETING MINUTES**

**7:00 P.M.**

The City Council Regular Session meeting was called to order at 7:00 P.M., by Mayor Hagan, with Councilors Ferguson, Drexel, and Morrison present along with City Attorney Fogo, Interim City Manager Achen, City Clerk Davidson, Public Works Director Bradford, Finance Director Cowan, Community Development Director Westbay, Parks & Recreation Director Ampietro, WSCU Liaison Alexandre, several citizens and the press. Councilor Schwartz was not in attendance. A Council quorum was present.

**APRIL 12, 2016**

**PUBLIC HEARING**

**7:00 P.M.**

**Receive Input on the Merits of a Major Change to a PUD, Application ZA-16-2, Submitted by Gunnison Valley Properties LLC, to Modify the Gross Floor Area and Phasing of the Commercial/Mixed Use District within Table 2.1 (PUD Zoning, Land Use, Dwelling Units and Non-Residential Allocations); Section 2.6 (Highway Access Control Plan); and Appendix A (Development Phasing) within the *Gunnison Rising PUD Development Standards***

Mayor Hagan opened the Public Hearing and stated the time is now 7:00 P.M. on Tuesday, April 12, 2016, in the City Council Chambers of City Hall, 201 W. Virginia Avenue in Gunnison, Colorado. Present at the Public Hearing are myself, Mayor Richard Hagan, City Councilors Stu Ferguson, Robert Drexel and Leia Morrison, City Attorney Kathy Fogo, Interim City Manager Mark Achen, City Clerk Gail Davidson, Community Development Director Steve Westbay and Public Works Director Tex Bradford. The purpose of this Public Hearing is to receive input on the merits of a Major Change to a PUD, Application, ZA-16-2, Submitted by Gunnison Valley Properties LLC, to Modify the Gross Floor Area and Phasing of the Commercial/Mixed Use District within Table 2.1 (PUD Zoning, Land Use, Dwelling Units and Non-Residential Allocations); Section 2.6 (Highway Access Control Plan); and Appendix A (Development Phasing) within the *Gunnison Rising PUD Development Standards*.

Mayor Hagan called for proof of publication. City Clerk Davidson stated that a copy of the publication was included in the Public Hearing information packet and the official Affidavit of Publication will be included in the Public Hearing file in the City records.

Mayor Hagan called for the Applicant comments. He requested the applicant to come forward, state their name and sign in for the record. Dick Bratton, City resident, addressed Council. He stated that they are requesting a modification in the allowed square footage because of the donation of the property to the WSCU Foundation. The increase will allow for more effective development. Mr. Bratton informed Council he has asked Community Development Director Westbay to give the applicant comments on the application. Director Westbay stated the application was submitted by Gunnison Valley Properties for a Major Change to the existing Gunnison Rising Planned Unit Development (PUD) Standards. The amendment proposed to modify Table 2.1: PUD Zoning and Land Use Allocations; Section 2.6: Highway Access Control Plan and Appendix A: Development Phasing of the PUD. The change in allowed commercial square footage from 170,000 square feet (sf) to 380,000sf allows for the 120,000sf for the Foundation and 260,000sf for commercial development on the remaining Commercial mixed-use parcel. The allocated residential development is for 20 dwelling units on the Foundation parcel and 120 dwelling units on the commercial mixed-use parcel. Director Westbay stated that in calculating the floor area ratio of allowed commercial development to the square footage of the parcel, the proposed ratio of 9sf development to the sf of lot area is very similar at 4.5 in density to the existing Mountain Meadows Mall on the north end of the City. The proposed density allows for more service efficiencies. The City is an urban service area and when the infrastructure serves higher densities in an area, it is more cost effective and efficient service rather than having those commercial areas spread out over a larger area. Also, the higher development density will allow for an increase in the property and sales tax and the change will make the economics of the development more palatable to future developers wanting to invest in the community.

Mayor Hagan stated it is a huge change in the allowed commercial square footage. He is wondering what the driver is behind the increase. Director Westbay stated the larger commercial area is more economically viable and increases the efficiencies of the needed services. The PUD is flexible to allow for these types of amendments. Mayor Hagan asked why this wasn't included in 2010. Mr. Bratton stated there were a lot of issues on the table at that time and so it was set at a lower level. However, the increased footage is way more efficient use of land at the higher density. Director Westbay stated the property that was gifted to the WSCU Foundation was the game changer for allowing more commercial square footage. Councilor Morrison asked why on

page 16 it states that no conditions have changed. Director Westbay stated that conditions have actually changed with the gifting of the land to Western. Also, the economics, what will work fiscally, has changed since that time. If you over plan at the start, that reality doesn't work. The Gunnison Rising PUD that was approved allows for flexibility through a solid public process. As opportunities arise, those changes can be made. Mayor Hagan asked about phasing changes in Table A1. Director Westbay stated that no changes were made to the open space or residential zoning. In 2012, an amendment was made to the governmental district and that changed the proposed PUD phasing. Mayor Hagan asked about additional parking demands if there is additional commercial square footage. Director Westbay stated that the parking requirements in the City Land Development Code have not changed and any new commercial development will have to follow those standards. Those standards are site specific to the type of use being proposed. The Code also allows for some shared use of parking for some types of commercial uses.

Mayor Hagan called for any City Staff Comments. Director Westbay stated he had nothing further to add for the Hearing.

Mayor Hagan called for any other public comments on the Application. There were no additional comments. Mayor Hagan asked if any letters, emails, or other written comments were received from the public to be entered into the record. City Clerk Davidson replied that no other comments were received.

Mayor called for any further comments and hearing none, he closed the Public Hearing at 7:24 P.M.

**APRIL 12, 2016 PUBLIC HEARING 7:15 P.M.**  
**Receive Input on the Merits of Text Amendment Application ZA-16-1, Submitted by Steven Westbay, Director of Community Development, Proposing to Amend Tree and Buffer Planting Requirements (Table 4-11 Minimum Tree and Shrub Plantings) and Section 4.6 F.3 (Zone District Boundary Buffer); the Text Amendment also Corrects Minor Typographical Errors within the City of Gunnison Land Development Code**

Mayor Hagan opened the Public Hearing and stated the time is now 7:24 P.M. on Tuesday, April 12, 2016, in the City Council Chambers of City Hall, 201 W. Virginia Avenue in Gunnison, Colorado. Present at the Public Hearing are myself, Mayor Richard Hagan, City Councilors Stu Ferguson, Robert Drexel and Leia Morrison, City Attorney Kathy Fogo, Interim City Manager Mark Achen, City Clerk Gail Davidson, Community Development Director Steve Westbay and Public Works Director Tex Bradford. The purpose of this Public Hearing is to receive input on the merits of Text Amendment Application ZA-16-1, Submitted by Steven Westbay, Director of Community Development, Proposing to Amend Tree and Buffer Planting Requirements (Table 4-11 Minimum Tree and Shrub Plantings) and Section 4.6 F.3 (Zone District Boundary Buffer); the Text Amendment also Corrects Minor Typographical Errors within the City of Gunnison Land Development Code.

Mayor Hagan called for proof of publication. City Clerk Davidson stated that a copy of the publication was included in the Public Hearing information packet and the official Affidavit of Publication will be included in the Public Hearing file in the City records.

Mayor Hagan called for the Applicant and Staff comments. Community Development Director Westbay addressed the Council. The Planning & Zoning Commission and City Staff re-examined the landscaping provisions in the 2014 revision of the Land Development Code (LDC). They used illustrations to demonstrate how the interior property looked under the landscaping provisions and recommended some changes to the Code. The district buffer landscaping provisions, i.e. between a residential zone and a non-residential zone, had an onerous number of trees and shrubs required in the buffer. The number of trees in a linear footage was significant so those numbers were modified. There were also some minor editorial changes in the Code such as in the platting of townhomes and the amount of landscaping required if a front and rear yard was being proposed. Table 4.7 dealing with off-street parking in commercial developments was amended to lessen the amount of parking spaces resulting in backing of vehicles onto public rights-of-way. The modification also lessens the amount of long curb cuts that allow for backing onto a street to take place. Section 9.1, dealing with LDC waivers, was modified to create waivers being considered by the Planning & Zoning Commission in a "noticed" Public Hearing process rather than just in a

public meeting. This will allow for great due process by an applicant. Some waivers, dealing with minor residential landscaping changes, will be done directly through the Community Development Director. Finally, Section 12.1, proposes minor changes to the security deposit process paid by developers for utility extensions. The deposit is needed to cover the cost of those infrastructure extensions should the developer default on the project.

Mayor Hagan called for any other public comments on the Application. There were no comments.

Mayor Hagan asked if any letters, emails, or other written comments were received from the public to be entered into the record. City Clerk Davidson replied that no other comments were received.

Mayor called for any further comments and hearing none, he closed the public hearing at 7:31 P.M.

### **Consideration of Minutes**

#### **Meeting Minutes of March 8, 2016, Regular Session Meeting.**

Councilor Ferguson moved and Councilor Drexel seconded the motion to approve the minutes of the March 8, 2016, Regular Session meeting as submitted.

Roll call vote, yes: Ferguson, Drexel, Hagan, Morrison. Motion carried.

Roll call vote, no: None.

#### **Meeting Minutes of March 30, 2016, Special Session Meeting.**

Councilor Drexel moved and Councilor Ferguson seconded the motion to approve the minutes of the March 30, 2016, Special Session meeting as submitted.

Roll call vote, yes: Drexel, Hagan, Ferguson. Motion carried.

Roll call vote, no: None.

Roll call vote, abstain: Morrison. She was not in attendance.

**Pre-Scheduled Citizens:** None.

**Old Business:** None.

### **New Business:**

#### **Excuse Councilor Morrison from 03/30/2016 Special Session Meeting.**

Councilor Ferguson moved and Councilor Drexel seconded the motion to excuse Councilor Morrison from the March 30, 2016, Special Session meeting, and to excuse Councilor Schwartz from this evening's Regular Session meeting.

Roll call vote, yes: Hagan, Ferguson, Drexel. Motion carried.

Roll call vote, no: None.

Roll call vote, abstain: Morrison.

#### **Action on Public Works Department JetVac Truck and Slip Lining Contracts.**

Councilor Drexel moved and Councilor Ferguson seconded the motion to accept the bid from Farris Machinery of Grand Junction, Colorado, in the amount not to exceed \$328,900 after trade-in for the purchase of the 2016 Jet Vac truck.

Roll call vote, yes: Morrison, Ferguson, Drexel, Hagan. Motion carried.

Roll call vote, no: None.

Councilor Morrison moved and Councilor Ferguson seconded the motion to accept the bid from Ecomatris of Silt, Colorado, in the amount not to exceed \$426,565.96 for the 2016 sewer slip line project.

Roll call vote, yes: Ferguson, Drexel, Hagan, Morrison. Motion carried.

Roll call vote, no: None.

#### **Action to Go Into Executive Session: Pursuant to C.R.S.**

Councilor Ferguson moved and Councilor Drexel seconded the motion to go into Executive Session, the purpose of which is pursuant to C.R.S. §24-6-402(4)(a) to discuss the purchase, acquisition, lease, transfer, or sale of any real, personal, or other property interest; except that no executive session shall be held for the purpose of concealing the fact that a member of the City Council has a personal interest in such purchase, acquisition, lease, transfer or sale. The Executive Session is not open to the public and action may not be taken.

Roll call vote, yes: Drexel, Hagan, Morrison, Ferguson. Motion carried.

Roll call vote, no: None.

Council went into Executive Session at 7:38 P.M.

Council came out of Executive Session at 8:10 P.M.

Mayor Hagan stated the time is now 8:10 P.M. and the Executive Session has been concluded. The participants in the Executive Session were Mayor Richard Hagan, Mayor Pro Tem Robert Drexel, Councilor Stu Ferguson, Councilor Leia Morrison, City Attorney Kathy Fogo, Interim City Manager Mark Achen, City Clerk Gail Davidson, and Community Development Director Steve Westbay. Mayor Hagan asked, for the record, if any person who participated in the Executive Session believes that any substantial discussion of any matters not included in the motion to go into executive session occurred during the executive session, or that any improper action occurred during the executive session in violation of the Open Meetings Law, he asked that they state your concerns for the record. No comments were made. Council then returned to Regular Session at 8:10 P.M.

**Possible Direction to Staff, Re: Real Estate Negotiations on Purchase/Lease of CBD Parking Property.**

Councilor Ferguson moved and Councilor Morrison seconded the motion to direct Staff to enter into negotiations on the purchase and or lease of the two properties discussed during the Executive Session for possible Central Business District parking.

Roll call vote, yes: Hagan, Morrison, Ferguson, Drexel. Motion carried.

Roll call vote, no: None.

**Set Public Hearing on ABCD Bikes LLC dba Double Shot Cyclery, Hotel & Restaurant Liquor License Application for 7:00 PM, May 24, 2016.**

Councilor Morrison moved and Councilor Ferguson seconded the motion to set the Public Hearing on the Hotel & Restaurant Liquor License application from ABCD Bikes LLC dba Double Shot Cyclery, 222 N. Main Street, in Gunnison, Colorado, for 7:00 P.M., Tuesday, May 24, 2016.

Roll call vote, yes: Morrison, Ferguson, Drexel, Hagan. Motion carried.

Roll call vote, no: None.

**Discussion on Agreement with Gunnison County for Gold Basin Trail FLAP Grant Application.** Council discussion ensued regarding the Federal FLAP Grant Application that the County may be submitting. Finance Director Ben Cowan stated the County has not made any firm decisions about the Grant submittal but the grant calls for a 17% match for the project. The grant cycle is typically a 3-year cycle. Project work would probably start in late 2017. No draft agreement is available at this time. Council consensus was to relook at this issue when the County provides more information.

**Resolutions and Ordinances:**

**Ordinance No. 1, Series 2016; Re: Additional Appropriations to 2016 Budget; 1<sup>st</sup> Reading.** Councilor Drexel introduced Ordinance No. 1, Series 2016, and it was read by title, along with Sections 1, 2, and 3, by the City Attorney.

Councilor Drexel moved and Councilor Morrison seconded the motion that Ordinance No. 1, Series 2016, **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, ADOPTING AN ADDITIONAL APPROPRIATION FOR THE FISCAL YEAR ENDING DECEMBER 31, 2016**, be introduced, read, passed and ordered published by title on first reading this 12<sup>th</sup> day of April.

Roll call vote, yes: Ferguson, Drexel, Hagan, Morrison. Motion carried.

Roll call vote, no: None.

**Ordinance No. 2, Series 2016; Re: Approving Major Change to the Gunnison Rising PUD; 1<sup>st</sup> Reading.** Councilor Ferguson introduced Ordinance No. 2, Series 2016, and it was read by title only by the City Attorney.

Councilor Ferguson moved and Councilor Drexel seconded the motion that Ordinance No. 2, Series 2016, **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, APPROVING A MAJOR CHANGE TO AN EXISTING PLANNED UNIT DEVELOPMENT, TO AMEND TABLE 2.1: PUD ZONING AND LAND USE**

**ALLOCATIONS; SECTION 2.6: HIGHWAY ACCESS CONTROL PLAN; AND APPENDIX A: DEVELOPMENT PHASING WITHIN THE GUNNISON RISING PUD DEVELOPMENT STANDARDS**, be introduced, read, passed and ordered published by title on first reading this 12<sup>th</sup> day of April, 2016.

Discussion ensued on the Ordinance. Mayor Hagan stated that in the BBC Fiscal Analysis done for the Gunnison Rising Annexation process, there was concern about cannibalism of existing sales to a new commercial site in the annexation property. He thinks the increased commercial square footage would have that effect and is not needed. He doesn't support this Ordinance and that is why he is going to vote no on it. Councilor Ferguson suggested that perhaps increased commercial footage might prevent leakage of local sales dollars to out of town stores. Dick Bratton stated that the cannibalism of sales is not the same discussion about this Ordinance. The PUD Plan has already been approved. Studies have shown that increased commercial will increase sales tax dollars, employment and property taxes. Councilor Morrison stated she had some issues about the increase but after she read the land grant to the Western State Foundation being a partial driver for the increased footage request, she is ok with the Ordinance. Mayor Pro Tem Drexel stated that the issue was discussed in depth by the Planning Commission and they recommend approval of the amendment, so he is good with passage. City Attorney Fogo reminded Council this is a zoning issue and any future commercial development will come back to the City for review.

Roll call vote, yes: Drexel, Morrison, Ferguson. Motion carried.

Roll call vote, no: Hagan.

**Ordinance No. 3, Series 2016; Re: Text Amendment to Gunnison Land Development Code Regarding Tree and Shrub Buffer Plantings; 1<sup>st</sup> Reading.** Councilor Ferguson introduced Ordinance No. 3, Series 2016, and it was read by title only by the City Attorney.

Councilor Ferguson moved and Councilor Drexel seconded the motion that Ordinance No. 3, Series 2016, **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, TO AMEND SECTION 2, ZONING DISTRICTS; SECTION 4, GENERAL DEVELOPMENT STANDARDS; SECTION 9, DEVELOPMENT STANDARD WAIVERS; AND, SECTION 12, SUBDIVISION STANDARDS WITHIN THE CITY OF GUNNISON LAND DEVELOPMENT CODE**, be introduced, read, passed and ordered published by title on first reading this 12<sup>th</sup> day of April, 2016.

Roll call vote, yes: Hagan, Morrison Ferguson, Drexel. Motion carried.

Roll call vote, no: None.

#### **Reports:**

**City Attorney Kathleen Fogo:** No report.

**Interim City Manager Mark Achen:** Interim City Manager Achen reported on the following: Council should save June 13, 14, and 15<sup>th</sup> for new City Manager interviews; selection of the finalists could possibly take less time than anticipated; the City tree dump will open this Saturday, April 16, at 9am and will be open Tuesdays through Saturday, from 9am to 3pm, through the first of November; and the annual Hartman Rocks Clean-up will take place on May 1<sup>st</sup>.

**City Clerk Gail Davidson:** congratulated Councilor Ferguson on his upcoming award from the Gunnison Rotary Club.

**Parks & Recreation Director Report: Dan Ampietro – Parks & Rec Department Semi-Annual Report.** Director Ampietro asked Council if they had any questions regarding the report included in their packets. Director Ampietro then reported the following: the City has been awarded \$40,000 from GOCO for the dog park; the vault toilets have been ordered for the Mountain Park and the toilet for Legion Park will be installed in the fall; no refund has been received on the prior toilet order and the issue may now be a criminal case through the Police Department; the Recreation Coordinator has had to resign so that position will be advertised for the next two weeks and then a selection will be made; and he is working on the development of a Parks & Recreation Advisory Board. Council thanked Director Ampietro for his thorough report.

**Western State Colorado University Student Liaison Alex Alejandre.** Alex updated Council on the events taking place at Western this next week. There will be a lot of music concerts happening. Alex then informed Council that the Student Government Association (SGA) is currently holding elections and there are multiple candidates for both President and for his current

position as Vice-President of External Affairs. The SGA is also looking at passage of three student bills.

**Non-Scheduled Citizens:** None.

**City Council Discussion, Meeting Reports, Items for Work Session:**

**Councilor Morrison:** reported she was invited by WSCU's Mariah Green and she attended a professional development event for students. The students discussed interview-related questions. Councilor Morrison also reported on the following: she attended the GCSAPP Coalition meeting where they had good discussions; she was contacted by a citizen concerning the need for fencing around a downtown outdoor seating area if alcohol is not being served outside; from the Chamber meeting, next week is Restaurant Week in Gunnison and there will be a Chamber After Hours at the Times this week; and she will be attending the Complete Streets CDOT webinar on Thursday.

**Councilor Ferguson:** reported he attended the Youth City Council meeting last Sunday and it was a good experience.

**Councilor Drexel:** reported Region 10 has a BluePrint Colorado 2.0 Program and Council can go to the website for more information. Finance Director Cowan added that it is a training opportunity dealing with eight timely issues.

**Mayor Hagan:** reported he attended the Mayors'/Managers' meeting in Mt. Crested Butte along with City Manager Achen and they heard a presentation on noxious weeds. He will be attending the Planning Commission meeting in Matt's place on Wednesday and will be attending the Housing Authority meeting this week as well. He too attended the Youth City Council meeting and was impressed to students identified most of the same issues with the proposed downtown sidewalks use for dining and other uses. Mayor Hagan stated he would like the lighted route from campus to downtown to be developed. Interim Manager Achen replied that Director Bradford has been working with Western on ideas for that project.

**Adjournment:** Mayor Hagan called for any further discussion from Council, Staff or the public, and hearing none, adjourned the Regular Session meeting at 9:09 P.M.

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Mayor

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City Clerk

TO: CITY COUNCIL  
FROM: INTERIM CITY MANAGER  
DATE: APRIL 22, 2016  
SUBJ: FLAP GRANT – GOLD BASIN (COUNTY ROAD 38) TRAIL PROJECT

The County believes we have a good chance of success for a County/City Federal Land Access Project (FLAP) application to construct this trail connecting our jointly-owned access to BLM's Hartman Rocks Recreation Area.

FLAP grants fund Federal projects that provide public access to Federal lands of recreational significance. The Federal Highway Administration does the engineering and construction. The Bureau of Land Management must support the project. The County has preliminary indication this might be obtained.

This round of grants will require a local match of 17.21%. The project cost is roughly estimated at \$1.3 to \$1.5 million for a concrete trail. The local match would be roughly \$260,000 – \$285,000.

Gunnison County is very interested in the project. It is also on our Trails Master Plan. The matching funds will not be required until 2017 – 2019 and will only be required as construction progresses.

The City has sufficient 1A trails budget available during the expected design and construction period. However, the County is unable to commit matching funds during this timeframe.

The County has experience and is willing to both complete the application and administer the grant. They are willing to take responsibility for all maintenance.

Councilor Swartz and I met with County officials. Both parties agree the project is a priority and see the outstanding value of this grant with such a modest match.

City staff suggest options (see attachment) to make this trail project even more significant by connecting to existing trail routes. The project has been considered to connect to the Highway 50 Underpass.

- An extension roughly 550 feet further from the Underpass, replacing the gravel trail through the approach apron will finish a connection to the Thornton Way trail north.
- A 800 foot extension to the sewer dump site would provide a finished connection to Rio Grande Avenue and it connection to the new dog park and the Gunnison Rising trail now under construction.

These two extensions will add roughly \$60,000 to the overall project cost and increase the needed match approximately \$10,000. However, these small extensions would dramatically increase hard surface access from both sides of the community to Hartman Rocks.

A formal agreement (Intergovernmental Agreement) may be needed to demonstrate the City's financial commitment if the Council chooses to provide the matching funds.



Dog Park

South Highway Connector 1580'  
Underpass Apron 580'



## MEMO

To: City Council

Date: April 21, 2016

From: Tex Bradford

Re: Water Case No. 2016CW3009

The following is information in regards to a new surface water rights application, brought to staff's attention by the City's Water Attorney Jennifer DiLalla with Moses, Wittemyer, Harrison & Woodruff, who has represented the City in regards to water and water rights issues for many years.

The application is for 0.4 cfs to be diverted out of the Gunnison River upstream of the City's wells, the Gunnison Town Ditch, the Gunnison Town Pipeline, and the Piloni Ditch. The water right would be an enlargement on the senior water rights already decreed to the Gunnison and Ohio Creek Canal and would divert at the same point of diversion for the canal under a 2016 priority.

Jennifer's recommendation is to file a statement of opposition in this case and provided the following explanation. To ensure that appropriate terms and conditions—and particularly terms and conditions to ensure proper accounting for this new water right as distinct from the far more senior (1906priority) water rights already decreed.

In short, the recommended opposition is an effort to assure that proper measurement and documentation of the new diversion request of 0.4cfs is provided to the water commissioner and our engineer to protect the City's current downstream rights.

Water Attorney fees have been budgeted on page 49 of the 2016 budget under City Attorney in line item 01-4003-4330.

No formal action is required as requested of Council and, unless Council disagrees, staff will authorize the Water Attorney to proceed with the recommendation to oppose. The opposition must be filed by Friday, April 29<sup>th</sup>.



## WATER QUALITY / QUANTITY COMMITTEE (QQ)

P.O. Box 2308 • Silverthorne, Colorado 80498  
970-468-0295 • Fax 970-468-1208 • email: qqwater@nwccog.org

May 1, 2016

Dear Governor John Hickenlooper,

Your leadership in writing Colorado's first ever Water Plan is an important step forward for Colorado on future water management. We commend your "start with conservation" approach to solving Colorado's water challenges and look to you as a regional leader on drought. We encourage you to continue your leadership by pushing for additional coordination among federal agencies on drought programs in the Colorado River Basin.

The Northwest Colorado Council of Governments Water Quality/ Quantity Committee (QQ) is made up of elected officials from local governments in the headwaters of the Gunnison, Colorado, South Platte, and Yampa Basins who've worked together since the 70s on issues relating to land use authority, environmental protection and economic development. We are joined in this letter by local government leaders from around Colorado who share these interests.

The value the Colorado River provides to the Southwest is staggering. The river system supplies drinking water for 40 million people, irrigates 5 million acres of land that grows 15 percent of our nation's crops, and serves as a major economic powerhouse fueling economies in Arizona, Colorado, Nevada, New Mexico, Utah, and Wyoming. As revealed in the Department of the Interior's (DOI) comprehensive 2012 Colorado River Basin Water Supply & Demand Study, demand for the river's water now exceeds supply.

As the severity of the drought grows throughout the West, federal agencies offer an array of programs offering partial solutions. Both the Department of Agriculture's Natural Resources Conservation Service (NRCS) and Department of Interior's Bureau of Reclamation (BOR) offer programs supporting measures that increase efficiency of water use and assist in drought response. However, these programs are not currently coordinated efficiently. For example, the grants for BOR's WaterSMART and NRCS's Regional Conservation Partnership Program are awarded on entirely different schedules, making it more cumbersome and slower than it needs to be.

A federal Colorado River strategy to better coordinate these programs can produce greater efficiencies and better programs to benefit Coloradoans, including farmers and ranchers. Leveraging resources from several agencies would maximize the effectiveness of the program and establish a long-term framework for improved water management in Colorado River Basin states, including Colorado. This type of coordinated effort would also help to expedite the resources to reach projects on the ground quicker.

We know that collaboration works. DOI and NRCS recently collaborated with state and local leaders like you to create Greater Sage-Grouse conservation plans that use the resources of both agencies to conserve habitat for the species and avoid the necessity of an endangered species listing.

We commend the White House for their recent Presidential Federal Drought Action Plan which will increase on-the-ground coordination among federal agencies to better utilize their resources to combat the drought and protect vital water resources. This is the first step in knocking down a major barrier to protecting the Colorado River, the headwaters and its tributaries.

As the architect of the region's most recent and collaborative water plan, you are uniquely qualified to send a letter to DOI and USDA requesting that they launch their coordination effort in the Colorado River Basin as soon as possible. Additionally, please request that local and state partners be at the table. With climate change forecasted to reduce flow in the Colorado River by 10 to 30 percent by 2050 we cannot afford to postpone federal program coordination. Thank you for your consideration and leadership for Colorado.



## WATER QUALITY / QUANTITY COMMITTEE (QQ)

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P.O. Box 2308 • Silverthorne, Colorado 80498  
970-468-0295 • Fax 970-468-1208 • email: qqwater@nwccog.org

May 1, 2016

Dear Senator Michael Bennet,

As leader on the Senate Agriculture committee and on farm bill conservation programs, we thank you for being an ardent supporter of conservation programs that have helped keep Colorado productive while also conserving wildlife habitat. As local elected officials from across Colorado, we appreciate all that you have done to enhance programs such as the Regional Conservation Partnership Program (RCPP) and encourage you to push for additional coordination among federal agencies on drought programs in the Colorado River Basin.

The Northwest Colorado Council of Governments Water Quality/ Quantity Committee (QQ) is made up of elected officials from local governments in the headwaters of the Gunnison, Colorado, South Platte, and Yampa Basins who've worked together since the 70s on issues relating to land use authority, environmental protection and economic development. We are joined in this letter by local government leaders from around Colorado who share these interests.

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As the severity of the drought grows throughout the West, federal agencies offer an array of programs offering partial solutions. Both the Department of Agriculture's Natural Resources Conservation Service (NRCS) and Department of Interior's Bureau of Reclamation (BOR) offer programs supporting measures that increase efficiency of water use and assist in drought response. However, these programs are not currently coordinated efficiently. For example, the grants for BOR's WaterSMART and NRCS's Regional Conservation Partnership Program are awarded on entirely different schedules, making it more cumbersome and slower than it needs to be.

A Colorado River strategy to better coordinate these programs can produce greater efficiencies and better programs to benefit Coloradoans, including farmers and ranchers. Leveraging resources from several agencies would maximize the effectiveness of the program and establish a long-term framework for improved water management in Colorado River Basin states, including Colorado. This type of coordinated effort would also help to expedite the resources to reach projects on the ground quicker.

We know that collaboration works. DOI and NRCS recently collaborated with state and local leaders to create Greater Sage-Grouse conservation plans that use the resources of both agencies to conserve habitat for the species and avoid the necessity of an endangered species listing.

We commend the White House for their recent [Presidential Federal Drought Action Plan](#) which will increase on-the-ground coordination among federal agencies to better utilize their resources to combat the drought and protect vital water resources. This is the first step in knocking down a major barrier to protecting the Colorado River, the headwaters and its tributaries.

In order to make this a reality, we urge you to send a letter to DOI and USDA requesting that they launch their coordination effort in the Colorado River Basin as soon as possible. Additionally, please request that local and state partners be at the table. With climate change forecasted to reduce flow in the Colorado River by 10 to 30 percent by 2050 we cannot afford to postpone federal program coordination. Thank you for your consideration and leadership for Colorado.

Sincerely,

**From:** Frank Kugel

**Sent:** Thursday, April 21, 2016 9:15 AM

**To:** 'Mark Achen' <[machen@cityofgunnison-co.gov](mailto:machen@cityofgunnison-co.gov)>

**Cc:** Ken Bradford <[tex@cityofgunnison-co.gov](mailto:tex@cityofgunnison-co.gov)>; Bob Drexel <[BDrexel@cityofgunnison-co.gov](mailto:BDrexel@cityofgunnison-co.gov)>;

Leia Morrison <[lmorrison@cityofgunnison-co.gov](mailto:lmorrison@cityofgunnison-co.gov)>; Matt Schwartz

<[mschwartz@cityofgunnison-co.gov](mailto:mschwartz@cityofgunnison-co.gov)>; Richard Hagan <[RHagan@cityofgunnison-co.gov](mailto:RHagan@cityofgunnison-co.gov)>; Stu

Ferguson <[sferguson@cityofgunnison-co.gov](mailto:sferguson@cityofgunnison-co.gov)>

**Subject:** RE: Water letters to Hickenlooper and Bennet

Hi Mark,

The UGRWCD has yet to formally consider this issue, but will likely do so at our Board meeting next Monday evening. In the meantime, my personal/professional opinion is that the City sign on to the letters. Our representatives should urge the Federal government to view the Colorado River as a high priority issue.

I would be happy to present to Council whenever you deem it appropriate. Thanks for the opportunity to weigh in.

*Frank Kugel*

*General Manager, UGRWCD*

*210 W. Spencer Ave., Suite B*

*Gunnison, CO 81230*

*(970) 641-6065*

**ORDINANCE NO. 1  
SERIES 2016**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, ADOPTING AN ADDITIONAL APPROPRIATION FOR THE FISCAL YEAR ENDING DECEMBER 31, 2016.**

**WHEREAS**, by Ordinance No. 19, Series 2015, appropriations for the year 2016 were made; and

**WHEREAS**, additional appropriations may be made by ordinance as authorized under Section 7.11 of the City of Gunnison’s Municipal Home Rule Charter; and

**WHEREAS**, since adoption of the 2016 Budget, receipt of additional revenues have been recognized and expenditures authorized therefrom; and

**WHEREAS**, transfers of appropriated funds from one department to another may be made by resolution or ordinance as authorized under Section 7.10 of the City of Gunnison’s Municipal Home Rule Charter.

**NOW, THEREFORE, IT IS ORDAINED BY THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, AS FOLLOWS:**

**Section 1. Appropriations.** Section 2 of Ordinance No. 19, Series 2015, is amended to reflect the budgeting and appropriation of aggregate 2016 expenditures to the respective Funds as follows:

	<b>Original 2016 Budget</b>	<b>Additional Appropriation</b>	<b>Interim 2016 Budget</b>
General Fund	7,637,257	981,908	8,619,165
Conservation Trust Fund	45,667	0	45,667
Ditch Fund	554,161	0	554,161
Firemen's Pension Fund	198,000	0	198,000
Enterprise Fund	11,035,005	943,067	11,978,072
Fleet Maintenance Fund	429,888	0	429,888
<b>TOTAL</b>	<b>\$19,899,978</b>	<b>\$1,924,975</b>	<b>\$21,824,953</b>

**Section 2. Transfers.**

- a) Transfer of \$500 for financial support of the Sage Grouse Summit from the Youth Challenge Grants to Contracts for Service.
- b) Transfer of \$41,760 for safe streets project development from the Comprehensive Plan.

**Section 3. Amendment.** This Ordinance shall constitute an amendment to the 2016 Budget adopted by Ordinance No. 19, Series 2015.

**INTRODUCED, READ, PASSED AND ORDERED PUBLISHED** this 12th day of April, 2016, on first reading, and introduced, read, and adopted on second and final reading this 26th day of April, 2016.

\_\_\_\_\_  
Mayor

SEAL:

ATTEST:

\_\_\_\_\_  
City Clerk

Published by Title in the  
Gunnison Country Times  
April 21, 2016

**ORDINANCE NO. 2  
SERIES 2016**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, APPROVING A MAJOR CHANGE TO AN EXISTING PLANNED UNIT DEVELOPMENT, TO AMEND TABLE 2.1: PUD ZONING AND LAND USE ALLOCATIONS; SECTION 2.6: HIGHWAY ACCESS CONTROL PLAN; AND APPENDIX A: DEVELOPMENT PHASING WITHIN THE GUNNISON RISING PUD DEVELOPMENT STANDARDS**

**WHEREAS**, Section 10.7 H. 1. (Major Changes), of the *City of Gunnison Land Development Code*, states that changes altering the concept or intent of the planned unit development including increased density may be approved only by submission and reconsideration of a new PUD zoning plan and supporting data, which is processed by following Section 10.3 (Procedures) of the *City of Gunnison Land Development Code*, and

**WHEREAS**, Gunnison Valley Properties, LLC has filed an application with the City of Gunnison, Colorado, seeking approval of a Major Change to an existing PUD; and

**WHEREAS**, Section 10.7 C. of the *City of Gunnison Land Development Code* states that approval of a PUD constitutes a zoning amendment. Approval may only occur if the application meets the majority of the PUD Purposes (Section 10.7 A.), all PUD Standards (10.7 E.) and all Review Standards for Map Amendments (Section 10.6); and

**WHEREAS**, the Planning and Zoning Commission of the City of Gunnison, Colorado, held a public hearing on said application pursuant to Section 6.7 (Provisions of Public Notice) of the *Land Development Code*, on March 9, 2016; and

**WHEREAS**, on March 9, 2016 the Planning and Zoning Commission of the City of Gunnison reviewed the PUD Purposes, PUD Standards and Review Standards for Map Amendments and recommended approval of the PUD Major Change application to the City Council based on findings of fact established through the proceedings record; and

**WHEREAS**, the City Council of the City of Gunnison, Colorado, held a public hearing on the Major Change application to the PUD on April 12, 2016;

**WHEREAS**, based upon the application seeking a Major Change to an existing PUD of the property hereinafter described, the evidence presented to the City Council during the public hearing on the application, the recommendation of the Planning and Zoning Commission of the City of Gunnison, Colorado, the City Council hereby finds as follows:

- A. The *Gunnison Rising PUD Development Standards* (November 2009) were previously approved by City Council and recorded with the Gunnison County Clerk and Recorder in association with the Gunnison Rising Annexation.
- B. 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, Gunnison Rising Annexation Agreement* (December 3, 2009), the *Supplement to Annexation Agreement* (September 14, 2010), *Second Supplement to Annexation Agreement* (July 26, 2011), and the *Gunnison Rising PUD Development Standards*.
- C. The *Gunnison Rising PUD Development Standards* (November 2009) were approved by City Council and recorded with the Gunnison County Clerk and Recorder in association with the Gunnison Rising Annexation.
- D. A major change to a PUD may be approved only by submission and reconsideration of a new PUD zoning plan and supporting data.

- E. The Major Change amends the following components of the *Gunnison Rising PUD Development Standards*:
  - Table 2.1: PUD Zoning and Land Use Allocations
  - Section 2.6: Highway Access Control Plan; and
  - Appendix A: Development Phasing.
- F. The amendment does not alter the purposes of a PUD (*LDC*, Section 10.7 A.) and zoning previously reviewed and approved by City Council.
- G. The Major Change may have a significant effect on the ability of existing retail space to compete when there are few contributing factors to expand the total market. This situation could lead to the cannibalization of existing retail businesses in the city.
- H. The applicant should confer with the WSCU Foundation to determine if the existing development rights established for the Commercial/Mixed Use Zone district fulfills their potential needs.
- I. The approval of this Major Change will is not a detriment to the community’s health, safety and welfare.

**WHEREAS**, based on the foregoing findings of the City Council of the City of Gunnison, Colorado, the City Council hereby determines that the approval of the Major Change to the previously approved PUD on the property herein described is in the best interests of the City of Gunnison, Colorado, and its citizens.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, ORDAINS:**

Section 1. The Major Change to the PUD, sections as described below, is hereby approved and shall be amended in the *Gunnison Rising PUD Development Standards* (November, 2009).

**TABLE 2.1: PUD ZONING, LAND USE, DWELLING UNITS AND NON-RESIDENTIAL ALLOCATIONS**

Land Use	PUD Zoning District Designation	Acres	Residential Unit Minimum	Residential Unit Cap	Gross Floor Area Non-Residential	Recreational Units
Single-Family Residential	R-1	16	1	4	Per Conditional Use*	N/A
Residential	R-2	234	235	340	Per Conditional Use*	N/A
School District	R-2 M	10	N/A	N/A	N/A	N/A
Residential Village	R-2 M	63	100	270	Per Conditional Use*	N/A
Commercial / Mixed Use	C M	48	0	120***	380,000**	N/A
Parks/Open Space	O	62	N/A	N/A	N/A	N/A
Highway 50 ROW Dedication	N/A	13	N/A	N/A	N/A	N/A
Recreational	CRV	64	N/A	N/A	10,000	350
Commercial	C	5	N/A	N/A	20,000	N/A
Business & Research Park	IM	37	N/A	N/A	250,000	N/A

Western Pavilion	C/WP	12	N/A	N/A	Existing structures to remain	N/A
Government	GOV	17	N/A	N/A	70,000	N/A
Equestrian Meadows	O/E	52	N/A	N/A	N/A	N/A
<b>TOTAL</b>		<b>633</b>		<b>734</b>	<b>730,000</b>	<b>350</b>

*\*(Note: Non-residential uses which may be allowed through conditional use approval are not reflected in this table. \*\* Gross Floor Area Non- Residential Allocations: A maximum floor area of 120,000 square feet is allocated to real property deeded to the Western State Colorado University Foundation. The remaining 260,000 square feet of floor area is allocated to real property controlled by Gunnison Valley Partners and/or their heirs, successors, assigns and designees.*

*\*\*\*Residential Unit Cap Allocations: 20 residential dwelling units are allocated to real property deeded to the Western State Colorado University Foundation. The remaining 100 dwelling unit count is allocated to real property controlled by Gunnison Valley Partners and/or their heirs, successors, assigns and designees.*

**2.6 Highway Access Control Plan.** All design and construction of Highway 50 improvements will be directed by the *Intergovernmental Agreement among the City of Gunnison, the County of Gunnison and the State of Colorado Department of Transportation (November 5, 2013)* and by the *City of Gunnison U.S. Highway 50 Access Study* approved by CDOT and the City.

## **APPENDIX A: DEVELOPMENT PHASING**

### **A.4.2 Phase II**

- A. Land Uses: This phase includes approximately 48 acres of the Commercial/Mixed Use area (CM District) located north of Highway 50; 15 acres of Open Space (O District); 37 acres of Industrial Modified Business and Research Park (IM District) which will include the Public Works facility site; and the five acre Travel Plaza (C District) located south of Highway 50.
- B. Traffic Improvements: CDOT Highway Access Permits will be required. All design and construction of Highway 50 improvements will be directed by the *Highway Access Control Plan* approved by CDOT and the City. Off-site impacts from the transportation study as defined in Section 2.7 of these PUD Development Standards are required to be addressed.
1. Highway 50 will be widened in Phase II, with a three lane configuration to the eastern boundary of the phase. Installation of turn lanes and modifications to the lane geometry, as needed, to facilitate these anticipated highway improvements will also be completed in this Phase. Setbacks from the Highway 50 right-of-way must match the ultimate width of Highway 50 at the final Phase.
  2. Lengthen the existing drainage structures and box culvert for future trail crossing to match the proposed roadway section will be completed by the applicant. Required signage and striping will be provided in compliance with CDOT and/or the *Manual of Uniform Traffic Control Devices (MUTCD)* requirements. Stop signs will be used at these improved intersections until signalized controls are required by the City or as stipulated by the approved Highway Access Control Plan.
  3. The right-of-way serving the extension of College Avenue will be platted and dedicated to the City, and this street will be improved and connected into the development within the Commercial Mixed Use District.
  4. Internal public streets, sidewalks and trails will be developed as required by subdivision development agreements.
  5. A traffic signal will be installed at the intersection of Highway 50 and the entrance into the CM Zone when the CDOT determines that Average Daily Trips (ADT) on Highway 50, and intersecting collector roads warrant the installation in accordance with the study requirements described in Section 2.7 of these *PUD Development Standards*.

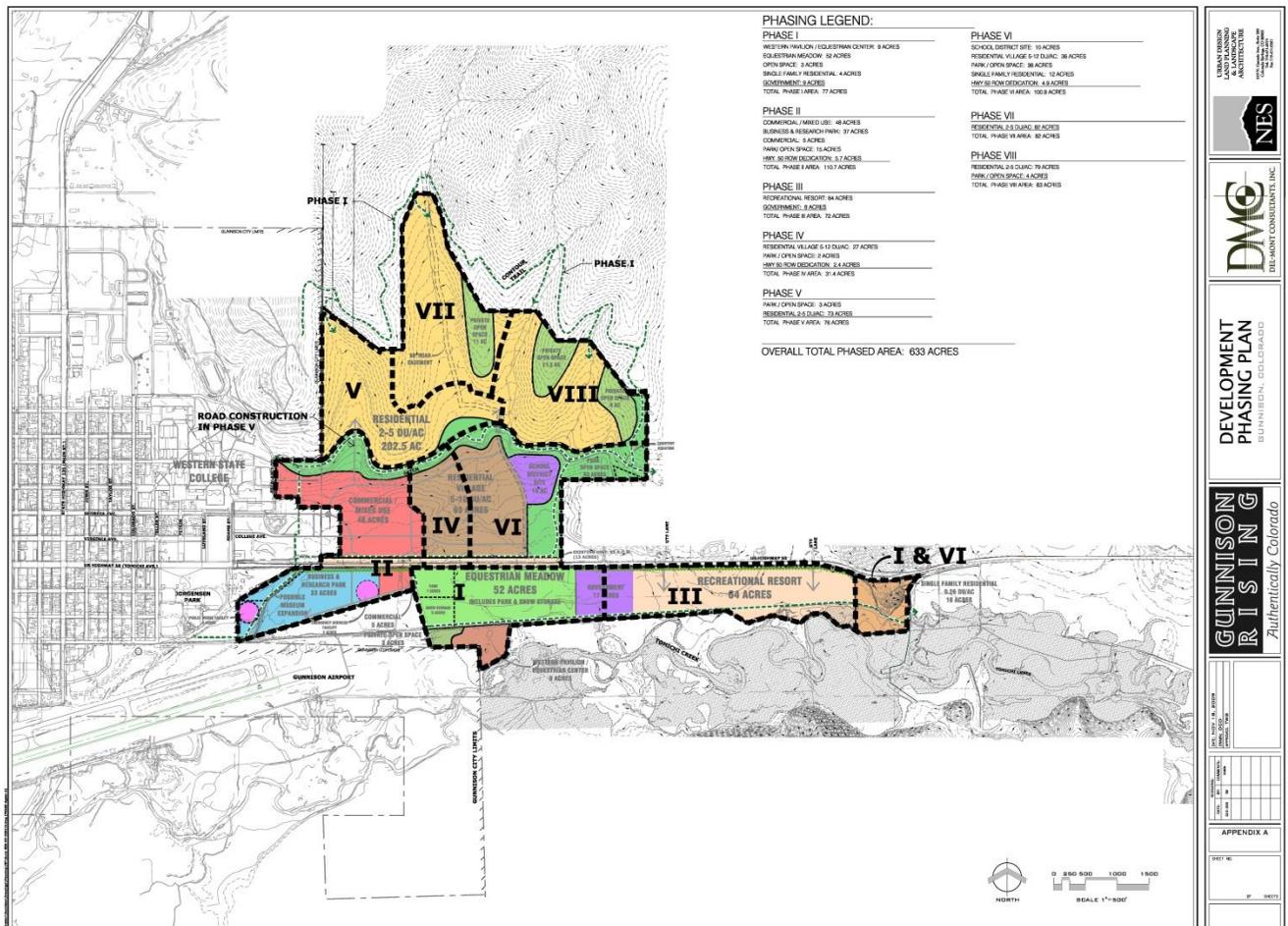
6. Installation of internal public streets, sidewalks, and trails as required by subdivision development agreements.
7. Georgia Avenue will be extended into the development.
8. Improvements will be completed at the Georgia / Escalante intersection.
9. Installation of the required Escalante and Georgia improvements as required by Western State College University and the City pursuant to agreement and easement dedication terms
10. Implementation of the necessary site, landscaping, and parking improvements at the Aspinall-Wilson Center as required by the Western State College Foundation will also occur in this phase.

#### **A.4.4 Phase IV**

- A. Land Uses: This phase includes the western portion of the Residential Village area (R-2M district), which is approximately 27 acres in size and approximately 2 acres of Parks/Open Space (O District).
- B. Traffic Improvements: All design and construction of Highway 50 improvements will be directed by the *Highway Access Control Plan* approved by CDOT and the City. Off-site impacts from the transportation study are required to be addressed.
  1. Highway 50 will be improved to a three lane configuration between the eastern and western boundaries of this Phase IV adjacent to Highway 50. Setbacks from the Highway 50 right-of-way must match the ultimate width of Highway 50 at the final Phase.
  2. Installation of turn lanes and modifications to the lane geometry as needed to facilitate these anticipated highway improvements will be completed in this Phase IV.
  3. Signage and striping will be provided in compliance with CDOT standards and/or the *Manual of Uniform Traffic Control Devices* (MUTCD) requirements.
  4. Stop signs will be used at these improved intersections until signalized controls are required by the City or as stipulated by the approved Highway Access Control Plan.
  5. Installation of internal public streets, sidewalks and trails as required by subdivision development agreements.
  6. Installation of the Escalante Drive Buffer when development activity other than the City Loop trail commences within 500 feet of Escalante

**TABLE A.1: Development Phases**

Phase	Land Use	PUD Zoning District Designation	Acreage	Residential Unit Minimum	Residential Unit Cap	Non-Residential Square Feet
<b>I</b>	Commercial/Western Pavilion	C/WP	9	n/a	n/a	**
	Open Space/Equestrian Meadow	O/E	52	n/a	n/a	n/a
	Government	GOV	9	n/a	n/a	37,058
	Single-Family Residential	R-1	4	1	1	n/a
	Open Space	O	3	n/a	n/a	n/a
	SUBTOTAL			77	1	1
<b>II</b>	Commercial/Mixed Use	CM	48	n/a	120	380,000
	Open Space	O	15	n/a	n/a	n/a
	Business & Research Park	IM	37	n/a	n/a	250,000
	Commercial (Travel Plaza)	C	5	n/a	n/a	20,000
	Existing Highway 50 ROW	n/a	5.7	n/a	n/a	n/a
	SUBTOTAL			110.7		120
<b>III</b>	Commercial R V	CRV	64	n/a	n/a	10,000
	Government	GOV	8	n/a	n/a	32,942
	SUBTOTAL			72		
<b>IV</b>	Residential Village	R-2M	27	43	116	n/a
	Open Space	O	2	n/a	n/a	n/a
	Existing Highway 50 ROW	n/a	2.4	n/a	n/a	n/a
	SUBTOTAL			31.4	43	116
<b>V</b>	Open Space	O	3	n/a	n/a	n/a
	Residential	R-2	73	73	106	n/a
	SUBTOTAL			76	73	106
<b>VI</b>	School Site (in Residential Village)	R-2M	10	n/a	n/a	n/a
	Residential Village	R-2M	36	54	155	n/a
	Open Space	O	38	n/a	n/a	n/a
	Single-Family Residential	R-1	12	1	3	n/a
	Existing Highway 50 ROW	n/a	4.9	n/a	n/a	n/a
	SUBTOTAL			100.9	55	158
<b>VII</b>	Residential	R-2	82	82	119	n/a
	SUBTOTAL			82	82	119
<b>VIII</b>	Residential	R-2	79	79	115	n/a
	Open Space	O	4	n/a	n/a	n/a
	SUBTOTAL			83	79	115
<b>TOTAL</b>			633		734	730,000



Section 2. The legal description of the real property which comprises said PUD is as set forth in Exhibit A, attached hereto and incorporated herein by this reference, located in the City of Gunnison, County of Gunnison, State of Colorado.

**INTRODUCED, READ, PASSED, AND ORDERED PUBLISHED** this 12th day of April, 2016, on first reading, and introduced, read, and adopted on second and final reading this 26th day of April, 2016.

\_\_\_\_\_  
 Mayor

(SEAL)

ATTEST:

\_\_\_\_\_  
 City Clerk

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EXHIBIT A

Overall PUD Zoning Description:

A tract of land situated in Section 1, Township 49 North, Range 1 West, Section 36, Township 50 North, Range 1 West, Sections 5 & 6, Township 49 North and Sections 30 & 31, Township 50 North, Range 1 East, New Mexico Principal Meridian, Gunnison County, State of Colorado, more particularly described as follows:

Beginning at the E $\frac{1}{4}$  corner of said Section 31; Thence S 00°23'38" W 1324.57 Ft. to the Southeast corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$  of said Section 31; Thence S 89°43'41" W 1339.66 Ft. to the Southwest corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$  of said Section 31; Thence S 00°06'24" W 1364.37 Ft. to the South Right-of-Way of U.S. Highway 50; Thence N 89°47'13" E 1335.75 Ft. along said South Right-of-Way; Thence N 89°46'08" E 2629.52 Ft. along said South Right-of-Way to a curve; Thence 568.43 Ft. along the arc of a curve to the right along said South Right-of-Way having a radius of 1382.50 Ft., a central angle of 23°33'29" and a chord of S 80°51'50" E 564.44 Ft. to a reverse curve; Thence 897.91 Ft. along the arc of a curve to the left along said South Right-of-Way having a radius of 1005.00 Ft., a central angle of 51°11'25" and a chord of S 83°46'55" E 868.34 Ft. to a compound curve; Thence 278.27 Ft. along the arc of a curve to the left along said South Right-of-Way having a radius of 1980.00 Ft. a central angle of 08°03'09" and a chord of N 83°10'10" E 278.04 Ft.; Thence S 67°42'16" W 53.30 Ft.; Thence S 40°54'57" W 145.71 Ft.; Thence S 23°32'39" W 126.67 Ft.; Thence S 04°53'25" E 223.24 Ft.; Thence S 03°24'52" W 398.71 Ft.; Thence S 85°33'42" W 700.92 Ft.; Thence N 66°21'06" W 93.44 Ft.; Thence N 58°06'04" W 191.98 Ft.; Thence S 68°05'02" W 44.26 Ft.; Thence N 85°52'10" W 94.86 Ft.; Thence N 48°17'08" W 297.80 Ft.; Thence S 89°20'32" W 198.37 Ft.; Thence S 57°04'57" W 163.61 Ft.; Thence S 31°48'25" W 68.93 Ft.; Thence N 74°42'38" W 467.51 Ft.; Thence S 73°08'43" W 414.66 Ft.; Thence N 60°44'16" W 376.57 Ft.; Thence S 85°00'41" W 740.78 Ft.; Thence S 86°55'49" W 1238.95 Ft.; Thence S 86°09'44" W 1447.72 Ft.; Thence S 07°27'36" W 470.05 Ft.; Thence S 61°10'21" W 472.51 Ft.; Thence N 01°10'36" W 131.32 Ft.; Thence S 89°46'10" W 704.62 Ft. to a Point on the East boundary of the Gunnison County Airport Property Conveyed to Gunnison County by court order, recorded May 29, 2002 at reception number 520716; Thence N 16°24'30" W 1182.48 Ft. along said Airport Boundary; Thence S 73°35'30" W 2887.24 Ft. along said Airport Boundary to the West line of Government Lot 1 of said Section 1;

Thence N 00°08'15" W 637.48 Ft. along the West line of Government Lot 1 of said Section 1 to the Southerly line of the Pioneer Society Addition to the City of Gunnison; Thence N 59°40'00" E 992.74 Ft. along said Addition to the South Right-of-Way of U.S. Highway 50; Thence N 89°45'50" E 31.74 Ft. along said South Right-of-Way; Thence N 00°14'10" W 10.00 Ft. along said South Right-of-Way; Thence N 89°45'50" E 422.59 Ft. along said South Right-of-Way; Thence N 00°19'28" E 199.26 Ft. to the South line of the Wilson Subdivision; Thence N 89°44'13" E 298.29 Ft. to the Southeast corner of said Subdivision; Thence N 00°24'42" E 749.87 Ft. to the Northeast corner of said Subdivision; Thence S 90°00'00" W 665.54 Ft. to the Northwest corner of said Subdivision; Thence N 00°20'16" E 160.44 Ft. to the North line of the Western State College tract of land described in Book 592 Page 374, Gunnison County Records; Thence S 89°59'20" W 354.96 Ft. to the Northwest corner of said tract of land; Thence N 00°20'16" E 573.73 Ft. to the Northwest corner of the E $\frac{1}{2}$ S $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$  of said Section 36; Thence N 89°59'34" E 723.64 Ft. to the East line of said Section 36; Thence N 00°25'34" E 998.76 Ft. to the East  $\frac{1}{4}$  corner of said Section 36; Thence N 00°16'22" W 1408.93 Ft. to a point on the West line of Section 31; Thence S 53°25'47" E 1135.40 Ft.; Thence S 89°58'56" E 366.73 Ft.; Thence N 00°33'12" W 1911.81 Ft. to the Southwest corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 31; Thence N 22°23'07" E 572.25 Ft.; Thence S 88°48'33" E 267.61 Ft.; Thence S 21°46'27" E 386.90 Ft.; Thence S 10°59'31" E 483.90 Ft.; Thence S 29°21'37" E 1146.79 Ft. to the Northeast corner of the SE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 31; Thence N 89°39'15" E 820.64 Ft.; Thence S 35°58'54" E 582.64 Ft.; N 89°39'15" E 536.57 Ft.; Thence S 35°50'18" E 1042.33 Ft.; Thence N 89°41'54" E 272.84 Ft. to the Point of Beginning containing 636.91 Acres, more or less.

**ORDINANCE NO. 3  
SERIES 2016**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON TO AMEND SECTION 2, ZONING DISTRICTS; SECTION 4, GENERAL DEVELOPMENT STANDARDS; SECTION 9, DEVELOPMENT STANDARD WAIVERS; AND, SECTION 12, SUBDIVISION STANDARDS WITHIN THE CITY OF GUNNISON LAND DEVELOPMENT CODE.**

**WHEREAS**, the Community Development Director of the City of Gunnison has filed an application with the City of Gunnison, Colorado, seeking approval of a text amendment to the *Land Development Code*; and

**WHEREAS**, the Text Amendment proposes amendments or additions to Table 2-4 (Residential Dimensional Standards); Table 4-11 (Minimum Tree and Shrub Plantings); Section 4.6.F.2 and 3. (Buffering and Screening); adding Figure 15A (Minimum Tree and Shrub Planting and Buffer Requirements); Table 4-7 (Off-Street Parking Requirements); Section 4.4.F. (Off-Street Parking with Eight or More Stalls); Section 9.1.C.2 (Planning and Zoning Commission Waivers); Table 9-1 (Decision Making for Waivers); and, Section 12.1 (Subdivision Standards Purpose); and

**WHEREAS**, the Planning and Zoning Commission of the City of Gunnison, Colorado, held a public hearing on said application pursuant to notice published in accordance with the *Land Development Code* of the City of Gunnison, Colorado, on March 9, 2016; and

**WHEREAS**, Section 10.5 of the *City of Gunnison Land Development Code* states that approval of a text amendment to the *Land Development Code* may only occur if the application meets all the Review Standards for a Text Amendment; and

**WHEREAS**, on March 9, 2016 the Planning and Zoning Commission of the City of Gunnison recommended approval of the Text Amendment application to the City Council based on findings of fact established through the proceedings of record; and

**WHEREAS**, the City Council of the City of Gunnison, Colorado, held a public hearing on the Text Amendment application to the *Land Development Code* on April 12, 2016; and

**WHEREAS**, based upon the application seeking a Text Amendment to the *Land Development Code*, hereinafter described, the evidence presented to the City Council during the public hearing on the application seeking a Text Amendment, and further, based on the recommendation of the Planning and Zoning Commission of the City of Gunnison, Colorado, the City Council hereby finds as follows:

- A. That this Text Amendment application complies with the review standards for Text Amendments (*LDC*, Section 10.5).
- B. That the Text Amendment includes modifications or additions to the following sections of the *LDC*: Table 2-4 (Residential Dimensional Standards); Table 4-11 (Minimum Tree and Shrub Plantings); Section 4.6.F.2 and 3. (Buffering and Screening); adding Figure 15A (Minimum Tree and Shrub Planting and Buffer Requirements); Table 4-7 (Off-Street Parking Requirements); Section 4.4.F. (Off-Street Parking with Eight or More Stalls); Section 9.1.C.2 (Planning and Zoning Commission Waivers); Table 9-1 (Decision Making for Waivers); and, Section 12.1 (Subdivision Standards Purpose).
- C. That the amendments provide consistency and flexibility within the *LDC*.
- D. That the amendments clarify staff direction or correct errors within the *LDC*.
- E. That the Text Amendment complies with the review standards for Text Amendments (*LDC*, Section 10.5).
- F. That based on the findings above, the Text Amendment protects the community's health, safety and welfare; and

**WHEREAS**, that based on the foregoing findings of the City Council of the City of

Gunnison, Colorado, the City Council hereby determines that the Text Amendment to the *Land Development Code*, herein described is in the best interests of the City of Gunnison, Colorado, and its citizens.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, ORDAINS THAT:**

Sections of the *City of Gunnison Land Development Code* are hereby amended to read as follows:

TABLE 2-4 RESIDENTIAL DIMENSIONAL STANDARDS					
Dimensional Standard	R-1	R-1M	R-2	RMU	R-3
Maximum density (units/acre) <sup>1</sup>	3.5	6	14	16	30
Lot Size Single-Family (sq. ft.) <sup>1</sup>	8,000	6,250	6,250	6,250	6,250
Lot Size Duplex (per unit) (sq. ft.) <sup>1</sup>			3,125	3,125	3,125
Lot Size Townhouse (per unit) (sq. ft.)				2,250	2,250
Lot Size Multi-Family (per unit) (sq. ft.) <sup>1</sup>					
Single Story				3,000	3,000
Two Story				2,500	2,500
Three Story				2,000	2,000
Maximum lot coverage structures	40%	40%	40%	45%	45%
Maximum lot coverage parking/access	10%	10%	15%	20%	40%
Minimum lot coverage landscape area	50%	50%	45%	35%	15%
Minimum lot frontage <sup>1</sup>					
Single-Family	50'	50'	50'	50'	50'
Duplex (per unit)			25'	25'	25'
Townhouse (per unit)				20'	20'
Multi-Family				100'	100'
Zero-Lot Line	50'	50'	50'	50'	50'
<b>Minimum setback front<sup>2</sup></b>	<b>15'</b>	<b>15'</b>	<b>15'</b>	<b>15'</b>	<b>15'</b>
Minimum setback side Provided that one additional foot of setback shall be required for each two and one-half feet (a 1:2.5 ratio) of building height over 22.5 feet	10'	5'	5'	5'	5'
Minimum setback rear lot line: principal building Provided that one additional foot of setback shall be required for each two and one-half feet (a 1:2.5 ratio) of building height over 22.5 feet	10'	5'	5'	5'	5'
Minimum setback rear lot line: accessory building	10'	5'	5'	5'	5'
Maximum building height	35'	35'	35'	35'	35'
Maximum building height for detached accessory structure	30'	30'	30'	30'	30'
Minimum building width	24'	24'	20'	20'	20'
Minimum floor area Principal Dwelling (sq. ft.)	480	480	480	300 efficiency 480 multi-family	300 efficiency 480 multi-family
Floor Area Thresholds Accessory Dwelling (sq.ft.)				720	
Minimum storage area (sq.ft.)			32	32	32
Snow storage (% of parking and access coverage)	15%	15%	15%	15%	15%

<sup>1</sup> Density calculations for residential development may be subject to Slope Protection Standards (§5.2) and Section 13.  
<sup>2</sup> Covered porches and the landings and steps of a covered porch may encroach into the front yard pursuant to §1.7.L3.d

TABLE 4-11 MINIMUM TREE AND SHRUB PLANTINGS	
Zone District	Number of Trees and Shrubs per Required Landscape Area
Central Business District (CBD)	N/A
Commercial (C)	1 tree and 2 shrubs per 400 sq. ft.
Business Professional (B-1)	1 tree and 2 shrubs per 1500 sq. ft.
Industrial (I)	N/A
Single-Family Residential (R-1)	1 tree and 2 shrubs per 2000 sq. ft.
Single-Family Residential Modified (R-1M)	1 tree and 2 shrubs per 2000 sq. ft.
Duplex Residential (R-2)	1 tree and 2 shrubs per 1500 sq. ft.
Residential Mixed Use (RMU)	1 tree and 2 shrubs per 1200 sq. ft.
Multi-Family Residential (R-3)	1 tree and 2 shrubs per 500 sq. ft.
Note: The above required trees may be counted toward buffer requirements of §4.6.F.4. See Figure 15A	

**Section 4.6 F. Buffering and Screening**

**2. Waivers.** A waiver from these buffer and screening standards may be granted by the Commission (Section 9.4 G). A waiver application shall include a site plan showing the building footprint, driveways, parking, landscaping and utility lines. The waiver application will be considered at a public hearing and shall require public notice as specified in Section 6.7. Waivers shall only be granted if the applicant demonstrates that there are not adequate rights-of-way from the curb edge to the building front. The Commission may consider other site-specific circumstances not contemplated herein, and are not the result of previous development constraints initiated by the applicant.

**3. Zone District Boundaries**

- a. A landscaped buffer shall be planted on the boundary between the zoning districts set forth below, unless the abutting property is determined by staff to be unbuildable or visually separated by topographic features. Zone district buffers shall not be required for areas where street frontage buffer requirements are met.
- b. The buffer shall be 20 feet wide and planted directly adjacent to the zone district boundary.
- c. A minimum buffer consisting of four evergreen trees and five shrubs per one hundred linear feet of zone district boundary shall be installed between the following zoning districts:
  - i. an Industrial zone district and any other zoning district;
  - ii. a Commercial zone district and any Residential zone district; or
  - iii. all Multi-family Residential zone districts (RMU/R-3) and any other Residential zone district.

**FIGURE 15A MINIMUM TREE AND SHRUB PLANTING AND BUFFER REQUIREMENTS**



TABLE 4-7 OFF-STREET PARKING REQUIREMENTS			
USE CLASSIFICATION	SPECIFIC USE	MINIMUM NUMBER OF SPACES REQUIRED	
<b>Residential Use Categories (§3.2)</b>			
Household Living	Single-Family Dwellings, Townhouses, Two-family Dwellings, Manufactured Home and Mobile Home	2.0 per dwelling unit	
	Multi-Family Dwellings	1 <sup>st</sup> Unit	2.0 per dwelling unit
		Each additional unit	1.75 per dwelling unit
	Accessory Dwelling Unit, and Upper Floor Residential	1.0 per dwelling unit	
Congregate Living	Rooming and boarding houses, dormitories, fraternities or sororities	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	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	1.0 space per guest room, plus 2 spaces for the owner/manager's unit

**Section 4.4 Off-Street Parking and Loading**

**F. Off-Street Parking.** Off-street parking areas are subject to these driveway access standards; such parking facilities shall not be designed to back onto any street or alley right-of-way.

**Section 9. Development Standard Waivers, 9.1 C.**

**2. Planning and Zoning Commission Waivers.** Waivers that are determined administratively by staff are related to Site Development Applications. Waivers determined by the Commission and/or recommended to City Council by the Commission are acted upon as a public hearing agenda item at a scheduled meeting. The administrative review by staff follows all of the procedures set forth in Section 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. (Ordinance 3, 2015)

TABLE 9-1 DECISION-MAKING FOR WAIVERS					
CODE SECTION	NO WAIVER ALLOWED	CD DIRECTOR	P&Z	CC	OTHER / COMMENTS
§4.6 E. Landscaping Requirements for all Zone Districts					Variance
§4.6 E.1. Minimum Tree and Shrub Plantings		√			
§4.6 E.2 Living Plant Material requirement		√			
§4.6 E.3 10% landscape area in Industrial zone district		√			

**Section 12. Subdivision Standards 12.1 Purpose**

**G. Development Improvement Costs.** Provide provisions and documentation ensuring that defined improvement funding borne by the developer for public utilities and facilities are secure and protect the fiscal well-being of the City.

**INTRODUCED, READ, PASSED, AND ORDERED PUBLISHED** this 12th day of April, 2016, on first reading, and introduced, read, and adopted on second and final reading this 26th day of April, 2016.

\_\_\_\_\_  
 Mayor

(SEAL)

ATTEST:

\_\_\_\_\_  
 City Clerk



## Public Works Report

Public Works crews continue to work with less than a full complement of employees due to a number of reasons. Four employees have sadly lost family members over the past week are ten days which include Two Moms, One Father, and one First Cousin. We support our employees as they travel to be with friends and family to attend services. Two employees are off for an extended period of time due to non-work related operations. On a lighter note we have one employee who is taking some time off to be with his wife and family as they became new parents recently.

We have offered a position to an applicant who has accepted the offer to fill a water/sewer collection/meter reader position. He is to begin during the first week of May. Filling this position will bring the water/sewer collection crew up to full crew status. We are advertising for a temporary/seasonal irrigation ditch position and have had limited interest to date. With the upcoming irrigation season approaching we are struggling with schedules and preparations to begin irrigation flows the first week of May. The snowy and wet weather along with short crews will most likely delay the turning on of irrigation ditches to the second week of May. We will advertise and post accordingly.

We continue to advertise for a refuse/recycle employee with very limited interest to date. Along with other employee conflicts our streets crew is working with a very short crew. For the time being we have two streets employees able to perform duties. In recent weeks the street crew was kept busy with trees and limbs brought down by the strong winds. They are scheduling the testing of other trees that are suspect with forest service personnel to determine if they need to be removed. Street sweeping and pothole repairs continue as personnel and schedules allow. Over the past two to three weeks a number of potholes have been taken care of. If you see or hear of potholes please notify Public Works at 970-641-8020 and we will take care of them as soon as possible.

The strong winds also caused issues with some power poles cracking or breaking. The electric crew has either replaced or made temporary repairs to keep things safe and operable.

Our contractor has been working on the trail extension from Hwy 50 to the county road used to access the I-Bar from Teller Street. There is a phone line near the Hwy 50 that needs to be spliced and lowered to allow for proper grade after crossing under Hwy 50. Century Link has been contacted and a tentative date has been set for mid-May for Century Link to lower the cable.