



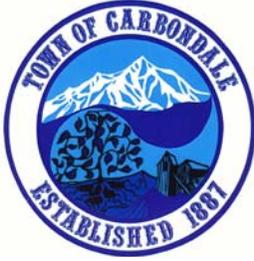
*Town of Carbondale*  
*511 Colorado Avenue*  
*Carbondale, CO 81623*  
**Agenda (Revised)**  
**PLANNING & ZONING COMMISSION**  
**THURSDAY, May 24, 2018**  
**7:00 P.M. TOWN HALL**

1. CALL TO ORDER
2. ROLL CALL
3. 7:00 p.m. – 7:05 p.m.  
Minutes of the April 26, 2018 meeting.....Attachment A
4. 7:05 p.m. – 7:10 p.m.  
Minutes of the May 10, 2018 meeting.....Attachment B
5. 7:10 p.m. – 7:15 p.m. Public Comment – Persons present not on the agenda
6. 7:15 p.m. – 7:20 p.m.  
379 Euclid Avenue – Resolution 1 of 2018.....Attachment C
7. 7:20 p.m. – 7:40 p.m.  
PUBLIC HEARING – Subdivision Exemption.....Attachment D  
Applicant: Christine Interlante  
Location: 737 Colorado Avenue
8. 7:40 p.m. – 8:40 p.m.  
PUBLIC HEARING PUD Special Review for Site Plan & Architectural Design.....Attachment E  
Applicant: Red Hill Lofts, LLC  
Location: Lot 12B, Kay PUD (Dolores Way)
9. Garfield County Referral – Gianinetti Spring Creek Guest Ranch.....Attachment F
10. 8:40 p.m. – 8:45 p.m.  
Staff Update
11. 8:45 p.m. – 8:50 p.m.  
Commissioner Comments
12. 8:50 p.m. – ADJOURN

**\* Please note all times are approx.**

Upcoming P & Z Meetings:

June 14, 2018 – Childcare Zone Text Amendment Discussion  
June 28, 2018 – UDC Amendments



**TOWN OF CARBONDALE**  
**511 COLORADO AVENUE**  
**CARBONDALE, CO 81623**

## Planning and Zoning Commission Agenda Memorandum

Meeting Date: 5-22-2018

**TITLE:** Garfield County Referral – Gianinetti Spring Creek Guest Ranch

**SUBMITTING DEPARTMENT:** Planning Department

**ATTACHMENTS:** Excerpts of Application  
Excerpt of 2013 Comprehensive Plan (Town)

### **BACKGROUND**

Planning Staff received a referral from Garfield County. The application is for a Lodging Facility and Event Center/Meeting Facility for the Gianinetti property located off of 8<sup>th</sup> Street and Cowen Drive (just east of the Country Inn). The property is 83 acres. It is zoned Rural.

Attached is a portion of the Land Use Application for the Lodging Facility. There is a second application for the Event Center/Meeting Facility. However, that wasn't included in this packet since it includes the same documentation except for some technical issues. Let Staff know if you would like to see both applications in their entirety.

### **DISCUSSION**

#### The Event Center/Meeting Facility would include:

- Existing 1500 sq. ft. Pavilion
- Proposed 4800 sq. ft. Community Event Barn
- 100 to 200 person capacity
- Approximately one event per week – thirty events maximum per year
- Events close at dark
- May through October
- Water – wells
- Wastewater – OWTS

#### The Lodging Facility would include:

- Nine cabins – 400 to 700 sq. ft.

- Stick built – IRC
- Lodging available year round

The application states that while the potential income is important, the Gianinetti family would like to preserve the agricultural and rural atmosphere for the foreseeable future.

### 2013 Carbondale Comprehensive Plan

The Gianinetti property is not in a potential annexation area in the Town's Comprehensive Plan. It is designated as a "Significant Parcel" on page 74 of the Comprehensive Plan.

Page 73 of the Comprehensive Plan includes the following language:

The mapped significant parcels are the remaining intact, large private parcels, many of which function as working agricultural land (Figure 4.33). The community views these parcels as important components of the current and future geography of Carbondale. The intent is that the county coordinates with the Town of Carbondale regarding future development on significant development on significant parcels.

The property is also designated as "Priority Agricultural Lands" on page 75. On page 79, the Comprehensive Plan states that these lands:

1. Provide land base for food production, and
2. Geographically define the edge of town, and
3. Agricultural operators are an important component of Carbondale's economy, culture and heritage.

The Comprehensive Plan goes on to state the town should work with landowners to keep the agricultural operations and land base intact.

### **RECOMMENDATION**

Staff recommends that the Planning Commission discuss the referral to determine whether comments to Garfield County are warranted. Some items which may warrant discussion include:

- Lighting
- Noise
- Traffic

Prepared By: Janet Buck, Planning Director



## **SECTION 2**

### **Application Background, Narrative and Supportive Information**

Introduction and Background

Location Map

Site Plan

Town of Carbondale Comp Plan – Future Annexation and Periphery Land Use

Relevant Pictures of Site

# GIANINETTI SPRING CREEK GUEST RANCH AND COMMUNITY EVENT CENTER

## SECTION 2 – INTRODUCTORY INFORMATION AND BACKGROUND

Parcel #'s: 2393-342-00-028

Zoning: Rural "R"

Application Date: January 2018

**TYPE OF APPLICATION:** The Gianinetti Family Limited Partnership (Family) hereby submits an application for a Community Event/Meeting Facility for property located at the northeast corner of Carbondale adjacent to the Country Inn and portions of The Cowen Drive. The property is 83 acres+/- in size and has been part of the Gianinetti family holdings since the late 1920's.

This application is being submitted in coordination with another Land-use Application for a Lodging Facilities/Guest Ranch. **Please note: Both applications will have a description and background information of the Overall Activities for this property – essentially a Concept Plan or a Master Plan for the property's future. The applications will include some common technical documents and analyses. However, an analysis of land-use issues and approval criteria (Section 4 of each application) will be different for each of these applications so that they can be processed independently if necessary. This approach was suggested by the Department of Community Development for ease of processing and in order to allow the owner to receive an independent review for one application in case some development/technical issues required more analysis for the other.**

We are submitting all application materials identified in Section 5-401 and Table 5-401 of the Garfield County Land Use and Development Code (LUDC) and noted in the Preapplication conference. A waiver submittal request per Section 4-202 (Waiver of Standards) is included for certain items and noted at the end of this section.

- Application forms and fees
- Vicinity Map

- Site plan
- Existing Conditions Map
- Narrative Request and Related Information
- Title Commitment and Proof of Ownership
- Names and addresses of Property Owners within 200 ft.
- Mineral Rights Comments as appropriate
- Copies of Assessor’s Mapping showing adjacent properties
- Letter authorizing Representative
- Copy of Preapplication Summary
- Information from Town of Carbondale Comprehensive Plan and Garfield County Comprehensive plan
- Information demonstrating Compliance with Article 7, Divisions 1 -3 as applicable.
- Technical Reports
  - Topographic Map
  - Water Supply Plan
  - Wastewater Management Plan
  - Floodplain Information (in Engineering Report)
- Miscellaneous
  - Will serve Letters
  - Waiver Requests
  - Photos of property

## **I. INTRODUCTION AND BACKGROUND**

The Gianinettis own a parcel approximately 83 acres in size along the northeast portion of the Town of Carbondale’s boundary. The parcel is bounded by the CDOT SH 82 right-of-way and a private parcel owned by the Town to the north; and by the Country Inn and some residential properties along Cowen Drive (a road under Town of Carbondale Jurisdiction) along the west boundary. A location map and a Site Vicinity map are attached. Access to the site is a private driveway which comes off Cowen Drive along its eastern right-of-way boundary (see Site Plan in Section 3 – Technical Documents.

This parcel has been used in an agricultural manner by the Family since the late 1920’s. The Gianinetti holdings were much larger until recent times. In addition to this 83-acre parcel, they owned a good portion of the northern area of the Town of Carbondale including Roaring Fork Village - which includes multifamily and single-family areas north of the Rio Grande Right-of-way, plus the commercial area where Alpine Bank and Mason and Morse are presently located. Their former holdings extended to and included a vacant 2.6-acre parcel which lies to the west of State Highway 133 and south of the Red Rock Diner.

The subject property is used as an agricultural property with some livestock, irrigated fields, miscellaneous agricultural equipment and structures on this property. There is also a family "Pavilion/Gazebo" approximately 1,500 SF in size. This family Pavilion has been the site of the number of family-oriented barbecues that have been held over the last 10 years. The Family has also hosted small celebrations for other community families and as has sponsored some fundraising events for community and areawide organizations.

The goal of these two applications (The Event Center and Guests Ranch/Lodging) are:

- 1) legitimize and receive proper permits for the Community Event/Meeting area that they have been using for the last 10 years;
- 2) set up a long-term income source for the family by constructing a small Guest Ranch/Lodging facility. This will include the eventual construction of small guest cabins with a maxim of 12 bedrooms. These guest cabins will be a mix of 1-bedroom and 2-bedroom units and will range in size from approximately 400 ft.<sup>2</sup> to 700 ft.<sup>2</sup> in size. There are numerous options for the Cabin layout mix. The two most logical are included on the attached spreadsheet.

While the future income potential is of course important to the existing three generations of the Gianinetti Family, the Family also would like to preserve the agricultural and rural atmosphere that is adjacent to the Town, the Roaring Fork River and neighboring agricultural properties. Simply put, they are in the process of putting together a business plan and economic structure, so the family can afford to keep the property in its agricultural/rural setting and land-use for the foreseeable future.

### Surrounding Zoning

North: CDOT ROW (SH 82) and "R" Rural  
West: PUD – Accommodations (Town of Carbondale)  
PUD – Entertainment/Residential (Town)  
Residential//Low Density (Town)  
South: Rural "R"  
East: Rural "R"

### Surrounding Land Use

North: River, dry streambank, SH 82  
West: Open Space/Hillside (Town)  
Hotel – Country Inn  
Single-Family Residential/5 Townhomes

South: Rural residential (one house) and Open Space (Town – Delaney Park)  
East: Agricultural

## **SITE DESCRIPTION**

The site is approximately 83 acres in size and is located off of Cowen Drive and directly east of the Country Inn at the entryway to the Town of Carbondale from State Highway 82/State Highway 133. The majority of the property is flat though the property line does extend to near the top of the hillside along the West and Southwest aspects of the property. Approximately 2.5 acres of land lie in the Roaring Fork River and just to the north of the river adjacent to the SH 82 right-of-way. Some creeks/ditches proceed through the property from the east and south to the Northwest. There are two agricultural ponds. Some agricultural equipment and agricultural buildings are spread throughout the north central portions of the property. There is also a Pavilion which was previously described as where certain Events and gatherings are held. A new agricultural barn has been built on the southern portion of the property. Appropriate permits were obtained for the new barn.

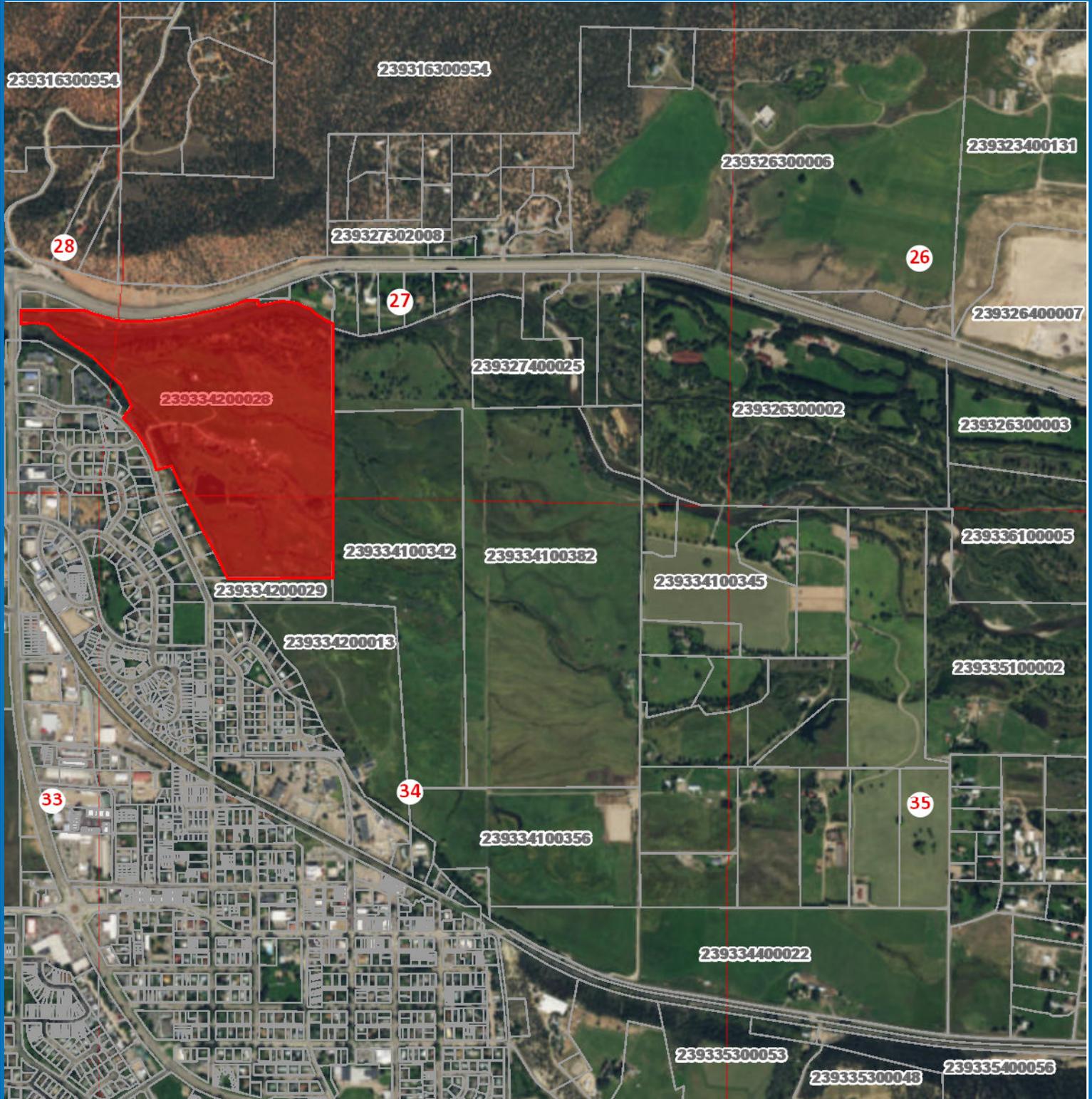
The Roaring Fork River transects the northern portion of the property. The property is impacted by the Roaring Fork River and Floodplain. The Floodplain Boundaries and Jurisdictional wetlands have been mapped and verified. Mapping and appropriate documentation is included in the technical documents section of the application.

Approximately 40 acres are currently used as irrigated hay fields. Vegetation is spread throughout the property and depends on the location. Vegetation includes willows, cottonwoods, forage crops, native grasses, spruce, pinion trees as well as oak brush on the hillsides.

The Lyons Ditch proceeds through the property and has characteristics of a stream in this area. The Gianinetti Family is the only shareholder/beneficiary of the ditch. The remnants of the Weaver Leonhardy ditch also enters the property at the southwestern portion of the site. This portion of the Weaver Leonardy Ditch is tailwater and an adjudicated portion of the Gianinetti Family Holdings. There are no downstream users below this property for either the Lyons or the Weaver Leonhardy ditches.

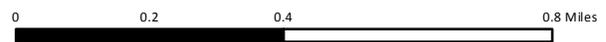
An existing conditions map/survey is attached.

## **DEVELOPMENT GOALS**



**Garfield County Land Explorer**

1 inch = 1,505 feet  
1 inch = 0.28 miles



Printed by Web User

Garfield County

Garfield County Colorado  
[www.garfield-county.com](http://www.garfield-county.com)

Colorado

**Disclaimer**

This is a compilation of records as they appear in the Garfield County Offices affecting the area shown. This drawing is to be used only for reference purposes and the County is not responsible for any inaccuracies herein contained.



There are many facets to the development goals for this property, and these will be broken out by category below. The overarching goal is to provide a steady income stream for the Gianinetti Family to enable them to own the property for future generations while keeping the property in a rural/rustic setting that is compatible with its location and surrounding area. Their intention is also to have the property continue to be a Community Asset; meet County Development Standards; and the intent of the County and Town of Carbondale Comprehensive Plans in an environmentally responsible manner while preserving the natural amenities of the property.

#### Gianinetti Family Goals

- Provide a long-term income stream for the Family
- Preserve the property as a focal point of Family Gatherings
- Retain the family Agricultural and rural heritage

#### Community Meeting/Event Center

- Provide a center for Community Meetings and Events in a natural setting
- Provide a venue for individual and family celebrations (e.g. Birthday parties and weddings)
- Provide a venue for small fundraising efforts for Community Organizations
- Legitimize the Community Meeting/events that a been held intermittently over the last 10 years.

#### Guest Ranch/Lodging Facility

- Provide small/appropriately sized short-term lodging in a rural setting
- To have lodging availability where events are held
- Provide alternative lodging for anglers who utilize the property through the Rocky Mountain Anglers Club

#### Development Goals

- Provide a venue that meets all County Development Standards
- Maintain the Roaring Fork River in his natural setting
- Preserve wetlands and not develop within the Hundred Year Floodway
- Maintain the agricultural and rural setting that the family has nurtured for over 100 years

### **DEVELOPMENT OVERVIEW**

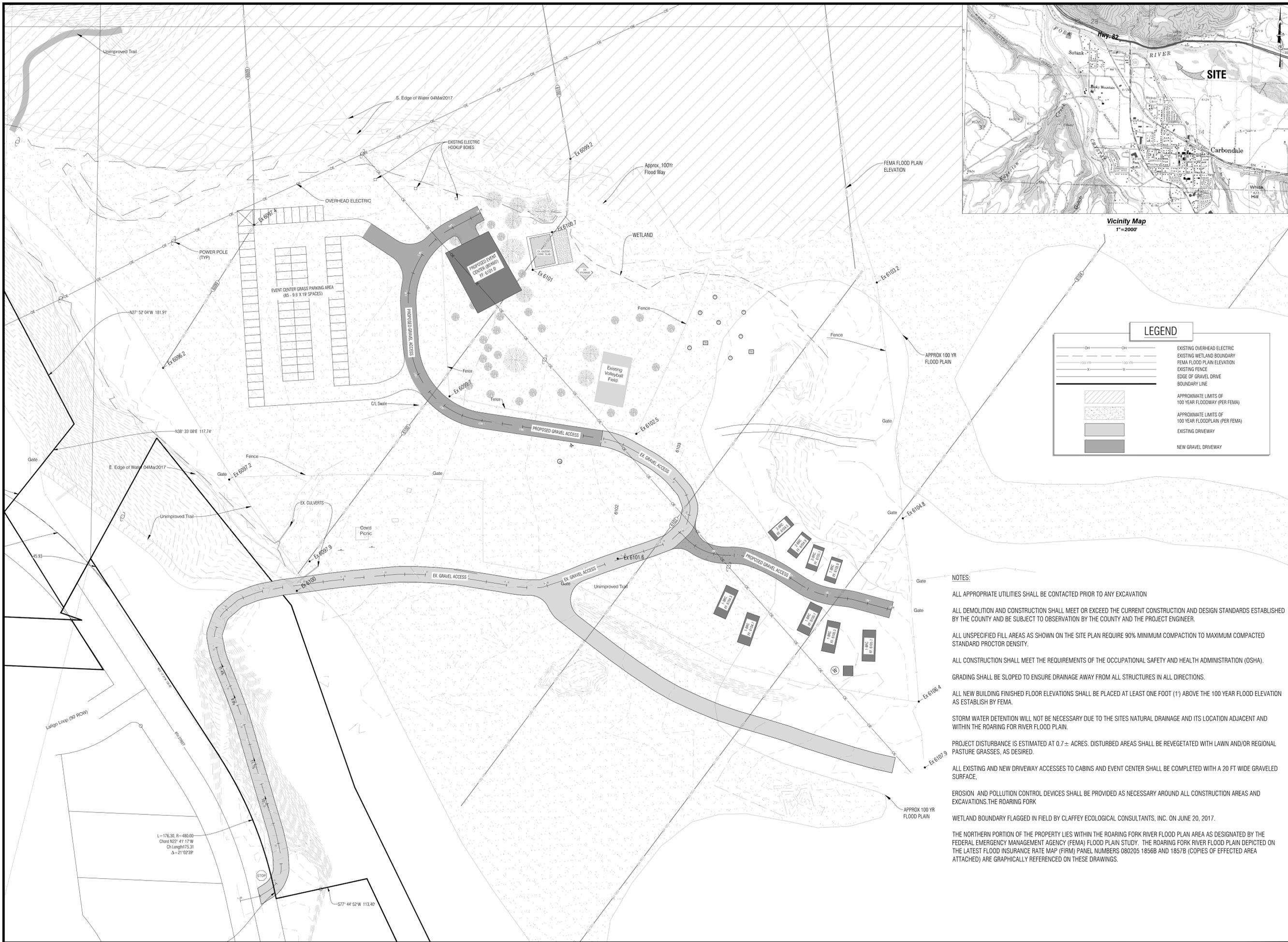
Below is an overview which briefly summarizes all the uses proposed for the property as a whole and encompassing both land-use applications. The purpose of this overview is so that staff, each commission/board or review agency is aware of the entire scope of development for the property. The Technical Documents included in Section 3 pertain to the entire Development Plan. Section 4 will demonstrate how the Event/Meeting Center meets County Development

Standards. The details of the development review and compliance with county standards for the Lodging Component of the Guest Ranch will be described in more detail on the companion application submitted for Gianinetti Spring Creek Ranch (Lodging/Guest Ranch and Facilities).

Site Plan Attached

### Community Event/Meetings

- Capacity for events. Maximum size will be 200 people, with the majority of events accommodating Fewer than 100 people.
- Time Frame. Event season generally May through October. Estimated 1X per week. Some events may extend into Member, depending on the extent of Indian Summer
- Max # Per year. 30
- Facilities.
  - Existing Pavilion/gazebo. Approximately 1500 ft.<sup>2</sup> in size.
  - Proposed: Community Event Barn – 80' x 60'. Approximately 4800 ft.<sup>2</sup> in size. Restrooms, storage area and offices included.
- Water. New well to be drilled and utilized. Well to serve lodging cabins and events. Treatment – none planned unless water quality tests direct chlorination.
- Wastewater. Community Events and all cabins to utilize OWTS. Please see Engineering Report and water, wastewater and utility plans in Section 3 of application. 2 mounded seepage beds/Soil Treatment Areas to be constructed in compliance with County and Federal floodplain Regulations. County OWTS permit application will be made prior to any construction.
- Hours of Operation. All events will be closed down at dark.



**NOTES:**

ALL APPROPRIATE UTILITIES SHALL BE CONTACTED PRIOR TO ANY EXCAVATION

ALL DEMOLITION AND CONSTRUCTION SHALL MEET OR EXCEED THE CURRENT CONSTRUCTION AND DESIGN STANDARDS ESTABLISHED BY THE COUNTY AND BE SUBJECT TO OBSERVATION BY THE COUNTY AND THE PROJECT ENGINEER.

ALL UNSPECIFIED FILL AREAS AS SHOWN ON THE SITE PLAN REQUIRE 90% MINIMUM COMPACTION TO MAXIMUM COMPACTED STANDARD PROCTOR DENSITY.

ALL CONSTRUCTION SHALL MEET THE REQUIREMENTS OF THE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA).

GRADING SHALL BE SLOPED TO ENSURE DRAINAGE AWAY FROM ALL STRUCTURES IN ALL DIRECTIONS.

ALL NEW BUILDING FINISHED FLOOR ELEVATIONS SHALL BE PLACED AT LEAST ONE FOOT (1') ABOVE THE 100 YEAR FLOOD ELEVATION AS ESTABLISH BY FEMA.

STORM WATER DETENTION WILL NOT BE NECESSARY DUE TO THE SITES NATURAL DRAINAGE AND ITS LOCATION ADJACENT AND WITHIN THE ROARING FOR RIVER FLOOD PLAIN.

PROJECT DISTURBANCE IS ESTIMATED AT 0.7 ± ACRES. DISTURBED AREAS SHALL BE REVEGETATED WITH LAWN AND/OR REGIONAL PASTURE GRASSES, AS DESIRED.

ALL EXISTING AND NEW DRIVEWAY ACCESSES TO CABINS AND EVENT CENTER SHALL BE COMPLETED WITH A 20 FT WIDE GRAVELED SURFACE.

EROSION AND POLLUTION CONTROL DEVICES SHALL BE PROVIDED AS NECESSARY AROUND ALL CONSTRUCTION AREAS AND EXCAVATIONS. THE ROARING FORK

WETLAND BOUNDARY FLAGGED IN FIELD BY CLAFFEY ECOLOGICAL CONSULTANTS, INC. ON JUNE 20, 2017.

THE NORTHERN PORTION OF THE PROPERTY LIES WITHIN THE ROARING FORK RIVER FLOOD PLAIN AREA AS DESIGNATED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD PLAIN STUDY. THE ROARING FORK RIVER FLOOD PLAIN DEPICTED ON THE LATEST FLOOD INSURANCE RATE MAP (FIRM) PANEL NUMBERS 080205 1856B AND 1857B (COPIES OF EFFECTED AREA ATTACHED) ARE GRAPHICALLY REFERENCED ON THESE DRAWINGS.

Civil Engineering  
Surveying  
& Beyond

Boundaries Unlimited Inc.

923 Cooper Avenue  
Suite 201  
Glenwood Springs, CO 81601  
tele: 970.945.5252  
fax: 970.384.2833  
Engineer or Surveyor Seal

NOT FOR  
PRELIM  
CONSTRUCTION

Client Information:  
GIANINETTI FAMILY PARTNERSHIP  
592 COWEN DR  
CARBONDALE, CO 81623  
800.900.0000

NORTH

Scale: 1" = 50'

811  
Know what's below.  
Call before you dig.

CARBONDALE, CO

Gianinetti Spring Creek Guest Ranch  
GIANINETTI SPRING CREEK GUEST RANCH

No.	Date	Revision
1		
2		
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PROJECT NO.  
12021

FILE NAME:  
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Designer:  
BDJ

Checker:  
M

Date:  
2/14/18

Sheet  
**C.1**

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- Noise Levels. Decibel tests have not been made at this time based on historical use – no complaints issued over 10-year period. If necessary, any music – whether acoustic or amplified – can be moved into the Event Barn.

Lodging

- Combination of 1 and 2 bedroom cabins – with a maximum of 12 bedrooms total.
- Cabins to meet all County Building codes/IRC etc.
- Construction – Intended to be stick built.
- Phasing. Unknown at this time. Full development to and occur over time, probably between 2 and 5 years.
- Lodging available entire year.

<b>OPTIONS FOR # AND TYPE OF GUEST CABINS</b>					
	<b># 2BR Unit</b>	<b># bedroom</b>	<b># 1 BR unit</b>	<b># bedroom</b>	<b>Total # bedrooms</b>
Option 1	4	8	4	4	12
Option 2	3	6	6	6	12

**II. COMPLIANCE WITH COMPREHENSIVE PLAN AND ZONING**

Proposed development plans comply with the Garfield County Comprehensive Plan 2030 and the Town of Carbondale Comprehensive Plan 2013. We believe more emphasis should be given to Carbondale’s Comprehensive plan as the subject property is contiguous to the Town’s Municipal Boundaries.

The property was originally zoned Agricultural/Residential/Rural Density (A/R/RD) upon adoption of the County’s Original Zoning Resolution in the early 1970s. The property has been used as part of the Gianinetti Family Ranch since well before the adoption of any County Zoning. The Gianinettis have been using the property occasionally for Community Meeting/Events for the last 10 years.

County Comprehensive Plan Land Use Designation: Res Low Density (10+ acres per dwelling unit)

Comprehensive Plan Description: Agricultural and related uses as well as home occupations that can be adequately buffered from adjacent incompatible uses.

See Graphic Below

LAND USE DESIGNATION	DESCRIPTION	COMPATIBLE ZONING
Residential Low (RL) 	Agricultural and related uses as well as home occupation uses that can be adequately buffered from adjacent incompatible uses.	Rural (R)  Planned Unit Development (PUD)
<p><i>Density of residential uses: 1 du per 10 acres</i></p> <p><i>Example:</i></p> <div style="display: flex; justify-content: space-around;">   </div>		

Town Comprehensive Plan Land Use Designation: River Corridor and Floodplain Conservation Area and Priority Agricultural Land

Comment:

The area outside of the Municipal Boundaries but within 2 miles of the Town Limits carries one of five future land-use designations. These designations are:

- Phase 1 Potential Annexation: Infill Areas
- Phase 2 Potential Annexation: Infill Areas
- Phase 3 Potential Annexation: Conservation Development
- **River Corridor and Floodplain Conservation Areas**
- **Priority Agricultural Lands**

Specific properties or areas designated for annexation into the Town are noted as being located in Phase 1-3. These are shown on the attached Town Future Land Use - Periphery Annexation Designation Map. The Gianinetti property is not designated for annexation. This is because of its River Corridor and floodplain characteristics in addition to its identification as a priority Agricultural parcel.

The Town comprehensive plan states that... **“the River Corridor Conservation areas have public value as wildlife habitat, water quality protection areas and for River recreation. Future annexation/development should set aside the River Corridor as public open space. The Town should also work with land conservation entities to protect the River Corridor while allowing low-impact recreation including trails and other naturalized enhancements”**

Under the Priority Agricultural Land discussion in the Town Comprehensive Plan, the plan notes that Ag Land serves multiple purposes for the community such as a land base for food production, geographically defining the edge of town and notes that agricultural operators are an important component of Carbondale’s economy, culture and heritage. The plan states that.. **“ the town should work with landowners land conservation entities to keep the agricultural operations and land base intact”**.

Conclusion: A Community Meeting/Event Center and a Small Guest Ranch meet the stated Vision, Goals and Strategies of the Carbondale Comprehensive Plan (as well as the County Comprehensive Plan 2030).

Insert Town Periphery/Future Annexation Map

Meetings with Town of Carbondale

Representatives of the Gianinetti family, Ernie Gianinetti and the Town have met together previously to discuss general plans for the property. This included discussions of the overall development plan concepts and the possibility of Annexation. It was made clear to the Family that town utilities would not be available unless they chose to Annex the property to the town. As noted

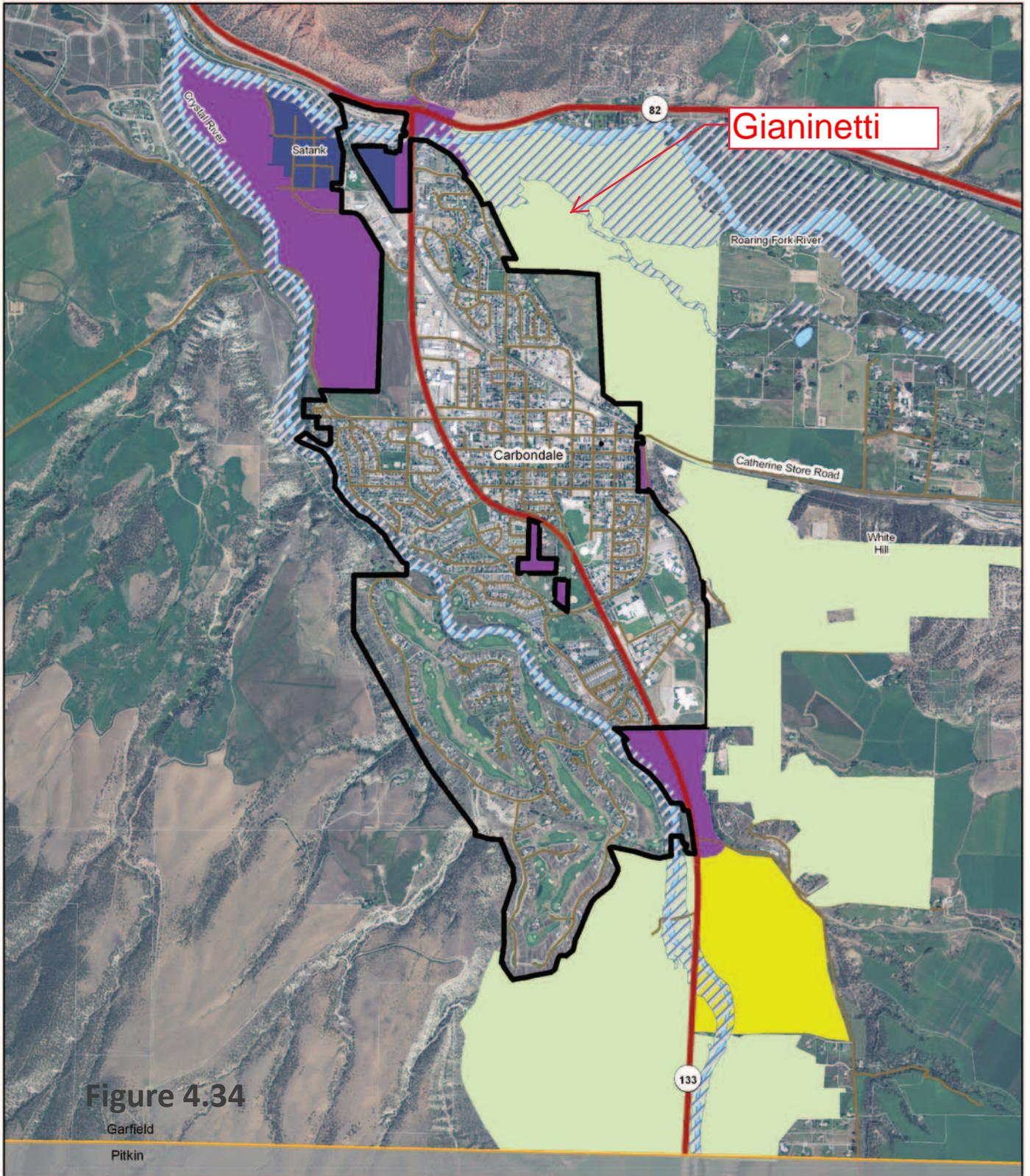


Figure 4.34

Garfield  
Pitkin

Town Periphery Future Land Use Designations

- Phase 1 Potential Annexation: Infill Areas
- Phase 2 Potential Annexation: Infill Areas
- Phase 3 Potential Annexation: Conservation Development
- River Corridor and Floodplain Conservation Areas
- Priority Agricultural Lands



0.5 0.25 0 Miles

previously, much of the Gianinetti Family holdings were annexed to the town for the purposes of urban style development. However, they wish to preserve the last undeveloped acreage in a rural/agricultural setting and have decided not to pursue annexation into the town. They acknowledge that they need to provide an adequate water and wastewater system designed by a Professional Engineer license in the State of Colorado. An Engineering Report and a Water and Wastewater Plan and details are included in Section 3 – Technical Documents section of the LUCP application

## **COMPLIANCE WITH ZONING DISTRICT**

Existing uses presently comply and any future use or development on the property will comply with all zone district criteria of the Rural “R” Zone District, including all dimensional requirements enumerated in Table 3 – 201 of the LUDC.

### Discussion

Given the large size and present and proposed use of the property, setbacks and open space requirements do not come into play related to any proposed development. For example, the setback on the Western boundary of the property (front) is 25 feet from a local Road. No structure will be within 330 feet of this boundary. Required open space is well below what is being provided. The residential lodging units will be within the 25-foot height restriction and there will be no problem with the agricultural/Community Meeting facilities – which have a 40-foot height limit.

### III. MISCELLANEOUS INFORMATION SUMMARY

Roads. Access will be obtained from Cowen Drive, a street owned by the town of Carbondale. The access will be classified as a Semi Primitive, private driveway (see Engineering Report in Section 3). It will not be a dedicated right-of-way – to either Garfield County or the Town. Basic Traffic Study included as part of the Engineering Report. A driveway access permit will be obtained from the Town if required.

Proposed Utilities/Infrastructure. The only utility that presently serves the property is electricity. Propane will be utilized as opposed to natural gas. An electric overhead line will be undergrounded for a portion of the run through the development portion of the property. The project will be developed with a private water system and an OWTS sized for all Community Events/Meetings as well as the guest cabins. The owner has a significant water rights portfolio but will be making an application for an allotment to the Basalt Water Conservancy District. Engineering information and a formal Engineer's Report is included in Section 3 of the application.

Constraints to Development. Due to its location adjacent to Roaring Fork River, there are constraints related to high groundwater, floodplain development and wetlands. The OWTS has been engineered for the depth to groundwater situation and the leachfield will be raised above the 100-year floodplain. The 100-year floodplain has been verified and all development will be in accordance with County Regulations. A Wetlands Inventory was taken of the subject property in 2017. They are currently being verified by the Army Corps of Engineers.

Waivers. There is a request for a waiver from driveway/road width for a semi-primitive driveway as noted in as noted in Table 7 – 107. Please consider this a formal request for a Waiver of Development Standards per section 4-202 of the Garfield County LUDC.

#### **Justification for the Waivers**

The applicant is of the opinion that the criteria for waiving submittal criteria via Section 4-118.C of the County Land Use Code have been met. Below is a point-by-point response to the review criteria (Note: *responses are in italics*).

#### **C. Review Criteria.**

A waiver request shall be considered based on the following criteria:

1. It achieves the intent of the subject standard to the same or better degree than the subject standard; and

*Response: The proposed design achieves the same standard as contained in the code. Driveway width will be 20 feet throughout the access approach from the Town Road (Cowen Drive) down to the Bottomland itself and the area to be utilized by the guest cabins and Event area. The drive itself will be 2 – 10-foot lanes. This is equivalent to the criterion of an 8-foot lane width with two 2-foot shoulder. The real difference in this case is the fact that an area for a borrow ditch(s) will not be provided. The ditch would be very difficult to accommodate on the downward portion of the access road adjacent to the hillside along the West. It could be accomplished by a road cut and retaining wall. However, this is a private driveway and the Carbondale Fire Department as indicated that adequate emergency access is provided by the plan. (IFC requirements are for a 20-foot-wide access area).*

*Please note that the 20-foot width for the private drive will be maintained along the bottomland Event/cabin area itself. In this area, the design could accommodate the additional with, but we think this is counterproductive in an area adjacent to the Roaring Fork River and associated floodplain and bottom-land.*

2. It imposes no greater impact adjacent properties that would occur through compliance with the specific requirements of this code.

*Response: This criterion is met. The access drive to the Gianinetti Spring Creek Ranch does not service any other property.*

# **GIANNETTI SPRING CREEK RANCH**

Pictures of Site



*Existing Family Pavilion*



*Event Parking Area*



*View towards Southwest- access drive*

# **GIANINETTI SPRING CREEK RANCH - COMMUNITY EVENT/MEETING CENTER**

## **SECTION 4**

This section includes point by point responses to Article 7 Standards, Divisions 1-3 and the Impact Analysis per Section 4-203 G of the Garfield County LUDC. Please note that these responses are only for the Gianinetti Spring Creek Ranch Community Event/Meeting Center application. Responses for the Lodging Facility portion of the Guest Branch are in the separate, companion application.

## SECTION 4

### COMPLIANCE WITH ARTICLE 7, DIVISIONS 1 – 3

The following section of this application addresses compliance with the criteria and standards of Article 7, Divisions 1-3 of the Garfield County Land Use and Development Code. Responses to each criterion are in *“italics”*. Where standards don’t apply, NA or reason for non-applicability will be stated.

#### **DIVISION 1                    GENERAL APPROVAL STANDARDS FOR LAND USE CHANGE PERMITS**

##### **Section 7-101                Compliance with Zone District Use Restrictions.**

*Response: The site is located in the County’s Rural “R” Zone District. The Gianinetti Spring Creek Event Center will be in compliance with the Zone District, lot and building requirements, Intent Statement, use and general restrictions and measurements contained in Article 3 (Zoning) of the LUDC. With such a large parcel, compliance with Zone District dimensional criteria is very easy. For example, the setback for many structures on the site to the West property line is approximately 400 feet. The event barn – as a nonresidential structure – is allowed to be 40 feet in height. The building permit application will show that the barn complies with that criterion also.*

##### **Section 7-102                Compliance with Comprehensive Plan and Intergovernmental Agreements**

*Response: We addressed this issue in detail in Section 2 of the Application – Project Background and Information. Garfield County Comprehensive Plan 2030 designates the site as Residential Low Density. The County Comp Plan discussion lists agricultural and rural uses and even Accessory Dwelling units that are buffered from incompatible uses that are nearby. Density for this designation is 10 acres per dwelling unit.*

*This property is also an important component of the Town of Carbondale Comprehensive Plan. The Town Plan notes this property as “River Corridor and Floodplain Conservation Area” and a further designation as “Priority Agricultural Land”. As explained in numerous places of this application,*

*the development plan avoids 100-year Floodway and preserves Wetlands and other priority areas.*

*Please note that the Town's Comprehensive Plan does not designate this area for annexation during the life of this Comprehensive Plan (completed in 2013). There are three important areas in the plan - noted as Phase 1 to Phase 3 Priority Annexation areas. Nowhere in the Town Comprehensive Plan is the Gianinetti Family Property designated for annexation.*

*Intergovernmental Agreements. Gianinetti Family representatives have discussed this property with the Town a couple of times, including when this plan was being submitted. The proposed land-use was discussed as well as the issue of utilizing the town's wastewater system. The Gianinettis do not wish to annex to the Town of Carbondale. They feel that the counties Rural Zoning is most appropriate for their future needs. The Town has also been quite clear that the town's wastewater utilities will not be able to be utilized without annexation to the town. The Gianinettis have thought thoroughly on this issue and still do not wish to annex into the Town. Therefore, they have undertaken design and planning efforts to take care of their own wastewater and the fluid produced by this project.*

*Per the Intergovernmental Agreement with the Town and the County, we acknowledge that this application will be reviewed by the Town and have submitted a copy to the Town in advance of the County Agency referrals.*

*Our conclusion is that the development plan is in conformance with both the County and Town's Comprehensive Plans as well as any Intergovernmental Agreement between the two jurisdictions.*

**Section 7-103**

**Compatibility**

*Response: The nature, scale and intensity of the proposed uses are compatible with adjacent land uses. Presently, there are agricultural related uses and these have always fit in well with the Roaring Fork River to the north as well as the agricultural uses to the east/ southeast and Town open space area to the south. To the west are commercial and residential uses located in the Town's Cowen PUD and*

*Roaring Fork Village PUD. The Event Center has been in operation for approximately 10 years and we are not aware of any complaints that have arisen from neighbors through either the Town's Police Department or the County Sheriff's Department. The Gianinetti extended families live on the bluff above and adjacent to their family property and police these events regularly.*

*Conclusion. The Project is compatible with adjacent land uses.*

**Section 7-104      Sufficient Legal and Physical Source of Water**

*Response: There is both a sufficient Physical and Legal source of water for the project. An Engineering Report included in the application provide the details. The water system is noted as a private, non-community water system that does not require treatment. The system will be chlorinated if a water quality report indicates that it is necessary. The system has been designed by a licensed, Colorado engineer.*

*The Gianinetti Family owns a significant water rights portfolio that was mentioned earlier and is summarized in **Section 3**. The development will be obtaining an allotment from the Basalt Water Conservancy District in concert with this application. Once the land-use application is approved, the Family will obtain a well permit. The well will be in the general location has indicated on the Site Plan*

**Section 7-105      Central Water Distribution and Wastewater Systems**

*Response: Please see details on the details of the water and Wastewater Systems as designed by the Project Engineer. (Section 3 – Technical Documents)*

**Section 7-106      Public Utilities**

*Response: Adequate public utilities are available. The property presently has electric service provided by Holy Cross Electric. That is the only utility presently on site. Natural gas is proposed to be extended and utilized by the project. Will Serve letters are included in Section 5 – Miscellaneous Documents. Water and Wastewater discussed above.*

**Section 7-107      Access and Roadways**

*Response: No new public roads are being provided. The property has existing access from Cowen Drive a Town of Carbondale street. A basic traffic study is included as part of the Engineering Report (see Section 3 – Technical Documents). The access driveway already exists. Comments on the road geometry, surface materials and other information is also included in the Engineering Report.*

*An existing semi-primitive road system provides travel over to various parts the property. These are considered private driveways and are open to the owners and users of the property, but not the general public.*

*No recent traffic studies related to traffic volume for Cowen Drive were available from the town of Carbondale. The project engineer gathered some background traffic data as part of the Basic Traffic Study.*

*Conclusion. Access off the Town Street system appears to be working satisfactorily as there are is no record of deficiencies or complaints to or from the town. The present access driveway already exists on site and has served the Event Venue for approximately 10 years. Attached is an email from the Carbondale and Rural Fire Protection District Fire Marshall indicating that the access is satisfactory. The Project Engineer has cited no deficiencies.*

*Please note that the existing access driveway from Cowan Drive down to the Bottomland is approximately 19 feet in width. This driveway will be widened to 20 feet at the recommendation of the Fire Marshall. This width is narrower than required for a semi-primitive driveway/roadway. A waiver has been requested. See Sections 2 and 3 of the application.*

**Section 7-108      Use of Land Subject to Natural Hazards**

*Response: We have addressed Floodplain Regulations Wetlands and High groundwater as part of the engineering reports application. There will be no development near the hillside. There are no known areas of mud flow, radiation, snow/have landslides etc. A Geotech Engineer has analyzed the soils related do septic suitability.*

**Section 7-109      Fire Protection**

*Response: Wildfire Hazards are low or “Not Rated” for the subject property according to the County Risk Assessment Maps. Both the Project Planner and Project Engineer have discussed emergency access and Fire Protection with the District Fire Marshall and he has been submitted a copy of the proposed Site Plan. He will respond formally as part of the County Referral process.*

**DIVISION 2            GENERAL RESOURCE PROTECTION STANDARDS FOR LAND USE CHANGE PERMITS**

Resource Protection Standards apply to all proposed land-use changes, unless specifically exempted.

**Section 7-201      Protection of Agricultural Lands**

*A. No Adverse Effect to Agricultural Operations.*

*Response: There should be no adverse effect. The event Center has been in operation for quite some time and there have been no conflicts. Provision of the Event Center and the hoped for Lodging/Guest Ranch will result in less impact compared to any long-term residential Development that a substantial Density.*

*B. Domestic Animal Controls.*

*Response: Very few domestic animals are on-site during the Events. Any dogs will be kenneled or sheltered if necessary.*

*C. Fences.*

*Response: No new fences are included in the development application.*

*D. Roads*

*Response: No public roads are being constructed. All internal roadways are considered to be private driveways. They will not be paved. Snow removal will be performed as necessary for the facilities by the owner. Dust control will occur as necessary both during and after construction – primarily by application of water if necessary and by application of Mag Chloride if those efforts are not successful. Please note that all internal private drives are positioned well away from neighboring agricultural operations.*

*E. Ditches*

*No adverse affect on Ag Lands: The Lyons Ditch proceeds through the area. The Gianinettis are the only shareholder. There are no downstream users.*

*Tail water and underutilized augmented water from the Weaver Leonhardy Ditch (AKA Gianinetti ditch) comes to the property. There are no downstream users.*

*Existing ditches will not be modified. Any crossings will have adequate culverts. No development will channel surface water to any ditches.*

**Section 7-202**

**Protection of Wildlife Habitat Areas**

*Response:*

*There are no identified critical Wildlife Habitat Areas. This subject property is not identified as Winter Concentration area or Severe Winter range for either elk or mule deer. There are no known raptor nests or similar critical breeding habitat. No new fences are being constructed which would interfere with any animals that may cross the property.*

**Section 7-203**

**Protection of Water bodies**

*Response: The protection of the Roaring Fork River Floodway and Wetlands has been documented in other sections of the application.*

*The 35-foot horizontal setback from any TOHWM (Typical and Ordinary High Water Mark) is being maintained from all water bodies including ditches, ponds, streams and the river.*

*Hazardous materials (if any) will also comply with the minimum 100 foot setback from TOHWM.*

- *In addition:  
Significant existing native vegetation will not be removed.*
- *Natural service drainage characteristics will be maintained. Grading will be minimized.*
- *Development will comply with all applicable County, state and federal laws including those of the CDPHE Water Quality Control Division and the Army Corps of Engineers.*

**Section 7-204      Drainage and Erosion**

*Response: Comments are as follows:*

- *Site disturbance will be minimal. The refined site plan indicates that there will less than 1 acre of site disturbance, and therefore will not require a discharge permit from the CDPHE. If final construction details show disturbance greater than 1 acre, the owner will apply for the appropriate Discharge Permit.*
- *No lots are being created – residential or commercial.*
- *Hard surface is minimized throughout the project. For example, there are no paved or driving surfaces – which minimizes storm water runoff.*
- *Runoff is being designed to seep naturally into the property without being directed into water bodies or ditches.*
- *Positive drainage is being maintained away from all buildings.*
- *Initial indications are that there will be no required detention ponds for runoff.*

**Section 7-205      Environmental Quality**

*Response:*

- *No impacts are foreseen related to air quality – no activities related to the development should create smoke or other discharges related to air quality.*
- *Water Quality. Activity areas are designed to be at an acceptable distance between any water bodies, ditches*

*etc. Any hazardous materials will be stored in compliance with state and federal regulations.*

**Section 7-206 Wildfire Hazards**

*Response:*

- The subject property is listed as being in a low or non-rated wildfire hazard area. Areas of significant slope are relatively small and limited to the Western fringe of the property.*
- Fire Marshall has been made aware of plans and has previously visited the site. He will comment as part of the County Referral Process.*

**Section 7-207 Natural and Geologic Hazards**

*Response: An existing overhead power line goes through the property. Portions of this power line will be under grounded. Any additional electric to the site will be provided underground.*

*The Area is subject to Floodway and Wetlands regulations. These have been noted previously in the application and the necessary engineering designs are provided throughout.*

*The property is not located in an avalanche, landslide, rock fall, alluvial fan, areas of extreme slope subject to development etc.*

**Section 7-208 Reclamation**

*Response: The development will comply with the standards outlined in Section 7-208 of the Land Use Code. Site disturbance will be relatively minimal. Improvements to the private driveways and a small extension of dirt road are relatively minimal. Only one significant structure (the Event Barn) will be constructed. All disturbance will be reclaimed and re-vegetated with native grasses.*

**DIVISION 3 SITE PLANNING AND DEVELOPMENT STANDARDS**

The standards in this section apply to any land use change and all uses, including divisions of land and PUD's. Single-family dwelling units are exempt. Some standards would appear not to be relevant due to the specific use – Community Event/Meeting Center. Minimal development will be undertaken on land outside the northern portions of the parcel. However, we will address these sections for completeness purposes and in order to show the relationship of the existing land use with applicable standards as much as possible

### **Section 7-301 Compatible Design**

*Response: The Events Center and its proposed management plan meets these standards.*

A. *Site Organization. NA. There are no public streets or defined lots or common areas around which to organize the site. Parking is located in close proximity to the Event Barn and Pavilion. Access is by the existing access drive. Pedestrian and bike access is also accommodated via the access driveway. Pedestrian/bike usage is higher than what one would think, perhaps because of its location adjacent to the Town of Carbondale.*

B. *Operational Characteristics. There are no everyday activities from this particular use. There are no general hours of operation etc. Other comments:*

- *No dust, objectionable orders, gas or fumes should be admitted to adjacent property. There may be the smells of barbecue or food for certain events.*
- *Noise has not been a problem in the past for this use. The various members of the Gianinetti family live adjacent to the site and regularly police events. Events are shut down by dark. The secluded nature helps with this noise buffering. In addition, activities, where necessary can be moved to the barn if noises suspected of being a potential problem.*
- *Events have been shut down by dark and there have been no problems with such timing.*

C. *Buffering. No required buffering is anticipated. The Event/Meetings are located at the northern portion of the*

*property and away from adjoining property boundaries. No buffering requests, either of a visual or noise buffering nature have been made in the past because of previous events. Moreover, lands to the north, east and south are in the same zone district and have similar land uses. Therefore, the Plan is to continue to operate as in the past.*

*D. Materials. The only structure being built is the Event Barn and this should present no problems. It is located at a substantial distance from any adjoining structures or land uses. Materials will be barn wood or other appropriate, rustic finishes.*

**Section 7-302 Off- Street Parking and Loading Standards**

*Response: Section 7-302 A- O, may not be applicable. Uses are intermittent and no regular off-street parking or loading is required. There are no adjacent public streets.*

*Parking areas have been conceptually noted, and these have been sufficient in the past. We will be happy to provide more details that staff request.*

**Section 7-303 Landscaping Standards**

*Response: The project will comply with the intent of the County's Landscaping Standards in this section. Specifically: no trees or other significant vegetation are being removed. Approximately 20 trees have already been planted in the vicinity of what will be the Events Barn. These include willow, blue Spruce, Cottonwood and Austrian Pine.*

*Areas required for landscaping will not be used for any parking or storage. The parking is proposed and has been used in the past in areas that are open meadows. See parking layout on site plan*

*There is sufficient clear vision area and no trees exist or are being planted vicinity of Cowen Drive and the access driveway.*

*The parking for events varies according to size. Therefore, there is no defined parking lot area. We are of the opinion that the remote and rural nature and temporary use of the parking areas make planting of trees unnecessary.*

**Section 7-304      Lighting Standards**

*Response. No outdoor lighting is proposed at this time. Any lighting that is necessary will comply with the standards of this section of the Garfield County LUDC, and will be downcast and shielded as necessary.*

**Section 7-305      Snow Storage Standards**

*Response: The events and/or Meetings rarely occur during the winter season. Therefore, we feel no snow storage area needs to be defined. If necessary, any storages snow would not occur on a driveway area.*

**Section 7-306      Trail and Walkway Standards**

*Response: NA. There are no permanent facilities, regular hours of operation or permanent residential units which will make trails or walkways necessary. The property is generally open, and visitors/event attendees can walk where they wish.*

## Impact Analysis

Below are the evaluation criteria outlined in Section 4-203 G (Impact Analysis). We will address each criterion on a point by point basis. Where they do not apply, we will indicate with “NA”

1. Adjacent land use. Existing use of adjacent property/neighboring properties within 1500-foot radius.

*Response: The most intense use from a development perspective occurs to the west of the subject property – a portion of Roaring Fork Village and Cowen Convenience Center of the Town of Carbondale. To the east and south are generally rural/agricultural land uses. To the north is dryland/riverbank of the Roaring Fork River, the SH 82 right-of-way and steep hillside adjacent to the BLM/ Red Hill Area. More specifically:*

*West: Single Family subdivision – Roaring Fork Village & Gianinetti Subdivision*

*5 townhome units*

*Commercial/office, hotel/motel and convenient center (Cowen Center)*

*South: Single Family residence at rural Garfield County density*

*Delaney Park (AKA Delaney-dog park) - Town of Carbondale*

*East: Agricultural and single-family rural residential lots*

*North: Streambank (dry) going from Roaring Fork River to State Highway 82*

*SH 82 right-of-way*

*Steep hillside rising from SH 82 towards BLM/Red Hill Recreation area*

2. Site Features. A description of site features such as streams, areas subject to flooding, lakes, topography, vegetation cover etc.

*Response: The subject property is generally located in the Roaring River Bottom land adjacent to the Town of Carbondale's Northeast boundary. Site features are as follows (see Boundary Survey/Existing Conditions Map):*

- *Roaring Fork River main channel*
- *3 stream/ditches emptying into the Roaring Fork River*
- *North riverbank (dry) leading from Roaring Fork River to SH 82 roadway surface*
- *Roaring Fork River Floodplain*
- *Wetlands*
- *Irrigated hay fields*
- *General agricultural equipment and storage*
- *2 ponds*
- *newly constructed Agricultural Barn*
- *Hillside along West property boundary characterized by Oak brush and other upland vegetation*

*Impact to natural site features will be nonexistent or minimal. Structural development is limited to a barn area for Community Events and utilities. The dirt road circulation system already exists on property though this may be expanded to some degree for circulation purposes. Parking area will be unpaved – and actually utilize what has been the parking area for Community Events held in the last 10 years. Utility infrastructure will be minimal. This includes construction of a OWTS, a non-public water system and new propane service. Electric overhead already exists on site and any new electrical service will be provided underground. The existing overhead will be partially undergrounded through the Event Center and lodging area of the site.*

### 3. Soil Characteristics:

*Response: The subject property is subject to alluvial deposits, riparian areas, ditches/streams and irrigated hay fields. Depth to groundwater is approximately 2 feet. An in-depth soil studies has not been done at this time. Pits's have been dug for the OWTS analysis and inspection done by HP Kumar. A letter on the results is attached.*

### 4. Geology and Hazard. A description of the geologic characteristics of the area including any potential natural or man-made hazards, and the determination of what effects such factors would have on the proposed use of land.

*Response: As noted above, a formal Geotech analysis has not been undertaken as the geologic and natural hazards appears self-evident. Hazards are high groundwater table, Roaring Fork River Floodplain and riparian areas.*

*Floodplain. Project engineer has confirmed the Floodway and Floodplain area. All development will remain out of the Floodway. Otherwise, development will comply with County and National standards, with any finished floor being 1 foot higher than base flood elevation.*

*Wetlands. A qualified Riparian/wetlands professional has identified the Wetlands and confirmation by the Army Core of Engineers is in process. All development will occur outside the Wetlands area. Wetlands were identified and mapped in calendar year 2017.*

*High Groundwater. This has been taken into account with the development plan. Development will utilize Best Management Practices related to construction of facilities, septic and extension of internal driveways. Paving/hard surface improvements are being kept to a minimum.*

*It is our opinion that impact of all geologic and other hazards is minimal and has been mitigated/meets all County and Federal standards.*

5. Groundwater and Aquifer Recharge Areas. Evaluation of the relationship of the subject parcel to floodplains, the nature of soils and subsoils and their ability to adequately support waste disposal, the slope of land, effect of sewage effluents, and the pollution of surface runoff, streamflow and groundwater.

*Response: Description of the physical site has been made a number of times in this application. We believe that the impacts of the proposed land-use are nonexistent or minimal.*

*Floodplain. The Project Engineer has confirmed the location of the Floodplain. There will be absolutely no development in the Floodway. The Floodplain downstream of the subject property will not be affected. Construction of the Event Barn and any cabins will be in conformance with local and national regulations – Finish Floor elevation 1 foot above BFE.*

*Soils and Subsoil's – ability to adequately support waste disposal. The septic system is a mounded system and is being built in compliance with all County regulations. A formal OWTS application will be made in compliance with all County permitting upon approval of the LUCP. HP Kumar has inspected the pits for suitability of septic.*

*Wetlands. No construction is to take place in the defined Wetlands area. Wetlands have been defined by a competent professional.*

*Slope of Land. No impact. Hillsides are not being proposed for any development act to the or any disturbance.*

*Pollution of surface runoff, streamflow and groundwater. Operation should not cause additional pollution that would affect streamflow and groundwater. Proposed Events/Meetings will just have people enjoying themselves in passive manner and not undertaking activities such as car repair, changing oil or any commercial/industrial activities that could cause such pollution. There will be no car repairs or even any recreational activities which should generate pollution. Property owners will supervise events and take care of all debris, solid waste etc. Septic is sized to accommodate proposed events. In addition, they own porta potty's if there is ever any concern or question about capacity of septic in any particular instance.*

6. Environmental Impacts. Determination of the existing environmental conditions of the parcel to be developed and the effect of development on those conditions, including:

- a. Determination of the long-term and short-term effect on flora and fauna;

*Response - Flora and Fauna: Any construction will be taking place in open areas where there are native or pasture grasses. No significant vegetation will be cut or removed. Negative effect on fauna should be minimal. No additional fences are being proposed – so wildlife should build a pass-through as they have historically done. It is our understanding, due to its location and necking down of the river area by the SH 82/133 bridge does not make it generally conducive as a major migration route.*

- b. Determination of the effect on designated environmental resources, including critical wildlife habitat;

*Response: as noted above, project will stay out of Floodway and Wetland areas. We are not aware of their being any critical wildlife habitat designation for this parcel/property.*

- c. Impacts on wildlife and domestic animals through creation of hazardous attractions, alteration of existing native vegetation, blockade of migration routes, use patterns, or other disruptions; and

*Response: No significant impact foreseen. Alteration of existing vegetation will be nonexistent or minimal –No attractive or hazardous nuisances are being created. No migration routes are being blocked. No other disruptions should occur.*

*No “attractive “or hazardous nuisances are being constructed. Community Event/Meetings are very transitory in nature and nobody will be utilizing or constructing any permanent structures that should degrade the area.*

- d. Evaluation of any potential radiation hazard that may have been identified by the state or County Health Departments.

*Response: To our knowledge, no known radiation hazards have been identified in this vicinity.*

- 7. Nuisance. Impact to adjacent land from generation of vapor, dust, smoke, noise, glare or vibration, or other emanations.

*Response: The nature of Community Meeting/Events are such that no unusual vapor, glare or vibration should be created. These are not industrial, semi-industrial or commercial in nature. There may be some smoke created by barbecues and related activities. By its Floodplain and Bottomland nature, the area is relatively moist and dust should not be a problem (plus it is relatively protected from huge gusts of wind due to being tucked up to the base of the hill).*

*Noise was brought up as an issue during the Pre-application Meeting. Once again, we think any nuisance impact is minimal. These Events/Meetings have been going on for a number of years and there is not a history of any complaints. The Gianinettis live adjacent to the Event venue and are intimately involved in its policing. They shut down events as appropriate – relatively early. The event barn may help in this matter as many events may take place within the Barn area or can be moved there if there is any perceived problem.*

*We want to reemphasize that the Family has a history of supervising these Events with no problems and we trust that you feel they will continue to prevent a noise issues in this manner.*

- 8. Hours of Operation.

Events are held in daylight hours and do not occur after dark. Any gatherings after dark can utilize the Event Barn if necessary.

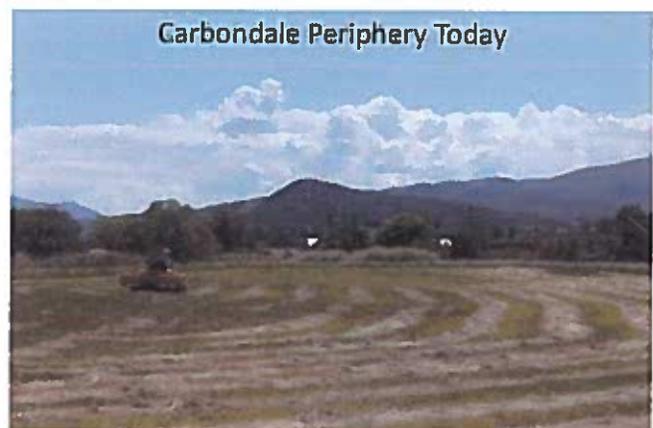
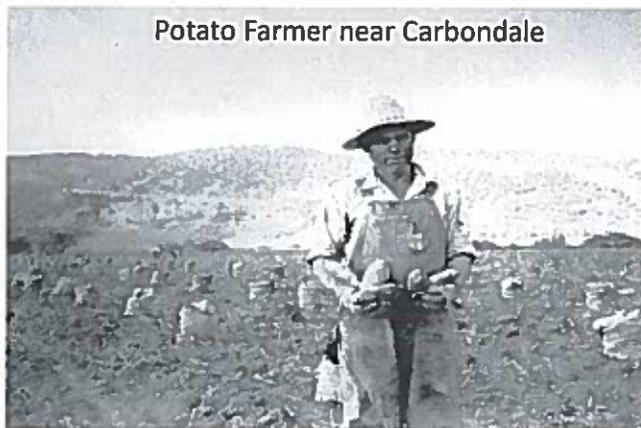
## 4.12 Town Periphery

### Planning in the Town Periphery

The larger geographic context of Carbondale is integral to its character, so the Comprehensive Plan establishes a policy basis for future land use planning along the town periphery. One of the primary goals of this plan is to maintain the compact development pattern and the distinct geographic identity of the town. Achieving this goal will require a balance between land conservation and development strategies. This balance can be achieved by coordinating efforts between the town, the county, landowners, and land conservation entities. As part of this coordinated effort, the town can also affect future land use patterns directly by annexing properties that are contiguous to the town boundary pursuant to formal petition by landowners.

The town periphery plan includes the following elements, each with its own purpose and intended use:

- The *land features map* is intended to provide the physical geography backdrop.
- *Community priorities for land conservation* are intended to inform land conservation efforts.
- *Land conservation partnerships* are an integral component of the land conservation strategy.
- *Coordination with Garfield County*- This section describes several approaches for coordination with the county on long-range planning and on specific development applications.
- *The town periphery future land use designations and potential annexation areas* are intended as a guide for annexations and land conservation on the town periphery.



*Figure 4.28 - Town Periphery Images*

### Land Features

The starting point for future land use planning in the town periphery is to establish baseline mapping illustrating the basic physical geography (See Figure 4.29). Carbondale has several natural features that define its geography, including the Crystal and Roaring Fork rivers, the steep slopes leading up to East and West Mesas, and the bottomlands along Catherine Store Road. These features are natural edges for most of the town's perimeter. The exception is that the Colorado Rocky Mountain School property is relatively free of natural constraints up to the river corridor.

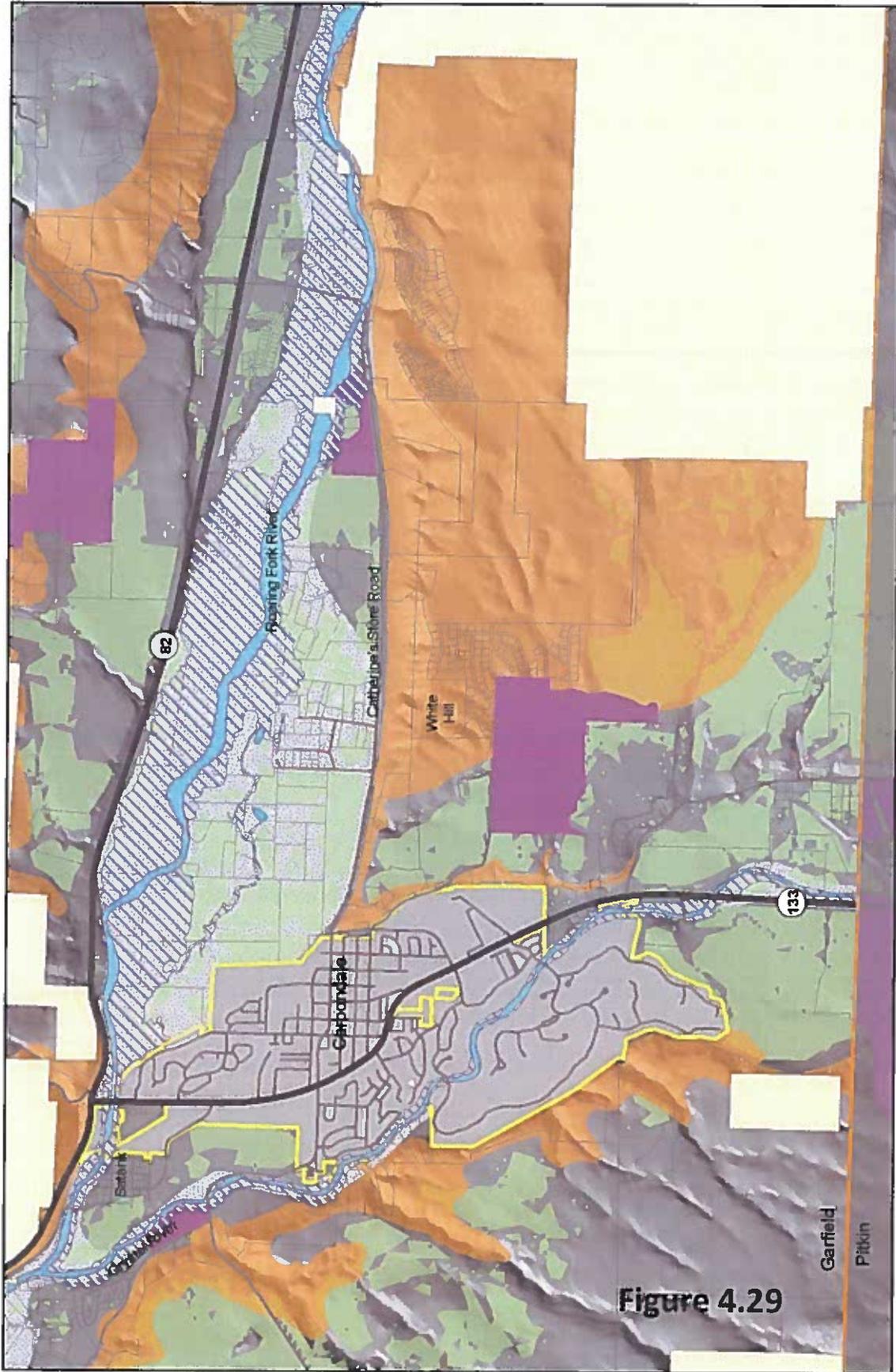
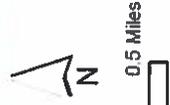


Figure 4.29

Town Periphery Land Features

-  100 Yr Flood Plain
-  Slope Hazard
-  High Water Table
-  Irrigated
-  Conservation Easements
-  Public Lands
-  Parcels



### Community Priorities for Land Conservation

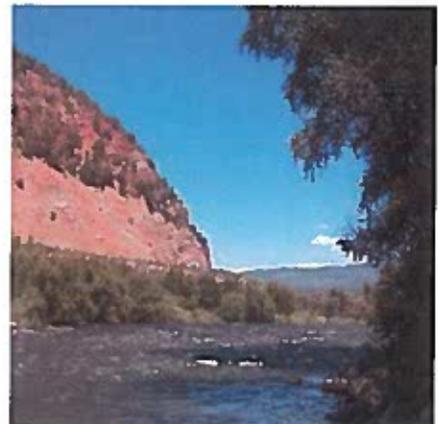
The emphasis on active lifestyles, recreation, local food and agriculture throughout this Comprehensive Plan calls for a coordinated land conservation system in the town periphery. During the planning process, the community prioritized their preferences for land conservation using key pad polling. The priorities list helps determine what areas in a proposed development are preferred as open space. The list also represents priorities for the Town's open space investments and articulates Carbondale's desired future to the land conservation entities at work in the valley. Land conservation on the town periphery should prioritize the following types of land:

- #1 Riparian areas, access and outstanding river features, 100-Year floodplain.
- #2 Agricultural lands on the perimeter of town.
- #3 Corridors accessing public lands.
- #4 Gateways.
- #5 Historic sites.

### Land Conservation Partnerships

Land conservation entities have either purchased conservation easements or purchased land spanning many hundreds of acres near Carbondale and up the Crystal River Valley. It is essential to keep good working relationships with these entities and to contribute to and support land conservation near Carbondale.

A critical component of land conservation on the Carbondale town periphery and other municipalities in Garfield County is a county-wide open space conservation program funded by voter-approved taxes. See *Figure 4.33 - Protected and Significant Private Parcels in the Town of Carbondale Periphery*, a map showing the important and intact properties in the Carbondale periphery.



*Figure 4.30 - Town Periphery*

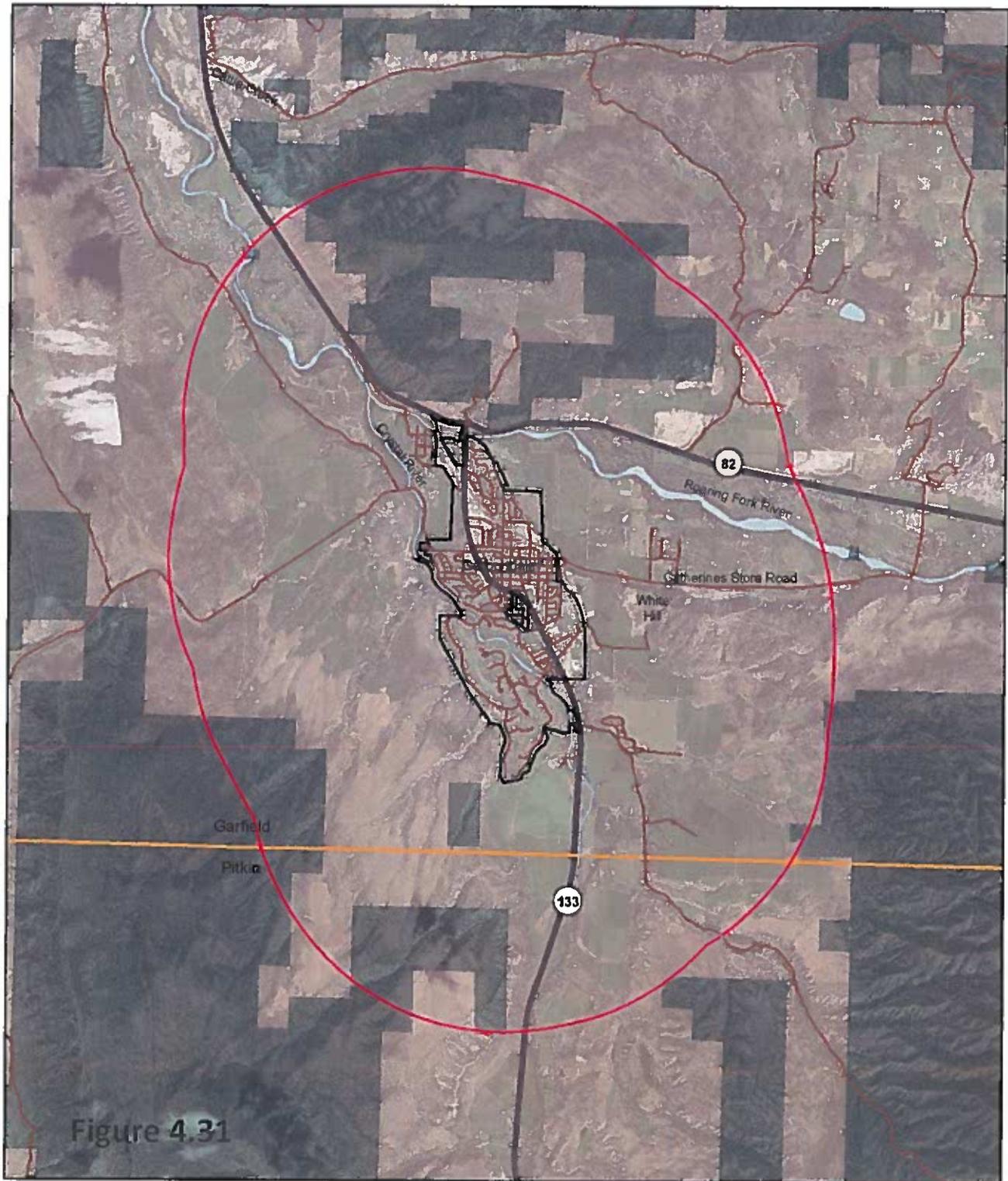
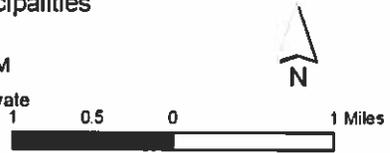


Figure 4.31

Two Mile Review Area for County Projects  
 2001 IGA Between Garfield County and Its Municipalities



- 2-Mile County Project Referral Area
- Town Boundary
- BLM
- Private



### **Coordination with Garfield County**

The 2001 Intergovernmental Agreement (IGA) for Development between Garfield County and its municipalities establishes a protocol for referring applications for development in the county to nearby municipalities for review and comment. Carbondale supports this referral arrangement and the opportunity to comment meaningfully on land use changes near town. According to the IGA, “major applications”, exceeding 50 residential lots or 20,000 sq. ft. of commercial floor area are referred to the two nearest municipalities, measured along the state highway/interstate. “Other developments” result in lower levels of development, but still represent fundamental changes or variation from the underlying zoning. The IGA specifies that “other developments” in the county are referred to municipalities within 2 miles of the proposed project (see figure 4.31 - Two Mile Review Area).

The mapped ‘significant parcels’ are the remaining in-tact, large private parcels, many of which function as working agricultural land (Figure 4.33). The community views these parcels as important components of the current and future geography of Carbondale. The intent is that the county coordinates with the Town of Carbondale regarding future development on significant parcels. Many significant parcels have already been conserved, with a large conservation easement on the East Mesa and several properties already protected up the Crystal River. Future conservation of significant parcels is encouraged.

Land conservation does not preclude some level of development. Except as otherwise specified in the town periphery future land use designations, the Town encourages Garfield County to implement the clustering policies contained in Chapter 2 of the adopted 2010 Garfield County Comprehensive Plan on mapped significant parcels:

- Begin with a base density of no less than 10 acres per dwelling unit. From these base development rights, applicants for future residential developments are encouraged to set-aside open space in order to increase the gross density of the project, giving them the ability to create more development rights.
- Plan for contiguity and connectivity between open space parcels.
- Encourage public access to open space, especially along the rivers.

### **Two Mile Area Language:**

The Town urges Garfield County to consider the impacts of commercial and industrial development on traffic loads and safety on town streets, safety on town pathways, dark skies, noise, wildlife habitat, hazardous materials transport and storage in/near town, air and water quality and protection of scenic resources and scenic quality, particularly around the gateways into town.

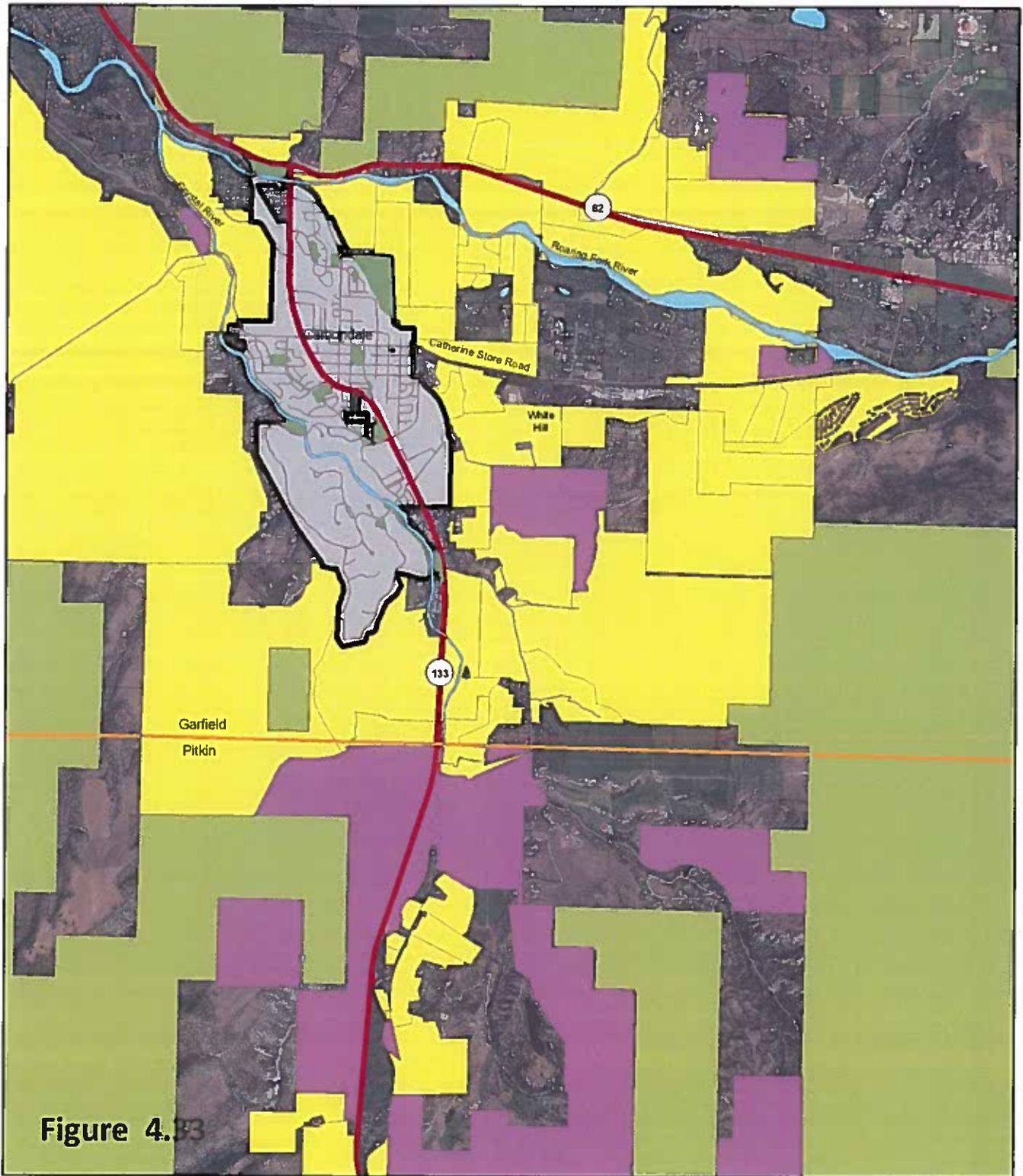
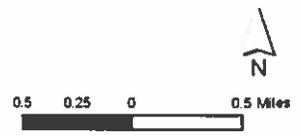


Figure 4.33

Protected Lands and Significant Private Parcels  
Town of Carbondale Periphery



- Conservation Easements
- Public Lands
- Significant Parcels



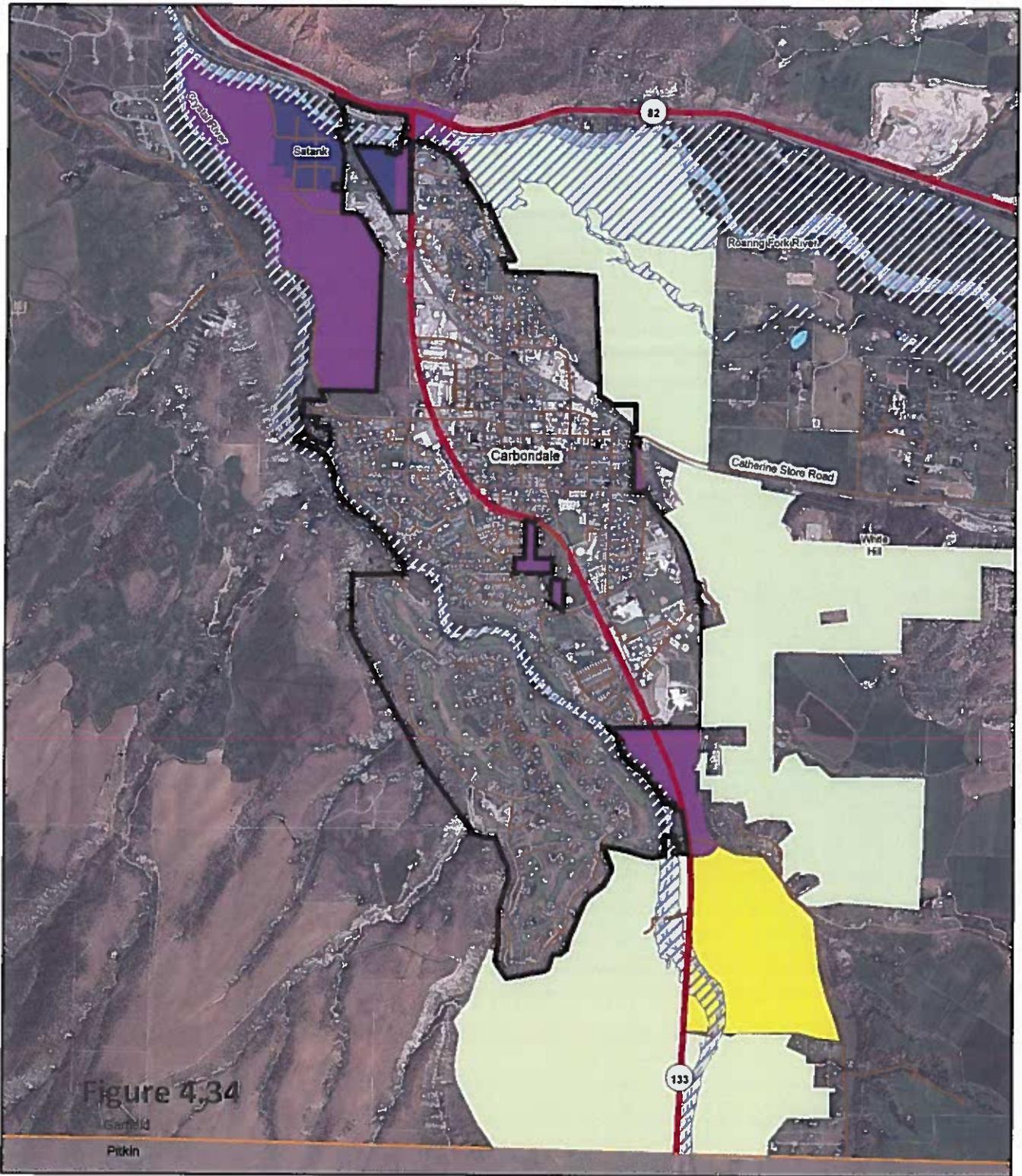


Figure 4.34

Garfield  
Pitkin

**Town Periphery Future Land Use Designations**

- Phase 1 Potential Annexation: Infill Areas
- Phase 2 Potential Annexation: Infill Areas
- Phase 3 Potential Annexation: Conservation Development
- River Corridor and Floodplain Conservation Areas
- Priority Agricultural Lands



0.5 0.25 0 Miles



Figure 4.32 - Conservation Development Examples

### Town Periphery Future Land Use Designations

The following designations describe preferred future conditions in the town periphery (see map, Figure 4.34). The annexation areas are prioritized as phase 1, which would provide several opportunities and public benefits and phase 2 and 3, which are also logical areas for annexation but more distant in the future. In some cases, phase 2 and 3 annexations may need to wait until phase 1 annexations bring the town boundary out to the property. The designations also include conservation areas: agriculture and river corridors. By coordinating with land conservation entities to purchase land or conservation easements and annexing conservation oriented development, the town can secure its geographic limits while allowing just enough expansion to meet the needs of the community as it evolves.

### Phase 1 Potential Annexation - Infill Areas

The intent of the phase 1 annexation area is to promote infill and redevelopment in adjacent areas that already function as part of town, but are not yet annexed including the Colorado Rocky Mountain School, which is closely connected to town. These are the most logical areas for annexation because infill and redevelopment in these areas would maintain the town's compact footprint while promoting walking and biking.

An existing pattern of mixed density and fragmented ownership means that annexation and redevelopment could span decades of incremental change in some phase 1 areas. The challenge is to plan for the long term and maintain consistency throughout the transition.

Opportunities	Level of Difficulty
1) Gateway enhancements. 2) Infill and redevelopment. 3) Sales tax revenues from existing and future retail uses. 4) Establish contiguity with larger, intact parcels for future annexations. 5) Eliminate individual septic disposal systems.	1) With the exception of CRMS lands, phase 1 areas are already mostly developed and ownership is fragmented, complicating annexation. 2) The Town would need to promote incentives for owners of residential and commercial lots in phase 1 areas to petition for annexation: utilities/services, better zoning, law enforcement.

**Guidance for specific areas:**

- The north gateway near the intersection of Highways 82 and 133 should create sense of arrival and way-finding for visitors. It also hosts several businesses and has the potential for redevelopment and infill.
- The south gateway along the Crystal River on Highway 133 consists of several large lot residential subdivisions. Annexation and redevelopment in this area would be complex due to the need to coordinate with multiple property owners.
- The remaining parcels in the County Island should be annexed and developed with a diversity of housing types.
- The mobile home park along Snowmass Drive near Main Street is fully occupied today, but property owners could seek redevelopment in the future. Redevelopment of the park should follow the guidance contained in the Downtown/Old-Town Periphery Future Land Use Plan designation, listed earlier in the future land use plan.
- Colorado Rocky Mountain School (CRMS) is currently operating as an independent high school for boarding and day students and is an important component of the Carbondale community and economy. In addition to traditional classroom education, the School's property is used in its diverse programs in a variety of other ways including agricultural production, recreational activities, renewable energy production and ecological studies. CRMS also provides employee housing. CRMS programmatic needs, and subsequently its land use, has and will continue to evolve over time to support the organization's mission. The majority of CRMS property is located in unincorporated Garfield County. Portions of CRMS land outside the Town of Carbondale are designated as Phase 1 Potential Annexation Infill Area because of its prominent location on the west edge of Town. Should development occur on CRMS property, either on its open space parcels in Carbondale or on property designated as Infill Area, the densities should be gradually tiered from high density near Highway 133 and Main, down to lower densities near the river corridor. The Town of Carbondale recognizes that the needs of CRMS will continue to evolve. The Comprehensive Plan is not intended to limit CRMS private property rights and it encourages dialogue between the Town of Carbondale, and Garfield County regarding future land use.

***Phase 2 Potential Annexation - Infill Areas***

The mobile home park and the Satank neighborhood are lower priority, but already function as part of town. Future redevelopment or the demand for town sewer could motivate petitions for annexation in these phase 2 areas, but the opportunities for public benefit are fewer than those associated with phase 1 annexation areas, reducing the level of priority.

Opportunities	Level of Difficulty
1) Infill and redevelopment. 2) Establish contiguity with larger, intact parcels for future annexations. 3) Eliminate individual septic disposal systems.	1) Phase 1 areas are already mostly developed and ownership is fragmented, which complicates the coordination of annexation. 2) The Town would need to promote incentives for owners in phase 1 areas to petition for annexation: utilities/services, better zoning, law enforcement. 3) Residential units do not generate enough revenue to cover their costs for basic town services and facilities (See Chapter 5 Background Information).

### **Phase 3 Potential Annexation - Conservation Development**

The intent of the conservation development potential annexation area is to offer incentives for conservation development while allowing some expansion of the town's footprint on the southern edge of town.

Several considerations were employed to delineate the phase 3 potential annexation area:

- 1) proximity to existing waterlines.
- 2) topography that allows connection the town's gravity fed wastewater disposal system without mechanical lift stations.
- 3) the presence of riparian areas, the highest open space conservation priority for the community.
- 4) locations that can be authentically connected to the town.

Opportunities	Level of Difficulty
1) Establish a permanent agriculture/open space perimeter defining the town. 2) Permanent riparian and agricultural land conservation. 3) Town review/approval focused on Carbondale community needs and values vs. Garfield County Land Use Code standards.	1) Establishing the State minimum 1/6th contiguity to some phase 2 land conservation areas will first require annexation of phase 1 areas. 2) Careful design and infrastructure improvements will be required to assure that phase 2 areas are genuinely connected to the Town.

Future development will be expected to help secure a compact development pattern by concentrating development close to the town boundaries and permanently preserving river corridors and the agricultural perimeter that geographically defines Carbondale's southern edge.



**Figure 4.35 - Preserving the Edge of Town**

### ***River Corridor Conservation Areas***

River corridors consist of the 100 year floodplain and the riparian areas along the Crystal and Roaring Fork Rivers. A riparian area is a plant community contiguous to and affected by rivers, streams, drainage-ways or lakes that supports an ecosystem that is distinct from the surrounding areas not affected by hydrologic features. The 100-year floodplain includes any land area along a river, stream, or drainage way that is susceptible to inundation. The 100-year floodplain is an area with a 1% probability of a flood occurring in any given year. These areas have public value as wildlife habitat, water quality protection areas, and for river recreation. Future annexation/developments should set aside river corridors as public open space. The town should also work with land conservation entities to protect the river corridors while allowing low impact recreation including trails and other naturalized enhancements. The Roaring Fork and Crystal Rivers confluence is designated as a River Corridor Conservation Area because it is such a unique geographic feature.

### ***Priority Agricultural Land***

Priority Agriculture Lands serve multiple purposes for the community as expressed throughout Chapter 2 Vision, Goals and Strategies: 1) land base for food production, 2) geographically defines the edge of town, 3) agriculture operators are an important component of Carbondale's economy, culture and heritage. The town should work with landowners and land conservation entities to keep the agricultural operations and land base intact. Annexation may be a useful tool for supporting and protecting agricultural operations. Some level of development would be necessary as an incentive for annexation, but development on priority agricultural land would need to be designed to contribute towards the objective of keeping the agricultural operation running and the land intact.

### ***Annexation Criteria***

These annexation criteria should be taken into consideration during the annexation review process. Many of these criteria are adapted from the Town of Carbondale 3-Mile Plan adopted in 2000. Some annexation opportunities may not meet all of these criteria but could still be in the best interest of the town.

- Annexations should be reviewed by the town concurrently with development proposals for the property.
- Annexation/developments should promote multi-modal transportation by connecting to and enhancing the Town's pathways, sidewalks, streets and transit systems.
- Annexation/developments should not adversely affect the Town's fiscal conditions.
- Annexation/development should not degrade public infrastructure or level of service. An objective evaluation of fiscal impacts of annexations should be included in the decision-making process.
- Annexation/development should include at least one of these valued assets:
  1. Public trails, priority public open space (see Land Conservation Priorities above), or public parks, all exceeding the minimum requirements of the municipal code.
  2. Affordable or attainable housing exceeding the minimum requirements of the municipal code.
  3. Agricultural land conservation.
- Development should avoid the floodplain, steep slopes and geologic hazard areas (rock-fall, landslides, debris flows, avalanches, expandable/collapsible soils, unstable slopes).