

**UPPER BLUE PLANNING COMMISSION
SUMMARY OF MOTIONS**

January 23, 2020 - 5:30 p.m.

COMMISSIONERS PRESENT: Ric Pocius, Jay Beckerman, Keith Gallacher, David Nelson, Drew Goldsmith, Larissa O'Neil, Lowell Moore

STAFF PRESENT: Dan Osborn, Keely Ambrose, Lindsay Hirsh

Ric Pocius, Chair, called the December 6, 2019 meeting of the Upper Blue Planning Commission to order at 5:30 PM

Approval of Summary of Motions: The Summary of Motions for the December 5, 2019 meeting were not included in the Commissioner's packet and thus not approved.

WORK SESSION ITEMS:

None

PUBLIC HEARING ITEMS:

- A. **PLN19-096** Class 5 - Preliminary rezoning of a 2.23 acre lot currently zoned Rural Estates (RE) to R-1 to accommodate two single family lots; Lot 2, Blue Sky Estates.

Commissioner Goldsmith made a motion to approve PLN19-096 with the following findings and conditions:

Findings:

1. The proposed rezoning is in general conformance with the goals, policies/actions and provisions of the Summit County Countywide Comprehensive Plan and any applicable basin or subbasin master plans.
2. The proposal is consistent with the purpose and intent of the County's Zoning Regulations.
3. The proposal is consistent with the County's Rezoning Policies.
4. The proposed rezoning is compatible with present area development and will not have a significant, adverse effect on the surrounding area.
5. The proposal is consistent with public health, safety and welfare, as well as efficiency and economy in the use of land and its resources.
6. The proposed rezoning is justified because there have been changes in conditions in the vicinity as development has occurred since the prior rezoning in 1988..

Conditions:

1. Prior to the recordation of the final rezoning, the applicant shall obtain one TDR for the additional lot being permitted by the rezoning from RE to R-1.
2. Prior to the issuance of a building permit, if deemed necessary by the Summit County Engineering Department a wetlands delineation shall be submitted that indicates that no soil disturbance will be located within 25 feet of any identified wetland.
3. No earth disturbing activities or snow storage shall be conducted or located on adjacent USFS lands.

Commissioner Nelson seconded the motion and the motion passed on a 7-0 vote.

- B. **PLN19-098** Class 5 - Preliminary plat to subdivide a 2.23 acre lot into two lots, Zoned RE, Lot 2, Blue Sky Estates.

Commissioner Goldsmith made a motion to approve PLN19-098 with the following findings and conditions:

Findings:

1. This application is being processed concurrently with PLN19-096, a request to rezone the subject property from RE to R-1. If PLN19-096 is approved, the proposed subdivision will be consistent with the applicable Zoning Regulations because, without limitation, the subject property meets the density and lot size requirements of the R-1 zoning district. If PLN19-096 is not approved, this criterion will not be met.
2. The proposed subdivision is consistent with the Subdivision Regulations applicable to the property because, without limitation: a) fire protection is available from the Red, White and Blue Fire District; b) geologic or soil issues can be mitigated; c) the property has access to the County road system; and d) adequate utilities and services are available to the property.
3. The proposed subdivision is in general conformance with the goals, policies/actions and provisions of the Summit County Countywide Comprehensive Plan and the Upper Blue Master Plan and the Joint Upper Blue Master Plan. Without limitation, the proposal is in general conformance with the Residential land use designation indicated in the Upper Blue Master Plan and the proposed building envelopes are placed to address areas with environmental constraints or visually prominent areas.
4. The applicant has provided evidence that the Town of Breckenridge Water Division will provide service to the subject property.
5. The applicant has provided evidence that Upper Blue Sanitation District will provide sewer services to the subject property.
6. Evidence has been provided to show that there are no significant geologic hazards present that cannot be addressed through standard engineering practices. The Colorado Geologic Survey and Middle Park Conservation District have indicated that the intended use can be engineered to address the soil or topographic conditions that exist and these conditions can be mitigated so that they would not prevent development of the subject property.
7. The applicant has provided evidence that all lots and parcels created by the subdivision will have access to the County road system and to the State highway system in conformance with the State access code. Access to the subject property is available from Brook Street.

Conditions:

1. Prior to the recordation of the final plat, the applicant shall pay the public use area fee in the amount of \$1,500 for the additional lot.
2. Prior to the issuance of a building permit, if deemed necessary by the Summit County Engineering Department a wetlands delineation shall be submitted that indicates that no soil disturbance will be located within 25 feet of any identified wetland.
3. No earth disturbing activities or snow storage shall be conducted or located on adjacent USFS lands.

4. Prior to the issuance of a Grading and Excavation Permit, the applicant shall execute a Subdivision Improvements Agreement and provide a financial guarantee to the satisfaction of the County Engineering Department.
5. Prior to the BOCC hearing the final plat request, the applicant shall put the necessary utility easements on the subject plat.

Commissioner Beckerman seconded the motion and the motion passed on a 7-0 vote.

DISCUSSION ITEMS:

- Suggested Revisions for Consideration in Next Master Plan Update
- Countywide Planning Commission issues
- Follow-up of previous BOCC meeting
- Planning Commission Issues

ADJOURNMENT: The meeting was adjourned at 6:45 PM

Submitted,

Lindsay Hirsh, Senior Planner