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Kathleen Neel - Summit County Recorder

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RESOLUTION NO. 2022-56

**BOARD OF COUNTY COMMISSIONERS
OF THE
COUNTY OF SUMMIT
STATE OF COLORADO**

A RESOLUTION APPROVING PLANNING CASE #PLN21-103, A MINOR PUD AMENDMENT TO THE COPPER MOUNTAIN PUD TO CLARIFY AND EXPAND LOCATIONS FOR OUTDOOR VENDING AND STREAMLINE THE REVIEW PROCESS FOR FUTURE APPLICATIONS, ZONED COPPER MOUNTAIN PUD; (APPLICANT: ELENA SCOTT, NORRIS DESIGN) AND,

WHEREAS, Elena Scott, Norris design has applied to the Board of County Commissioners for a Minor PUD Amendment to the Copper Mountain PUD to clarify and expand locations for outdoor vending and streamline the review process for future applications, zoned Copper Mountain PUD; and,

WHEREAS, the Planning Department has reviewed the application and recommended that it be approved; and,

WHEREAS, the Board of County Commissioners has reviewed the application at a public hearing held on August 23, 2022, with public notice as required by law and considered the evidence and testimony presented at the hearing; and,

WHEREAS, the Board of County Commissioners finds as follows:

1. The modification is consistent with the efficient development and preservation of the entire PUD in that no additional density is being proposed than what is already allowed and the goals and objectives of the PUD will continue to be met and will potentially enhance the quality of the experience of the residents and visitors in the Copper Mountain PUD by providing and maintaining additional efficient, safe, and pleasant commercial Outdoor Vending within the Planned Unit Development.
2. The modification does not affect, in a substantially adverse manner, either the enjoyment of land abutting upon or across a street from the PUD or the public interest because no new density is proposed under this amendment. The expansion of Outdoor Vending in the requested locations are minimal in nature from a commercial/density standpoint.
3. The modification is not granted solely to confer a special benefit upon any person.
4. The proposed PUD modification is in general conformance with the goals, polices/actions and provisions of the Summit County Countywide Comprehensive Plan, the Ten Mile Master Plan and the Copper Mountain Subbasin Plan. The Countywide Comprehensive Plan first goal is to sustain and create opportunities conducive to tourism and recreation. In addition, the Subbasin Plan states that future development should, to the greatest extent possible, be focused to create a compact pedestrian-friendly village and future growth should promote creating a healthy community environment that is socially and economically viable.
5. The proposed PUD modification is consistent with the County's Zoning Policies because, without limitation; a.) the PUD modification does not affect established setbacks, permitted uses, density, landscaping, open space, parking or other development standards; b.) the PUD modification will continue to ensure the compatibility of land uses, efficient and economical use of land and adequate light and air in development projects; c.) areas of environmental hazards will continue to be avoided;

and d.) development projects will continue to be functional, exhibit good design and aesthetics and protect the County's natural resources and scenic beauty.

6. Based on referral comments, the proposed PUD amendment is consistent with the public health, safety and welfare due to there will be no substantive impacts to the public health, safety and welfare associated with this minor PUD amendment.
7. The proposed PUD modification amendment is not substantial and conforms to the intent and integrity of the original PUD and the PUD modification has been determined to be a minor amendment in accordance with Section 12202.04 because, without limitation, a) the PUD modification is not substantial and maintains the intent and integrity of the original PUD; b) the PUD modification does not increase in the total number of units or floor area; c) no new uses are requested; and d) there is no significant decrease in the amount of open space.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SUMMIT, STATE OF COLORADO, THAT a Minor PUD Amendment to the Copper Mountain PUD to clarify and expand locations for outdoor vending and streamline the review process for future applications, zoned Copper Mountain PUD is approved with the following condition:

1. Within 6 months of this approval, the applicant shall submit a PUD amendment to address compliance with the PUD's Integrated Housing Unit ("IHU") requirements.

ADOPTED THIS 23RD DAY OF AUGUST 2022.



**COUNTY OF SUMMIT
STATE OF COLORADO
BY AND THROUGH ITS
BOARD OF COUNTY COMMISSIONERS**



Tamara Pogue, Chair of the BOCC

ATTEST:



Kathleen Neel, Clerk & Recorder