

RESOLUTION NO. 2023-~~16~~

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

A RESOLUTION APPROVING PLANNING CASE #PLN21-128, A REQUEST FOR A CLASS 6 MINOR PUD MODIFICATION TO THE COPPER MOUNTAIN PUD TO REMOVE THE RESTRICTION ON PAID PARKING IN THE ALPINE LOT, PARCEL 30, COPPER MOUNTAIN PUD; (APPLICANT: COPPER MOUNTAIN) AND,

WHEREAS, Copper Mountain has applied to the Board of County Commissioners for a Minor PUD Amendment to the Copper Mountain PUD to remove the section of the PUD that restricts paid parking in the Alpine Lot, Parcel 30, 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 February 28, 2023, 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 giving the resort an additional mechanism to address parking concerns within the resort.
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 removal of restrictions on paid parking in the Alpine Lot does not impact adjacent property owners or uses and is not anticipated to impact access to the resort or operations on Highway 91 or I-70.
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, policies/actions and provisions of the Summit County Countywide Comprehensive Plan, the Ten Mile Master Plan, and the Copper Mountain Subbasin Plan. A goal of the Countywide Comprehensive Plan is to maintain and develop a comprehensive, safe, and efficient transportation system, with an emphasis on promoting viable alternatives to the automobile, while also continuing to work on programs to help alleviate parking congestions problems. In addition, the Subbasin Plan states that alternatives to constructing new parking facilities should be considered and strategies that reduce parking demand should be encouraged.
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, allocated 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 modification.
7. The proposed PUD modification 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 Request for a Class 6 Minor PUD Modification to the Copper Mountain PUD to remove the restriction on paid parking in the Alpine Lot, and other modifications to accomplish the foregoing, zoned Copper Mountain PUD, is approved.

ADOPTED THIS 28TH DAY OF FEBRUARY 2023.



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

Josh Blanchard
Josh Blanchard, Chair of the BOCC

ATTEST:

Taryn Power
Taryn Power, Clerk & Recorder