

RESOLUTION NO. 2023-83

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

A RESOLUTION APPROVING PLANNING CASE #PLN23-054, A REQUEST FOR A PRELIMINARY REZONING FROM R-2 TO PUD TO ACCOMMODATE FIFTEEN (15) DEED-RESTRICTED AFFORDABLE HOUSING UNITS ON 2.08 ACRES; TRACTS 4-10 AND 15-17, BILLS RANCH SUBDIVISION (Applicant: Summit County Housing Department); and,

WHEREAS, Summit County Housing Department has applied to the Board of County Commissioners to request a Preliminary Rezoning from R-2 to PUD for a 2.08 acre parcel, in order to accommodate fifteen (15) units of deed-restricted affordable housing; and,

WHEREAS, the Ten Mile Planning Commission reviewed the application at their meeting on September 14, 2023, and recommended approval of the application to the Board of County Commissioners, subject to certain findings and conditions; and

WHEREAS, the Board of County Commissioners has reviewed the application at a public meeting held on October 24, 2023, and considered the evidence and testimony presented at the meeting; and,

WHEREAS, in light of such considerations, the Board of County Commissioners of Summit County, Colorado finds that:

1. The proposed PUD is in general conformity with the goals, policies/actions and provisions of the Summit County Countywide Comprehensive Plan, the Ten Mile Master Plan, and the Bill's Ranch Subbasin Plan, specifically with regards to land use, affordable workforce housing, and environmental impacts.
2. The proposed PUD is consistent with the purpose and intent of the County's Zoning Regulations. The proposed draft PUD designation has all applicable elements needed to regulate the proposed development.
3. The proposed PUD is consistent with the County's Rezoning Policies (Section 3200 et. seq.). The proposal is consistent with the terrain and natural features of the site and is compatible with existing development in the vicinity. There is adequate infrastructure to accommodate a proposed zoning amendment, and the project can accommodate the required improvements, and wildfire hazards can be mitigated.
4. The proposed PUD is compatible with present area development and will not have a significant adverse effect on the surrounding area. The surrounding area has a mix of residential uses of similar densities. The applicant has submitted a traffic study that indicates that the proposed development will not significantly affect the Level of Service for the community.
5. The proposed PUD is consistent with public health, safety, and welfare, as well as efficiency and economy in the use of land and its resources or otherwise promotes an overall public benefit to the community. Based on the submitted information and corresponding referrals, the proposal can be served by water, sewer, and access. The affordable housing component, the open space dedication, an overall public benefit to the community.

6. The proposed PUD is consistent with and furthers the goals as set forth in Section 12200.01. Specifically, the draft PUD and conceptual development plan illustrates development design and layout of buildings, a means of designing development so it relates to and preserves, the natural features of the site and avoids areas having development constraints; and preserves, to the extent practicable, the natural features of an area.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SUMMIT, STATE OF COLORADO, THAT the request for a Preliminary Rezoning from R-2 to PUD for a 2.08 acre parcel, in order to accommodate fifteen (15) units of deed-restricted affordable housing, is approved with the following conditions:

Conditions:

1. The applicant shall show General Common Element and Limited Common Element on the final plat.
2. Prior to the recordation of the subdivision exemption plat for the Bill's Ranch Cabins, a Homeowners Association shall be formed to ensure maintenance and repair of the driveways, parking areas, trash disposal, snow plowing, exterior building maintenance, and all common areas for all other purposes deemed necessary by Owner/Developer.
3. The Declaration of Covenants, Conditions and Restrictions for the Property shall be submitted to the County with the subdivision plat application to ensure on-going responsibility for maintenance of common responsibilities.

ADOPTED THIS 24th DAY OF OCTOBER 2023.

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

Elisabeth Lawrence

Elisabeth Lawrence, Chair

ATTEST:

Taryn Power

Taryn Power, Clerk & Recorder

