

**COUNTYWIDE PLANNING COMMISSION
MEETING MINUTES**

November 6, 2017

COMMISSION MEMBERS PRESENT: Craig Campbell, Leigh Girvin, Molly Lee, Lina Lesmes, Drew Goldsmith, Mark Hogan, Kelly Owens, Erik Vermulen. Ed Kaupas arrived late during the public hearing at 6:00 p.m.

STAFF PRESENT: Don Reimer, Planning Director; Jim Curnutte, Community Development Director; Kate Berg, Senior Planner; Sarah Meggison, Planner I; Keely Ambrose, Assistant County Attorney

Craig Campbell, Chair, called the meeting of the Countywide Planning Commission to order at 5:31 pm

Approval of Summary of Motions: The Commission Approved the Summary of Motions from the September 11, 2017 meeting with no changes.

CONSENT AGENDA:

None

PUBLIC HEARINGS:

PLN16-059 - Amendments to Sections 3514, 3801, and 13000 of the Summit County Land Use and Development Code to update Backcountry Zoning District regulations including clarification of the purpose and intent sections, clarification of allowed uses, and clarification of square footage calculations and structure size allowances.

Reimer presented the staff report and outlined the key issues being addressed by the proposed Code amendments to the BC zoning district, including: prohibition of short-term rentals; clarifications of structure sizes for the primary and accessory structures; minor changes to the driveway standards and administration of those standards, including requirement of a CUP for improvements to County roads; and further definition of standards related to building design. Staff explained that these changes and clarifications were intended to ensure development and uses in the BC zone are consistent with the intent and purpose of the BC zone.

Several citizens spoke during public comment against various aspects of the proposed amendments; there were no comments made in support of the proposed changes.

Planning Commission discussion focused on six key aspects:

- PC did not support the proposed decrease in base structure size from 900 to 750 sq. ft. in the Snake River basin.
- A majority of the PC felt that short-term rentals were not an appropriate use in the BC zone; however they did not want to include any regulations on short-term rentals in this Code amendment as they felt short-term rentals should be addressed for all zones at the same time.
- PC did not agree with the proposed changes regarding building design as the roof pitch and other requirements did not support efficient use and design, including for passive solar, and on sloping sites, and should be more general. The regulations should change “non-reflective glass” to glass with 15% or less reflectance.
- Decks should be limited to a maximum of 20% of the allowed residential structure size of the parcel.
- The limitation on large eaves should include an exception to allow for a larger eave as part of a proven passive solar design.
- The section on winter plowing should not delete the sentence that requires a finding in the case of a denial that adequate parking is available at the end point of the plowing.

Commissioner Hogan made a motion to recommend approval to the BOCC of the proposed code amendments, incorporating the above changes, with the following findings:

Findings:

1. The proposed revisions meet the purpose and intent of the Summit County Land Use and Development Code, which is to protect, promote and enhance the public health and safety; to provide for planned and orderly development in Summit County in a manner consistent with constitutional rights of property owners; and to balance the needs of a changing population with legitimate environmental concerns. The purpose and intent section of the Development Code outlines a number of objectives, which are met by this Code Amendment including:
 - i. Relating proposals for the development and use of land to the goals, policies and provisions in the Summit County Countywide Comprehensive Plan and in basin or subbasin plans, and using these plans as guidelines and standards in evaluating development proposals.
 - ii. Providing a comprehensive regulatory system for the development and use of land in Summit County.
 - iii. Establishing uniform application procedures and development standards to promote the equitable handling of all development applications.
 - iv. Preserving and enhancing Summit County's unique mountain character and protecting its natural environment.
2. The proposed revision gives consideration to the goals and policies in the Summit County Countywide Comprehensive Plan and any applicable basin and subbasin master plan because, without limitation, the proposed amendments will ensure backcountry applications are comprehensively evaluated in the context of fulfilling relevant master plan goals related to 1) preservation of rural, backcountry lands, 2) minimizing overall disturbance to environmentally sensitive and visually important lands, and 3) preserving, protecting and enhancing the County's open space.
3. Pursuant to the County land use statutes at C.R.S. 30-28-101 et seq. and the Local Government Land Use Control Enabling Act at C.R.S. 29-20-101 et seq., the County has broad authority to regulate the use of land and to protect areas of historical importance. All of the proposed amendments are in conformance with applicable State Statutes.

The motion was seconded by Commissioner Lesmes and carried unanimously by a 9-0 vote.

WORK SESSION ITEMS:

Countywide Comprehensive Plan Update Focus Group Discussion:

Planning staff provided a brief summary of the status of the plan drafting and the 11 Plan Elements and Key Themes identified during the community outreach process. The commission and staff discussed the plan format. Staff informed the CWPC that the BOCC would be having a work session on November 14 on the progress of the plan update, and the CWPC would be welcome to attend. The next CWPC meeting will be a joint meeting with the BOCC on December 11.

DISCUSSION ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned at 9:16 pm

Respectfully submitted,

Don Reimer, Planning Director