

**PARK COUNTY PLANNING COMMISSION  
PLANNING DEPARTMENT STAFF REPORT**

Planning Commission Hearing Date: March 12, 2019

To: Planning Commissioners

Date: February 27, 2019

Prepared by: Louise Derengowski, Planning Technician

Case Number: 19ZON-01

Subject: Runyan Rezoning

Request: Applicant is requesting rezoning from Agricultural (A) to Residential (R).

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**Application Summary:**

Applicants/Owners:	Christopher "Lee" Runyan
Location:	A portion of the SE ¼ of S2 T08 R72 addressed as 1001 County Road 837, Bailey. See Attachment 1, Vicinity Map.
Current Zone District:	Agriculture (A)
Surrounding Zoning:	Agricultural (A), Conservation/Recreation (C/R) – See Attachment 2, Zoning Map.
Lot Size:	6.7 acres
Proposed Zoning:	Residential (R)

**Background:**

The subject property is located approximately 5.6 miles southeast of Bailey near the County Line. It is a vacant 6.7 acre metes-and-bounds parcel. The applicant also owns an adjacent 7 acre parcel that contains a residence and was rezoned from Agricultural to Residential in 2005. The Agricultural zoned lot is too small to remain in the Agricultural zone district and its current use is auxiliary the Residential zoned parcel.

The subject lot was illegally subdivided on November 1, 1996 and sold to the previous owner. The Planning Department has been actively working with the property owner to complete an application for an illegal parcel exemption and lot consolidation. Rezoning to Residential would correct the zoning nonconformity.

## Land Use Regulations and Strategic Master Plan:

Each of the standards for approval of a Zoning Map Amendment (LUR Section 5-203, page 8) is addressed, as summarized below.

**A. In considering any petition for amendment of the Official Zoning Map, the following standard shall govern. The applicant for the proposed amendment shall bear the burden of proof and the resolution approving the zoning map amendment shall be approved and adopted only if it is demonstrated by clear and convincing evidence presented during the public hearing that the following conditions or circumstances exist:**

**1. The property possesses the geological, physical, and other environmental conditions that are compatible with the potential uses permitted in the proposed zone district; and**

The property is mostly treed and contains a significant amount of steep slopes. These conditions are shown on Attachments 3 and 4. There are no wetlands or other environmental concerns on the property. No new construction is proposed and the required lot consolidation will limit the development potential of the current 6.7 acre parcel.

**2. The property has a reasonably certain right of permanent legal access permitting vehicular ingress and egress from the property to the public thoroughfare; and**

The owner obtained a permit from the Forest Service to access the lot in 2015.

**3. Access to the property from the public thoroughfare reasonably meets County street, road, or driveway standards or, if the property is undeveloped, such access will be established prior to issuance of a building permit; and**

The driveway has been properly registered with the County.

**4. The potential uses of the property within the proposed zone district are compatible with other properties within the immediate surrounding area; and**

The subject property is surrounded by lots that are zoned Agricultural and Conservation/Recreation. No new construction is proposed and the current residential use of the land is compatible.

**5. At least one of the following:**

**a. The rezoning, as proposed, is consistent with the advisory provisions of the Park County Strategic Master Plan; or**

The application is not inconsistent with the provisions of the Strategic Master Plan. This rezoning brings the parcel into compliance with the Land Use Regulations.

**b. The rezoning, as proposed, is supported by circumstances and conditions within the immediate area which have**

**changed since the adoption of the Park County Strategic Master Plan; or**  
Not Applicable.

**c. The rezoning, as proposed, is to a Planned Unit Development**  
Not Applicable.

**Impact Analysis:**

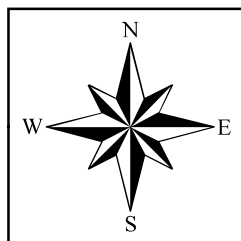
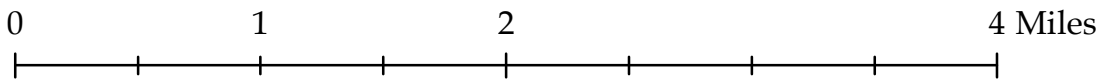
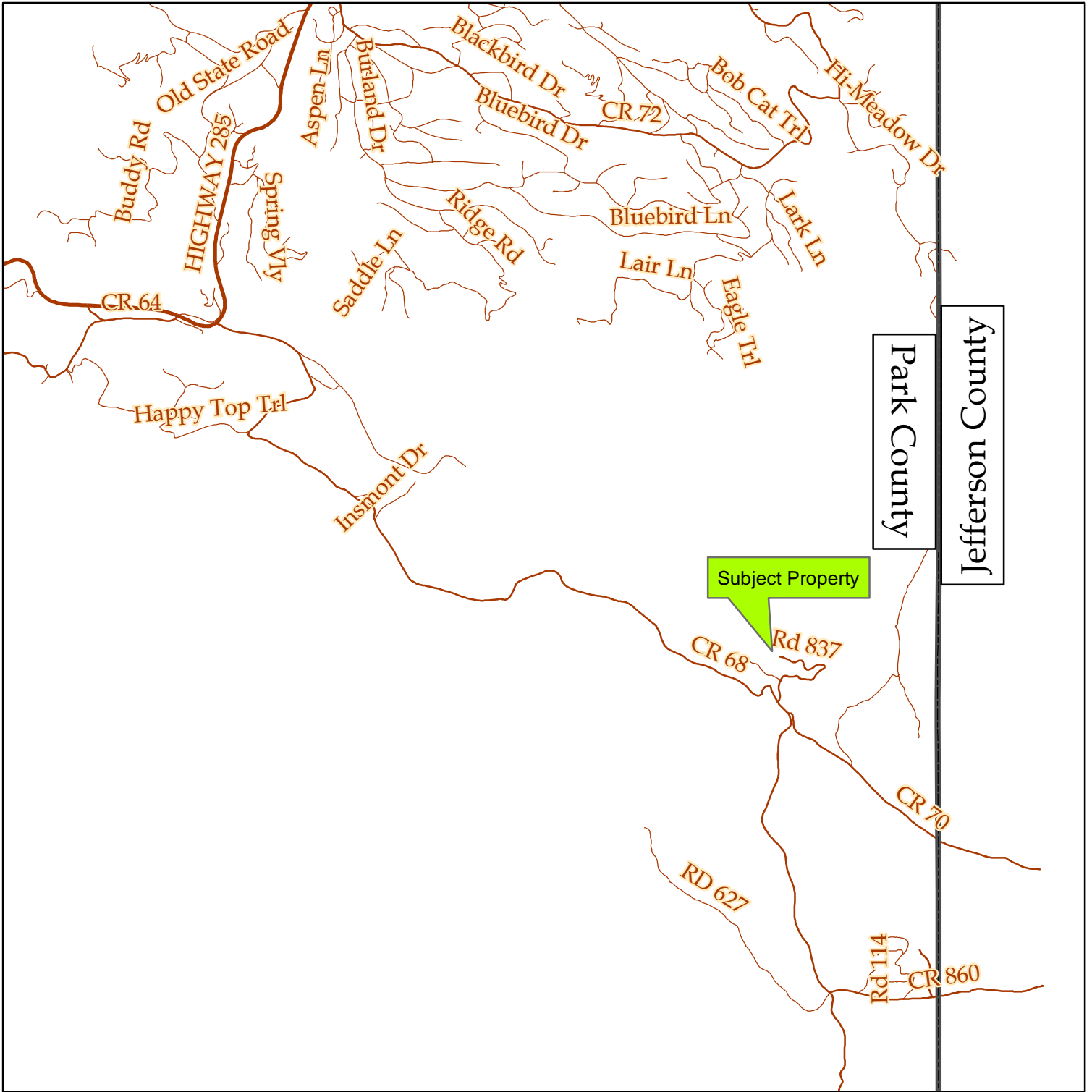
No significant impact is anticipated to schools, parks, storm drainage or utilities.

**Recommendation:**

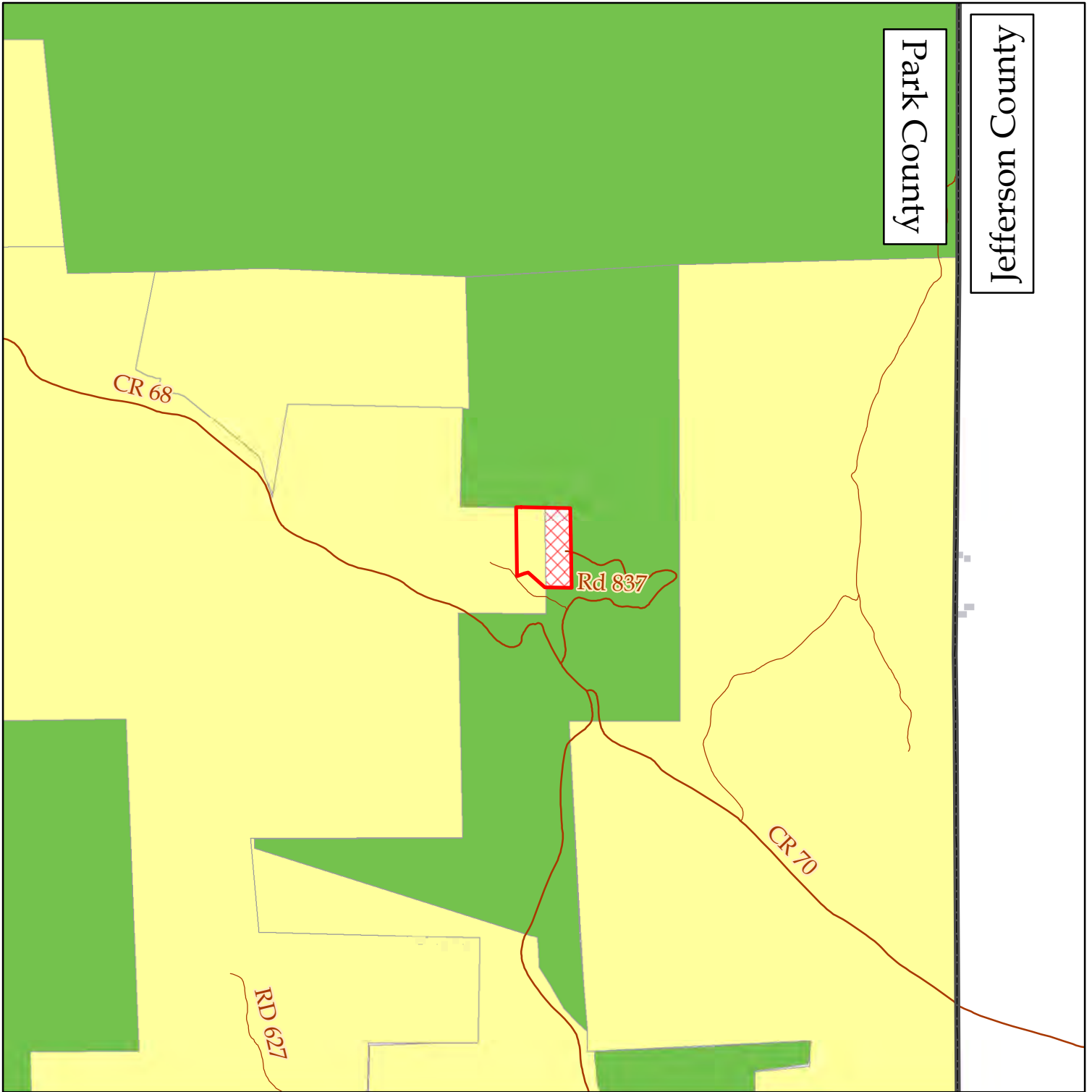
Based on the foregoing, staff recommends that this Rezoning be approved with the following condition:

1. The plat consolidating and exempting the lots will be administratively approved on the same day that the Board of County Commissioners signs the rezoning resolution.

Attachment 1  
Vicinity Map







# Attachment 2 Zoning Map

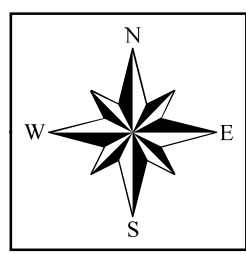
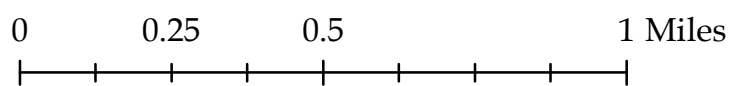


Park County

Jefferson County

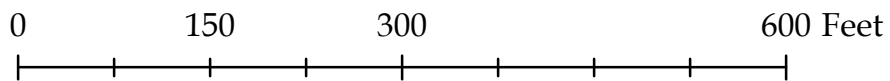
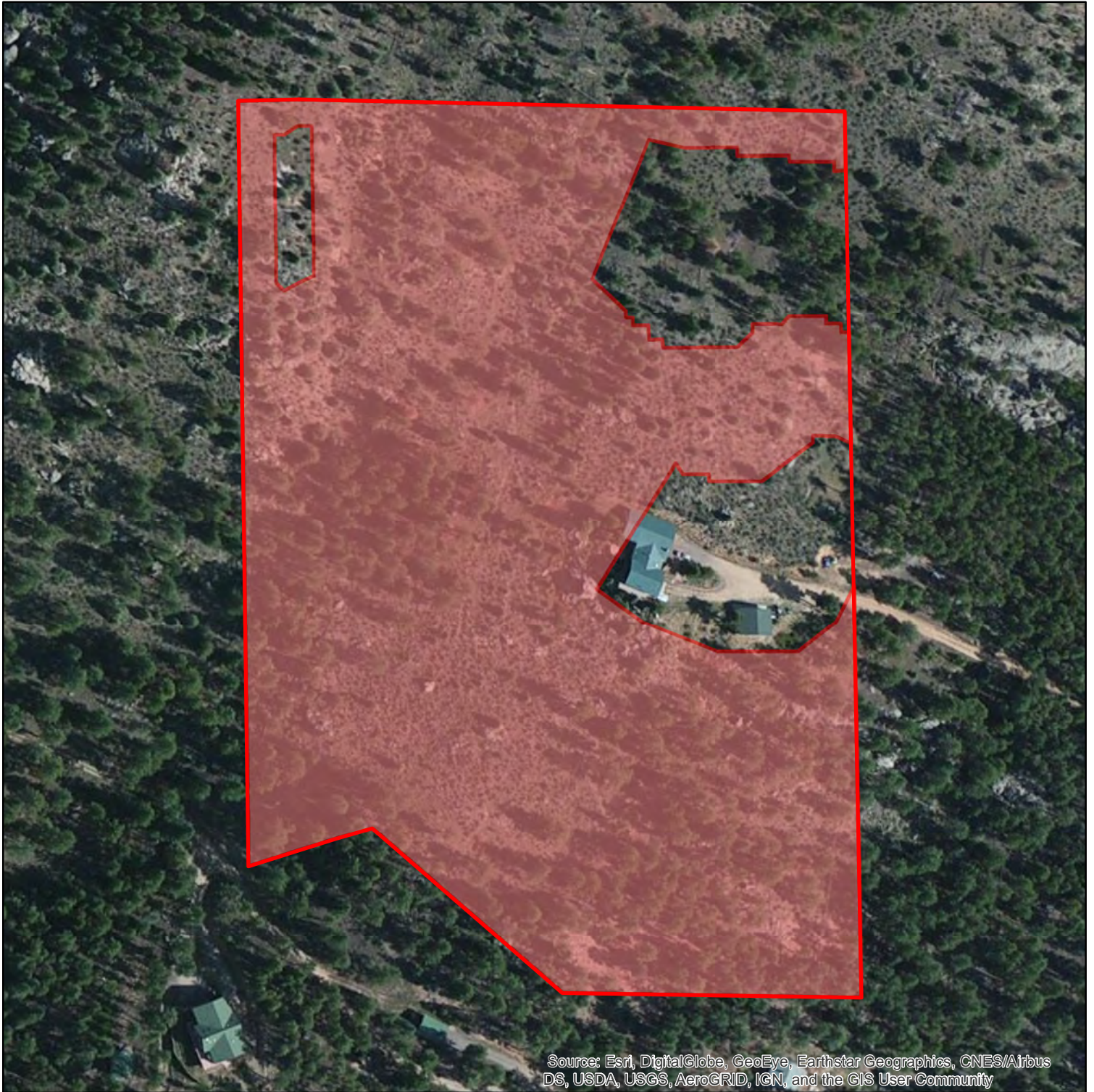
**Legend**

-  Runyan Property
- Zone Districts**
-  Agricultural
-  Conservation/Recreation
-  Residential





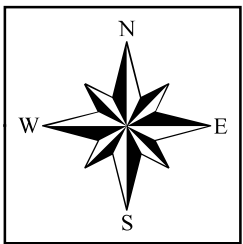


# Map displaying slopes over 25%



**Legend**

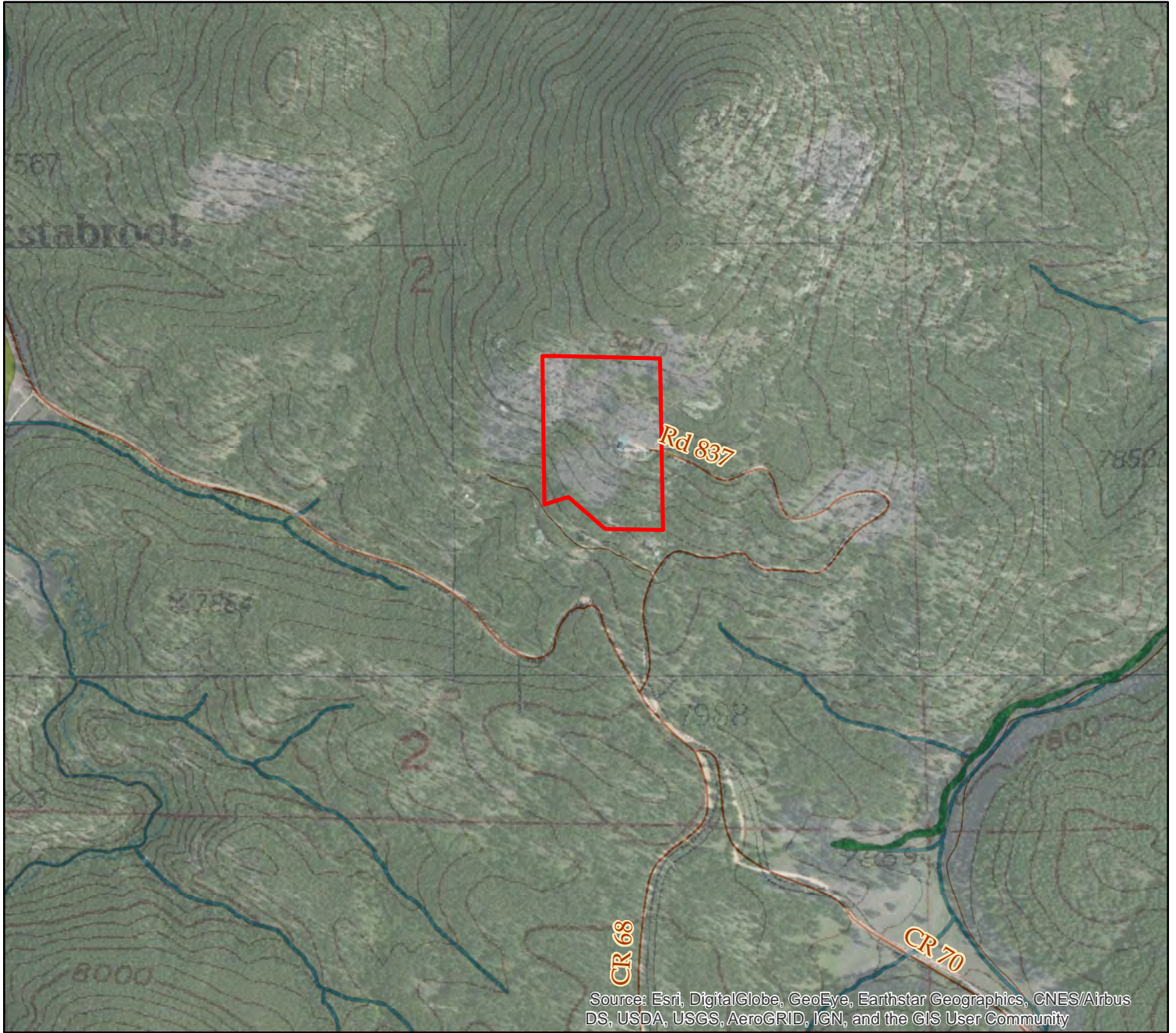
-  Runyan Property
-  Est. Avg. Slopes > 25%





# Map displaying topographic, aerial photography, and wetlands

*Contour interval is 40 feet*



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

## Legend

 Runyan Property

### **Upper South Platte Wetlands**

#### **Wetland Type**

 Freshwater Emergent Wetland

 Freshwater Forested/Shrub Wetland

 Riverine

