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Development Services—Planning Department  
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## MEMORANDUM

TO: Archuleta County Planning Commission

FROM: John C. Shepard, AICP; Planning Manager

DATE: February 27, 2019

RE: Beckman-Culver Zone Map Amendment, from Agricultural/Ranching (AR) to Agricultural Estates (AE) (PLN19-045)

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### EXECUTIVE SUMMARY

Ronald Beckman and Philip Culver have applied to **rezone** approx. 11.5 acres northeast of County Rd 146 (Turkey Springs Rd), Pagosa Springs, which was created by Resolution 2000-55 and a small remainder in S3 T34N R3W, NMPM, from Agricultural/Ranching (AR) to Agricultural Estates (AE) to match adjacent property in Aspen Springs Subdivision No. 2. (PLN19-045)

Ronald & Bernice Beckman, and Philip Culver on behalf of the Phillip F. Culver Revocable Trust, have also applied for Final Plat review of the **Aspen Springs Subdivision No. 2 Amendment 2019-01** re-plat, covering the area to be rezoned and adjacent lots 1, 2, 3, 4, 5, and 25X. (PLN19-046).

### REVIEW PROCEDURE

The *Archuleta County Land Use Regulations* (Section 3.1.7) provide for rezoning initiated by a property owner or the Board of County Commissioners. The Planning Commission shall review and make recommendation on a proposed zone map amendment based in general upon the provisions of the Regulations and specific criteria. Public notice was combined for the Zone Map Amendment and Major Subdivision Review, to be published in the *Pagosa Springs Sun*, posted on site, and mailed to adjacent property owners as required.

### DISCUSSION

Aspen Springs subdivisions were zoned Agricultural Estates (AE) when countywide zoning was adopted in 2006, even though most lots are less than the 5-acre minimum lot size. The Board of County Commissioners approved Resolution 2000-055 on June 20, 2000, allowing Keyah Grande LLC to divide by exemption approximately 11.56 acres north and east of County Rd 146 (Turkey Springs Rd) from the larger 3,500 acre property. That tract was zone Agricultural/Ranching (AR), the same as the rest of Keyah Grande, even though the tract was less than 35-acres in size.

The *Archuleta County Community Plan* of 2001, Future Land Use Map, designates this area for Medium Density Residential development extending even west of Turkey Springs Rd. The AR Zoning District is intended to be generally consistent with the Very Low Density Residential Future Land Use designation. This proposal will move the AE zoning district boundary from the Subdivision boundary to the County Road, consistent with the Land Use Map.

Review comments were combined for the Zone Map Amendment and Amended Plat. Comments received at this time include:

- The Deputy County Surveyor had technical comments on the plat (2/07/18).
- County Engineering had no issues.
- LPEA suggested having utility companies sign the plat when vacating unused utility easements.
- San Juan Basin Public Health noted that Lot 25XZ is served by a permitted OWTS. Future development of Lot 26Z will require an OWTS construction permit.
- Pagosa Fire Protection District had no objection.
- The project was referred to the State Engineer's office for review of drinking water sources. No response had been received at time of preparation of this staff report.

The criteria in Section 3.1.7.3 of the Land Use Regulations guide a decision to amend the Official Zoning Map. Applicant provides their case for the proposal in their Narrative (attached).

#### RECOMMENDATION AND FINDINGS

**Based on evidence provided, staff recommends the Planning Commission find that:**

- a. The application meets the review criteria for rezoning in Section 3.1.7.3 of the *Archuleta County Land Use Regulations*, and

That the Planning Commission recommend approval of the **Beckman-Culver Zone Map Amendment**, from Agricultural/Ranching (AR) to Agricultural Estates (AE), with the following conditions:

1. The Official Zoning Map shall be amended and filed with the County Clerk and Recorder.

#### PROPOSED MOTION

**I move to recommend Approval to the Board of County Commissioners, of the Beckman-Culver Zone Map Amendment, with Finding A and Condition #1 of the staff report.**

#### ATTACHMENTS.

- Attachment 1: Area Maps
- Attachment 2: Review Comments
- Attachment 3: Resolution 2000-54
- Attachment 4: Applicant Narrative