



Archuleta County
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MEMORANDUM

TO: Archuleta County Planning Commission

FROM: John C. Shepard, AICP; Planning Manager

DATE: August 6, 2019

RE: San Juan River Village Metro District request for the SJRV Metro District Conditional Use Permit (CUP) on Lot 10, San Juan River Resort Unit 2, at 578 Alpine Dr. (PLN19-288)

EXECUTIVE SUMMARY

Cynthia Purcell, San Juan River Village Metropolitan District, has applied for the **SJRV Metro District Conditional Use Permit (CUP)**, on Lot 10, San Juan River Resort Unit 2; with a concurrent application for final plat approval of the San Juan River Resort Unit 2 Amendment 2019-01 re-plat, to be known as Lot 184. The proposal will cover the pre-existing non-conforming Public Utility use and to add a new Shop building (PLN19-288). The property at 578 Alpine Dr., Pagosa Springs, is zoned county Residential (R).

At their meeting on July 24, 2019, the Planning Commission recommended conditional approval.

REVIEW PROCEDURE

Archuleta County Land Use Regulations Section 3.2.3 Conditional Use Permit (CUP) provides for Conditional Uses, which require review and evaluation with respect to their effects on surrounding properties and Archuleta County at large. For a Board CUP, the Planning Commission recommends conditions to the Board of County Commissioners, according to the Review Criteria in Section 3.2.3.4.

Public notice was published in the *Pagosa Springs Sun*, posted on site, and mailed to neighboring property owners as required by Section 2.2.3.

DISCUSSION

San Juan River Village Metro District maintains roads and provides domestic water and sewer service in the two units of San Juan River Resort subdivision, platted in the early 1970s. This application serves to approve a new Shop building, located just off US HWY 160, and to cover existing operations which pre-date the adoption of the Archuleta County Land Use Regulations.

The *Archuleta County Community Plan* of 2001, Future Land Use Map, designates this area for High Density Residential development. San Juan River Resort Unit 1 (above Hwy 160) and Unit 2

(below Hwy 160) are zoned Residential (R), with water and sewer available to most lots by the SJRV Metro District. A Public Utility is an “Other” type Board Conditional Use in Table 3 Uses by Zoning District, in Section 3 of the land use regulations.

Since a Public Utility project is not a Commercial or Industrial-type development, many of the typical Development Standards in Section 5 may not (or may only partially) apply.

- A Drainage Study may be required prior to application for a building permit (Sec 5.3.4).
- Outdoor Lighting standards would be applied with a building permit (Sec 5.4.4).
- As a public accommodation, parking shall meet Sec. 5.4.5 requirements. Paving would not be required since access (Alpine Dr.) is a gravel road. The first parking spot shall be a surfaced ADA Van Space to US Dept. of Justice standards.
- Vision Clearance Area is required at the Shop driveway (Sec 5.4.7).

Conditional Use Permit Review Standards

A Conditional Use is a use allowed in a zoning district only when the Applicant can demonstrate how they will mitigate any potential impacts on the community. The Planning Commission’s review criteria in Section 3.2.3.4 include:

- (1) The relationship and impact of the use on the development objectives of Archuleta County.
- (2) The effect of the use on light and air, distribution of population, transportation facilities, utilities, schools, parks and recreation facilities, and other public facilities.
- (3) The effect of the use upon traffic, with particular reference to congestion, vehicular and pedestrian circulation, safety and convenience, traffic flow and control, access, maneuverability, and removal of snow from the roads, sidewalks and parking areas.
- (4) The effect of the use upon the character of the area in which the proposed use is to be located, including the scale and bulk of the proposed use in relation to surrounding uses.
- (5) The adequacy of the design features of the site to accommodate the proposed use, including but not limited to accessibility, service areas, parking, loading, landscaping and buffering, lighting, etc.
- (6) The effect of the use upon the natural resources and wildlife habitat areas.
- (7) Such other factors and criteria as the Planning Commission and the Board of County Commissioners deems applicable to the proposed use.

Finally, before acting on the application, the Planning Commission must make necessary findings under Section 3.2.3.5:

- (1) That the proposed location of the use, the proposed access to the site, and the conditions under which the use would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
- (2) That, if required by the proposed use, there are adequate and available utilities and public services to service the proposed use, without reduction in the adequacy of services to other existing uses. These utilities and public services may include, but are

not necessarily limited to, sewage and waste disposal, water, electricity, law enforcement, and fire protection.

- (3) That the proposed use will be compatible with adjacent uses, including but not limited to site design and operating factors, such as the control of any adverse impacts including noise, dust, odor, vibration, exterior lighting, traffic generation, hours of operation, public safety, etc.

This application was referred to local utilities for review, as provided in Section 2.2.5. Comments were combined for the concurrent Amended Plat. Those received prior to preparation of this staff report include:

- County Engineering had no objections.
- LPEA and Pagosa Fire Protection District had no objections.
- While CDOT offered no concerns at Sketch Plan Review of the plat, an Access Permit application will be required with Final Plat approval of the Amended Plat (even though approved development density is being significantly reduced).

On July 24, 2019, staff presented the application to the Planning Commission during a public meeting. After consideration, the Planning Commission then voted 4-0 to recommend approval with conditions suggested by staff:

1. Applicant shall update the PILC as a simple site plan showing Development Standards in Section 5 of the Land Use Regulations, for approval by Planning and Engineering staff.

RECOMMENDATION AND FINDINGS

Based on evidence provided, if the Applicants have met the goals and objectives of the Land Use Regulations, then **the Board of County Commissioners would find that:**

- A. The application **DOES meet** the review criteria for a Conditional Use Permit in Section 3.2.3.4 of the *Archuleta County Land Use Regulations*, and
- B. The application **DOES meet** the required findings for a Conditional Use Permit in Section 3.2.3.5 of the *Archuleta County Land Use Regulations*, and

That the Board approve the San Juan River Village Metro District request for the SJRV Metro District Conditional Use Permit (CUP) on Lot 10, San Juan River Resort Unit 2, at 578 Alpine Dr. (PLN19-288), **with the following condition as recommended by the Planning Commission:**

Conditions of Approval:

1. Applicant shall update the PILC as a simple site plan showing Development Standards in Section 5 of the Land Use Regulations, for approval by Planning and Engineering staff.

PROPOSED MOTION

I move to approve the request for the San Juan River Village Metro District Conditional Use Permit, with the Findings A and B, and condition #1 of the Staff Report.

ATTACHMENTS.

Attachment 1: Area Maps

Attachment 2: Review Comments

Attachment 3: Applicant Narrative

Attachment 4: Building Plans

Attachment 5: Proposed Improvement Location Certificate (7/01/19)