COMMISSION MEMBERS PRESENT: Beverly Breakstone, Mark Sabatini, Deborah Shaner, Lina Lesmes, and Donna Skupien

STAFF PRESENT: Alan Hanson, Senior Planner; Keely Ambrose, Assistant County Attorney

Mark Sabatini, Temporary Chairman, called the meeting of the Ten Mile Planning Commission to order at 5:30 p.m.

Approval of Summary of Motions: The Summary of Motions of November 13, 2014 was approved as presented.

Election of Officers

Mark Sabatini’s term as Chair expired on April 1, 2015. Pursuant to the Regional Planning Commission Bylaws, election of a new chair should be done at the next regularly scheduled meeting after April 1st. However, as three members of the Planning Commission were absent (Dziomba, Hasenstab, & Grady), the Planning Commission elected to postpone the election until the next meeting where more members may be present and appoint Mark Sabatini as temporary chairman for this meeting.

REGULAR AGENDA

PUBLIC HEARINGS:

PLN15-024 Copper PUD Amendment

Amendment to the Copper Mountain PUD to allow RV/tent camping for charity events at Copper Mountain as well as technical revisions to the maps and various land use prescriptions in the PUD Designation to accurately reflect existing conditions within the PUD. Copper Mountain PUD; portions of Sections 29 & 30, T6S, R78W and a portion of Section 25, T6S, R79W

Motion:

Commissioner Breakstone moved to accept the following comment emails and letters into the record for PLN15-024:

✓ Email from Bill Florence, Telemark Lodge Homeowner in objection to the project received June 10, 2014 at 8:14 AM.
✓ Email from Greg Weiss, Summit House #306 in objection to the project received June 10, 2015 at 9:27 PM.
✓ Email from Richard Corley, Lodge #306 in objection to the project received on June 11, 2015 at 2:20 PM.
✓ Letter from CL Swanson, Taylor’s Crossing #309 in objection to the project received June 11, 2015,

Commissioner Skupien seconded the motion and the motion passed on a unanimous vote of 5-0.

Motion:

Commissioner Breakstone moved to recommend that the BOCC approve PLN15-024, a major modification to the Copper Mountain PUD to allow RV/tent camping for charity events at Copper Mountain as well as technical revisions to the maps and various land use prescriptions in the PUD Designation to accurately reflect existing conditions within the PUD, Copper Mountain PUD; portions of Sections 29 & 30, T6S, R78W and a portion of Section 25, T6S, R79W with the following findings and conditions:

Findings:

1. The proposed amendments are consistent with the efficient development and preservation of the Copper Mountain PUD because RV and tent camping in support of charity events hosted by the resort has been a successful, ongoing activity at Copper Mountain for many
years and has not resulted in any conflicts or problems with other uses and development already permitted and existing within the PUD as evidenced by the full compliance achieved with the conditions of the 2014 temporary use permit (PLN14-035) during last year’s Courage Classic event. As far as the proposed technical revisions, all such amendments reflect existing uses within the resort such as the adjudicated snowmaking diversion in West Ten Mile Creek, the presence of Metro District wells on the Creekside North, East Village, and public open space Parcel O, and formal recognition in all pertinent sections of the PUD that development of the Chapel Lot triggers construction of an additional 15 parking spaces on the Copper Chapel property.

2. The proposed amendments will not result in any substantial, adverse effects on neighboring properties or the surrounding area in that the technical revisions do not introduce any new activities or uses and RV/tent camping in support of resort hosted charity events in the locations identified in the application has successfully taken place for a number of years without conflicts with other users and development within the PUD. Furthermore, pursuant to the provisions of proposed §2.9.D(V) of the PUD Designation all such camping would maintain a minimum setback from top-of-bank of West Ten Mile Creek of 25-feet, portable toilets to support camping around the Chapel would maintain a minimum streambank setback of 100-feet, any potable water provided to campers would require Environmental Health’s approval, and Copper Mountain would be responsible for management of all camping related activities.

3. RV and tent camping in support of charity events hosted by the resort would be open to all charity event participants; events which provide benefit to many Coloradans including County residents and visitors to Summit County. As such, RV and tent camping in support of resorted hosted charity events would not to pose a grant of special privilege to any group of individual. The proposed technical revisions do not introduce any new uses or activities or grant any individual or group any special privilege.

4. The camping covered under the requested PUD modification is consistent with the Goals and Actions/Policies of the Countywide Comp Plan, Ten Mile Basin Master Plan, and Copper Mountain Subbasin Plan involving protection of water quality and environmentally sensitive areas due to the fact that all camping would have to maintain a minimum 25-foot setback from the top-of-bank of West Ten Mile Creek and all portable toilets would maintain a 100-foot setback from the creek’s top-of-bank. Furthermore, such camping would only be permitted in support of a maximum of three (3) charity events hosted by the resort each year between June 1st and September 30th, events that provide multiple benefits to both County residents and visitors. As such, the proposed amendments are considered to be in conformance with the policies, goals, and actions identified in the Countywide Comp, Ten Mile Basin, and Copper Subbasin Plans.

5. The proposed addition of RV and tent camping in support of charity events hosted by the resort to the PUD Designation avoids the use of yearly temporary use permits (TUPs) to permit uses that should be addressed through the property’s zoning pursuant to §12401.02 of the Code. Proposed technical revisions to the PUD are intended to formerly recognize already permitted/existing uses in the PUD Designation. Therefore, the proposed PUD amendments are consistent with the purpose and intent of the County’s zoning regulations.

6. The addition of RV and tent camping in support of resort hosted charity events is consistent with the County’s rezoning policies because such activities would be subject to restrictions to prevent damage to sensitive environmental resources such as West Ten Mile Creek and avoid areas of development constraints such as wetlands and steep slopes. No new development or uses would be introduced to the PUD under the proposed technical revisions.

7. The proposed amendments are consistent with the policies constituting the purpose and intent allowing for the establishment of Planned Unit Developments (§12200.01(A-D) of the Code) because such amendments would establish RV and tent camping in support of resort hosted charity events in a manner that is fully compatible with all of the other uses and developments within the PUD while protecting sensitive environmental resources such as wetlands and riparian corridors and avoiding development constraints such as steep slopes.
The proposed amendments are also consistent with the purpose and intent of PUD modifications pursuant to §12202.01(A-D) of the Code since they would formerly recognize activities that support important resort functions such as hosting charity events as well as needed infrastructure and improvements that are already in place, or will be constructed when triggered by their associated development plans.

8. Camping is support of resort hosted charity events would be monitored and managed by Copper Mountain and conducted in a manner that would not pose potential public health and safety risks, makes good use of areas appropriate for such activities within the PUD without the need to develop or disturb other natural areas, and facilitates the success of beneficial fundraisers such as the Courage Classic which promote the general welfare.

9. Existing restroom facilities at The Edge and the Alpine Lot will be available to serve campers. Portable toilets, set back a minimum of 100-feet from West Ten Mile Creek, will be available to serve campers at the Chapel. Any potable water supplied for campers will be approved by the Summit County Environmental Health Services Office. No new access or other utilities will be needed to serve RV and tent camping at the resort.

10. A complete, staff/applicant reviewed PUD Designation will be prepared and suitable for signature by the Chairman upon approval of the requested amendments by the BOCC.

**Conditions:**

1. Prior to recordation of the PUD Designation the following definition of “charity event” shall be added to Chapter 1 of the PUD Designation:

   Charity Event: An event run/organized by a non-profit/501(c)(3) organization benefiting a charitable cause such as the Courage Classic and The Children’s Hospital Foundation.

2. Prior to recordation, §2.9.D(v) shall be amended to limit the number of County approved special events that can be supported by RV and tent camping to a maximum of three (3) per calendar year. RV/tent camping shall only occur between June 1st and September 30th of each calendar year.

3. If more than one (1) charity event is held in a calendar year between June 1st and September 30th Copper Mountain shall provide all campers with shower facilities and RVs with RV dump facilities.

Commissioner Lesmes seconded the motion. Commissioners in favor:

Skupien
Breakstone
Lesmes
Sabatini

Commissioners opposed:

Shaner

The motion passed on a vote of 4-1.

**DISCUSSION**

✓ Master Plan Update—The Commissioners discussed the fact that it has been five years since the last update to the Ten Mile Master Plan.

✓ Countywide Planning Commission—Commissioner Breakstone, serving as the Ten Mile Planning Commission’s representative to the Countywide Planning Commission updated the Commission on the last meeting where draft amendments to the TDR regulations RE parcel assemblage were considered.

✓ Planning staff updated the Commission on the progress on wildfire hazard reduction and wetland protection Code amendments.

✓ The Commissioners advised staff that they are still concerned about the color of the Climax PDWTP and the process whereby the final color of the building was decided.
ADJOURNMENT
The meeting was adjourned at 9 PM.

Respectfully submitted,

Alan Hanson, Senior Planner