

BOARD OF COUNTY COMMISSIONERS
January 28, 2020
PLANNING CASE #PLN19- 155: ADMINISTRATIVE TDR MAP AMENDMENT
CLASS 6
NEW BUSINESS

PROJECT INFORMATION:

Location: Upper Blue Basin, Lower Blue Basin, Snake River Basin

Project/Request: Administrative approval of a TDR Map Amendment for the Upper Blue, Lower Blue, and Snake River Basins

ISSUES:

None

PLANNING COMMISSION RECOMMENDATION:

The Planning Commissions do not review administrative TDR Map Amendment applications.

RESOLUTION STATUS

Draft Resolution Attached

STAFF RECOMMENDATION:

Approval

ATTACHMENTS:

1. List of properties
2. TDR Map with proposed changes
3. Draft Resolution



STAFF REPORT

TO: Board of County Commissioners

FROM: Sid Rivers, Planner II

FOR: Meeting of January 28, 2020

SUBJECT: Administrative approval of a TDR Map Amendment for the Upper Blue, Lower Blue, and Snake River Basins

APPLICANT: Summit County Government, Planning Department

OWNERS: Summit County Board of County Commissioners, Town of Breckenridge

REQUEST: Administrative approval of a TDR Map Amendment for the Upper Blue, Lower Blue, and Snake River Basins

BACKGROUND:

This request is for an administrative approval to amend the Transferable Development Rights (TDR) Maps for the Upper Blue, Lower Blue, and Snake River Basins.

The purpose of this amendment is to change the designation of specific properties that have recently been rezoned to Open Space via Planning case PLN19-004, as well as additional parcels that have been previously rezoned to Open Space. These parcels will be changed from their TDR designation of Receiving, Sending, or Neutral to "Neutral - Development Rights Removed".

Planning case PLN19-004 rezoned several properties to the Open Space zone district. All properties are owned either solely by the County or jointly by the Town of Breckenridge and Summit County. The vast majority were backcountry or rural properties in the Upper Blue Basin where development rights had been removed via a TDR transaction through the Joint Upper Blue TDR Bank, private party TDR transactions, wetland lot TDR transactions, Backcountry Parcel Assemblages, or as a requirement as part of the acquisition - either a requirement of the funding such as a Great Outdoors Colorado grant or via the creation of a non-conforming parcel. PLN19-004 rezoned 1,811.65 acres of land located in the Upper Blue Basin, 56.96 acres of land in the Lower Blue Basin, and 3.29 acres of land in the Snake River Basin. In total 1,871.9 acres of land was rezoned to Open Space. In addition, as part of that rezoning, a new TDR account was created in cooperation with the Town of Breckenridge to track and account for the development rights "removed" during open space rezonings. Of that total acreage, 924.16 acres of land has already been designated as Neutral - Development Rights Removed (via the acquisition processes outlined above). This application will change the TDR designation of the remaining Open Space zoned properties, 947.74 acres of land, to Neutral - Development Rights Removed.

This administrative amendment to the TDR maps is permitted via Code Section 3506.02.C.4. Administrative Changes to the Official TDR Maps, which reads:

Administrative changes to the Official Transferable Development Rights Maps shall be allowed to correct mapping errors or to reflect actions that have occurred, which have affected the density on a particular property (e.g., land trades, rezonings to the open space zone district, recordation of a conservation easement or restrictive covenants placed on sending areas). Administrative changes to the Official TDR Maps shall follow the Class 6 development review process outlined in Section 12000 et seq.

Although no specific findings for approval are listed within the Code, as a Class 6 application, the review process requires that an application be reviewed and acted upon by the BOCC. However, it should be noted that although this is an administrative process without specific findings, the previous planning cases were reviewed and findings were made as required during the approval process for those applications. Therefore, it would be appropriate for the BOCC to take action on this request without further findings. The Official TDR Maps are a part of the Land Use and Development Code by reference, and the official copies are located in the Office of the Clerk and Recorder.

STAFF RECOMMENDATION:

Staff recommends that the Board of County Commissioners approve case PLN19-155; An administrative TDR Map Amendment for the Upper Blue, Lower Blue, and Snake River Basins. A resolution of approval is attached.

ATTACHMENTS:

1. List of properties
2. TDR Map with proposed changes
3. Draft Resolution