



1220706

Kathleen Neel – Summit County Recorder

**RESOLUTION NO. 2019-99**

**BOARD OF COUNTY COMMISSIONERS  
OF THE  
COUNTY OF SUMMIT  
STATE OF COLORADO**

**A RESOLUTION APPROVING PLANNING CASE PLN 19-120, PRELIMINARY REZONING OF A 2.38 ACRE PARCEL FROM R-6 WITH PLAN TO THE DILLON VALLEY VISTAS PUD TO ACCOMMODATE 12 DEED RESTRICTED UNITS; LOT 0, AND 1, BLOCK 1, DILLON VALLEY SUBDIVISION #1 (Applicant: Summit County Housing Department); and,**

**WHEREAS,** the Summit County Housing Department has applied to the Board of County Commissioners for a preliminary rezoning of a 2.38 acre parcel from R-6 with Plan to the Dillon Valley Vistas PUD to accommodate 12 deed restricted units; Lot 0, and 1, Block 1, Dillon Valley Subdivision #1 and,

**WHEREAS,** the Planning Department has reviewed the application and recommended that it be approved; and,

**WHEREAS,** the Snake River Planning Commission reviewed the subject application at a public hearing on November 21, 2019 and recommended that it be approved; and,

**WHEREAS,** the Board of County Commissioners has reviewed the application at a public meeting held on December 10, 2019 and considered the evidence and testimony presented at the meeting; and,

**WHEREAS,** the Board of County Commissioners finds as follows:

1. The proposed PUD is in general conformity with the goals, policies/actions and provisions of the Summit County Countywide Comprehensive Plan and the Snake River Master Plan.
2. The proposed PUD is consistent with the purpose and intent of the County's Zoning Regulations. The proposed draft PUD designation has all applicable elements needed to regulate the proposed development.
3. The proposed PUD is consistent with the County's Rezoning Policies (Section 3200 et. seq.). The proposal is consistent with the terrain and natural features of the site and is compatible with existing development in the vicinity. There is adequate infrastructure to accommodate a proposed zoning amendment, and the project can accommodate the required improvements, and wildfire hazards can be mitigated.
4. The proposed PUD is compatible with present area development, and will not have a significant adverse effect on the surrounding area. The surrounding area has a mix of residential uses of similar densities. The applicant has submitted a traffic study that indicates that the proposed development will not significantly affect the Level Of Service for the community.
5. The proposed PUD is consistent with public health, safety and welfare, as well as efficiency and economy in the use of land and its resources or otherwise promotes an overall public benefit to the community. Based on the submitted information and corresponding referrals, the proposal can be served by water, sewer and access. The affordable housing component, the open space dedication, and the Summit Stage related bus stop improvements are an overall public benefit to the community.
6. The proposed PUD is consistent with and furthers the goals as set forth in Section 12200.01. Specifically, the draft PUD and conceptual development plan illustrates development design and layout of buildings, a means of designing development so it relates to and preserves, the natural features of

the site and avoids areas having development constraints; and, preserves, to the extent practicable, the natural features of an area.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SUMMIT, STATE OF COLORADO, THAT a preliminary rezoning of a 2.38 acre parcel from R-6 with Plan to the Dillon Valley Vistas PUD to accommodate 12 deed restricted units; Lot 0, and 1, Block 1, Dillon Valley Subdivision #1 is hereby approved with the following conditions:**

1. Prior to the recordation of the general subdivision exemption plat for the Dillon Valley Vistas, the applicant shall develop to the satisfaction of the Planning Department and the County Attorney's Office a covenant that secures the affordability restrictions as outlined in the PUD and applicable exhibits.
2. Prior to the recordation of the subdivision exemption plat for the Dillon Valley Vistas, a Homeowners Association shall be formed in order to ensure maintenance and repair of the driveways, parking areas, trash disposal, snow plowing, exterior building maintenance, and all common areas for all other purposes deemed necessary by Owner/Developer.
3. The Declaration of Covenants, Conditions and Restrictions for the Property shall be submitted to the County with the subdivision plat application to ensure on-going responsibility for maintenance of common responsibilities.
4. A Preservation of Association Maintenance Responsibilities Agreement shall also be submitted to the County for review and approval in association with the subdivision exemption plat to further ensure such responsibility is maintained. Both of these documents shall be recorded concurrently with the subdivision plat.
5. Prior to the recordation of the subject Dillon Valley Vistas PUD, Exhibit C of the PUD shall be amended to be fully consistent with the newly adopted Deed Restricted Housing Guidelines.

**ADOPTED THIS 10<sup>TH</sup> DAY OF DECEMBER, 2019**

**COUNTY OF SUMMIT  
STATE OF COLORADO  
BY AND THROUGH ITS  
BOARD OF COUNTY COMMISSIONERS**

  
Thomas C. Davidson, Chair

**ATTEST:**

  
Kathleen Neel, Clerk & Recorder

