

P-19-002

Pine View Estates Rezoning

Gabe Sevigny

Gilbert LaForce

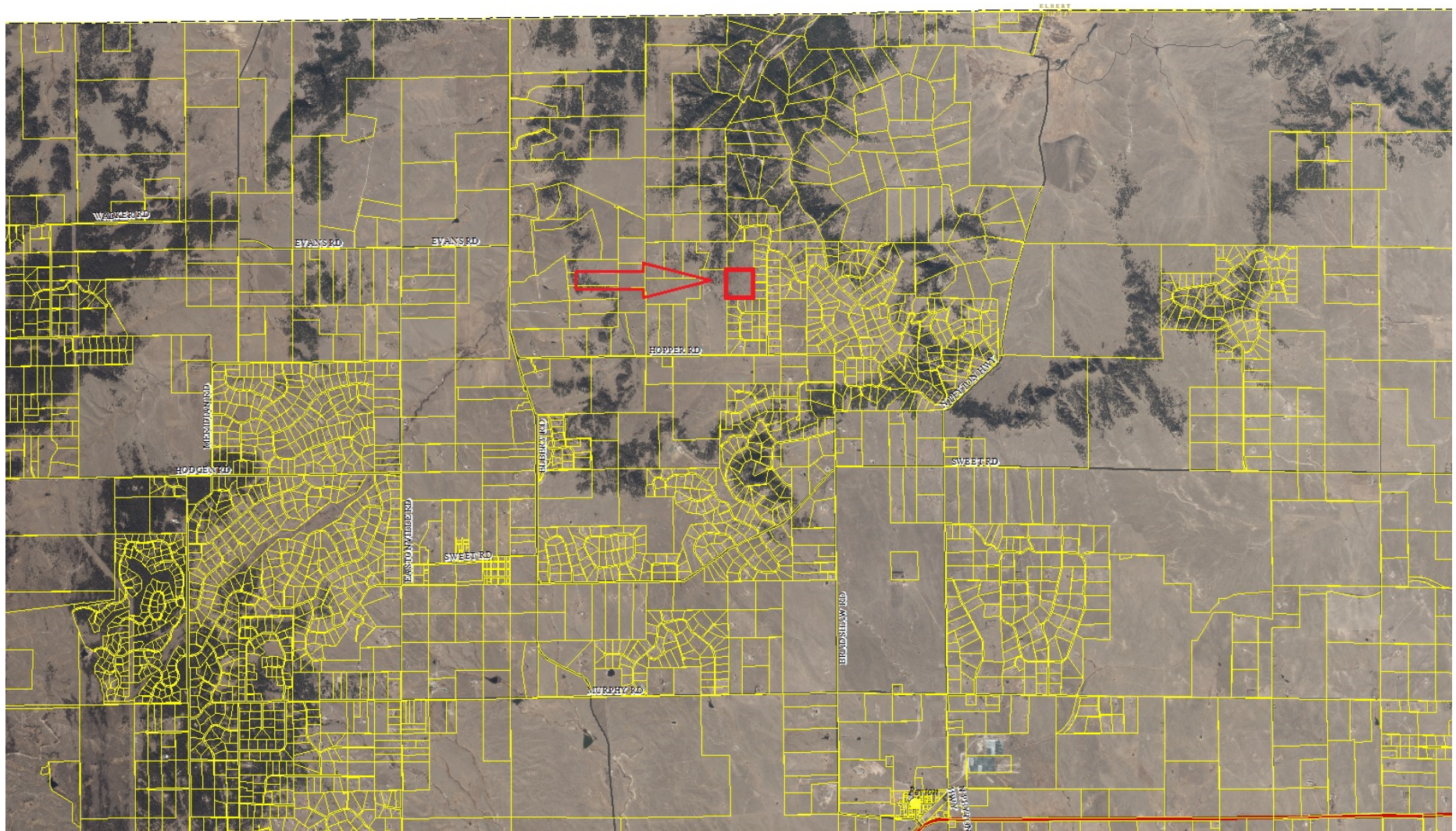
Criteria for Approval

- 5.3.5 Map Amendment
 - The application is in general conformance with the El Paso County Master Plan including applicable Small Area Plans or there has been a substantial change in the character of the neighborhood since the land was last zoned;
 - The rezoning is in compliance with all applicable statutory provisions, including but not limited to C.R.S. §30-28-111 §30-28-113, and §30-28-116;
 - The proposed land use or zone district is compatible with the existing and permitted land uses and zone districts in all directions; and
 - The site is suitable for the intended use, including the ability to meet the standards as described in Chapter 5 of the Land Development Code, for the intended zone district.

Request

- A request by Alice Jolene Owens for approval of a map amendment to the RR-5 (Residential Rural) zoning district.

Aerial Map



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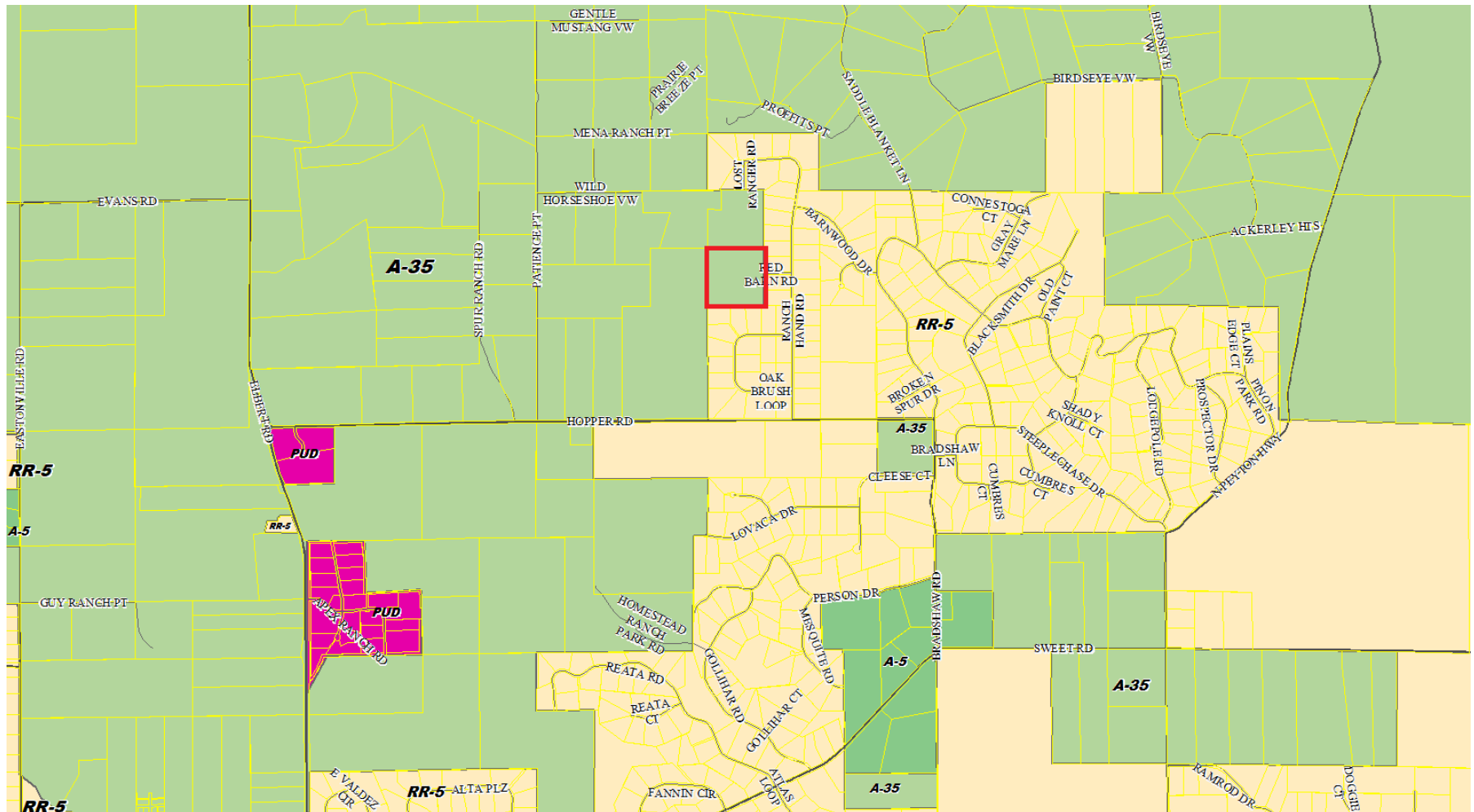
- Alice Jolene Owens

SECTION 13, TWP 11, RANGE 64 WEST OF 6TH PRINCIPLE MERIDIAN
EL PASO COUNTY, COLORADO



DESIGNED BY:	DLM	DRAWN BY:	DBM
SCALE:	1"=120'	DATE:	01/13/20
JOB NUMBER:	SHEET		
18-158	1 OF 1		

Zoning



Background

- Property was initially zoned A-35 in 1999, when zoning was established for this area of the County.
- If approved, the applicant would also propose to subdivide the property into 7 residential lots, each consisting of a minimum of 5 acres

Zoning Compliance

- RR-5 has the following dimensional standards:
 - Minimum lot size – 5 acres
 - Setbacks – 25 feet from all property lines
 - Maximum lot coverage – 25%
 - Maximum building height – 30 feet
- *Any future development will require site plan approval from El Paso County to verify compliance with the above standards.

Policy Plan

- **Policy 6.1.1-** *Allow for a balance of mutually supporting interdependent land uses, including employment, housing and services in the more urban and urbanizing areas of the County.*
- **Policy 6.1.3-** *Encourage new development which is contiguous and compatible with previously developed areas in terms of factors such as density, land use, and access.*
- **Policy 6.1.11 -** *Plan and implement land development so that it will be functionally and aesthetically integrated within the context of adjoining properties and uses.*

The applicant is proposing to rezone the subject property to the RR-5 zoning district, which would be generally compatible with adjacent properties. The adjacent properties are zoned RR-5 to the south and east. The properties to the west and north are zoned A-35.

As the population of El Paso County continues to grow, rural residential development continues to creep further to the north and east. The development of these parcels as RR-5 (Residential Rural) is a logical extension and density transition from the existing development in this area and is generally compatible in terms of uses and densities. The proposed subdivision is contiguous to and compatible with the previously developed areas. Staff has no outstanding concerns regarding the map amendment (rezone) application.

Falcon/Peyton Small Area Master Plan

- Figure 4-5 – Recommendations Plan, shows this area as being recommended for rural density development. The Plan defines “Rural Density” as:
 - “Parcel sizes greater than 10 acres, and typically greater than 35 acres, because this acreage is the threshold above which the subdivision process is not normally required. Rural areas are most often residential or agricultural in nature, and are typically developed at low densities.”
- Section 4.3.3 of the Plan indicates the proposed area for a map amendment to be reserved for rural uses and any rezoning with a density greater than A-35 (Agricultural) is discouraged. However, under Section 4.5 General Policies of the Plan has the following sub notes:
 - **4.5.1.6** - *Avoid hard-line boundaries between designated areas for particular uses and densities unless there are sub-area characteristics that support these boundaries.*
 - **4.5.3.4** – *Encourage the use of design standards that enable new development to fit the surrounding natural, historical, and built context.*

The properties to the south and east (Peyton Pines Subdivision) were rezoned to RR-5 (Residential Rural) in 1973. The average density of Peyton Pines Subdivision is one dwelling per five (5) acres. The proposed map amendment would allow for the same density and, therefore, could be found to be generally compatible with the zoning in the area. Although the Plan shows that the proposed area is to remain A-35, the Plan specifically addresses avoiding hard-line boundaries in which a proposed application may still be compatible with adjacent uses and densities. The current boundary is separated by the property lines on the south and east of the subject property. Staff recommends that the proposed map amendment can be found to be compatible with the historically zoned RR-5 properties to the south and east.

Drainage

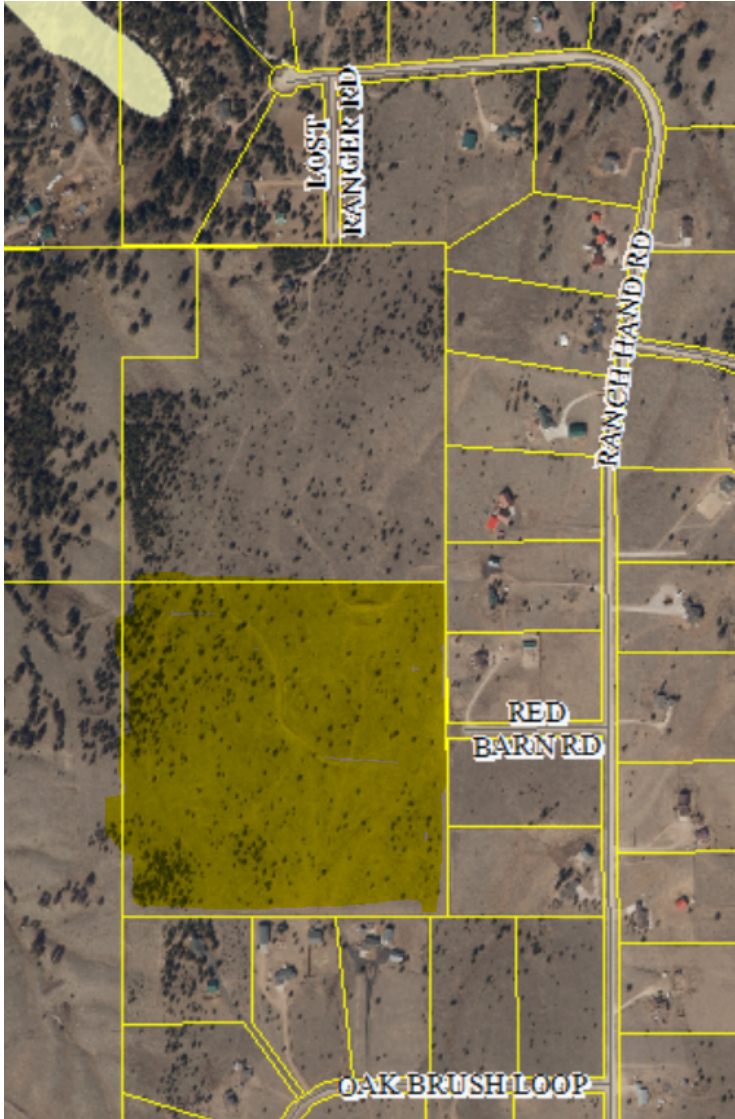
- **Floodplain**

- The property is in FEMA Zone X, areas determined to be outside the 500-year floodplain per Flood Insurance Rate Map No. 08041C0350G, which has an effective date of December 7, 2018.

- **Drainage and Erosion**

- The property is located within the Bijou Creek drainage basin (BIBI0200), which is an unstudied drainage basin with no drainage or bridge fees.
- Subsequent preliminary plan and final plat applications will require a preliminary and final drainage report, respectively.

Transportation



- **Transportation**

- Access to the property is taken from Red Barn Road.
- Right-of-ways may be required to the west and to the north for future access connections.
- The 2016 Major Transportation Corridors Plan Update does not identify roadway improvement projects in the vicinity of the property.
- Pineview Estates is subject to the El Paso County Road Impact Fee Program (Resolution 19-471).

Issues/Concerns

- From neighbors

- 12 adjoining neighbors were notified on February 12, 2020. To date, one response in favor, 2 in opposition.

- Planning Commission approved 6-0

- From Staff

- Staff has found that the proposed rezone is compatible with historically zoned properties to the south and east, and has no outstanding concerns.

Questions