



Staff Report

Zoning and Land Regulation Committee

Public Hearing: **June 24, 2014**

Petition: **Rezone 10700**

Zoning Amendment:
A-1EX Exclusive Agriculture District to A-2(2) Agriculture District and A-2(8) Agriculture District (dr no development)

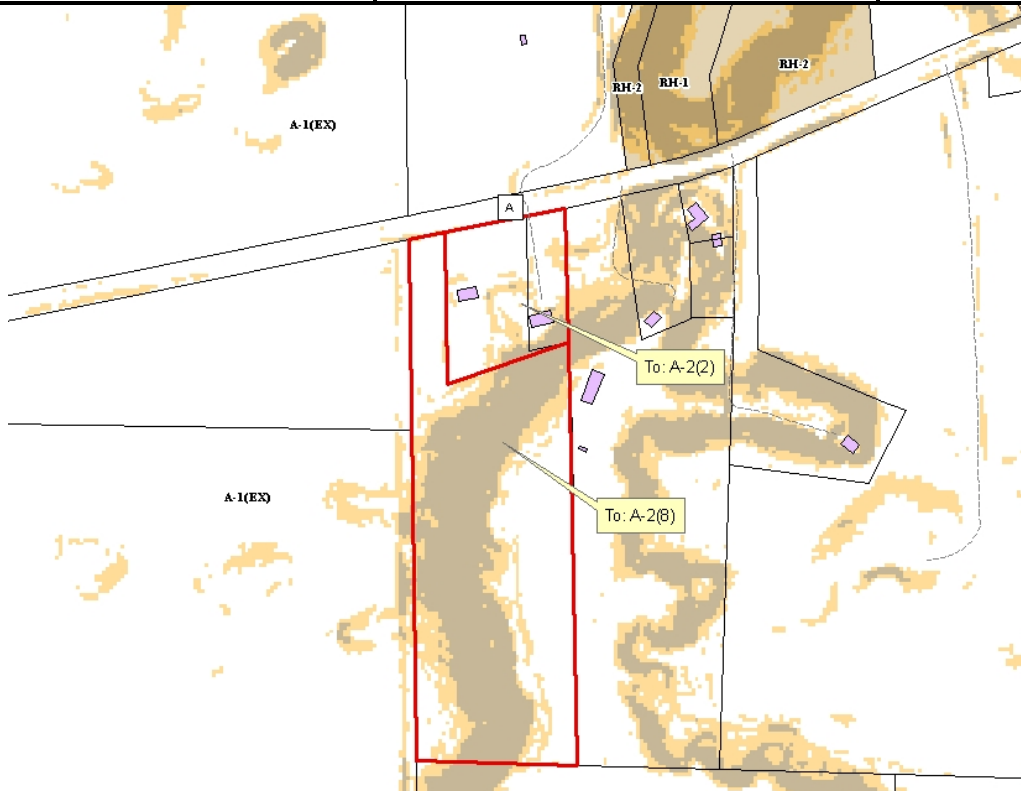
Town/sect:
Montrose Section 13

Acres: **3, 11.76**
Survey Req.

Applicant
David R Mertens

Reason:
Separate existing residence and accessory building

Location:
6427 County Highway A



DESCRIPTION: Applicant proposes to divide an existing residence and outbuilding from the larger ownership parcel of approximately 15 acres. A-2(8) zoning is requested to provide zoning compliance for the undeveloped parcel. No new development is proposed, and the landowner intends to record a deed restriction on the A-2(8) parcel prohibiting development. The proposal would result in the creation of two separate parcels.

OBSERVATIONS: The proposed A-2(8) parcel is wooded and includes steep slope topography. No sensitive environmental features observed.

TOWN PLAN: The property is located in the town's agricultural preservation area. Note that the town plan does not allow any A-4 small lot exclusive ag zoning lots to be created, which is normally what staff would recommend to provide zoning compliance for a vacant parcel with no development potential. The plan includes the following statement regarding A-4 zoning: "No A-4 zoning districts may be created. The creation of small agricultural parcels could interfere with existing agricultural uses, and increase pressure to subdivide agricultural preservation areas."

RESOURCE PROTECTION: There are no areas of resource protection corridor located on the property. The town of Montrose comprehensive plan does not include explicit policies protecting steep slope topography.

STAFF: As indicated on the density study report, there are no splits available to the property. Staff recommends a deed restriction prohibiting residential development on the A-2(8) parcel be required as a condition of rezoning approval.

TOWN: Pending.

6/24 ZLR: The petition was postponed due to no town action.

UPDATE: The Town approved the petition conditioned upon the A-2(8) parcel being deed restricted to prohibit residential development.