
Oak Creek Cemetery

Special Use Permit

ACTIVITY #: PP2007-022

HEARING DATES: Planning Commission (PC): 6/21/07 at 6:00 pm
Board of County Commissioners (BCC) 7/10/07 at 2:00 pm

PETITIONER: Oak Creek Cemetery District

PETITION: Special Use Permit for a Cemetery in the Agriculture and Forestry (A/F) Zone District and to construct a parking area with an informational station

LOCATION: Tr in Northwest4Southeast4 Section 32 Township 4 North Range 85 West - 7.65 acres. Located south of Oak Creek on the East side of Colorado Highway 131

ZONE DISTRICT: Agriculture and Forestry

AREA: 7.65 acres

STAFF CONTACT: Chris Brookshire

ATTACHMENTS:

- Site Plan
- Area Map

History:

The Oak Creek Cemetery has been in use since the 1900's. The first dated burial in the cemetery is July 15, 1900, but it is possible that others were buried there before this date. The cemetery was originally platted as the Crown Hill Cemetery as a 2 acre parcel in 1911. Over the years land transactions have resulted in the cemetery becoming 7.65 acres.

Site Description:

The cemetery is located southeast of Oak Creek at the end of a paved road which also access the Socoro High school athletic fields. The cemetery situated on a hill overlooking the town and land to the south. Surrounding property are large parcels with single-family dwellings. The adjacent residences to the west and north cannot see the cemetery.



Project Description:

This petition is for a Special Use Permit in the A/F zone District. The Oak Creek Cemetery District (District) has never been granted a Special Use Permit and cemeteries are considered a special use the A/F zone district.

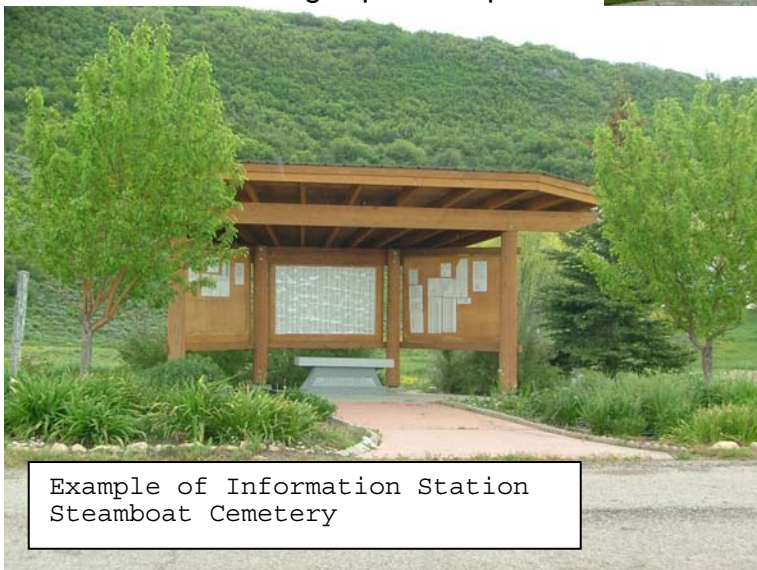
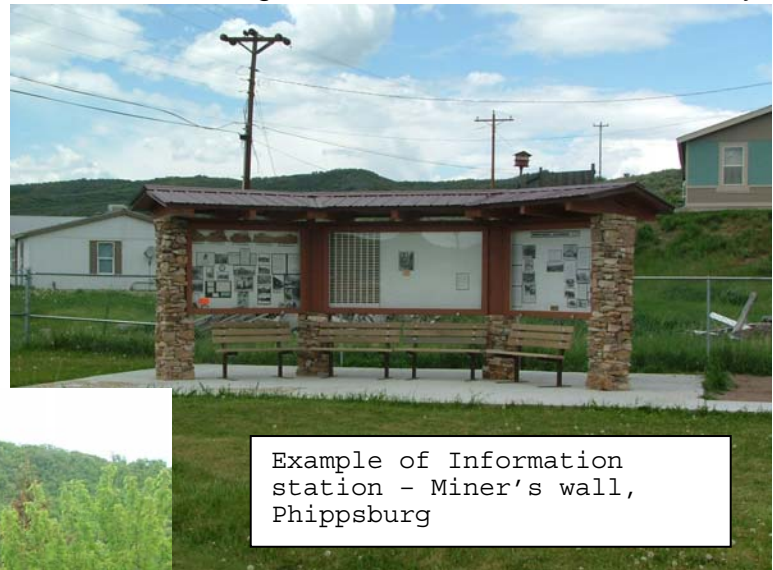
The District is also proposing a gravel parking area on the north area of the cemetery. The parking area will serve to allow cars to pull off of the access roads and the District is also planning to add benches for people to relax. This area is also proposed for future construction of an informational station. When money becomes available the district wants to build a kiosk, gazebo, or other covered structure, which will house a directory to the cemetery.



Staff Comments:

The District does not have plans of the informational sign at this time. Due to monetary constraints the sign will be constructed at a future date; therefore, no plans are included in the staff report. Pictures have been included of other informational signage to give the Planning Commission and the Board of Commissioners a visual of what type of signage might be constructed.

The roads around the cemetery are one-lane and having a place to park a



vehicle off of the internal road would benefit the public. There are no new roads being proposed.

The site proposed for the parking area and signage is located between two swales and overlooks the cemetery. This area is generally flat and is the only area which can serve the plans proposed.

Compliance with Routt County Zoning Resolution

The following checklist was developed by Planning Staff to highlight the sections of the Routt County Zoning and Subdivision Regulations most directly applicable to this petition. The following section contains a list of the applicable sections of the Routt County Zoning Regulations. Staff Comments are included in bold where the public, referral agencies, or planning staff have questions/comments regarding the proposal. Items with a ? require Planning Commission/Board of County Commissioner determination of compliance.

Section 5- General Performance and Development Standards

These standards are designed to limit or eliminate conditions that could negatively impact the environment and/or use of surrounding properties. These standards shall apply in all Zone Districts and to all land uses unless otherwise noted:

Complies		Section	Regulations (staff comments in bold)
Yes	No		
<u>x</u>	<u> </u>	5.1.1	Every use shall be operated so that it does not pose a danger to public health, safety or welfare.
<u> </u>	<u> </u>	5.1.2A	Every use shall be operated in conformance with all applicable federal, state and local regulations and standards. Failure to comply with any and all applicable federal, state and local regulations and standards may be cause for review and/or revocation of any Land Use Approval granted pursuant to these Regulations.
<u>x</u>	<u> </u>	5.1.4	Outdoor storage of materials which might cause fumes, odors, dust, fire hazard, or health hazards is prohibited unless such storage is within enclosed containers or unless a determination is made that such use will not have a detrimental impact on the environment. There is no outdoor storage. There is a storage shed on the property which houses maintenance equipment. Staff has suggested a condition of approval allowing any future accessory structures administratively.
<u>N/A</u>	<u> </u>	5.2	Dimensional Standards:
<u>N/A</u>	<u> </u>	5.3	Secondary Dwelling Unit Standards
<u>N/A</u>	<u> </u>	5.4	Parking Standards
<u>N/A</u>	<u> </u>	5.5	Addressing Standards
<u>N/A</u>	<u> </u>	5.6	Access to Buildable Lot Standards
<u>N/A</u>	<u> </u>	5.7	Right of Way Access Standards
<u>N/A</u>	<u> </u>	5.8	Road Construction Standards
<u>N/A</u>	<u> </u>	5.9	Sign Standards
<u>N/A</u>	<u> </u>	5.10	Standards for Structures within mapped Skyline Areas
<u>N/A</u>	<u> </u>	5.11	Waterbody Setback Standards
<u>N/A</u>	<u> </u>	5.12	

Complies		Section	Regulations (staff comments in bold)
Yes	No		
			Airport Overlay Zone District Standards

Section 6 - General Standards & Mitigation Techniques for Land Use Approvals

The following standards shall apply to all Minor, Administrative, Conditional or Special uses allowed by permit only, PUD plans, Site plans, and Subdivisions:

Complies		Section	Regulations (staff comments in bold)
Yes	No		
<u>x</u>	<u> </u>	6.1.2	The proposal shall be consistent with applicable Master Plans and sub-area plans.
<u>x</u>	<u> </u>	6.1.4	Public Road Use Performance Standards: The proposal shall comply with the Public Road Use Performance Standards in Section 6.2 of these Regulations.
<u>N/A</u>	<u> </u>	6.1.5	Industry Standards: The proposal shall meet or exceed accepted industry standards and Best Management Practices (BMP's).
<u>N/A</u>	<u> </u>	6.1.6	Outdoor Lighting: The proposal shall comply with the Outdoor Lighting Standards in Section 6.3 of these Regulations. No outdoor lighting is proposed.

PLANNING COMMISSION / BOARD OF COUNTY COMMISSIONERS OPTIONS:

1. **Approve the Special Use Permit request without conditions** if it is determined that the petition will not adversely affect the public health, safety, and welfare and the proposed use is compatible with the immediately adjacent and nearby neighborhood properties and uses and the proposal is in compliance with the Routt County Zoning Regulations and complies with the guidelines of the Routt County Master Plan.
2. **Deny the Special Use Permit request** if it is determined that the petition will adversely affect the public health, safety, and welfare and/or the proposed use is not compatible with the immediately adjacent and nearby neighborhood properties and uses and/or the proposed use is not in compliance with the Routt County Zoning Regulations and/or the Routt County Master Plan, Make specific findings of fact; cite specific regulations or policies by number from the Routt County Master Plan, and the Routt County Zoning Regulations.
3. **Table the Special Use Permit request** if additional information is required to fully evaluate the petition. Give specific direction to the petitioner and staff.
4. **Approve the Special Use Permit request with conditions and/or performance standards** if it is determined that certain conditions and/or performance standards are necessary to ensure public, health, safety, and welfare and/or make the use compatible with immediately adjacent and neighborhood properties and uses and/or bring the proposal into compliance with the Routt County Zoning Regulations and Routt County Master Plan.

FINDINGS OF FACT that may be appropriate if the Special Use Permit is approved:

1. The proposal with the following conditions meets the guidelines of the Routt County Master Plan and is in compliance with Sections 4, 5, and 6 of the Routt County Zoning Regulations.

CONDITIONS that may be appropriate may include the following:

General Conditions:

1. The Special Use Permit is valid for the life of the use.
2. The Special Use Permit is contingent upon compliance with the applicable conditions of the Routt County Zoning Regulations including but not limited to Sections 5, and 6.
3. The Special Use Permit is limited to uses and facilities existing and those presented in the approved project plan. Any additional uses or facilities must be applied for in a new or amended application.
4. No junk, trash, or inoperative vehicles shall be stored on the property.
5. This approval is contingent upon any required federal, state and local permits being obtained and complied with; the operation shall comply with all federal, state and local laws.
6. Fuel, flammable materials, or hazardous materials shall be kept in a safe area and shall be stored in accordance with state and local environmental requirements.
7. The parking lot and informational signage should be reviewed by the Routt County Building Department to determine if a permit is needed. All signs shall comply with the Routt County Sign Regulations.
8. Any future accessory structures may be approved administratively.