


# **Scooby's Trucking**

RCU2020-00030

1900 E. 78<sup>th</sup> Avenue

September 28, 2021

Board of County Commissioners Public Hearing  
Community and Economic Development Department  
Case Manager: Thomas Dimperio



# Request

- Conditional use permit to store a semi truck on a residentially used property.
- Section 4-03-03-02-14: No vehicle in excess of seven thousand (7,000) pounds gross vehicle weight (G.V.W.) shall be kept, stored, or parked in a residential or agricultural zone district except by Conditional Use Permit.

# Background

- Code compliance issued a violation on September 15, 2020, for the semi-truck being parked on the residential property.
- The subject property is developed with a single-family dwelling and two accessory structures.



**Aerial View of  
Location**



**E. 78th Avenue**



**SITE**

**York Street**

**Gilpin Street**



**Aerial View of  
Location**

**E. 78<sup>th</sup> Avenue**

**SITE**

**Approximate  
Location of  
Truck**





**Current Zoning:  
Agricultural-1**

**PUD**

**E. 78<sup>th</sup> Avenue**

**A-1**

**MH**

**SITE**

**A-1**

**I-1**

1719

M-H

3rdgett Way

**Agricultural-1 (A-1)**

Purpose: to provide a rural single-family dwelling district where the minimum lot area for a home site is intended to provide for a rural living experience and primarily designed for the utilization and enjoyment of the County's rural environment.

Residential

**Urban Residential**

**Future Land Use:  
Mixed Use  
Neighborhood**

**E. 78<sup>th</sup> Avenue**

E 78th Ave

35

1719

**SITE**

**Mixed Use  
Neighborhood**

Mixed Use Neighborhood

Purpose: To allow for a range of urban level residential uses, including single and multi-family housing combined with compatible and supporting uses and activities that serve the neighborhood and are developed and operated in harmony with the residential characteristics of a neighborhood.

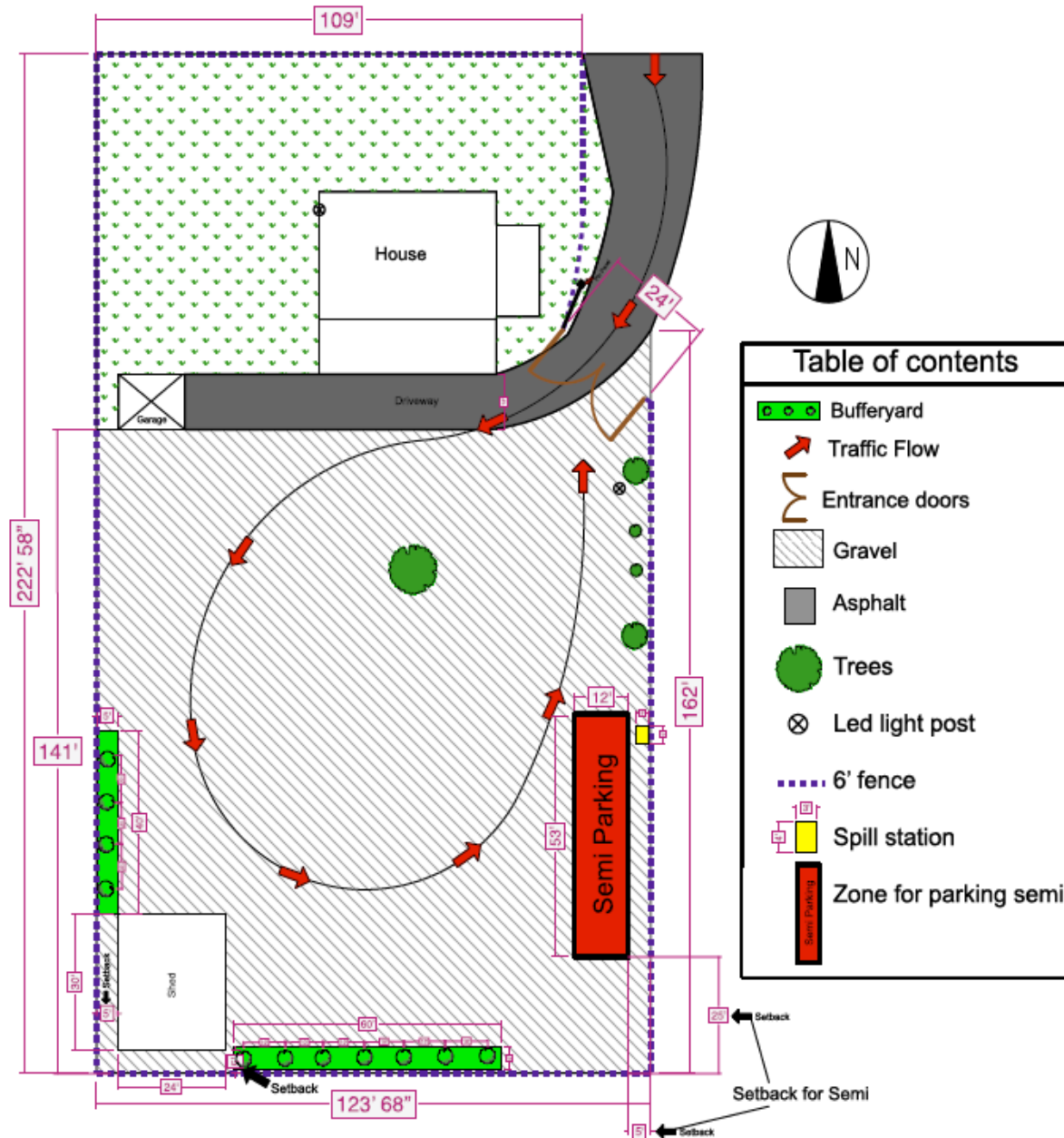
# Criteria for Conditional Use

Section 2-02-09-06

1. Permitted in zone district
2. Consistent with regulations
3. Complies with performance standards
4. Harmonious & compatible
5. Addressed all off-site impacts
6. Site suitable for use
7. Site plan adequate for use
8. Adequate services



E 78TH AVE (Present)

























# Referral Period

Notices Sent*	Comments Received
324	2

Property owners and occupants within 750 feet were notified

Concerns from one neighbor regarding diesel exhaust fumes from idling truck(s).

# Planning Commission Update

(RCU2020-00030 Scooby's Trucking)

- Recommended Approval (5-2) on September 9, 2021
- Questions regarding CUP process, the overall compatibility of the request with the future land use designation of the property, and proliferation of similar CUP requests. Some concern regarding the citizen comment in opposition to the request and the potential impact of fumes.
- No members of the public spoke in favor or opposition to the request.

# Staff Recommendation

RCU2020-00030 – Scooby's Trucking

Staff recommends APPROVAL of the subject request (RCU2020-00030), with 8 Findings-of-Fact and 5 Conditions.



# Recommended Findings-of-Fact

1. The conditional use is permitted in the applicable zone district.
2. The conditional use is consistent with the purposes of these standards and regulations.
3. The conditional use will comply with the requirements of these standards and regulations, including but not limited to, all applicable performance standards.
4. The conditional use is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the County.
5. The conditional use permit has addressed all off-site impacts.
6. The site is suitable for the proposed conditional use including adequate usable space, adequate access, and absence of environmental constraints.
7. The site plan for the proposed conditional use will provide the most convenient and functional use of the lot including the parking scheme, traffic circulation, open space, fencing, screening, landscaping, signage, and lighting.
8. Sewer, water, storm water drainage, fire protection, police protection, and roads are available and adequate to serve the needs of the conditional use as designed and proposed.

# Recommended Conditions

1. The Conditional Use Permit shall expire on September 28, 2026.
2. Landscaping shall be installed within 90 days of the approval of this permit.
3. This conditional use permit shall only allow 1 cab and 1 trailer to be stored on the property.
4. No idling shall occur between 9:00 pm and 6:00 am.
5. Applicant shall comply with all pollution prevention measures as outlined in the letter from Tri-County Health Department dated November 6, 2020.