1. CALL TO ORDER

2. PUBLIC COMMENT
   Members of the public may address the Planning Commission on items not on the agenda. (Comments regarding items on the agenda will be taken during that agenda item.)

3. APPROVAL OF MINUTES
   A. Minutes From June 4, 2020
      Documents:
      060420-pc-corrected.pdf
   B. Minutes From June 11, 2020
      Documents:
      061120-pc-corrected.pdf

4. ITEMS FOR CONSIDERATION
   A. Wagoner Consolidation And Rezone
      Activity #: 1. PL-19-176 2. PL-19-177
      Applicant: Stan Wagoner
      Legal: Lot A Replat Lots 18-23 Steamboat Lake F1 and Lots 24-27 and 32 Steamboat Lake F1
      Location: 57880 Golden Tide Place
      Documents:
      Staff Report 6.25.20.pdf

5. ADMINISTRATOR’S REPORT
   Administrator's Report may include the reading of future Planning Commission agendas and recent Board of County Commissioner decisions.

6. ADJOURNMENT
Due to the COVID-19 pandemic, this hearing will be conducted through the Zoom application. You may access this meeting by clicking here. Live audio is available by calling (669) 900-6833. Meeting ID: 828 3534 3424 Password: 310181.

CALL TO ORDER

PUBLIC COMMENT
Members of the public may address the Planning Commission on items not on the agenda. (Comments regarding items on the agenda will be taken during that agenda item.)

APPROVAL OF MINUTES

Minutes From June 4, 2020
060420-pc-corrected.pdf
Minutes From June 11, 2020
061120-pc-corrected.pdf

ITEMS FOR CONSIDERATION

1. PL-19-176
2. PL-19-177
1. Consolidation of Lot A Replat Lots 18-23 Steamboat Lake F1 and Lots 24-27 and 32 Steamboat Lake F1
57880 Golden Tide Place

2. Rezone from Low Density Residential to Mountain Residential Estate.

Stan Wagoner
Lot A Replat Lots 18-23 Steamboat Lake F1 and Lots 24-27 and 32 Steamboat Lake F1
57880 Golden Tide Place

ADMINISTRATOR'S REPORT

Administrator's Report may include the reading of future Planning Commission agendas and recent Board of County Commissioner decisions.

ADJOURNMENT

Agenda packets can be accessed at www.co.routt.co.us/AgendaCenter.

All programs, services and activities of Routt County are operated in compliance with the Americans with Disabilities Act. If you need a special accommodation as a result of a disability, please call the Commissioners' Office at (970) 879-0108 to assure that we can meet your needs. Please notify us of your request as soon as possible prior to the scheduled event. Routt County uses the Relay Colorado service. Dial 711 or TDD (970) 870-5444.
The regular meeting of the Routt County Planning Commission was called to order at 6:00 p.m. with the following members present: Chairman Steve Warnke, Bill Norris, Troy Brookshire, John Merrill, Peter Flint, Brian Kelly, Roberta Marshall, Greg Jaeger and Andrew Benjamin. Billy Mitzelfeld Commissioner joined the meeting in progress. Rohail Abid was absent. Interim Planning Director Kristy Winser and staff planner Chris Brookshire also attended. Sarah Katherman prepared the minutes. This meeting occurred via Zoom.

PUBLIC COMMENT
There was no public comment.

MINUTES – May 21, 2020
Commissioner Kelly moved to approve the minutes of the Routt County Planning Commission meeting cited above, as written. Commissioner Marshall seconded the motion. The motion carried 9 – 0.

ACTIVITY: PL-19-189
PETITIONER: Zirkel Wireless
PETITION: Conditional Use Permit for a telecommunications tower for wireless internet service
LOCATION: West slope of Hahn’s Peak via USFS access road 490

Mr. Alan Belvo, co-founder to Zirkel Wireless, reviewed the history of Zirkel Wireless. He said that the company has wanted to extend its service to North Routt County for some time, but have had a difficult time identifying an appropriate antennae site. He said that North Routt lacks broadband service, which is becoming increasingly important for work, education, safety, etc. Mr. Belvo said that they want to respect the historic nature of Hahn’s Peak and have made every effort to minimize the visual impact of the proposed facility. He said that the site is 900 ft. below the peak and that the tower extends only 5 ft. above the accessory structure, which is designed to look like a cabin with a solar array on the roof. The site is not visible from the public hiking trail and is only barely visible from CR 129.

Mr. Sean Heskett, co-founder to Zirkel Wireless, presented renderings of the proposed tower and equipment structure. He also presented photos of the site and a topo indicating that most of the site has a 70% grade. He presented an aerial photo and indicated the locations of the two closest cabins that are each about ½ mile away. One of the cabins belongs to Mr. Tim McGill, one of the
interest holders of the tower site. Mr. Heskett said that the site is not visible from Hahn’s Peak Village and the next closest residences are about 2.5 miles away.

For comparison, Mr. Heskett presented photos of the Milner tower, taken from various locations about 1–1.6 miles away, indicating that it is very difficult to see. The Milner tower is twice as tall as the proposed tower, and is skylined. The proposed Hahn’s Peak tower is up against the hillside.

Ms. Winser described the review criteria for telecommunication towers and the FCC regulations that prohibit approval agencies from discriminating between different telecommunications providers and from disallowing telecommunication towers in general. She also reviewed the Telecommunication Act of 1996 which disallows the denial on the basis that service is available from another provider. The County is also not allowed to deny a petition based on the environmental effects of radio frequency emissions provided that they comply with FCC regulations.

Ms. Winser reviewed the County’s regulations regarding telecommunication towers, specifically Section 8.10.3 of the Zoning Regulations. She said that the site is over two miles to the nearest residences that could potentially see it, and referenced a photo from the applicant's presentation. She noted that the site is well screened by the knoll from other areas. She said that the applicant has addressed staff's initial concerns regarding visual impacts and access. She said that the applicants can obtain a permit from the US Forest Service (USFS) for use of the road mentioned in the comment from Janet Faller included in the staff packet. Ms. Winser added that referral comments had been received from the North Routt Fire Protection District (NRFPD), Colorado Parks and Wildlife and the Steamboat Lake State Park. She reviewed the staff report, highlighting suggested finding of fact #2 and suggested Condition of Approval (COA) #17. Mr. Belvo estimated that construction would take approximately eight weeks.

Mr. Belvo stated that he had spoken to NRFPD Chief Mike Swinsick regarding the solar panel array. He said that he had satisfied his concern regarding monitoring. The array will be monitored 24/7. He said that they had reviewed the COAs and are comfortable with them.

In response to a question from Commissioner Brookshire, Mr. Belvo stated that they had no plans for exterior lighting and would be fine with a condition prohibiting it. He said that no lighting of the tower is required by the FAA or FCC.

Commissioner Kelly expressed concern that the site may be in an avalanche-prone area. Mr. Heskett said that while there are avalanche chutes nearby, there are trees above the site. He added that they are consulting with Kyle Laughton, an avalanche expert, on a safe winter access plan. Ms. Winser noted that the applicants are working with the Building Department to meet snow and wind standards. The site is not in a mapped geologic hazard zone. Ms. Winser stated that the cabin portion of the proposal will require a variance, as the only flat area
on the site is located within the required setback. The Board of Adjustment will hear the variance request on Monday.

Commissioner Norris asked about maintenance of the access road. Ms. Winser stated that a maintenance agreement would probably be part of the road permit from the USFS.

Commissioner Marshall asked about the coverage area of the proposed wireless service. Mr. Belvo said that the coverage areas would include the north side of Willow Creek Pass to the Steamboat Lake area and north from there. Additional repeater towers will be needed to reach areas on the south side of Willow Creek Pass or any other areas that do not have a direct line of sight to the tower. The repeaters are planned for future development.

Commissioner Mitzelfeld expressed concern with the visual impact of the facility and suggested that additional mitigation measures, such as paint color, should be required. Mr. Belvo reviewed the plans for a cabin-like structure. He said there would be no fencing because the support equipment is inside the building and that the propane tank could be painted to match the surroundings. There was discussion of how much of the applicant's presentation Commissioner Mitzelfeld had missed in connecting to the meeting late. It was decided that the information was all included in the meeting materials. There were no objections to Commissioner Mitzelfeld's participation. Regarding the danger of avalanche, Commissioner Mitzelfeld offered that engineering measures could prevent damage to the facility.

Public Comment
Ms. Katie Warchol noted that she had sent in comments, along with a petition with 104 signatures from people objecting to the proposal. Ms. Winser confirmed that the information submitted had been distributed to Planning Commission. Ms. Warchol noted that the FCC guidelines have not been updated in 24 years. She stated that fiber optic cables are a much safer method of transmission and that YVEA is installing them. Ms. Warchol also expressed concern with the proliferation of towers needed to provide wider service.

Ms. Winser reiterated that a proposal cannot be denied because other service is available. She also reviewed the requirement to allow co-location. Mr. Heskett stated that although they must allow co-location, it would be unlikely due to the limitation on power. The solar array is designed to serve only the Zirkel equipment, and cell towers require a lot of power.

Commissioner Jaeger asked about the petition. Ms. Warchol stated that she had started with a paper petition and then moved to an online format. She said most of the people who signed the petition are residents of the area or recreate on Hahn's Peak. She said that wireless technology is dangerous. She said that the petition was based on safety concerns, repeaters and concern regarding the historic mountain. Mr. Belvo stated that the technology is fully compliant with the
regulations of the FCC, which has jurisdiction over transmission safety. He added that the availability of broadband will benefit EMS services, telehealth, education and public safety.

Seeing no further comment, Chairman Warnke closed public comment.

**Roundtable Discussion**

Commissioner Kelly stated that he was not concerned with the visual impact and stated that unless one were in the immediate vicinity, radiation was not a concern. He acknowledged that there is great deal of recreation on Hahn’s Peak, but noted that anyone on the site would be trespassing. Commissioner Kelly said that North Routt needs broadband and that the availability of the service would increase safety. He did, however, express concern regarding the historic mountain. He stated that he was generally in favor of the application.

Commissioner Benjamin agreed that the location and topography mitigate the visual impact. He suggested that “equipment” be added to COA #5; that COA #8 be retained; and that COA #17 allow for administrative extension or an a longer time period to get the system operational. In response to emission and safety concerns, he stated that the wireless facility is located on private property and people should not be trespassing. He stated his support for the project.

Commissioner Brookshire suggested that no external lighting be allowed on site, and agreed to allow for a longer installation period. He said that no additional screening was needed. He stated his support for the proposal and offered that this facility should not be held to a different standard than what is required for a single family home. Commissioner Brookshire said that the petitioners had been very sensitive to concerns regarding visual impact in their design.

Commissioner Merrill stated his support and offered that it was a compelling petition.

Commissioner Norris stated his agreement with previous comments. He said he did not think the transmission presents a health concern and that he supports the petition.

Commissioner Jaeger expressed agreement with the suggested amendments to the COAs, and asked if COA #16 should be removed if no lighting is allowed. He offered that the technology is regulated by the FAA and the FCC; that the access is regulated by the USFS and the structure must be approved by the Building Department. He agreed with the historic value of Hahn’s Peak, but stated that the mitigation was sufficient.

Commissioner Brookshire said that COA #16 should remain, as the FAA requirements are not within the County’s purview.
Commissioner Flint expressed support for the petition and offered that it was well designed. He said there is no alternate site with less impact. He offered that broadband is becoming more and more essential.

Commissioner Marshall expressed her support.

Commissioner Mitzelfeld stated his support, but added that more mitigation might be appropriate and that the color of the paint should be specified. Ms. Winser noted that the approval would be specific to the project plan.

Chairman Warnke stated his agreement with previous comments. He offered that the concerns had been addressed and agreed that North Routt needs better access to telecommunication.

**MOTION**

Commissioner Brookshire moved to approve the Conditional Use Permit for a telecommunication facility on Hahn’s Peak, based on the following findings of fact.

1. The proposal with the following conditions meets the applicable guidelines of the Routt County Master Plan and is in compliance with Sections 4, 5, 6 and 8.10 of the Routt County Zoning Regulations.

2. With this approval comes the recognition that the public benefits outweigh strict non-compliance and that visual mitigations are precluded by the nature of the technology and the surrounding landscape.

This approval is subject to the following conditions:

**General Conditions:**

1. The CUP is contingent upon compliance with the applicable provisions of the Routt County Zoning Regulations including but not limited to Sections 5, 6, and 8.

2. The CUP is limited to the uses and facilities presented in the approved project plan. Any additional uses or facilities must be applied for in a new or amended application.

3. Any complaints or concerns that may arise from this operation may be cause for review of the CUP, at any time, and amendment or addition of conditions, or revocation of the permit if necessary.

4. In the event that Routt County commences an action to enforce or interpret this CUP, the substantially prevailing party shall be entitled to recover its costs in such action including, without limitation, attorney fees.

5. No junk, trash, or inoperative vehicles or equipment shall be stored on the property.

6. This approval is contingent upon the acquisition of and compliance with any required federal, state and local permits; the operation shall comply
with all federal, state and local laws. Copies of permits or letters of approval shall be submitted to the Routt County Planning Department prior to operations.

7. 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.

8. No exterior lighting shall be allowed on site.

9. Prior to the issuance of the permit, the permittee shall provide evidence of liability insurance in the amount of no less than $1,000,000 per occurrence. Permittee shall notify the Routt County Planning Department of any claims made against the policy. Routt County shall be named as an additional insured on the policy. Certificate of liability insurance shall include all permit numbers associated with the activity.

10. Accessory structures/uses associated with this permit may be administratively approved by the Planning Director, without notice.

11. The permit shall not be issued until all fees have been paid in full. Failure to pay fees may result in revocation of this permit. Permits/Approvals that require an ongoing review will be assessed an Annual Fee. Additional fees for mitigation monitoring will be charged on an hourly basis for staff time required to review and/or implement conditions of approval.

12. Transfer of this CUP may occur only after a statement has been filed with the Planning Director by the transferee guaranteeing that they will comply with the terms and conditions of the permit. If transferee is not the landowner of the permitted area, transferee shall submit written consent of the transfer by the landowner. Failure to receive approval for the transfer shall constitute sufficient cause for revocation of the permit if the subject property is transferred. Bonds, insurance certificates or other security required in the permit shall also be filed with the Planning Director by the transferee to assure the work will be completed as specified. Any proposal to change the terms and conditions of a permit shall require a new permit.

13. The Permittee shall prevent the spread of weeds to surrounding lands, and comply with the Colorado Noxious Weed Act as amended in 2013 and Routt County noxious weed management plan.

Specific Conditions:

14. The CUP is valid for the life of the use provided it is acted upon within one year of approval. The CUP shall be deemed to have automatically lapsed if the uses permitted herein are discontinued for a period of one (1) year.

15. The construction and use of a telecommunication facility shall not cause interference to other adjacent telecommunication facilities. The County shall be held harmless if interference occurs.
16. If tower lighting is required by the FAA, the operator shall use only white (preferably) or red strobe lights at the minimum intensity, minimum number of flashes per minute, and minimum number of lights allowed by the FAA.

17. Permittee shall bring the facilities subject to this CUP into service ("on air") within one (1) year of the submittal of the application for a building permit for the facility. Facilities that are abandoned by disconnection of power service, equipment removal or loss of lease for greater than six (6) months shall be removed by the telecommunication facility owner and the site shall be reclaimed. Should the owner fail to remove the facilities, the County may do so at its option, and the costs thereof shall be a charge against the owner. The permittee shall post a bond with the County in the amount of 150% of the cost of restoration of the site. This bond will be used to guarantee the reclamation of the site in the event that reclamation and removal of equipment is not completed.

18. In order to limit proliferation of cellular tower sites in the area, the operator shall agree to allow co-location of other users on the tower, providing their requested use is compatible with the existing use.

19. A Routt County Building Permit must be obtained for the wireless facility.

20. Prior to the issuance of a Certificate of Occupancy, the permittee shall provide the Planning Department with as-built drawings of the tower and facilities.

21. Revegetation of disturbed areas shall occur within one growing season with a seed mix which avoids the use of aggressive grasses. See the Colorado State University Extension Office for appropriate grass seed mixes.

22. The telecommunication equipment shall be painted a color compatible with the existing character of the site and surrounding properties.

23. Anti-perching devices shall be installed along antennae frames, horizontal cross arms, and any other vantage point used by raptors for predation.

Commissioner Norris seconded the motion.

The motion carried 9 - 0, with the Chair voting yes.

ADMINISTRATOR 'S REPORT
Ms. Winser reviewed the upcoming agendas. At this point, meetings have been scheduled for June 11th, 18th and 25th and for July 9th, all on Zoom until further notice.

Ms. Winser reported that the consultant that was to be contracted to assist with the Master Plan update had been cut from the budget. The project will continue, but at a slower pace.
The meeting was adjourned at 8:30 p.m.
The regular meeting of the Routt County Planning Commission was called to order at 6:00 p.m. with the following members present: Chairman Steve Warnke, Bill Norris, Troy Brookshire, Greg Jaeger and Billy Mitzelfeld. Brian Kelly, Peter Flint, Roberta Marshall, Rohail Abid and Andrew Benjamin were absent. Interim Planning Director Kristy Winser and staff planner Chris Brookshire also attended. Sarah Katherman prepared the minutes. This meeting occurred via Zoom.

Public Comment
There was no public comment.

Routt County Hazard Mitigation Plan
Ms. Winser stated that she had been contacted by Routt County Emergency Management regarding the update to the Routt County Hazard Mitigation Plan (HMP). She said that a presentation of the draft HMP at a public hearing is a requirement of the update process, and because the material included in the plan is important for land use decisions it is being presented to Planning Commission. She added that Planning Commission may also want to consider how the HMP should be referenced or integrated into the Master Plan.

Mr. David “Mo” DeMorat, Routt County Emergency Manager, introduced the representatives of Tetra Tech, the consulting firm that assisted with the HMP update, and Mark Thompson, a representative of the Colorado Office of Emergency Management. He noted that Federal Emergency Management Agency (FEMA) requires that the HMP be updated every five years, and FEMA can withhold certain grant funding if plans are out of date. Mr. DeMorat stated that the HMP is critical element for understanding the potential hazards in order be optimally ready to respond and recover from incidents. The HMP is intended to guide mitigation projects intended to reduce the potential damage from hazards. Mr. DeMorat reviewed the process through which the draft HMP is open to public comment, amended if necessary, then presented to the BCC, the State and FEMA for approval.

Mr. Rob Flaner of Tetra Tech presented a circular graphic to illustrate the cycle of mitigation, prevention, protection, response and recovery regarding natural disasters. He emphasized the importance of understanding the risk of various hazards. He reviewed the drivers behind the development of HMPs, and the desired outcomes, including the identification and prioritization of effective and sustainable mitigation projects. Mr. Flaner reviewed the list of stakeholders in the HMP, which include the municipalities, the water districts and the fire districts. He reviewed the public outreach that went into the plan update.
Mr. Flaner discussed risk assessment and stated that the RCHMP assesses the following natural hazards:

- Avalanche
- Dam failure
- Earthquake
- Flood
- Landslide (earth movement/ subsidence)
- Severe weather (drought, extreme heat, hail, winds, tornado, and lightning)
- Severe winter storms (snow, blizzard, extreme cold, ice storms, and ice jams)
- Wildfire

Mr. Flaner noted that pandemic is not on the list, but certainly would be included in the next update. He described the detailed GIS mapping with overlays that was developed for the HMP and distributed to each of the planning partners, specific to each geographical area. The next steps included the development of prioritized action plans with cost/benefit analyses of a variety of alternatives, and determining the capabilities of each partner to accomplish specific projects.

Mr. Thompson emphasized that the plan is very much a community plan, and added that this is why review by Planning Commission is important. The HMP, through its coordination with the Master Plan and other land use planning tools, can be used to direct future development away from hazard-prone areas.

Commissioner Jaeger asked about updates to the GIS mapping. Mr. Flaner said that the mapping should be updated whenever possible. He also noted the importance of capturing data from events as they occur.

In response to a question from Chairman Warnke, Mr. Flaner stated that some, but not all, pre- and post-disaster funding is contingent upon an up-to-date HMP. Mr. Thompson confirmed that FEMA can and will deny funding for disasters when the HMP is being updated in response to an event.

Regarding the Master Plan update, Ms. Winser said that she had had preliminary conservations with Mr. DeMorat. She said that it will be important to ensure that the policies included in Chapter 8 are current and applicable. Commissioner Brookshire asked if Routt County Emergency Management would provide referral comments on individual applications, and whether the MP would simply cite the HMP or whether it would contain specific language from the HMP. Ms. Winser said that typically referrals are sent to the fire districts, but could also be sent to Mr. DeMorat if Planning Commission feels that is appropriate. Mr. DeMorat offered that the HMP should inform the Master Plan, and that some elements of the HMP could be incorporated into the Master Plan. Mr. Thompson said that some communities have tried to fully integrate the HMP into the Master Plan, but that a more successful approach is for the Master Plan to refer to elements of the HMP. Mr. Flaner said that this allows the HMP to be updated more frequently.
than most Master Plans are. Another approach is for sub-elements of the Master Plan that pertain to the HMP to be updated without waiting for a full update of the Master Plan. With regard to specific referrals and recommendations based on the HMP, Mr. Flaner said that the issue is whether there is regulatory support for restrictions based on the HMP.

Commissioner Mitzelfeld recommended adding avalanche mapping and specific requirements for avalanche mitigation. Mr. Flaner noted that regulatory standards are often viewed as political obstacles, adding that there has been little appetite for avalanche-specific codes and standards. He said that the primary risk in Routt County of damage from avalanches is to roads. Ms. Winser stated that the current Master Plan includes avalanche specific policies, and that mechanisms are in place for the review of hazards. Commissioner Mitzelfeld expressed support for expanding referrals. He also asked that the sources of maps be provided.

**ADMINISTRATOR ‘S REPORT**

Ms. Winser reviewed the upcoming agendas.

Ms. Winser stated that John Merrill had resigned his position on Planning Commission and that Rohail Abid had not responded to communications. She also noted that the Board of Adjustment is short several members, and that she is looking for volunteers for the next several meetings. Ms. Winser said that she would pursue advertising for new PC and BOA members, and asked current members to solicit potential new members.

The meeting was adjourned at 8:00 p.m.
Wagoner
Consolidation and Zone Change

ACTIVITY #: 1. PL-19-176
2. PL-19-177

HEARING DATES: Planning Commission: 6/25/20 at 6:00 pm
Board of County Commissioners: 7/9/20 at 11:35 am

PETITIONER: Stan Wagoner

PETITION:
1) Consolidation of Lot A Replat Lots 18-23 Steamboat Lake F1 and Lots 24-27 and 32 Steamboat Lake F1 into a single parcel
2) Rezone from Low Density Residential to Mountain Residential Estate

LEGAL DESCRIPTION: Lot A Replat Lots 18-23 Steamboat Lake F1 and Lots 24-27 and 32 Steamboat Lake F1

LOCATION: Approximately 225' east from the intersection of CR 129 and Golden Tide Place

ZONE DISTRICT: Existing: Low Density Residential
Proposed: Mountain Residential Estate

AREA: 12.34 acres

STAFF CONTACT: Alan Goldich, agoldich@co.routt.co.us

ATTACHMENTS:
- Narrative
- Pictures of the site
- Vicinity map
- Proposed plat

History:
All of the land involved in this application was originally subdivided and platted in the Steamboat Lake F1 plat which was recorded in September of 1971. Lots 18-23 were then consolidated and re-zoned in 1996 and are now known as Lot A.

Site Description:
The site mainly consists of open meadows with various low growing shrubs and grasses. There are a few large willows dispersed throughout the property as well as some evergreens that were planted. The lots gently slope to the north. The applicant has a home on Lot A. The Steamboat Lake Water and Sanitation District does not have water or sewer pipes in this area, so the only
way to develop in this area is to consolidate the original lots into 5+ acre lots. There is a small drainage that flows north through the eastern part of the proposed lot. During staff's visit, there was a very small amount of water flowing in it. This drainage flows north and meets up with Willow Creek to the north of the proposed lot.

**Project Description:**
The applicant owns several adjacent parcels. He owns five of the original Steamboat Lake F1 lots as well as Lot A, a 6.88-acre lot that was consolidated in 1996. The landowner has applied to consolidate all six lots into one 12.34 acre lot. The existing Steamboat Lake lots are zoned Low Density Residential. Part of this application is to re-zone Lots 24-27 and 32 to Mountain Residential Estate to be consistent with the zoning on Lot A.

**Staff Comments:**
- If approved, the combined lot will contain 12.34 acres. Based on the minimum lot size in the MRE zone district (5 acres), this lot could be subdivided in the future to create an additional buildable lot. Any future subdivision would have to gain approval through the County.
- The mitigation standards found in Section 6 of the Zoning Regulations have not been reviewed since the removal of potential density does not create any negative impacts.
- Because of the existing home, if the consolidation is approved, the only other residential structure that could be constructed on the property would be a secondary dwelling unit.

**Compliance with the Routt County Master Plan, Sub Area Plans and Subdivision Regulations**

The Routt County Master Plan, Sub Area plans and Subdivision Regulations contain dozens of policies and regulations regarding land use. Section 3 of the Subdivision Regulations are in place to ensure that a subdivision application is designed in a manner to best serve the public. Section 4 Regulations are in place to make sure that all of the required infrastructure is accounted for, designed so as to create efficient and buildable lots and to ensure that the required infrastructure is installed.

The following checklist was developed by Planning Staff to highlight the policies and regulations most directly applicable to this petition. The checklist is divided into six (6) major categories:

1. Public Health, Safety and Nuisances
2. Regulations and Standards
3. Zoning Amendment Standards
4. Community Character and Visual Impacts
5. Roads, Transportation and Site Design
6. Natural Environment

Interested parties are encouraged to review the Master Plan, Sub Area plans and Subdivision Regulations to determine if there are other policies and regulations that may be applicable to the review of this petition.

Staff Comments are included at the end of each section, highlighting items where the public, referral agencies, or planning staff have expressed questions and/or comments regarding the proposal. **Staff comments regarding compliance with regulations and policies are noted in bold below.**
Public Health, Safety and Nuisances

Applicable Regulations – Routt County Zoning Resolution
6.1.7.C Natural Hazards
6.1.7.I Noise
6.1.7.H Wildland Fire

Applicable Regulations – Routt County Subdivision Resolution
3.1.D Steep land greater than a 30% slope, unstable land, land subject to flooding or to inadequate drainage, or otherwise substandard land shall not be platted for occupancy or any use which might endanger health, life, property or which may aggravate flood or erosion hazards. Land not usable for residential purposes may be set aside for open area uses such as parks, conservation areas, farm land, recreational areas.

3.1.M The soil and drainage conditions shall be of a sufficiently stable nature, as shown in a current soils test, as to support development including whatever sewage disposal treatment is utilized.

3.1.N The proposed subdivision shall not create fire hazards and shall include wildland fire mitigation measures if necessary.

Staff comments: There is already a residence on the existing 6.88 acre parcel showing that the land is suitable for development. No new impacts will be created by this consolidation. It should reduce impacts since it is removing residential density. There are no mapped natural hazards, the wildland fire risk is mapped as low, and there are no waterbodies on the site.

**Is the application in compliance with the Policies and Regulations outlined above? Yes or No

Regulations and Standards

Applicable Regulations – Routt County Zoning Resolution
6.1.2 The proposal shall be consistent with applicable Master Plans and sub-area plans.

Applicable Regulations – Routt County Subdivision Resolution
3.1.P Proposed subdivisions shall be in substantial conformance with the Routt County Master Plan and all adopted sub-area plans.

3.1.Q Proposed subdivisions shall be in substantial conformance with Section 6 of the Routt County Zoning Regulations.

Applicable Policies – Routt County Master Plan
3.3.A New residential, commercial and industrial developments and uses should occur within the vicinity of designated growth centers and in compliance with the adopted comprehensive plans of those areas.
3.3.D Residential densities should generally decrease as the distance from Growth Centers increase.

4.3.H Routt County encourages the consolidation of non-conforming lots or platted lots not served by water, sewer, and utilities throughout the County that were originally planned, but never developed. Adequate proof of water and sewer shall be required for consolidated lots five acres and greater in the estate (MRE) zone district.

**Applicable Policies – Upper Elk River Valley Community Plan**

2.6.4.4 Continue the existing Steamboat Lake Subdivision 5-acre policy allowing wells and individual sewage disposal systems (ISDS) with rezoning and consolidation.

Staff comments: Consolidation of lots platted in the early 1970’s has been, and continues to be, a goal of the County to reduce residential density of lots not served by water and sewer.

**Is the application in compliance with the Policies and Regulations outlined above? Yes or No**

**Zoning Amendment Standards**

**Applicable Regulations – Routt County Zoning Resolution**

4.5 Mountain Residential Estate

Except as provided for in the Routt County Master Plan or an adopted sub-area plan, or for the purpose of rezoning from LDR, MDR, or HDR to MRE, no additional land will be placed in the MRE Zone District after July 1, 2006. The principal purpose of this Zone District is to allow rural residential development compatible with adjacent agricultural uses. The Zone District also provides for other uses, most requiring permits.

8.2.1 Standards for Zoning Amendments – Part 1

In any petition for zoning amendment, the petitioner shall have the burden of showing that all of the following exist:

8.2.1.A That the proposed zone change is consistent with the goals and policies of the Master Plan and any applicable sub-area plans.

8.2.1.B That the area in question possesses geological, physiological and other environmental conditions compatible with the characteristic of the Zone District requested.

8.2.1.C That the advantages of the Zone District requested substantially outweigh the disadvantages to the County and neighboring land occasioned by the amendment.

8.2.1.D That the applicable provisions of these Regulations have been met

8.2.1.E That in the case of a zone amendment request that would increase allowable residential, commercial, or industrial density, that adequate facilities such as roads, water and sanitation, fire protection, emergency services and public utilities shall be available to serve the areas.

8.2.2 Standards for Zoning Amendments – Part 2

In addition, zoning amendments shall be allowed only after the petitioner demonstrates that rezoning is necessary for one or more of the following reasons:
8.2.2.A The existing Zone District is inconsistent with the policies and goals of the applicable Master Plan and any applicable adopted area or community plan; or

8.2.2.B The area for which rezoning is requested has changed or is changing to such a degree that it is in the public interest to encourage a new use or density in the area; or

8.2.2.C The proposed rezoning is necessary in order to provide land for a demonstrated community need; or

Staff comments: The Master Plan and Upper Elk Plan support lot consolidations, as well as the re-zoning of lots platted in the 1970’s that are not served by central water and sewer. The surrounding parcels currently are zoned MRE, which is what is being requested. The advantages outweigh the disadvantages of the existing zone district because the current LDR district requires connection to a central water and sewer system, which does not exist in this area. The applicable provisions of the Zoning Regulations have been met. The application is consistent with 8.2.2.A and B.

**Is the application in compliance with the Policies and Regulations outlined above? Yes or No**

**Community Character and Visual Impacts**

**Applicable Regulations – Routt County Zoning Resolution**

6.1.6 Outdoor Lighting: The proposal shall comply with the Outdoor Lighting Standards in Section 6.3 of these Regulations.


6.1.7.K Land Use Compatibility

6.1.7.O Historical Significance

**Applicable Regulations – Routt County Subdivision Resolution**

3.1.K The proposed subdivision shall not create water, air, noise or visual impacts that cannot be mitigated.

4.5.5 All fixtures shall be downcast and opaquely shielded. For purposes of this section, opaquely shielded shall mean fixtures constructed so that light rays emitted are projected below, and not above, the horizontal plane of the fixture and not onto the facades of nearby residential dwellings.

**Applicable Policies – Routt County Master Plan**

5.3.E Routt County requires that all new developments do not contribute to light pollution.

5.3.F Routt County will continue to consider the impacts of development and uses on view corridors, water, wetlands, and air.

Staff comments: The standard condition of approval addressing lighting is proposed. Due to the fact that residential density is being removed, there will not be any impacts to visual amenities. This application is consistent with the surrounding lands and the history of the
areas that the Steamboat Lake subdivisions occupy. It is staff’s opinion that impacts will be reduced with this application.

**Is the application in compliance with the Policies and Regulations outlined above? Yes or No**

**Roads, Transportation and Site Design**

**Applicable Regulations – Routt County Zoning Resolution**

5.2 Dimensional Standards

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.

6.1.7.A Public Roads, Services and Infrastructure

6.1.7.B Road Capacity, traffic, and traffic safety

6.1.7.N Snow Storage

**Applicable Regulations – Routt County Subdivision Resolution**

3.1.H The proposed subdivision shall not create undue traffic congestion or traffic hazards.

3.4.A Lot dimensions and sizes shall conform to applicable zoning requirements.

**Applicable Policies – Routt County Master Plan**

11.3.A All roads in rural residential subdivisions should be privately maintained. They will not be accepted for maintenance, except at the option of the Board of County Commissioners. This policy should be reflected in the restrictive covenants of the subdivision.

**Applicable Policies – Upper Elk River Valley Community Plan**

2.7.4.2 Continue the policy of classifying internal subdivision roads as private, outside of the County’s responsibility.

Staff comments: The proposed lot meets the dimensional standards contained in the Zoning Regulations. No new roads (public or private) will be created as a result of this application. Traffic impacts should be reduced over the long term by consolidating these lots. The ROWs were dedicated to, and accepted by, the County. However, the County has never accepted the maintenance responsibility for the subdivision roads. They are privately maintained.

**Is the application in compliance with the Policies and Regulations outlined above? Yes or No**

**Natural Environment**

**Applicable Regulations – Routt County Zoning Resolution**

6.1.7.D Wildlife and Wildlife Habitat.

6.1.7.E Water Quality and Quantity.
6.1.7.F Air Quality
6.1.7.J Wetlands.

Applicable Regulations – Routt County Subdivision Resolution
3.1.E Any land subject to flooding or in a natural drainage channel shall not be platted for occupancy. The areas subject to flooding should be left as open space or reserved as conservation easement areas.

Applicable Policies – Routt County Master Plan
9.3.D Encourage land use practices that will minimize conflicts between wildlife and human uses.
9.3.G Minimize the cumulative impacts of development on wildlife and wildlife habitat.

Staff comments: This application is removing the potential for residential density in this area. This should result in a reduction in long term impacts to wildlife and their habitat, water quality and quantity, air quality, and wetlands.

**Is the application in compliance with the Policies and Regulations outlined above? Yes or No

PLANNING COMMISSION/BOARD OF COMMISSIONER OPTIONS:

1. Approve the Consolidation and Zone Change 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 and Subdivision Regulations and complies with the guidelines of the Routt County Master Plan.

2. Deny the Consolidation and Zone Change 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 and Subdivision 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 Consolidation and Zone Change request if additional information is required to fully evaluate the petition. Give specific direction to the petitioner and staff.

4. Approve the Consolidation and Zone Change 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 and Subdivision Regulations and the Routt County Master Plan.

Consolidation

FINDINGS OF FACT that may be appropriate if the Consolidation is approved:

1. The proposal with the following conditions complies with the applicable guidelines of the Routt County Master Plan and the Upper Elk River Valley Community Plan and is in compliance with
Sections 4, 5, and 6 of the Routt County Zoning Regulations, Sections 3 and 4 of the Routt County Subdivision Regulations.

CONDITIONS that may be appropriate may include the following:

1. The Final Plat shall be finalized and recorded within one (1) year unless an extension is granted pursuant to Section 2.1.6, Routt County Subdivision Regulations. Extensions to up to one (1) year may be approved administratively.

2. Prior to recordation, the applicant shall submit an electronic copy of the approved plat to the County Planning Department in a .DWG format or other format acceptable to the GIS Department.

3. Prior to recordation all fees must be paid in full.

4. All property taxes must be paid prior to the recording of the plat.

5. The right of way for Gold Queen Place and Golden Tide Place shall be appropriately dedicated on the final plat.

6. The following notes shall be shown on the plat:
   a. Routt County is not responsible for maintaining or improving subdivision roads. The right of ways shown hereon have been accepted by Routt County, however the County is not responsible for maintaining or improving subdivision roads.
   b. Existing and new accesses shall meet access standards set forth by the Routt County Public Works Department and Fire Prevention Services.
   c. Routt County (County) and the North Routt Fire District (District) shall be held harmless from any injury, damage, or claim that may be made against the County or the District by reason of the County’s or the District’s failure to provide ambulance, fire, rescue or police protection to the property described on this plat, provided that the failure to provide such services is due to inaccessibility of the property by reason of internal roads being impassable. This conditions shall not relieve the County or the District of their responsibility to make a bona fide effort to provide emergency services should the need arise.

7. Address signage shall be in conformance with Routt County Road Addressing, Naming, and Signing Policy shall be located at the entrance to the driveway.

8. Revegetation of disturbed areas shall occur within one growing season with a seed mix that avoids the use of aggressive grassed. See the Colorado State University Extension Office for appropriate grass mixes.

9. All exterior lighting shall be downcast and opaquely shielded.

10. A ‘no build’ zone shall be indicated on the plat to avoid construction of structures, septic fields and roads in areas including, but not limited to 30% or greater slopes. The “no build” zones shall be defined on the plat and approved by the Planning Director before the plat is recorded.

11. The recommendations for defensible space around structures from the Colorado State Forest Service should be adhered to for development of this lot.

ZONE CHANGE

FINDINGS OF FACT that may be appropriate if the Zone Change is approved:
1. The proposal with the following conditions meets the applicable guidelines of the Routt County Master Plan and the Upper Elk River Valley Community Plan and is in compliance with the applicable provisions of Sections 8 of the Routt County Zoning Regulations.

2. The existing Zone District is inconsistent with the policies and goals of the applicable Master Plan and any applicable adopted area or community plan; or

3. The area for which rezoning is requested has changed or is changing to such a degree that it is in the public interest to encourage a new use or density in the area.

**CONDITIONS** that may be appropriate may include the following:

1. The change of zone from Low Density Residential to Mountain Residential Estate shall become effective upon signing of a resolution amending the Official Zoning Map by the Board of County Commissioners, said resolution to be recorded in the Routt County Clerk and Recorders Office.

2. The zone change is contingent upon a Final Plat being recorded.

3. The approval shall not be issued until all fees have been paid in full. Failure to pay fees may result in revocation of this approval.
We bought the adjacent property in 2008 and purchased the new property in May of 15. We would like to consolidate them.

There are no plans to build on the property, it is just a consolidation and the property use and look will not change. Zoning of the property will not change. No changes to water sewer or road requirement will change.

WS Waggoner
Please see the narrative below and let me know, Thank you in advance.

Stan Wagoner

NRX
970-846-9589
Stan@nrxconstruction.com

From: Alan Goldich <agoldich@co.routt.co.us>
Sent: Thursday, April 16, 2020 10:39 AM
To: stan@nrxconstruction.com <stan@nrxconstruction.com>
Subject: application narrative

Stan,  

I received the additional information and the envelopes. Your narrative does not contain the information that is needed in order to deem the application complete. Your narrative needs to include the following:

**THE ZONE CHANGE WOULD BE THE SAME AS THE EXISTING PROPERTY LOCATED AT 57880 GOLDEN TIDE PLACE**

**Part 1**

In any petition for zoning amendment, the petitioner shall have the burden of showing that all of the following exist:

A. That the proposed zone change is consistent with the goals and policies of the Master Plan and any applicable sub-area plans. **THE ZONE CHANGE IS CONSISTANT WITH THE MASTER PLN**

B. That the area in question possesses geological, physiological and other environmental conditions compatible with the characteristic of the Zone District requested. **THE LAND IS ATTACHED TO THE ABOVE NAME PROPERT AND IS IDENTICAL PROPERTY TYPE**

C. That the advantages of the Zone District requested substantially outweigh the disadvantages to the County and neighboring land occasioned by the amendment. **THIS STATE IS DEEMED CORRECT**

D. That the applicable provisions of these Regulations have been met. **THE REGULATIONS HAVE BEEN MET**

E. That in the case of a zone amendment request that would increase allowable residential, commercial, or industrial density, that adequate...
facilities such as roads, water and sanitation, fire protection, emergency services and public utilities shall be available to serve the area. **NO INCREASE IS REQUESTED**

**Part 2**

In addition, zoning amendments shall be allowed only after the petitioner demonstrates that rezoning is necessary for one or more of the following reasons:

A. The existing Zone District is inconsistent with the policies and goals of the applicable Master Plan and any applicable adopted area or community plan; or

B. The area for which rezoning is requested has changed or is changing to such a degree that it is in the public interest to encourage a new use or density in the area; or **THE ZONING REQUEST IS REQUESTED TO LESSEN THE DEVELOPMENT OF THE AREA. IT WILL JUST BE ADDED TO THE EXISTING RESIDENCE PROPERTY TOTAL**

C. The proposed rezoning is necessary in order to provide land for a demonstrated community need; or

D. The existing zone classification currently shown on the Official Zoning Map is an error

Please e-mail this additional information. Once we have this, it will be deemed complete and we can work on getting it scheduled.

*Alan Goldich*
*Routt County Planning*
*970-879-2704*
*136 6th St., Suite 200*
*Steamboat Springs, CO 80477*
*Agoldich@co.routt.co.us*

Please consider the environment before printing this email.

**Need local information about COVID-19 (coronavirus) in Routt County?**
**Call-in for COVID-19 related questions: 970-871-8444**
**Routt County COVID-19 website: www.covid19routtcounty.com**

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View from the intersection of CR 129 and Golden Tide place looking east.

View from the end of Gold Queen Place looking west.