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. Consideration Of Approval Of Minutes From January 8, 2015
      Documents: 010815 - pc - corrected.pdf
   B. Consideration Of Approval Of Minutes From January 15, 2015
      Documents: 011515 - pc - corrected.pdf

4. ITEMS FOR CONSIDERATION
   A. The Ridge At Deer Mountain
      Activity #: PZ2014-003
      Petition: Conceptual PUD for a 12-lot subdivision and several open space parcels.
      Applicant: MPS SS Holdings, Inc.
      Legal: Lots 1-7 and 9-10 of L Lazy H Subdivision
      Location: Immediately west of Steamboat II, south of RCR 42, north of US 40
      Documents: Staff Report PZ2014-003 2.19.15.pdf

5. ITEMS FOR DISCUSSION
   A. Discussion Of Appointment Of Planning Commissioners To The APCC
      Petition: Discussion and appointment of one Planning Commissioner representative to the Area Plan Coordinating Committee (APCC).
      Documents: APCC member memo 2.12.15.pdf, 2004 Resolution- role of the APCC.pdf

6. ADMINISTRATOR'S REPORT

7. ADJOURNMENT

WiFi access is available in the Hearing Room, and 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.
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

Consideration Of Approval Of Minutes From January 8, 2015

Consideration Of Approval Of Minutes From January 15, 2015

ITEMS FOR CONSIDERATION

The Ridge At Deer Mountain

Staff Report PZ2014-003 2.19.15.pdf

ITEMS FOR DISCUSSION

Discussion Of Appointment Of Planning Commissioners To The APCC

Documents:

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1. Documents:

2. Documents:

3. Documents:

4. A. Petition:

   Activity #:

   Applicant:

   Legal:

   Location:

5. A. Petition:

   Activity #:

   Applicant:

   Legal:

6. Documents:

7. Documents:

8. Documents:

9. Documents:
ROUTT COUNTY PLANNING COMMISSION
January 8, 2015
MINUTES

The regular meeting of the Routt County Planning Commission was called to order at 6:01 p.m. with the following members present: Acting Chairman Brian Arel and Commissioners Jim McGee, John Merrill, John Ayer, Dick Klumker, Bob Woodmansee, Bill Norris, and Karl Koehler were present. Chairman Steve Warnke and Commissioner Andrew Benjamin were absent. Planning Director Chad Phillips and Planner Alan Goldich also attended. Kyleigh Lawler recorded the meeting and prepared the minutes.

MINUTES - SEPTEMBER 18, 2014
Commissioner Ayer moved to approve the minutes from September 18, 2014 Planning Commission meeting, with the recommended changes; page 1, second paragraph, last sentence, add “he” would like to Planning Commission. On page 6, 4th paragraph, last sentence to read Hayden students come out “to” the Yampatika site. Commissioner McGee seconded. The motion carried 8 - 0 with the Acting Chair voting yes.

MINUTES - OCTOBER 9, 2014
Commissioner Norris moved to approve the minutes from the October 9, 2014 Planning Commission meeting, as written. Commissioner Woodmansee seconded. The motion carried 8 -0, with the Acting Chair voting yes.

GENERAL PUBLIC COMMENT:
There was no public comment.

ITEMS FOR CONSIDERATION :
A. Election Of Officers (To Be Tabled To April 16, 2015)
Commissioner Ayer moved to table the election of officers to April 16, 2015. Commissioner Merril seconded. The motion carried 8 -0, with the Acting Chair voting yes.

B. Consideration Of Adoption Of The Sunshine Resolution
Commissioner Merrill moved to approve the Sunshine Resolution as written. Commissioner Klumker seconded. The motion carried 8 -0 with the Acting Chair voting yes.
Larry Williams, President of the North Routt Fire Protection District (NRFPD) said he is here to support the use of the building and would like to see it available for community events to make it an asset to the community. He gave a history of the Moonhill Schoolhouse and how the fire department came to own it. He said back in 1990, Jay Fetcher worked with the County to find a home for the Moonhill Schoolhouse because the Steamboat Springs School District (SSSD) did not have a use for it anymore. The state of Colorado mandated this property had to be given to a tax district and the only one in existence was North Routt Fire Protection District. SSSD then sold it to the NRFPD. Mr. Williams said the NRFPD board created an Auxiliary Board to maintain the Moonhill Schoolhouse and to assist with the community events. He said when the North Routt Charter School was built, the use of Moonhill Schoolhouse declined. Mr. Williams said NRFPD closed it up and the Moonhill Schoolhouse existed that way until Ms. Sanford came to see if it could be a used as a community resource.

Trenia Sanford spoke about how her family has a long history with the Moonhill Schoolhouse and helped maintain it throughout the years. She said the preschool was opened and operated for a number of years, which helped to preserve the building. She said the preschool did a good job with the upgrades and everything was done with the idea of historic preservation in mind. Ms. Sanford said she would like to start holding more community events again, such as dance classes, community suppers, etc. She would like to do more with museums and heritage as well. She noted that this past summer Routt County Riders were invited to make it a stop on their bike rides. She said the building was used quite successfully. Ms. Sanford said she is working with Historic Routt County, the Tread of Pioneers Museum and the Hayden Museum to eventually have a sign of the heritage and history.

Nancy White noted she has been the caretaker of the Moonhill Schoolhouse for around 30 years. She said she wrote grants and has been a part of maintaining the structure. She also recalled the County put in the parking lot. Ms. White said when the schools used it they were granted a Conditional Use Permit, however she does not remember needing a Conditional Use Permit prior to the schools.

Planning Director Chad Phillips noted that if the Moonhill Schoolhouse is being used as a community center, it will need a Conditional Use Permit. Ms. White said it is an old building and the maintenance costs are hard to swallow. Staff Planner Alan Goldich stated Ms. Sanford provided a letter saying that the Moonhill Schoolhouse fell into disuse for a couple of years, which means the Conditional Use Permit has lapsed. Acting Chairman Arel asked if there are any new conditions. Mr. Goldich said the narrative in the staff packet stated use would occur in the summertime only, however the application is for year-round use. Mr. Goldich said in the memo there is a condition to also allow for
winter time use.

Mr. Goldich explained that in 1996 there was a Conditional Use Permit issued and there was a lot of concern with the parking area. Mr. Goldich said they are requesting the petitioner provide Staff with information on where the snow storage and winter time parking area will be located to address some of the concerns. Mr. Goldich said all but one neighbor was in favor of the application and that those concerns were addressed resulting in additional conditions. Mr. Goldich said the County Road and Bridge department plows the Moonhill Schoolhouse parking lot and it is also used as a school bus stop. He said they plow a significant portion, however they do not plow the entire parking lot. He said that the snow storage plan allows staff to ensure there is enough parking for those events. Commissioner Ayer said it seems as though there is plenty of room for parking if the regulations require one spot for 4 people. Lastly, Mr. Goldich said staff is looking into the music request. He said the Planning division needs to decide if it is appropriate for the amplification of music on this site.

Commissioner Ayer asked if events will conclude by 11 p.m. He asked if ending by 11 p.m. has been traditional practice and if it would be a problem. Ms. Sanford said that they have never had any complaints and are usually done by ten. He said if they are hoping to host two weddings a year, there may be an opportunity to speak with the neighbors about those particular dates to see if they are okay with it going later than 11 p.m. Mr. Goldich added condition number 15 in the original staff packet will be stricken because that addresses summer time use only. He said there are four conditions on the memo that would be added to the conditions in the staff packet.

Speaking to condition number 16 in the staff packet, Mr. Goldich said this was a condition from Environmental Health on the original permit because there is not a commercial kitchen in the facility. He said it will not limit them from having caterers and community members bring food on the site. Commissioner Koehler asked if they could have fundraisers where they sell food and raise money. Mr. Goldich said as long as the food is prepared offsite it is okay. Commissioner McGee then asked about having a BBQ on site. Mr. Phillips said Environmental Health office uses the term “community kitchen” when the food is prepared by those who eat it.

Public Comment:
Joel Piassick noted they own the property surrounding the Moonhill Schoolhouse site. He said they are the ones that expressed concerns but that they are not opposed to this application. He wanted to make the Commission aware that part of his property runs onto the current parking area for the Moonhill Schoolhouse. Mr. Piassick offered to deed this part of his property to the schoolhouse, however this will not happen until a survey of the property is done.
Mr. Goldich said number 4 on the memo, which is the added Special Condition #22, addresses Mr. Piassick’s comments.

Seeing no further comment, Acting Chairman Arel closed public comment.

MOTION
Commissioner Merrill moved to recommend approval for the Conditional Use Permit with the findings of fact that the proposal with the following conditions meets the applicable guidelines of the Routt County Master Plan and is in compliance with Sections 4, 5 and 6 of the Routt County Zoning Regulations subject to the following conditions:

General Conditions:

1. The CUP is contingent upon compliance with the applicable provisions of the Routt County Zoning Regulation but not limited to Sections 4, 5, and 6.

2. The CUP is limited to 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 which 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 shall be stored on the property.

6. This approval is contingent upon any required federal, state and local permits being obtained and compiled with; 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. All exterior lighting shall be downcast and opaquely shielded.

9. Prior to the issuance of the permit, the permittee shall provide evidence or liability insurance in the amount of no less than $1,000,000 per occurrence with either unlimited aggregate or a policy endorsement requiring notice to Routt County of all claims made. 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 permits approval 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 with 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 to 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 week 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.

16. There shall be no commercial food service out of the Moonhill Schoolhouse.

17. There shall be no parking in the County Right-of-Way

18. Trash shall be cleaned up after each event and removed from the site or stored in a wildlife proof container.

19. The permittee shall not allow outdoor amplification to be used on-site.

20. All events shall be concluded by 11 p.m.

21. Prior to issuance, a winter time parking and snow storage plan shall be approved by the Planning Director. The permittee shall notify Routt County Road & Bridge prior to moving or removing snow from the parking lot.

22. If the site plan changes in relation to the northern access off of CR 129, a modified site plan shall be approved by the Planning Director without notice.
Commissioner Norris seconded the motion.

The motion carried 8 - 0, with the Acting Chair voting yes.

Steamboat Adaptive Recreational Sports (STARS)

Activity #: PP2014-071
Petition: Conditional Use Permit for an Outdoor Recreation Center for the STARS Equine Therapy Center
Applicant: Steamboat Adaptive Recreational Sports (STARS)

Julie Taulman, Executive Director of STARS said she is here to petition for a Conditional Use Permit for a recreational facility. She started off by giving the background of STARS. She said STARS provides children and adults with autism, cognitive or physical disabilities and wounded military the opportunity to experience recreational sports that they might not otherwise be able to participate in.

Ms. Taulman explained how during the winter their services are mainly limited to the ski area and are offered to a variety of groups. She said they are open 7 days a week in the winter and work with people from all over the country. Ms. Taulman noted how in the summer time, the programming changes and there are more weekly camps. Ms. Taulman explained how there are a few multiple day and overnight camps as well as a new therapeutic horseback riding program.

Ms. Taulman noted how STARS has been conducting equine therapy riding programs for people with disabilities since 2006. This has been taking place at Humble Ranch, but recently STARS has taken over the therapeutic riding program. She noted how STARS is seeking to expand its therapeutic and recreational opportunities as well as create a center for the organization by acquiring this property. Ms. Taulman said this permit would allow STARS to purchase this property and to begin working with the City to use 20 acres adjacent to the property on the Legacy Ranch. She explained how this location is very convenient for parents because it is close to town. She said the other great piece to this property is it allows people to stay at the lodge, which is close to town and the ski area. Ms. Taulman noted how this piece of land is important to showcase the Routt County heritage and agriculture piece.

Ms. Taulman described the property by first going over the proposed office building. She said the interior upgrades will include office space will make it ADA accessible. She would also like to upgrade the roof and exterior siding. She noted there is extra storage in the garage, where they can park vehicles and store all of the adaptive equipment.

Ms. Taulman talked about the therapeutic riding area and said they are hoping to include a covered riding area on the property. She said the plans also include a barn, tack room and an outdoor mounting area. She said it will be similar in nature to what is
at Humble Ranch.

Ms. Taulman explained how another use on the property is to have an accessible ropes course with the intention to use wood with a design that would blend in with the surrounding landscape. She noted STARS has not fully decided whether it would contain a high ropes course or a low ropes course.

Lastly, Ms. Taulman said the lodge is the final piece on the property and it will be an important factor in getting larger groups to attend the STARS programs. She noted it will provide a ranch-like feel. She said it is important for the participants to have the experience of staying together to build connections and friendships. Ms. Taulman noted their sister program is in Park City, UT, which is the largest in the country. She said the lodge is constantly full, with close to 25 beds.

Ms. Taulman then showed a visual of the proposed buildings and recreation outline of the 26 acres. She noted they understand they need a traffic study and will work with City on watershed, well and septic. Ms. Taulman is hoping to have the support of the County and hoping to help the lives of individuals who can participate in the STARS programs.

Staff comments from Planning Director Chad Phillips said there are a couple of highlights on page 3, to add 3.3.A of the Zoning Regulations under Issues for Discussion. He said this one is a little different because the Steamboat Springs Community Plan takes place of the first part of 3.3.A. He noted to take a look at the second bullet under Issues for Discussion on page 3 to decide if the proposed use is compatible with the surrounding land use. Mr. Phillips also said to take a look at the third bullet, because the proposal encroaches on the permit areas of two other County permits. He said Planning Commission must choose one of these courses of action if the application is approved:

1. Allow the permit boundaries to overlap.
2. Require as a condition of approval for this permit that the existing permit boundaries of the Yampatika and Bald Eagle Lake be amended prior to issuance of this permit. Choose between the Administrative Approval or full permit amendment process for the two existing permits to decrease the permit boundaries.

Acting Chairman Arel asked how big of a process it would be to switch the permit boundaries and if it was allowed to overlap with the existing conditions. Mr. Phillips said to be clear to separating them would aid staff if enforcement issues presented themselves. Ms. Taulman said she supports STARS having overlapping boundaries and it was complimentary to Yampatika and Ed MacArthur's SSWSC use.

Mr. Phillips said Ed MacArthur's site permit is for water ski jumps and approved with the whole parcel for the permit boundary. Acting Chairman Arel asked what kind of burden...
it would be to have them amend their boundary. Mr. Phillips explained that the application fees for Yampatika would be waived, however the fees for the MacArthur property may not.

Commissioner Koehler said it is not this particular overlap situation that concerns him, it is others down the road. Acting Chairman Arel said it would be easier to clarify it now.

Commissioner Ayer asked if the conservation easement is on the Legacy Ranch and not the 20 acres permitted to STARS. Mr. Phillips said everything was considered okay with the conservation easement because a letter from Steamboat Springs City Council President and the City manager was submitted for this project. Commissioner Ayer then asked if the 20 acres is part of the conservation easement to hay meadows for grazing. Ms. Taulman said a year and a half ago there were no concerns if STARS did not build anything permanent and to keep it grazing.

Anne Small, employee of the City said the City is well aware of the conservation easement and is very supportive of STARS leasing and using the acreage from the City.

Mr. Phillips said the zoning and size of the property does not allow secondary dwelling units. Specific Condition number 22 was drafted for this reason just in case something were to happen to the STARS program.

Commissioner Woodmansee asked Ms. Taulman how many horses are in their vision to be on the property. Ms. Taulman said a maximum of 15 horses, which is what many therapeutic riding programs have. Mr. Phillips said there is not a defined maximum number of horses allowed as long as a nuisance situation did not occur.

Commissioner Ayer asked what the expected time frame of phase one and phase two would be. Ms. Taulman said the next step is to conduct a feasibility study and have an additional capital campaign for phase one. She said 2016 is the goal for phase one, however the feasibility study will inform them of the timeline. Ms. Taulman said phase two of the lodge is still a couple years down the road.

Acting Chairman Arel asked if a pond is currently on the property. Ms. Taulman said yes and it is very small. She said they would like to make it a little bigger and they are looking into the measurements. Commissioner Ayer asked about the wetlands. Ms. Taulman said the site plan line is labeled wetlands and a preliminary study is being done on what is needed for the wetlands. Mr. Phillips said when there is a wetland issue on the site, they rely on the Army Corps of Engineers for mitigation. Mr. Phillips said there are offsite mitigation measures that could take place. He said the water-body setback regulations apply when there is standing or surfaced water for 60 days or more after the snow melts.
Planning Staff Alan Goldich addressed the Facilities and Services map in the Steamboat Springs Area Community Plan and that wastewater disposal may be available but that it would be site specific. He said this is assuming the pipes and infrastructure get extended to this site. Ms. Taulman pointed out where the lodge would be and assured it would not be in a wetlands area.

Commissioner Koehler had a question in regards to Specific Conditions, #16 where it says Outdoor recreational uses shall only take place from June 1st through October 1st. Ms. Taulman said she is not sure about the specifics of outdoor recreation timing because the majority of what they will be doing on the ranch is in the summer, however they run Veteran programs through the fall. Commissioner Koehler suggested removing the last sentence so STARS can have year-round recreation.

Commissioner Ayer asked about the outdoor camping with lodging. Ms. Taulman said they hope to be able to utilize yurts and/or tents on the property. She said the yurts should only be in place until the lodge was built.

Commissioner Merrill noted on the bottom of page 9, the site area is mapped with wildlife and it needs to include sandhill cranes in the wetlands.

Public Comment:
Robert Powers said he is both a County and City resident. He is involved in a foundation called America 300 where he works with the Department of Defense and State with mental health, spiritual health and well-being of soldiers returning from war. Mr. Powers said he fully supports STARS to help the Wounded Warriors program. Mr. Powers noted the facilities and direction STARS is going would put Routt County on the map with the Department of Defense. Mr. Powers said he did research and was not able to find anything as comprehensive as this for the Wounded Warriors program.

Ed MacArthur spoke as an adjacent property owner and wanted to welcome STARS to the neighborhood. He noted the wetlands on his property and said he would allow them to use one acre adjoining his property.

Curt Weiss owns D Bar K storage and said he would be happy to work with and support STARS.

Sonja Macys, Executive Director of Yampatika expressed support for this application. She noted how Yampatika leases the property from the City adjacent to the proposal. She said there is great synergy between STARS and Yampatika. Ms. Macys noted how the therapeutic riding program is a huge benefit to all participants.

Pam Ruehle, President of the STARS Board thanked the Planning Commission for all they do. She explained how STARS changes families and her son is a client of the program. She noted how they always wanted to live in Steamboat Springs and made
the move partially because of their son being able to participate in the STARS program. Ms. Ruehle said STARS builds confidence and independence in the participants. She described the opportunities they have as a family with the help of the STARS program.

Cheri Trouil, from Humble Ranch said the property would be great fit for STARS and the therapeutic riding program. She reiterated how beneficial it would be to the community.

Nick Metzler, realtor spoke on behalf of STARS saying they need to make a decision on buying the property because the conditional contract would be up the next day.

Seeing no further comment, Acting Chairman Arel closed public comment.

Commissioner Woodmansee said there was no question that the goals of the STARS program are applaudable. He said his concerns are about development and “urban creep.” Commissioner Woodmansee said he supports the Zoning Regulations and those would be ignored if the Planning Commission proceeded to approve this. He said the Planning Commission needs to formally recognize in the record that they have seen a number of issues come before them and had ignored the guiding regulations. He said this is one of the cases with intense development with building a lodge, riding arena, ropes course and other activities outside of what the land is envisioned for the Master Plan. He said the intensity of the use is for Agriculture Forestry and this cannot rectify that relationship. He said the major issue for him is protecting view sheds and landscape.

Commissioner Ayer said he thinks this is acceptable from an intensity of use and visual because it is within the Urban Growth Boundary. He said this is likely better than what could potentially go on the property because it has an equestrian theme which fits closely to the Routt County ranching heritage. He also said it is a great appearance and complimentary towards the Agriculture/Forestry zone district. Commissioner Woodmansee said he would retract trying to put on the hat of the County Master Plan and supports what Commissioner Ayer said.

Acting Chairman Arel also agreed it would be a nice landscape to see driving into town. He noted how it is directly off Highway 40 and there is potential for development creep in that direction.

Mr. Phillips said they had a similar discussion when Planning Commission approved a CUP for the Catamount maintenance building. He said the deciding factor was the cottonwood trees on both sides of the highway, which keeps the building fairly well hidden. Mr. Phillips said in situations like this when view impacts can be a concern he suggests to have the applicant submit a landscaping plan. Mr. Phillips noted reference to the Findings of Fact item #2 on page 11 which helps to address this concern.
Commissioner Norris said he sees this as one of the better uses and thinks back to the other things that could have gone there. He said quite a few people have looked at that area and he is supportive of this use for STARS. He also said as a veteran, this would be great for our town to move towards something like this.

Commissioner Merrill said this is not the kind of development he would fear on Hwy. 40. He said the characteristics of the arena in both the purpose and the buildings that are created keep a preservation of the western characteristic in Routt County.

Commissioner McGee said he likes the project and locations. Commissioner Klumker said he also likes the project and has no problem with it.

**MOTION**
Commissioner Ayer moved to recommend approval for Conditional Use Permit for a Recreational Facility with the findings of fact:

1. That the proposal with the following conditions meet the applicable guidelines of the Routt County master Plan and is in compliance with Sections 4, 5 and 6 of the Routt County Zoning Regulations.

2. Specifically, the intensity of use for a 26.86 acre site is appropriate only because of the proposal's conformance with the SSACP and that the requested land use is compatible with nearby uses.

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 4, 5, and 6.

2. The CUP is limited to uses and facilities presented in the approved project plan. Any additional uses or facilities must be applied for in a new or amended application. Accessory structures/uses associated with this permit may be administratively approved by the Planning Director, without notice.

3. Any complaints or concerns which may arise from this operation may be cause for review of the CUP, at any time, and amendment or addition, 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 shall be stored on the property.
6. This approval is contingent upon any required federal, state and local permits being obtained and compiled with; 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. All exterior lighting shall be downcast and opaquely shielded at the minimum required for public safety.

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 with either unlimited aggregate or a policy endorsement requiring noticing to Routt County of all claims made. 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. The permits/approval 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.

11. 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 to 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.

12. 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:

13. 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 in the uses permitted herein are discontinued for a period of one (1) year.

14. All improvements will be as shown on the approved site plan. The approved project plan for this permit consists of:
Phase one improvements and uses:
- Existing dwelling remodel/conversion - 3 offices, 3 bathrooms, staff kitchen/break area, attic storage, ADA improvements
- Camping site - tents or yurts near existing dwelling
- Covered riding arena with mounting area and attached tack room
- Upgrades to existing corrals, shelters and fencing.
- ADA accessible pathways/trails
- Parking and driveway improvements
- Well and septic improvements
- Ropes course
- Archery range
- Equipment storage - within existing and proposed barn/structures
- Employee housing - within one of the offices in existing dwelling
- Seasonal Horse boarding
- Special Events

Phase two improvements and uses:
- 7,500 square foot lodge - 12 bedrooms, 2 bunk rooms, 14 bathrooms, 1 great room, 1 community kitchen
- Pond enlargement
- Additional ADA accessible pathways
- Fire pit area - near lodge
- Additional exit (emergency) through MacArthur property
- Lodge parking lot.

15. Prior to construction of any trails, drives or any other new structures, Army Corps of Engineer permits shall be in place. Evidence of such permits shall be submitted to the planning Department.

16. Hours of operation for the offices shall be between 8:00 am to 5:00 pm, Monday through Saturday. Outdoor uses shall be limited to the hours of 8:00 am to 11 pm. Special Events shall be held between the hours of 7:00 am and 11:00 pm.

17. Special Events shall be limited to two (2) annually with no more than 150 guests each.

18. New construction and remodel of existing structures will include non-reflective exterior finishes of earth tone colors that do not contrast with the surrounding environment.

19. All employees shall be first aid certified and be trained on emergency procedures. Radios or cell phones shall be provided to guides in case of emergency. Any accidents shall be reported to the Planning Department.
20. 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.

21. A sign permit is required for any new signage under the Routt County Zoning Regulations.

22. In the case that this permit expires or is revoked, the landowner is responsible for returning the property to a conforming situation. This may include removal of the existing dwelling or gaining the approval of another Routt County Special or Conditional Use Permit.

23. Prior to any applicable building or other County permits, the permittee shall obtain a well permit from the Division of Water Resources, consistent with the proposed uses. Evidence of such permit shall be submitted to the Planning Department.

24. Prior to operation, the permittee shall receive a complete State Highway Access Permit including a Notice to Proceed. Evidence of such permit shall be submitted to the Planning Department.

25. If any of the proposed activities exceed the thresholds or proximity to the watercourse as outlined in the Watershed Protection Ordinance, the permittee shall obtain a Watershed Protection Permit from the City of Steamboat Springs Public Works Department.

26. This approval is contingent upon the approval of the administrator of the conservation easement that such use is allowed under the terms of the conservation easement.

27. Prior to operation, a final site plan shall be submitted to the Planning Director for administrative approval.

28. Prior to operation, the YampaTika and Bald Eagle Lake permit boundaries shall be administratively amended.

Commissioner McGee seconded the Motion.

Discussion
Acting Chairman noted to take out last sentence on number 16 on specific conditions. Mr. Phillips suggested adding Specific Condition #26. Mr. Phillips suggested adding to conditions #14 and #25 to say before initiating permit, a final site plan must be administratively submitted to Planning Director for administrative approval. Acting Chairman Arel also made note of the permit boundaries and Commissioner Ayer said to include in the motion to say the existing permit boundaries of YampaTika and Bald Eagle Lake be amended prior to operations of this permit with the administrative approval process.
The motion stays the same with the above discussion edits added. **The motion carried 8 - 0, with the Acting Chair voting yes.**

Acting Chairman Arel announced a five minute break.

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**Rogue Resources**

- **Activity #:** PP2014-067
- **Petition:** Special Use Permit for the Milling and Processing of lumber
- **Applicant:** Rogue Resources

Trent Jones, Controller for Rogue Resources spoke and suggested going straight to the conditions to look at the new conditions that were added. He said he feels a little threatened with item numbers 19, 20 and 21 coming from the letter received from the Routt County Building and Fire Department. He said initially it started off with Rogue Resources needing to clean up the site, which they did. Mr. Jones said they were asked to apply for a new permit. Mr. Jones said this has opened an issue for Rogue Resources because they are being asked to tear down the building, which would cost the company a lot of money. He said the previous Planning Commission in 2009 did not address any building codes and said they could put up a large structure so Rogue Resources could do something with the beetle kill. Mr. Jones said now, six years later, he thinks it is a dramatic turn for them to tear down the structure, which would also take away their storage. Mr. Jones said he wants to know if it is because it does not look good, or if it is because of a safety issue. Mr. Jones said he wants to avoid tearing down the structure and asked for a three year window to turn it into something useful. Acting Chairman Arel said this is in reference to Specific Condition #22.

Mr. Jones said the structure is 33 feet wide with hoops about 16 feet tall. Staff member Alan Goldich said he did some research from the permit in 2009 and was not able to find any justification for temporary status of the unfinished structure. He said it has been there for 7 years and has not had a building permit. He said every structure requires a building permit with the exception of agriculture structures. Mr. Goldich explained how building permits are in place to protect the safety of the public. He said there is an adopted building code and the County is not going above and beyond what is being asked for any other operator or person in the County.

Mr. Jones referred to Specific Condition #21 where they would have a plan to come into compliance to get everything permitted. He said that would give them time and it would not require getting a building permit immediately. He said this would give a timeframe for the County and permittee to be on the same page.
Commissioner Ayer said he was on the Planning Commission when this was brought up in 2009. Commissioner Ayer said from his recollection it was an initial request for a hooped structure and covered open structure like a pole barn. He said Planning Commission was going to approve that structure depending on whatever hoop holes it needed. Commissioner Ayer said at the time, the only concern came from the Fire Department. He said the petitioner entered into the structure with an understanding the only department from the County involved was the Fire Department. Commissioner Ayer said there were also performance problems.

Acting Chairman Arel asked if Mr. Jones could obtain a building permit for the metal hoops. Mr. Goldich said it is a structure being occupied by employees in a commercial fashion. He said because it is a place where people go to work, there is a certain level of expectation to ensure safety. Mr. Phillips said Special Condition item #20 and #21 take #19 one step further. He also said there were no complaints from the public.

Commissioner Ayer said he hopes there would be a good compromise between the petitioner and the Routt County Building and Fire Department because this can burden the success of the business, however there also needs to be a look at the safety of the structure. Commissioner Ayer said somehow there needs to be an expedite for a temporary use to see what the Building Department says. Mr. Goldich said some kind of action; either inspection and/or approval should be required.

Mr. Jones said he is curious if the Fire Department has a way to permit this forward as a temporary structure. Commissioner Klumker said that is a good way to approach it. Mr. Woodmansee said he is pondering this, however he does not have information to put it into this set of conditions. Acting Chairman Arel asked if there was engineering for the hoop structure as it sits. Mr. Jones said it is a homemade job with the wall frame. He said it is a challenge because it is a building that is not done to code. Mr. Jones reiterated how he would like to be granted enough time to fix it and that there is still value in the structure. Mr. Jones said it can be a two-year timeframe. Commissioner Ayer said Mr. Jones could also fix what is not up to code. Mr. Jones said #20 and #21 came from the Building Department and he would like to talk with them to see what the options are.

Commissioner Woodmansee said #22 needs to encompass the idea that Rogue Resources need to show due-diligence and progress. He said permits buy them a little more time to make plans happen. Commissioner Woodmansee said if the fire district is okay, then talk to the Building Department to see if it safe.

Mr. Goldich said the way he interprets #22 is that final inspections and everything must be completed. He said if that is not what the intention is, then Planning Commission needs to come up with new language to clarify what needs to be done. He suggested to add a timeline for the application of a permit and the Certificate of Occupancy.
Commissioner Koehler said he is not concerned about the skeleton of a building, however he said it is an interesting application and there are some diligence issues. Commissioner Koehler said he would like to see the applicant make progress towards compliance. He noted for the applicant to have some kind of milestone to show Planning Commission progress is being made.

In relation to Specific Condition #39, Mr. Goldich said the reason it was put in there is because the applicant proposes to store trucks, backhoes, etc. Mr. Goldich noted that the site is next to the landfill. However staff felt it was their job to bring this item up and Planning Commission can decide if this condition is appropriate or not. Mr. Phillips noted the finished products were originally planned to be stored in that area and now it is replaced with machinery.

Mr. Jones said the logs ended up in the center of the site because it is further away from the building structure. He said according to the fire code, logs have to be a certain distance away from the fence and property line. Mr. Jones said the property owner, Ed Camilletti does not want a fence put in, or trees planted because he wants to keep the property the way it is. Mr. Camilletti noted how County Road 205 stops before their property and that is where all the County maintenance stops. He said beyond where County Road 205 stops the landfill does not worry about what the property looks like. Mr. Goldich said it is worded vaguely to allow some flexibility so staff can work with the applicant to find something appropriate for both the applicant and land owner. Commissioner Klumker and Commissioner Ayer noted to take out #39. Acting Chairman said it is a consensus to eliminate Special Condition #39.

Mr. Jones said Special Condition #40 is an extreme cost to the company. He asked if this could be an issue between him and the landlord. Mr. Jones noted that Mr. Camilletti feels comfortable making it a contract between them and they do not want the County to get involved in this. He does not see sawdust leaking into the Yampa River. Mr. Jones said if Mr. Camilletti requires them to get a bond then they will get a bond. Mr. Camilletti spoke and agreed. Mr. Phillips explained how this condition is taken from the regulations and it was in place during the original approval, however the BCC chose not to put it in there. He noted how the Board of County Commissioners may require a bond and would like Planning Commission’s opinion on this. He said it can be reclaimed by cleaning up the site with the removal of equipment and wood. Mr. Phillips said bonding is usually required for new access roads. Commissioner Ayer said to require a reclamation plan and it would be pretty easy to have it removed and mainly just cleaned up. Commissioner Woodmansee said he is in favor of these bonds and they have a place. He said you may or may not be successful and if you are not the landowner, it should be cleaned up. Acting Chairman said he wonders if the roads need to be removed and what kind of reclamation it is. Mr. Phillips said this is the condition of the site as it came 6 years ago. He said it is an agreement between the landlord and Mr.
Jones. Mr. Phillips said this was not a natural state when the permit was issued. Acting Chairman noted it can potentially be as simples removing the equipment. The landowners say they have it covered under an agreement.

Mr. Jones referred to Special Condition #42-47 in regards to the County Road and Bridge Department. He wanted to know if there is a recent traffic study. He said they have less traffic than the Twin Enviro Services and half of the road is not County Road 205. Mr. Goldich said a traffic study may be conducted next summer. He said these conditions are standard conditions the Road and Bridge Department puts on the permits. He said it gets put on paper so the County knows what is expected. He noted if Mr. Jones is taking care of the Rogue Resources part and not affecting the road, then the conditions should not affect Mr. Jones. Mr. Jones said he does not have a problem with it.

Acting Chairman Arel asked about Special Condition #47 with the sediment control tracking measures. He asked if this is in regards to before leaving their site, or before they enter County Road 205. Mr. Goldich said ideally it would be before they get onto County Road 205. Mr. Goldich said if both Rogue Resources and Twin Enviro Services were to install a stabilized entrance or preventative sediment tracking measure it would save a lot of money to go in together on it, and base division of costs by the amount of traffic generated. Mr. Goldich said the Road and Bridge Department would have to come to terms on how to share those expenses.

Commissioner Klumker asked how long the entrance is from County Road 205 to the Rogue Resources entrance. Mr. Jones said around 350 feet. Commissioner Klumker asked if the road has a good gravel base. Mr. Phillips said historically County Road 205 has a good road base, however when trucks leave the landfill mud mixes with the gravel and starts to deteriorate the road. Mr. Goldich said there was a big improvement when Twin Enviro Services installed better drainage so that does not create mud in the first place. Mr. Phillips noted this is just to ensure that the Road and Bridge Department is protecting the public roads. Mr. Goldich said this is left general so the applicant can figure out what the best solution is and maybe there should be a timeframe clause included. Mr. Phillips noted to talk to the County Road and Bridge Department before the spring-melt and to add a hard timeline.

Mr. Jones said this is a difficult issue because of the area that is not a County Road. He said they get away with a wood base tracking pad and what worries him is getting involved in a very expensive deal by having to pay for a traffic study. Mr. Goldich said he would speak with the Road and Bridge Department on this issue. Mr. Phillips suggested giving a date for the second line in Special Condition #47. Mr. Jones said it would happen before spring and he is okay with the date.
Mr. Jones said he would like to park a logging recreational vehicle on the site. He noted how if they are parking this recreational vehicle on site, they would also need to have an employee living on it. Mr. Phillips said if it is necessary to the logging operation, then it is okay for one person to live in it. Mr. Goldich said the machinery added to the list is mostly labeled for snow removal but that those pieces are used on the site and in the forest. He noted how it appears Rogue Resources cleaned everything up, however there are a few piles of snow where some things may be hidden. Mr. Goldich said the County’s concerns with the state of the site that have been addressed and alleviated. Mr. Goldich would like Planning Commission to address the inoperable vehicles. Mr. Phillips suggested to focus on vehicles accessory to the logging operation.

Mr. Jones said they will follow guidelines of no junk or trash, however would like to be able to store some scrap iron. He said it is integral to log processing. Mr. Phillips asked what the thresholds of trucks are. Mr. Jones said about 20 trucks and it happens about once a month when operating.

**MOTION**
Commissioner Ayer moved to recommend approval for an Amendment to the approved site plan for approval of Special Use Permit for a milling and processing of lumber facility with the findings of fact with the following conditions meets the applicable guidelines of the Routt County Master Plan and is in compliance with Sections 4, 5 and 6 of the Routt County Zoning Regulations. This approval is subject to the following conditions:

**General Conditions:**

1. The SUP is contingent upon compliance with the applicable provisions of the Routt County Zoning Regulations including but not limited to Sections 4, 5, and 6.

2. The SUP is limited to 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 which may arise from this operation may be cause for review of the SUP, 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 SUP, 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 shall be stored on the property, unless specifically approved with this application.
6. 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. 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. All exterior lighting shall be downcast and opaquely shielded.

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 with either unlimited aggregate or a policy endorsement requiring notice to Routt County of all claims made. 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 permits/approval 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 SUP 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 to 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 Special Use Permit (SUP) is valid for the life of the use provided it is acted upon within one year of approval. The SUP shall be deemed to have automatically lapsed if the uses permitted herein are discontinued for a period of one (1) year. Annual reviews
will be completed by the Planning Department.

15. 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.

17. Milling and cutting of wood products shall be limited to the hours 6 am until 7 pm. All other activities shall be limited to the hours 5 am until 9 pm.

18. The fabric covering for the metal framed structure shall be grey.

19. The applicant shall comply with all requirements and regulations set forth by the Routt County Building and Fire Departments in regard to the occupancy and construction of the structure.

22. If a building permit for the structure has not been approved by December 31, 2015, it must be removed from the site.

23. The existing fire mitigation and response plan shall be updated and shall be submitted to the satisfaction of the Steamboat Rural Fire District prior to issuance of the permit that outlines measures to be taken to prevent a fire on the site and for fire extinguishing.

24. All operations and pile sizes must continue to meet the requirements of the currently adopted Fire Code.

25. No burning of waste materials is permitted on this site.

26. No pressure treated or chemically treated (including paint) lumber or wood waste is permitted with this operation nor is the storage or transfer of construction and demolition debris.

27. A Storm Water Management Plan (SWMP), as approved by the Colorado Department of Public Health and Environment (CDPHE), shall be submitted to the Routt County Environmental Health Department for review prior to issuance of this permit. The SWMP shall be kept current.

30. All applicable standards and requirements set forth by the Colorado Department of Public Health and Environment (CDPHE) and the Routt County Department of Environmental Health shall be complied with.

31. All machinery and equipment shall be kept in one location on the site after each working day and shall have adequate spill contamination controls. All machinery and equipment shall be located as far from Twin Landfill's monitoring wells as is reasonably possible.
32. There shall be no storage of non-log harvesting, sorting, and processing equipment on the site.

33. A total of two inoperative vehicles accessory to logging are allowed to be on site at any one time. These vehicles must be integral to the log harvesting, sorting, and processing operation.

35. Scrap materials integral to the permittee operation shall be contained in an approved area on the site plan. No such miscellaneous materials shall be outside of this area unless it is actively being used to support the operation.

36. The maximum amount of green waste allowed to stay on site is 3,000 cubic yards. Green waste shall be removed from the property in a time period suitable to the permittee as long as the 3,000 cubic yard limit is not exceeded.

38. A sign permit is required for any new signage under Section 5.9 of the Routt County Zoning Regulations.

41. Fugitive dust will be controlled by the use of water and/or other control measures as appropriate, as often as necessary, to reduce, control and minimize all dust generated by the use.

42. Routt County has the authority to close any county road at its sole discretion if damage to the road may occur by its use. To the extent that a road closure may affect Permittee’s operations, Routt County will cooperate with Permittee to allow operations to be continued to a safe and practicable stopping point.

43. Routt County roads shall not be completely blocked at any time. If traffic regulation is deemed necessary, the Permittee shall notify the Routt County Road and Bridge Director, or designee thereof, in advance (if possible), who may then require:
   a. The Permittee to place traffic control signage along routes and at intersections as specified by the Routt County Road and Bridge Director and at Permittee’s expense; and types and placement of signs shall be in conformance with the Model Traffic Code.

44. Routt County roads affected by this SUP will be inspected by the Routt County Road and Bridge Department at intervals determined by same. Any road damage, repair or maintenance needs above and beyond typical maintenance, attributable to this use, shall be made by the County, or a third-party contractor as selected by the Routt County Road and Bridge Department and on a schedule determined by same. Road and Bridge shall inform permittee of such maintenance or repair activities prior to work being performed. Permittee shall bear their share of repair costs. Share being defined as traffic counted that is generated from permittee’s use compared to
most recent traffic counts as whole on road. If damage to the road is the sole responsibility of the permittee then the permittee shall solely bear the costs to the repair the roadway.

45. Permittee shall maintain access roads to minimize impacts to the County road system during the life of the Operations. Maintenance may include sweeping, cleaning, and/or repairing access points, and application of a dust palliative to private drive as approved by the Routt County Road and Bridge Director and Routt County Department of Environmental Health.

46. Permittee shall be responsible for any additional winter maintenance and other regular road maintenance above and beyond that normally conducted by the Road and Bridge Department on roads affected by this SUP during the life of the operations and shall obtain necessary permits to do so. Routt County shall meet with the permittee periodically to assess necessary maintenance resulting from use of the road. Maintenance shall be determined by the Routt County Road and Bridge Department in its sole discretion and at permittee’s expense. Maintenance may include, but is not limited to, grading and graveling of roadways, restoration of roadway crown, sweeping or cleaning access points, soft spot/damage repair and application of a dust palliative as approved by the Routt County Road and Bridge Director and Routt County Department of Environmental Health.

47. A stabilized entrance or preventative sediment tracking measures shall be installed at the access of the property to the County Road by April 1, 2015. The stabilized entrance or preventative sediment tracking measures will help mitigate tracking sediment from the permittee’s site to the County Road. The measures used to stabilize the entrance shall stand up to the anticipated truck traffic and be maintained on a regular basis.

48. Permittee shall secure all necessary permits including but not limited to State of Colorado Fugitive Dust Permit, and applicable U.S. Army Corps of Engineers permits, Routt County Grading and Excavation Permits, Routt County Access Permits and Routt County Right of Way permit.

Commissioner Norris seconded the motion. The motion carried 8 - 0, with the Acting Chair voting yes.

ADMINISTRATOR’S REPORT
Mr. Phillips said there are two Planning Commissioner spots open with Commissioner Ayer and Commissioner Hellyer resigning. He noted how Commissioner Koehler is not the Hayden representative. Mr. Phillips said they have been advertising in the Steamboat Pilot and Today newspaper and will hold interviews the next week. Mr.
Phillips said items on agenda for the next Planning Commission meeting on January 15, 2015 is a Special Use Permit for a guest ranch in Hayden and a minor change to the Urban Growth Boundary at 955 Pahwintah, LLC. Mr. Phillips said the February 5 Planning Commission meeting is the last discussion for the definition of camping. He noted how the Board of County Commissioners are close, however there are just a few things. Lastly, Planning Commission talked with Mr. Phillips about attending the Board of County Commissioners worksession on Stagecoach and Mr. Phillips said it would be okay for Planning Commission to attend if advertised.

The meeting was adjourned at 9:47 p.m.
The regular meeting of the Routt County Planning Commission was called to order at 6:01 p.m. with the following members present: Chairman Steve Warnke and Commissioners Dick Klumker, Bill Norris, Jim McGee, John Merrill, Brian Arel, Bob Woodmansee, Karl Koehler, Doug Baker and Troy Brookshire. Commissioner Andrew Benjamin was absent. Planning Director Chad Phillips, Assistant Planning Director Kristy Winser and Planner Alan Goldich also attended. Kyleigh Lawler recorded the meeting and prepared the minutes.

GENERAL PUBLIC COMMENT:
Seeing none, general public comment closed.

ITEMS FOR CONSIDERATION:

Horse And Hen

Activity #: PP2014-007
Petition: Special Use Permit for a Guest Ranch
Applicant: Ryan and Rachel Wattles

Before the applicants speak, Karl Koehler wanted to make note on the record that he is acquainted with Ryan and Rachel Wattles, however he has no financial interest and does not feel it is a conflict of interest.

Ryan Wattles spoke about a Special Use Permit for the Horse and Hen Guest Ranch. He gave an overview of the history of his property. Mr. Wattles said in 1934 his grandfather bought the ranch from Charlie Fulton. He noted how the future of agriculture is with the children and it is important to get them involved.

Ms. Wattles showed a picture of the house located on County Road 80. She said their proposal is to take the house and turn it into a Bed and Breakfast farm stay. She said it has 4 bedrooms and sleeps 8 people comfortably. Ms. Wattles noted the house is full of books, games, ranch treasures and great views with comfortable porch chairs. She showed where the house is located in Hayden and how it sits comfortably in between the town of Hayden and the Yampa River. She also noted how close it is to the Yampa Valley Regional Airport. Ms. Wattles showed pictures of the farm animals and the garden harvest. Mr. Wattles noted they have about 400 head of goat that they feed similarly to how his grandfather did. He reiterated how the proposal would be a small family run Bed and Breakfast farm stay. Ms. Wattles said another great piece to having a Bed and Breakfast is to have more lodging opportunities in Hayden.
Staff Planner Alan Goldich noted corrections to the acreage. The packet says it is 116.28 when in actuality it is 106.37 acres. Mr. Goldich noted the discrepancy is due to an Assessor error. He noted that in 2005 the property went through a Minor Development Subdivision Exemption and received its approval from the Board of County Commissioners, however due to some delay with the town of Hayden concerning the Water Treatment Plant, the plat was never recorded and the approval lapsed. He noted that the Wattles did apply for a Minor Land Preservation Subdivision, which is scheduled to the Board of County Commissioners on January 27, 2015.

Mr. Goldich said Commissioner Brookshire had questions in regards to water and electricity at the proposed sheep wagons. These utilities would not be run to the sheep wagons. Mr. Goldich noted how wastewater is under condition #27 from the Environmental Health Department to address how they will deal with waste water produced from the sheep wagons. Mr. Goldich said Commissioner Brookshire had question about the response time from the West Routt Fire Department. Mr. Goldich noted the response time is less than two minutes. Mr. Goldich said Commissioner Brookshire also had a question about the Water Treatment Plant. Mr. Goldich said there was no exemption granted for the Water Treatment Plant and the first Special Use Permit was issued in 1978. Mr. Goldich said there have been subsequent permits issued to the Water Treatment Plant and by virtue, the County has recognized it is a legal lot. He said nothing will have to be done to account for that parcel’s subdivision.

Chairman Warnke asked if there is an impact of the Land Preservation Subdivision to the owner and how it affects this application. Mr. Goldich said the reason they went through the Minor Development Subdivision Exemption in 2005, is because Lot 1 is only 5-acres. He said it was carved off and deeded separately without going through the subdivision process. He said the Land Preservation Subdivision is meant to remedy this subdivision.

Commissioner Klumker had a question on condition #27 in regards to the sheep wagon disposal since they currently do not have facilities for showers or sanitation. He said there is not going to be enough waste produced so why is condition #27 necessary. Mr. Goldich said Routt County Environmental Health would like a plan on how waste will be disposed. Planning Director Chad Phillips said if lodging is provided for customers it is required to have proper sanitary disposal. Chairman Warnke said this is a public issue and since it is open to the public, it needs to be addressed. Commissioner Brookshire added it may be as simple as having a port-o-potty. Mr. Goldich said if that is how they plan on taking care of it, staff just needs to know.

Commissioner Koehler stated that there is a level of follow up on a few of the conditions. In relation to conditions #15 and #19, he asked if this is something that the applicant needs to follow through on, or will the Planning department follow through. Mr. Goldich said staff will follow up. Commissioner Koehler asked about condition #28 and if the applicant is to address this every time, or just to have the information available. Mr. Goldich said if they plan to use the same operator every time, staff could have it on file. Mr. Goldich noted Environmental Health will confirm this.
Commissioner Brookshire asked if Lot 1 is a separate parcel today. Mr. Goldich said yes, however it is included in the permit boundary. Commissioner Brookshire noted there are two Land Preservation Subdivision lots that are each five-acres. Mr. Goldich confirmed this. Commissioner Brookshire said Lot 1 will have two single family homes. Mr. Goldich said that lots subject to a LPS are allowed a secondary dwelling unit and they are typically limited to a maximum of 800 square feet and must be attached to the primary unit. Mr. Goldich said that the two existing dwelling units on Lot 1 were in existence prior to the adoption of the secondary dwelling unit regulations and therefore they would be considered grandfathered. Mr. Goldich said the development agreement drafted in 2005 had language limiting Lot 1 to the existing primary dwelling unit and one secondary dwelling unit that was approximately 950 sq. feet.

Commissioner Brookshire asked if typically a Land Preservation Subdivision lot could be created anywhere in the County noting an attached secondary unit. Mr. Goldich said correct. Commissioner Brookshire said this is unusual and at the end of the day this is going to be an unusual Land Preservation Subdivision lot. Mr. Phillips said because of an existing condition, the rights are there. Mr. Phillips said to acknowledge its existence through the development agreement. Commissioner Brookshire said in sakes of discussion, could an arbitrary line be created between the old house and the cabin to have three five acre lots. Mr. Goldich explained this scenario on the map and explained how it was not the most ideal scenario. Commissioner Baker asked if the Land Preservation Subdivision is just a way to clean it up as a way of housekeeping and to get into County regulations. Staff said correct.

Commissioner Klumker referred back to condition #27 and asked if the system needs to be designed by a registered professional engineer. Mr. Goldich said if they plan on putting in a septic system that is when a registered engineer would come into play. He noted if the plan includes having people walk to the guest house, use of a port-o-potty, or some sort of other approved disposal system, that could likely be acceptable to environmental health. Mr. Phillips said they may only need a registered professional engineer if they are going to design a wastewater and greywater system. Mr. Phillips said if they are not designing a wastewater and greywater system and the plan is for something different, then Environmental Health just needs to know.

Public Comment:
Marsha Daughenbaugh, Executive Director of the Community Agriculture Alliance said she is speaking in support for two reasons. She said the first reason is the need to keep the young people involved in agriculture in Routt County. She said the Wattles are very involved with local foods and they always do things correctly. Ms. Daughenbaugh said the second reason is under the cultural heritage piece, which is growing very fast. She said this is a perfect young couple to represent Routt County. She noted how they have historic backgrounds and this is a great opportunity for them.

Seeing no further comment, Chairman Warnke closed public comment.

Chairman Warnke said he would like to be very clear that everyone has studied the policies and conditions. Commissioner Brookshire asked Mr. Wattles if there is an
easement with the town of Hayden for maintaining the fence. Mr. Wattles said the road has been fenced off and they have a good relationship with the town.

Commissioner Klumker asked Mr. and Mrs. Wattles if there is anything in the Special Use Permit that they feel uneasy about. Mr. Wattles said he spoke to Environmental Health about condition #27 and he feels good about it.

Commissioner Koehler asked Mr. and Mrs. Wattles about weddings and if they are okay with having no amplified music. Mr. Wattles said he thought about weddings and their main objective is to stay focused on the ranching piece and to keep the neighbors happy. He said he wants to keep it a quiet place for a guest ranch where people can come to relax.

Commissioner Norris asked about condition #25 and #26 if the petitioners would need a commercial kitchen license. Mr. Goldich said in regards to people staying on the site, they are exempt from needing a retail food license from the state because they are considered a Bed and Breakfast. Mr. Goldich said if food is being served to a guest not staying at the Bed and Breakfast, then the food would need to be prepared in a commercial kitchen.

Commissioner Klumker moved to approve the Special Use Permit for a Guest Ranch with the finding of fact that 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. This approval is subject to the following conditions:

**General Conditions:**

1. The SUP is contingent upon compliance with the applicable provisions of the Routt County Zoning Regulations including but not limited to Sections 4, 5, and 6.

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

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

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. Copies of permits or letters of approval shall be submitted to the Routt County Planning Department prior to operations.

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. All exterior lighting shall be downcast and opaquely shielded.

8. 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 with either unlimited aggregate or a policy endorsement requiring notice to Routt County of all claims made. 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.

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

10. The permits/approval 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.

11. Transfer of this SUP 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 to 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.

12. 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:

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

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

Approved uses include:
- Accommodations for up to 8 guests in the guest house
- 2 sheep herder wagons which can accommodate up to 2 guests each
- Providing meals for the guests.
- Agriculturally base activities including but not limited to feeding and watering animals, milking animals, collecting eggs, gardening, and irrigating the meadow
- Recreational activities including but not limited to fishing, bird watching, cross-country skiing, and snowshoeing
- Special events including but not limited to family reunions, farm to table dinners, weddings, community organization events and school groups
- Events can be held year round up to 10 times per year with up to 80 guests
- A sign measuring approximately 24”x42”

15. This approval is contingent upon the approval and recording of the Minor Land Preservation Subdivision plat for these parcels.

16. There shall be no amplified music at any event.

17. All signs shall be in compliance with section 5.9 of the Routt County Zoning Regulations.

18. Based on the type of construction of the guest house, the occupancy load is limited to 10 guests.

19. Prior to operation, a certificate of occupancy shall be obtained for the house.

20. Routt County has the authority to close any county road at its sole discretion if damage to the road may occur by the permitted use. To the extent that a road closure may affect Permittee’s operations, Routt County will cooperate with Permittee to allow operations to be continued in a safe and practicable stopping point.

21. Routt County roads shall not be completely blocked at any time. If traffic regulation is deemed necessary, the Permittee shall notify the Routt County Road and Bridge Director, or designee thereof, in advance (if possible), who may then require:

   a. The Permittee to place traffic control signage along routes and at intersections as specified by the Routt County Road and Bridge Director and at Permittee’s expense; and types and placement of signs shall be in conformance with the Model Traffic Code.

22. Routt County roads affected by this SUP will be inspected by the Routt County Road and Bridge Department at intervals determined by same. Any road damage repair or maintenance needs above and beyond typical maintenance, attributable to this use, shall be made by the County, or a third-party contractor as selected by the Routt County Road and Bridge Department and on a schedule determined by same. Road and Bridge shall inform permittee of such maintenance or repair activities prior to work being performed. Permittee shall solely bear the costs of repairs.
23. Permittee shall use and maintain the existing access to the property to minimize impacts to the County road system during the life of the Operations. No additional accesses will be granted. Maintenance of the access may include sweeping, cleaning, and/or repairing access points, and application of a dust palliative to private drive as approved by the Routt County Road and Bridge Director and RCDEH. If another access is desired, an amendment to the access permit shall be required.

24. There shall be no parking on County Road 80 or the corresponding right-of-way for any events. Parking shall be limited to designated areas onsite only.

25. If food for the special events is prepared on-site, it must occur in a commercially licensed facility.

26. All caterers are required to meet State of Colorado retail food criteria and maintain their own retail food license.

27. Prior to installation and operation of the sheep wagons, permittee shall submit a plan for a wastewater and greywater disposal system designed by a registered professional engineer to be approved by the Routt County Department of Environmental Health (RCDEH).

28. Prior to special events, the permittee shall provide RCDEH with contact information for the sewage contractor what has agreed to accept any material generated on this site.

Commissioner McGee seconded the motion.

**Discussion**
Commissioner Woodmansee said he wanted to include in the record that the intensity of use is appropriate for the 106.37 acres.

The motion carried 10 - 0, with the Chair voting yes.

955 Pahwintah, LLC

Activity #: PI2014-008
Petition: Minor change to the Urban Growth Boundary
Applicant: 955 Pahwintah, LLC

Commissioner Brookshire disclosed that in the packet there is a letter from the party that is opposed to this petition and Commissioner Brookshire said he also leases property to that party. Commissioner Brookshire said it does not influence him to make an unbiased decision and he does not feel it is a conflict of interest.
Commissioner Koehler disclosed that Paul Sachs has represented the interests of his HOA. Commissioner Koehler said there is no financial interest involved and he does not feel it is a conflict of interest.

Paul Brinkman spoke as the applicant and managing member of 955 Pahwintah, LLC. The other member of the LLC is Al Rosenthal. He gave a history and vision of the property. He said in the middle of 2013, the owners of the Pahwintah lot came to him to negotiate terms of a sale of the property. Mr. Brinkman explained how he and Al Rosenthal agreed to buy the lot together with the intent and vision to build two houses on the 3-acre lot. Mr. Brinkman said he also understand the lot is located in the County and zoned Agriculture/Forestry, which would only allow one structure on the property. Mr. Brinkman said he looked at opportunities that would allow them to meet their goal of building two houses. Mr. Brinkman explained in September of 2013 he learned more about the Urban Growth Boundary amendment process was being updated by the City and County. He said the update process has taken 16 months and he knows this is the first step in a very long process. Mr. Brinkman said if this is approved, the next step is with the City for annexation and zoning.

Mr. Brinkman said that the Minor Amendment process does not include a lot of details about the plans. He said there is a lot of opposition due to the fact there is a lot of uncertainty. Mr. Brinkman said he hosted an open-house prior to this meeting to communicate with the neighbors. He said concerns of the additional two houses are the safety for the kids and the uncertainty of what the houses/lots would look like down the road.

Mr. Brinkman talked about the context of the property and how it is 7 blocks to the core downtown area and close to the Soda Creek Elementary School. Mr. Brinkman noted that the existing home on the property has been on City sewer and water since the 1970’s and how the property has not been used for agriculture for over 40 years. He mentioned there are 3 access points to the property from the City.

Mr. Brinkman showed pictures of the property and surrounding area. He noted 1/3 of the property is surrounded by City zoning and City limits, as well as the Urban Growth Boundary. He noted the physical characteristics of the site are conducive to low density residential development.

Mr. Brinkman presented the proposed future land use designation as Neighborhood Residential – Low. He said the specific number of lots and the land plan will be provided at the annexation and zoning level of review. He said 67% of the property borders the City where 50% of the boundary is developed with residential properties to the west and south.

Peter Patten with Patten Associates spoke representing the applicants. He said there are two steps to this process. The first being specific to whether the amendment qualifies as a minor or major amendment to the Urban Growth Boundary. He mentioned how the County and City Planning Directors got together and agreed that this is a minor change. The second step is whether the amendment meets the criteria for amending
the UGB. He said the proposed change is compatible with the goals, policies and overall vision of the Steamboat Springs Area Community Plan and the preferred character of specific planning areas and the proposal supports the main goals, policies and vision statements in the Steamboat Springs Area Community Plan. He wanted to remind Planning Commission that there have been water and sewer to the property for 40 years as well as City utilities and Roads. He said there have been no agriculture activities to this parcel for around 40 years. Mr. Patten said he was looking at the Future Land Use Plan and the document that guides the land use of the City and County. Mr. Patten said the land is compatible with Mr. Brinkman’s plan. He said the parcel is surrounded by existing development or property zoned for development qualifies it as an infill and meets the vision statement.

Mr. Patten showed a picture of the Land Use Plan and the Urban Growth Boundary. He said the Land Use Plan indicates no buffering, where it goes straight from old town to Agricultural. He wanted to make the points that the community supports infill and it is in a built-up area.

Mr. Patten stated there are a number of different policies in the growth management section of the plan that support this property’s inclusion within the Urban Growth Boundary noting that City access, services and roads have been in place for over 40 years.

Mr. Patten said this minor change is not likely to have significant functional impacts to transportation and public facilities stating the City had no concerns. He said the urban services are existing, so it conforms. Mr. Patten said it meets the 1/6 perimeter to qualify for annexation. He said the property is appropriate for urban development because it is surrounded by urban development.

Mr. Patten discussed the specific findings for amendment to the plan. He said the current zoning of Agricultural Forestry is a misclassified land use and that the proposed Neighborhood Residential – Low is more compatible with the surrounding area. He said it has been through the City’s Technical Advisory Committee (TAC) review process and they do not have any concerns. He said the 4th criteria is consistent with the City’s ability to annex the property.

Mr. Brinkman wanted to touch on the comments from the City. He said the request does not appear to conflict with the vision of the Steamboat Springs Area Community Plan. He said it seems to be a logical extension of the existing urban fabric and seems like a natural extension of the current neighborhood. He said City staff thinks Neighborhood Residential - Low is the appropriate designation to the property. He said in conclusion he thinks the proposal complies with the criteria and with the specific findings to make it a Minor Change to the Urban Growth Boundary.

Ms. Winser said before making her staff comments she wanted to go over a few housekeeping items. Ms. Winser said staff provided three letters along with a letter from Mr. Patten in response to TAC comments included in the staff packet.
Ms. Winser said the staff report provides an overview of the application with specifics while both Mr. Brinkman and Mr. Patten did a good job presenting the details of the application. Ms. Winser noted the 3-acre parcel is located in unincorporated Routt County. She noted the UGB on the map and how this is an application for a Minor Change to it. She noted the Planning Commission should be familiar with this process because they were apart of its creation. She said the property is surrounded mainly by residential property in the City. Ms. Winser said the south and west of the property is zoned Residential Neighborhood - 1 and Residential Neighborhood-2. Ms. Winser noted there is a vacant 4.5-acre parcel to the northwest zoned Residential Estate 1.

Ms. Winser then went over the Future Land Use Map. She said north of the property is zoned Agriculture/Forestry, like the current zoning of the subject lot where the minimum lot size is 35 acres however the subject lot does not meet that requirement. She said as part of this proposal, the applicant has designated it as Neighborhood Residential - Low on the Future Land Use Plan. She said although the specific land use is not provided at this time, the specific number of lots and development plan will be part of the annexation and zoning application. Ms. Winser noted however, that the applicant does need to provide a Land use Designation because then the Future Land Use Map will change and the land itself will need to have land use classification attached to it.

Ms. Winser said both the City and County Planning Directors agreed this is a Minor Amendment to the Urban Growth Boundary. She said this is the first of four meetings and the final adopting bodies for this type of application are the Planning Commission, City Council and Board of County Commissioners.

Ms. Winser said there were some questions about if this is denied by one of the boards. She explained that it could still move forward for the consideration of the other bodies.

Ms. Winser said Mr. Patten discussed the criteria in detail which is included in the staff packets as well. She said the criteria are provided as a guideline to help evaluate this application and whether the subject property should be included inside the UGB. Ms. Winser said staff provided details on how the proposal relates to all of the criteria for Planning Commission consideration and went over specific findings that address the six criteria. Ms. Winser said lastly, should this application be approved, there is a condition of approval on the last page of the packet that should be included in the decision relating to the Land Use Designation on the Future Land Use Map. It states that the subject parcel shall be reflected as Neighborhood Residential - Low on the Future Land Use Map.

Commissioner Arel said it would be important to know how many lots were going to be on the property before moving forward with the approval process. Mr. Phillips said the overall question for Planning Commission to consider, is if this land is suitable for inclusion in the City for urban densities. He said to look through the criteria to decide if this goes along with Neighborhood Residential -Low. Chairman Warnke said a maximum density can be calculated with Neighborhood Residential - Low. Ms. Winser said a maximum density can be calculated, however the development plan and City requirements need to be taken into consideration, which could be less than what is
calculated.

Chairman Warnke asked how there is a single family residence on a 3 acre lot in the A/F district. Ms. Winser and Mr. Phillips said it was in existence prior to zoning in the early 1970's. Mr. Phillips said it is a legal nonconforming lot because it is not 35 acres.

Commissioner Koehler asked if the Urban Growth Boundary line was established by the City and is there documentation of where that line was intended. Mr. Phillips said from his recollection of the process, a draft was created by either a consultant, or the City and County and it went through the public hearing process. Mr. Phillips said he is not sure why the lot was left out.

Commissioner Brookshire asked Mr. Patten if there is a different land use designation that could be used rather than Neighborhood Residential - Low. Mr. Patten said he looked at all of the available ones and he thought this was the designation that fit best for the land. Mr. Patten said the City also agreed. Mr. Phillips said there is also Estate Residential. Commissioner Brookshire noted how the neighbors are concerned about the additional traffic and with the safety of the children and that it would be nice if the applicant can give some certainty that they are not going to put in multiple houses on the land.

Mr. Phillips read the definition of the Estate Residential designation. Commissioner Brookshire said after going through the packet and presentation, it seems as though the applicant can accomplish what he wishes to do with the Estate Residential category.

Public comment:
Maureen Smilkstein said if it were zoned as Estate Residential, it could be broken up into two 1.5-acre parcels and kept within the County boundary without having to do the amendment. She said this would alleviate everyone's concerns.

Mr. Phillips suggested pausing on the public comment to hear more from the applicant on the land classifications. Mr. Phillips asked Mr. Brinkman if Neighborhood Residential - Low is the appropriate fit for the proposal and if his vision can be achieved with Estate Residential category. Mr. Brinkman responded by saying the energy has been on the criteria and not the development plan. He said he really has not looked at all possible scenarios moving forward. He said he does not know what the City is going to ask in regards to the streets, etc. He said he was following the process with the Minor Amendment to the UGB and if it makes sense to be in it or not. Mr. Brinkman said the City was in support of Neighborhood Residential - Low.

Chairman Warnke asked if Mr. Brinkman knows why the City wants this designation and if the conversation ever surface about Estate Residential. Mr. Patten said when he looked at Estate Residential, he interpreted the well and septic issue differently than intended.

Public Comment Continued:
Annie Sachs spoke in opposition to the application. She said the applicant has not
determined the specific number of lots to be developed. She noted how the property has been County land for decades and has been designated as agriculture. She said the neighbors have struggled and worried about how this will affect the safety of the neighborhood. Ms. Sachs noted how the Master Plan is to protect agriculture areas and Steamboat Springs has been beneficial to the ranching heritage. She said this parcel is at stake and is part of the agriculture heritage and zoned that way for a reason. Ms. Sachs explained how it is adjacent to a working ranch and should serve as a buffer from people in the city to cattle in the county.

Paul Sachs said he is here to represent the owners of the Deerfoot Ranch, which surrounds the property. Mr. Sachs said the ranch strongly opposes this application. He said to consider what is best for the County as far as planning is concerned and he noted how his letter addresses why it is not good for the County. Mr. Sachs said it goes against the highest principle to protect the rural character ranch land in Routt County. He said it would seem wise for the Planning Commission to maintain this buffer to the Deerfoot Ranch. Mr. Sachs referred to the process with there not being enough information to make an informed decision to the property. He said the specific number of lots have not yet been determined. He noted the uncertainty of zoning in regards to how many houses will be built, what type of houses, and what the roads will look like. He said the City will make the decisions on these critical issues. Mr. Sachs suggested that the regulations need to be revisited or the applicant should provide more information. Mr. Sachs said the bulk of Deerfoot Ranch has been owned since 1956 and through the entire 60 years of ownership, they have used it only to raise cattle and produce hay. He said they would like to continue running the ranch in the current state for the next 60 years where the cattle can graze down to the fence line.

David Schermerhorn said he resides in the neighborhood. He said he first came into this meeting very open minded to hear both sides. Mr. Schermerhorn said the point that Commissioner Brookshire raised in regards to Estate Residential seems to be a good solution and he does not understand why the petitioners did not grab it. He said he is not sure about their vision with two houses when they acquired the property. He said the opportunity to explore this solution is great for the applicants to get what they want with the stated goals of two houses.

Annie Meyer said she lives in the same neighborhood as Mr. Brinkman and she described how Douglas Street is a wonderful residential dead-end street. She said her big concern is seeing several more lots. Ms. Meyer noted the buffer zone seems to be something that is transitional and would make sense on this property to be Estate Residential instead of Neighborhood Residential - Low.

Dan Smilkstein said he listened to the comments and the zoning designation seems to be the one aspect of concern and controversy on this application. He said everything else seems to meet the criteria. He said the Zoning designation submitted on this application is somehow binding to go forward. He noted that going forward with the current designation opens the potential for two lots.
Seeing no further comment, Chairman Warnke closed public comment.

Mr. Phillips said he has follow-up to the word buffer because it keeps coming up. Mr. Phillips noted the plan does not mention anything about buffer. Mr. Phillips said Planning Commissioners need to decide if this land is appropriate for urban development in the City and how to find compliance with criteria 1 - 6.

Commissioner Baker asked how many lots could fit on a 3-acre parcel. He said in doing the math he thought 7 and that is not taking into consideration set-backs, roads, topography, etc., which may mean less than 7. Mr. Phillips said the approval of how many lots is two approvals from now.

Mr. Patten said the applicant would like an opportunity to respond to public comment. Mr. Brinkman said he does not understand the details of Estate Residential and maybe he would agree to that request. He said it is unique but he is willing to do whatever he needs to do to address everyone’s concern.

Chairman Warnke said this would be the time to discuss the six criteria between the Planning Commission. In reference to criteria #3, Commissioner Woodmansee asked about the existing utilities. Commissioner Arel said the City has provided services to the lot area but whether they can extend them or not is a question.

In reference to criteria #2, Commissioner Brookshire said given the infrastructure, he does not know based upon the density and the site. Commissioner Arel said the site density has a lot to do with it, however it leaves him uneasy because he does not know what the density of the site will be. Mr. Phillips said the density assumed was stated in the parameters of the Neighborhood Residential – Low.

Chairman Warnke said he is trying to address some of the concerns of the neighbors and public. He said they do not know what the final density will be because we are at step one of three more steps. Mr. Brookshire asked if Planning Commission denies the application will this application come back to the Planning Commission after the next steps. Mr. Phillips said maybe.

Chairman Warnke said in reference to criteria #1, he is referring to the letter of the City and the surrounding neighborhood. Commissioner Woodmansee said to look at it from outside of the boundary in. He said to look at the core values of the community, the maintenance and preservation of A/F zones areas. He said to take the perspective of what it is going to do with that set of core values and criteria #1 addresses it.

Mr. Brinkman said they do not have a concern with changing the proposed designation to Estate Residential. Commissioner Arel said that would help tremendously. Mr. Phillips said it is an amendment to the Land Use plan. He said this kind of change from the applicant is appropriate and to add a condition.
Commissioner Baker said there are numerous steps to bring this into the Urban Growth Boundary and from his perspective, this one fits the particular criteria. He said it takes care of the nonconforming parcel. He noted that it still needs City approval and still has to go through zoning. Commissioner Baker said he does not look at the property as a buffer between the City and the County and that he supports it as Neighborhood Residential - Low, however he said Estate-Residential is perfect.

Commissioner Koehler said he is predisposed to the idea there is some flexibility. He said in regards to the six criteria, he can live with the designation that the applicant proposed. Commissioner Koehler said he understands the value to buffer ranching, but also recognizes the possibility to achieve the applicants desires. Commissioner Koehler said he could approve the application as presented, however the Estate Residential is a viable compromise.

Commissioner Norris said he likes where the Estate Residential is going. He said with the six criteria, he was all set to deny it with Neighborhood Residential - Low. He said he would like to see this handled with less intensity on the property and wants to stay with Estate Residential.

Commissioner Merrill said he was concerned with how many lots would be declared in this process, however if it amended to Estate Residential, he is convinced this is a perfect first example for a Minor Amendment to the UGB.

Commissioner Woodmansee said he started this process off negatively because of the boundary issue and urban sprawl. He said he was worried of altering the boundary as it exists and the boundary is going to creep into A/F land. He said after reading the letters from the community, it is important for the community to have a say in this process. He said he would support the change to Estate Residential designation.

Commissioner Klumker said they are here to figure out what is going on with the UGB and the six criteria. He said he is okay changing the designation to Estate Residential.

Commissioner McGee said he is presuming the northern property is a fence line and he said the size of the property lends itself to inclusion within the Urban Growth Boundary. Commissioner McGee said he does not have a problem with either Neighborhood Residential - Low or Estate Residential and that he is in support of the petition either way.

Commissioner Arel said he is in support of Residential Estate because of the lack of information they know on the density for Neighborhood Residential - Low.

Commissioner Brookshire said he is primarily concerned about the impact on the neighborhood, the streets and additional traffic. Commissioner Brookshire said he supports the Estate Residential and would like to see this be successful.

Commissioner Brookshire moved to approve the Minor Change to the Urban Growth Boundary with the finding of fact that the proposal, with the following conditions, meets
the applicable guidelines of the Steamboat springs Area Community Plan with the following amendment that the future land use designation of Neighborhood Residential - Low be changed to Estate Residential as presented and that the Future Land Use Map for the subject parcel be changed from Agricultural Forestry to Estate Residential. This approval is subject to the following conditions:

1. The proposed change is compatible with the goals, policies, and overall vision of the Area Community Plan and the preferred character of specific planning areas.
2. Future urban development of the subject area is not likely to have significant functional impacts on transportation and public facilities and will not likely result in an unreasonable or inordinate long-term cost liability related to acceptance and maintenance of public facilities.
3. Future urban development of the subject area conforms to the adopted policies or planned provision of urban services.
4. The property either currently has necessary infrastructure to serve the area or is an area that can feasibly be served by necessary infrastructure. Necessary infrastructure includes, but may not be limited to, access and water and wastewater service.
5. Not less than one-sixth (1/6) of the perimeter of the property is contiguous with the city boundary.
6. The property is appropriate for urban development.

Commissioner Norris seconded the motion.

Discussion:
Commissioner Koehler wanted to make note of the title issue that was mentioned. The issue is resolved in the staff packet and there is a title owned.

The motion carried 10 – 0, with the Chair voting yes.

Administrators Report:
Mr. Phillips said the February 5th Planning Commission has one item which is the discussion and recommendation of the definition of camping. He said on February 19th the items on the agenda are 360 LPS and the Ridge at Deer Mountain. Mr. Phillips gave the Planning Commission an update from the Board of County Commissioners meeting discussing the Stagecoach Community Plan.

The meeting was adjourned at 9:04 p.m.
The Ridge at Deer Mountain Conceptual Planned Unit Development

**ACTIVITY #:** PZ2014-003

**HEARING DATES:**
- Planning Commission (PC) 2/19/15 at 6:00 pm
- Board of County Commissioners (BCC) 3/10/15 at 1:30 pm

**PETITIONER:** MPS SS Holdings, LLC

**PETITION:** Conceptual PUD for a 12 lot subdivision and several open space parcels

**LOCATION:** Lots 1-7 and 9-10 of L Lazy H Subdivision,
Immediately west of Steamboat II

**AREA:** 317.51 acres

**ZONE DISTRICT:** A/F

**STAFF CONTACT:** Alan Goldich

**ATTACHMENTS:**
- Vicinity map
- Narrative
- Existing condition map
- Proposed layout
- WSSAP Master Plan map
- Skyline map
- Colorado Department of Transportation comments
- Road & Bridge comments
- Division of Water Resources comments
- Colorado Parks and Wildlife comments

**History:**
This site is know as the L Lazy H subdivision. It is a 35 acre subdivision that was recorded with the County in 2002. In 2007 a Land Preservation Subdivision application was submitted to the County. It was approved by Planning Commission with a 5-4 vote. Before the item could be heard by the Board of County Commissioners, the applicant withdrew the application.

The reason for the withdrawal and the close vote at PC concerned one of the remainder parcels. That application had this particular remainder parcel on the eastern section of the site, which is within the UGB. Under LPS regulations, the remainder parcel would have the residential development allowances removed for not less than 40 years. The applicant wanted the
Development Agreement worded so that when the remainder parcel was annexed into the city, it would be able to be developed at a higher density than would normally be allowed, no matter if it was less than 40 years later or not.

Site Description:
The land subject to this application is approximately 318 acres and is located 3 miles west of Steamboat Springs with CR 42 bordering it to the north and US Highway 40 to the south. The property is zoned Agricultural/Forestry (A/F). The surrounding uses include agricultural land, a LPS development, and single family neighborhoods. The Steamboat II and Silver Spur subdivisions are immediately adjacent to the site on the east. Approximately 112 acres of the eastern portion of the site is within the Urban Growth Boundary and approximately 33 acres are outside of the UGB but within the West of Steamboat Springs Plan.

Currently this land is divided into ten 35 acre lots known as the L Lazy H subdivision. The applicant owns all but one of these lots. Lot 8 is not owned by the applicant and has a house on it. Lot 6 has a residence and several outbuildings on it. The remaining parcels are vacant and do not have any improvements on them.

There are 3 distinct areas of this site. The lower area is the portion within the UGB and adjacent to Steamboat II. This section is covered predominately with native grasses. The middle section is the transition area from the lower portion in the east to the upper portion to the west. This area is covered in Scrub Oak and native grasses, contains some fairly steep slopes, and is prime wildlife habitat. The upper section is on top of the mesa. This is where most of the home sites will be located. This section is currently used for hay production.

Project Description:
The applicant is seeking approval of a Planned Unit Development in which the design is loosely based on the Land Preservation Subdivision criteria. The applicant is proposing the following:

- 12 residential lots which will be approximately 5 acres each
- 3.22 acre parcel for emergency services
- 3 open space parcels totaling 120.88 acres
- Tract A at 109.28 acres
- Tract B at 23.99 acres

Access for lots 1-11 will be via an existing access point off of CR 42. Access to Lot 12 will be from an existing access off of US 40.

Staff Comments:
- This project is unique in that a portion of the site is within the UGB. Chapter 4 of the SSACP states, “Areas within the UGB will be required to develop in an urban fashion and to annex to the City prior to or at the time of development, assuming the annexation criteria can be met.” If a motion to approve this application is made, staff has come up with a Finding of Fact to support that approval.
- The area around the ridge is in a mapped skyline area. Prior to the Final PUD, a balloon test will have to be conducted to determine if height restrictions are needed to mitigate visual impacts?
- Comments relating to the West Steamboat Springs Area Plan only apply to the portion of land that is within the boundaries of that plan.
- Building envelopes will not be identified on the final plat, only “no-build” zones will be identified. Building envelopes will be enforced by the HOA. This is to make adjustments of the envelopes not so burdensome for future owners.
• Keep in mind that the nature of a PUD is that the project should be evaluated on its own merits without strict compliance with Zoning and Subdivision regulations (other than Section 7 – PUD). Complicane with the Master Plan is still necessary.
• Typically PUD’s are projects that meet the goals and policies of the Master Plan, but can’t be developed under an existing zone district. It is common, but not required, that the applicant propose a community benefit above what would be required in a non-PUD proposal as part of the plan. The only community benefit included is the connection of the proposed trail system with the existing Steamboat II/Silver Spur trail.
• If the PC/BCC would like to see more information at the Conceptual Level for the Emergency Services parcel, the application can either be tabled or this lot can be separated out for a future Conceptual PUD approval.
• The City of Steamboat Springs did not have any comments on this proposal.

***Issues for Discussion***
• Since this application is loosely based on LPS criteria, does Planning Commission and the Board want the LPS Skyline regulations to apply or just the regular skyline regulations to apply? LPS does not allow any skylining, while the regular regs allow up to 15’. Please give direction to staff and the applicant as to what standard will be required.
• What, if any, community benefit, beyond what is proposed, should be included as part of this PUD application?
• Is this application preferred over the 35 acre parcels that are currently in existence?

Compliance with the Routt County Master Plan, Sub Area Plans and Zoning Resolution
The Routt County Master Plan, Sub Area plans and Zoning Resolution contain dozens of policies and regulations regarding land use. Section 5 of the regulations are designed to limit or eliminate conditions that could negatively impact the environment and/or use of surrounding properties, and shall apply in all Zone Districts and to all land uses unless otherwise noted. Section 6 Regulations apply to all Minor, Administrative, Conditional or Special uses allowed by permit only, PUD plans, Site plans, and Subdivisions.

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. Health, Safety and Nuisances
2. Regulations and Standards
3. PUD Regulations and Standards
4. Community Character and Visual Issues
5. Roads, Transportation and Site Design
6. Natural Environment

Interested parties are encouraged to review the Master Plan, Sub Area plans and Zoning Resolution 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.H Wildland Fire
6.1.7.I Noise
6.1.7.L Odors
6.1.7.M Vibration

Regulations to be considered – 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.

Applicable Policies – Steamboat Springs Area Community Plan

GM-1.1 Maintain the Urban Growth Boundary, and review it periodically to ensure that it can meet the region’s needs.

GM-2.2 Development will only be allowed in areas where it can be adequately served by critical public facilities and services.

GM-2.3 Development will pay its fair share of the cost to provide needed facilities and services.

GM-2.4 New development should not cause a reduction in the level or quality of services offered to taxpayers and residents.

Staff comments: There are no natural hazards mapped on this site. The majority of this site is mapped as low wildfire risk with a few small areas mapped as a moderate risk. No impacts from noise, odors or vibration are anticipated. A condition of approval is suggested that would require non-buildable land to be shown on the final plat and PUD. A current soils test will be required at the Preliminary Subdivision phase of this application.

The SSACP states that areas within the UGB should be developed in an urban fashion only after or at the time of annexation. The only development proposed in this area is for Emergency Services. The applicant has spoken with the Steamboat II Metro District and they said that it is possible to expand the service area of the district to accommodate development of this part of the site. GM-2.2 will get addressed at the time development is proposed in this area. The developer will be responsible for extension of services.

Routt County Planning Department
**Is the application in compliance with the Policies and Regulation outlined above? Yes or No**

**Regulations and Standards**

**Regulations to be considered – Routt County Zoning Resolution**

5.3 Secondary Dwelling Unit Standards
6.1.2 The proposal shall be consistent with applicable Master Plans and sub-area plans.
6.1.5 The proposal shall meet or exceed accepted industry standards and Best Management Practices (BMP’s).

**Regulations to be considered – Routt County Subdivision Resolution**

3.1.O No subdivision of land shall occur on an area of land with commercial mining potential when such subdivision would preclude the extraction of a mineral resource of a commercial value greater than that of the proposed subdivision. This shall not apply in a case where the surface rights and the mineral rights are owned by the same individual.
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**

4.3.I Routt County encourages adjoining property owners to work together for proposed land use changes. Adjoining landowners should be consulted and encouraged to participate if the project results in preservation of large tracts of agricultural land, preservation of wildlife habitat, access to public lands, more efficient infrastructure (roads), and/or large conservation easements.
5.3.D Require Best Management Practices and grading plans and strongly discourage overlot grading.
6.3.H Provide for usable open space within all new developments in order to protect and enhance the environment and the quality of life.
6.3.I Usable open space required for developments should provide active and passive recreational environments.

Staff comments: The applicant has stated that secondary dwelling units will be allowed. SDU will be limited to 800 square feet and must be attached to the primary dwelling unit. Planning Commission will have to determine compliance with the Master Plan and Sub-Area Plans. Mineral interest notifications will be sent out prior to the Preliminary Subdivision
hearing. This proposal appears to be in compliance with Section 6 of the RCZR. Adjacent property owners notices were sent out with no responses being received. The open space parcels, including 3.25 acres worth of trails to be available for public use, total 120.88 acres, which is approximately 38% of the site.

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

### PUD Regulations and Standards

**Applicable Regulations – Routt County Zoning Resolution**

7.3.A The PUD shall be consistent with the intent and policies of the Master Plan and any applicable sub-area plans.

7.3.B The PUD shall comply with all applicable standards and mitigation techniques listed in Sections 5, 6, 8 and 9 of these Regulations.

7.3.C The design and construction of the PUD shall include adequate, safe and convenient arrangements for pedestrian and vehicular circulation, off-street parking and loading space.

7.3.D While there are no fixed setbacks and lot widths required for a PUD, the Planning Commission may require such setbacks, lot widths, and space between buildings as necessary to provide adequate access and fire protection, to ensure proper ventilation, light, air and snow melt between buildings, proper locations from utility lines, and to ensure that the PUD is compatible with other development in the area.

7.3.E Open space for the PUD shall be planned to produce maximum usefulness to the residents of the development for the purposes of recreation, scenery, and to produce a feeling of openness. All areas designated as open space pursuant to the requirements of this section shall be provided with access from a public road, street, or right-of-way.

7.3.F Open space: A minimum of 25% of the total PUD area shall be devoted to open air recreation or other usable open space, public or quasi-public. Public sites as required as part of a Subdivision may be included in the required 25%. Unusable open space shall not be included in the required 25%. It shall be the option of the Board of County Commissioners to require any of the “useable open space” of a Planned Unit Development to be dedicated to a public agency or homeowners association.

7.3.G The developer shall provide within the PUD central water and sewer facilities as may be required by the Planning Commission, the Colorado Department of Public Health and Environment, and the local health authorities.

7.3.H Clustered housing shall be encouraged to promote maximum open space and economy of development and variety in type, design, and layout of buildings.

7.3.I Residential density shall be limited as required by the Planning Commission and the County Commissioners upon consideration of the Master Plan and individual characteristics of the subject land.

7.3.J The density of uses other than residential shall be limited as required by the Planning Commission and the County Commissioners upon consideration of the Master Plan and individual characteristics of the subject land and the adjoining properties.

7.3.K Mixed Uses: The PUD shall be designed, in so far as practicable when considering the overall size of the PUD, to provide commercial, recreational and educational amenities conveniently located to its residents in order to alleviate the impacts of increased traffic
congestion.

7.3.L Architecture: Each structure in the PUD shall be designed in such a manner as to be compatible with other units in the area, yet to avoid uniformity and lack of variety of structural designs among the PUD.

7.3.M Maintenance of Open Space: No PUD shall be approved unless the County is satisfied that the landowner has provided for or established an adequate organization for the ownership and maintenance of open space and private roads, drives and parking.

Applicable Policies – Routt County Master Plan

12.3.I For each new PUD project application, the projects’s employee housing needs should be analyzed and proof provided that these needs are being met within or in association with the project.

Staff comments: There appears to be an adequate, safe and convenient arrangement for pedestrian and vehicular traffic. Proposed setbacks are consistent with the A/F zone district, which is 50' from the property line. Based on this, there appears to be adequate spacing between lots to ensure desired neighborhood design, public safety and for providing utilities. Approximately 80% of the site is not planned for development at this time. Approximately 38% will be permanent open space, while 42% could be available to development at a later date. The applicant has proposed trails and ?????????????????? to meet the “useable open space” requirement. The open space was designed to maximize an open feeling, views and usefulness. Central water and wastewater facilities are not proposed on the proposed homesites. The plan for these services are individual wells and septic systems. The buildable lots are clustered along the roadway to maximize the open space. The residential desnsity of this proposal is equal to that as if this proposal was going through the LPS process. The only difference is that the open space is not tied up for 40 years, like it would if it did go through the LPS process. The only other non-residential use proposed is the Emergency Services parcel. Road & Bridge has concerns about the traffic impact to the county road system with the 2 additional residential lots and the future development of Tract A. No architectural styles for the homes have been submitted at this time, but typical designs will be required for the Final PUD. No provisions for the maintenance of open space have been submitted. This will be required at the Preliminary Subdivision phase.

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

Community Character and Visual Concerns

Regulations to be considered – Routt County Zoning Resolution

5.1.4 Outdoor storage of Hazardous Materials
5.1.5 Outdoor storage of Non-Hazardous Materials
5.9 Sign Standards
5.10 Standards for Structures within mapped Skyline Areas
6.1.6 Outdoor Lighting: The proposal shall comply with the Outdoor Lighting Standards in Section 6.3 of these Regulations.
6.1.7.O Historical Significance.

**Regulations to be considered – Routt County Subdivision Resolution**

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

3.1.L The proposed subdivision shall include plans for adequate screening from major access roads, including landscaping and other means to preserve privacy and mitigate visual impacts to surrounding areas.

**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.E Routt County will strongly encourage the LPS Exemption as an alternative to the 35-acre abdivision that results in the clustering of lots along with the preservation of large tracts containing agricultural lands or important wildlife areas.

5.3.C Discourage development of ridges that result in skylining.

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.

10.3.C Approval of development should be kept in or near growth centers.

10.3.J The County strongly discourages scattered development and 35 acre subdivision.

**Applicable Policies – Steamboat Springs Area Community Plan**

CD-3.1 Maintain the rural landscape outside of the City of Steamboat Springs.

CD-3.2 Rural residential development should be compatible with the rural landscape.

CD-3.3 Encourage use of the County’s Land Preservation Subdivision (LPS) Exemption Process.

CD-3.4 Support community agriculture and a rural way of life.

CD-4.1 Major highways and arterials shall maintain a high quality of design.

CD-4.2 Protect Scenic Corridors and the community’s key gateways.

NS-4.1 Maintain the quality of visually sensitive areas.

NS-4.2 Protect our Region’s Dark Skies.
NS-5.1  New development will be limited on steep slopes.

OS-2.2  New development within and adjacent to the designated SSACP area should protect adjacent agricultural operators and preserve sensitive wildlife areas.

SPA-5.5  Provide developed and natural open spaces.

SPA-5.6  Preserve open space, including key environmental and visual features.

SPA-5.7  Encourage continuation of agricultural uses in undeveloped areas.

**Applicable Policies – West Steamboat Springs Area Plan**

2.8.1 (1)  Protect scenic corridors along US Hwy 40. Avoid development of the steep hillsides and ridges that run along the north side of US Hwy 40. Require a detailed slope, ridgeling, and “seen area” (visual impact) analysis from US Hwy 40 as part of the submittal requirements for development proposals.

2.8.1 (6)  Protect nighttime viewing of the stars. All streetlights should be downcast and opaquely shielded and placed at intersection and in other locations required for safety and security to encourage walkable neighborhoods.

2.8.5 (2)  Encourage continuation of agricultural uses in the Yampa Valley, especially irrigated hay meadows south of US Hwy 40. Encourage continuation of agricultural uses on the upper plateau until replaced by development.

3.5.1 (6)  The land outside the Urban Growth Boundary (UGB) of the WSSAP shall remain at a density of 1 unit per 35 acres except as approved through a Land Preservation Subdivision (LPS) or Transfer of Development Rights (TDR)

3.5.5 (7)  Encourage continuation of agricultural uses on open lands in the Yampa Valley and the undeveloped portions of the plan area.

Staff comments: Other than what would be considered typical for residential lots, outdoor storage is not allowed and should be addressed in the covenants to restrict its use. Any signs erected for this subdivision should be in compliance with the sign standards. The ridge on this site is a mapped skyline. A balloon test will have to be conducted at the Preliminary Subdivision phase, however the PC and BCC should direct the applicant and staff as to what, if any, Skyline requirements will have to be met under this PUD. The applicant has stated that the agricultural use will continue on the open space parcels which includes the lands outside of the building envelopes. This site is already a platted 35 acre subdivision and has been the subject of one other LPS application.

There do not appear to be any impacts that cannot be mitigated. Views onto the site were taken into account and the layout of the lots was designed to mitigate any concerns.

This site is located approximately 1.4 miles from the city limits of Steamboat Springs. Because of this site’s close proximity to the SSACP, it provides a transition from the planned high density areas within the plan to the rural ag land to the west of the site. Even though this is not a LPS, it is based on the LPS criteria and, if approved, would replace all...
but one lot of the 35 acre subdivision that is currently there.

This proposal will help maintain the rural character of lands outside of the SSACP. The proposed density is based on LPS criteria and is compatible with surrounding densities. The lot layout was designed to protect sensitive views from the highway to maintain the look of the community gateway. “No build“ zones shown on the final plat and open space parcels will help to protect steep slopes and wildlife habitat. The open space parcels preserve open space and provide trails through undeveloped open space and Tracts A and B. The applicant has stated that hay operations will continue on the open space parcels and outside of the building envelopes.

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

Roads, Transportation and Site Design

**Regulations to be considered – Routt County Zoning Resolution**

5.2 Dimensional Standards
5.4 Parking Standards
5.5 Addressing Standards
5.6 Access to Buildable Lot Standards
5.7 Right of Way Access Standards: A Right of Way Access Permit is required prior to construction of any new access point onto a County Road or other Local Public Road or Right of Way.
5.8 Road Construction 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

**Regulations to be considered – Routt County Subdivision Resolution**

3.1 General Design Standards
3.2 Roads, Streets, and Alleys – General Standards
3.2.1 Streets and Roads
3.2.2 Alleys and Easements
3.3 Blocks
3.4 Lots
3.5 Open Spaces and Public Sites
3.5.2 Public Sites: In addition to the requirement for Open Space in Section 3.5.1, the County shall require the dedication of land and/or payment in lieu thereof for public sites
such as schools, fire stations, or other necessary public facilities, as determined by the Board. Such dedication shall be five percent (5%) of the gross land area of the proposed subdivision. The developer shall have the option, in its sole discretion, to accept the County's calculation of the required dedication, or to perform studies to demonstrate the actual impact of the subdivision upon public services and facilities and the resulting appropriate dedication or other contribution.

**Applicable Policies – Routt County Master Plan**

4.3.D Rural developments and uses should be limited to areas that have adequate access to accommodate the projected traffic.

4.3.K Driveways and roads shall be designed to minimize erosion, cuts and scarring. When scarring of hillsides is unavoidable, prompt revegetation shall occur with native plant species.

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.

11.3.F New rural residential developments should be encouraged to occur in areas that have improved access to accommodate the projected traffic. Proposed developments should have traffic analysis to ensure that adequate access exists.

11.3.G Pedestrian/bike system which connects retail areas, public facilities, recreational areas and neighborhoods with a minimum of auto-truck-rail conflict is encouraged.

11.3.H Protect and respect the rights of the pedestrian.

11.3.J Trail systems can be a major community transportation asset. New development proposals shall include provisions to create and link trail systems both as an alternative to the automobile and for recreational use.

11.3.L Roadways should be designed to minimize the impact on the rural mountain character of the county while providing safe, free-flowing, effective and convenient transportation. Roadway design should be compatible with topography, soils, vegetation, geology, visual and other natural opportunities and limitations.

11.3.O Ensure that future development occurs where roads can accommodate projected traffic volumes and patterns.

11.3.AA Avoid excessive intersection onto the County road system.

**Applicable Policies – Steamboat Springs Area Community Plan**

LU-5.2 New neighborhoods will be well connected by streets, sidewalks, trails, walkways, and bicycle lanes.

T-1.1 New development, including infill, shall be designed to achieve walkable communities and limit trip generation.

T-2.1 New development shall include an interconnected pedestrian and bicycle system.
T-2.2 Improve the existing trail system to promote its use as a legitimate transportation mode and explore opportunities to create effective trail/transit/shuttle networks.

T-2.8 Develop a multi-modal transportation system that can accommodate future planned growth in the West of Steamboat Springs area.

T-2.10 New development shall create an efficient, interconnected, multi-modal road system without dead ends and cul-de-sacs.

OS-3.1 Take a comprehensive approach to the region’s trail system, to link existing trails as a contiguous system; give neighborhoods access to trails’ and connect city and county trails and public lands.

CF 1.7 The provision of water and sewer by the City shall be limited outside the UGB.

SPA-5.4 Develop interconnected street layouts.

Applicable Policies – West Steamboat Springs Area Plan

2.8.8 (3) Design and build streets in the Plan area to provide an integrated connected system of roadways.

2.8.8 (4) Avoid the use of dead ends and cul-de-sacs on arterials, collectors and local streets to disperse traffic throughout the neighborhoods.

3.5.3 (4) Encourage exceptional design that incorporates compact development patterns combined with open space as an option to suburban sprawl.

3.5.5 (3) Require a comprehensive trail system plan to be implemented as part of all new development. Include ridgelines, hillsides and natural drainages and other open spaces as trail corridors.

5.5 (1) Each landowner and/or developer in the Plan area shall be responsible for construction of all necessary (on-site or off-site) infrastructure at his/her own expense unless the benefits to the City as outlined in Section 4.3. Furthermore, each landowner and developer may be required to participate in a special district or other mechanism to finance and construct any necessary community or offsite infrastructure (fire station, collector roads, utility lines, etc.)

Staff comments:
Zoning Regulations:
All structures built will have to comply with the approved setbacks and “no-build” zones. No design of the Emergency Services parcel has been submitted. PC/BCC will have to determine if this parcel will have to go through the Conceptual PUD process. Analysis of the compliance with parking standards will take place during review of the proposed design. Addresses exist for the current lots but may change with the recording of the Final Plat. Access to the northern lots exist from CR 42. An access permit for the Emergency
Services parcel coming off of US 40 will be required when development occurs. Any new roads should be required to be built to Routt County specifications.

Subdivision Regulations:

A PUD allows flexibility in the subdivision and zoning regulations based on the project as a whole. The regulations contained in Section 3 of the Subdivision Regulations (and other Sections) will be treated as guidelines in the site’s design. While the proposal is not held to strict compliance with Section 3, any major deviation from Section 3 will have to be justified. Staff will focus comments in relation to Section 3 on major issues and deviations from the regulations.

The West Steamboat Springs Access Control Plan envisions the existing access off of US 40 as a connector to CR 42. CDOT and Road & Bridge suggested that the ROW for this connector be shown on the Final Plat. The layout preserves the natural topography and existing vegetation while still being able to comply with all technical requirements. The street layout of the site which is proposed for residential development was designed taking into account views, topography, and wildlife habitat and therefore cannot connect to the existing neighboring roadways. Farmhouse Drive can be designed to connect to neighboring roads.

Compliance with Sections 3.2.1 and 3.2.2 will be evaluated at the Preliminary Subdivision stage of this process. Referrals were sent to all of the utility companies for comment and none were received. The proposed design does not contain any blocks and the design of the lots appears to be in compliance with all standards in Section 3.4. and general criteria for a LPS.

Thirty-eight percent of the site is being left as open space. The BCC will determine if the open space will have to be conveyed to a HOA or other organization for the maintenance of such open space. The only plan for the open space is that it will continue to be used in an agricultural fashion. The design of the trail takes into account views and topography and can be connected to the trail system in Steamboat II. Included in the 25% open space requirement is the requirement that 5% of the total land area be dedicated as a public site. Because 38% of the site is designated as perpetual open space, which is above what is required in a PUD, and the 3.22 acre Emergency Services parcel, the applicant hopes that this requirement will be waived (see e-mail dated 2/6/15). Tract A, which is approximately 109 acres, is within the UGB and is being considered by staff as a holding zone for future development when this portion of the property is annexed into the city. Tract B could be developed in the future if a future amendment to the PUD plan is applied for and approved.??????????????????

Master Plan Policies:

Road & Bridge has concerns about the traffic impact to the county road system with the 2 additional residential lots and the future development of Tract A. R&B has requested that a traffic study be performed before the Final PUD/Subdivision and prior to the development of Tract A. Conditions of approval addressing this is suggested. A plat note stating that roads will not be maintained by the County is suggested. Adequate access to the proposed subdivision exists. The proposed trail system can be connected to the trail system in Steamboat II and the core trail if it is extended this far. No new intersections onto the County road system are proposed.

Steamboat Springs Area Community Plan:

Please see the previous comments in relation to the trail systems and the linkage possibilities. The applicant has spoken to the Steamboat II Metro District and the District
said expansion of the district boundaries is possible in order to extend service to the Emergency Services parcel. There is an existing ROW off of Anchor Way in Steamboat II that this parcel should be able to be connected to.

**West Steamboat Springs Area Plan:**

A condition of approval is suggested requiring the applicant to pay for any expansion to the infrastructure used to deliver water and treat wastewater.

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

### Natural Environment

#### Regulations to be considered – Routt County Zoning Resolution

- **5.11** Waterbody Setback Standards
- **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.
- **6.1.7.Q** Noxious Weeds.

#### Regulations to be considered – Routt County Subdivision Resolution

- **3.1.F** Provisions shall be made to preserve as open space any natural features of the site that would enhance the subdivision, i.e. unusual rock formations, lakes, rivers, streams, trees, or attractive relief features.
- **3.1.J** An adequate water supply shall be available for the proposed subdivision.
- **3.3.E** Sufficient area for leach fields where individual sewage disposal systems are proposed in conformance with the Routt County Department of Environmental Health regulations; and
- **3.3.F** Suitable location for wells where individual septic systems are proposed in conformance with the Routt County ISDS Regulations.

#### Applicable Policies – Routt County Master Plan

- **5.3.B** While respecting private property rights, the County will not approve development applications or special use permits that would lead to the degradation of the environment without proper mitigation that would bring the proposal into compliance with the Master Plan, appropriate sub-area plans, Zoning Resolution, and Subdivision Regulations.

#### Applicable Policies – Steamboat Springs Area Community Plan

- **NS-3.2** New development will be designed to respect Wildlife Habitat.
Applicable Policies – West Steamboat Springs Area Plan

2.8.2 (2) Preserve and enhance drainages for wildlife habitat and migration. Consult with CPW during development review to ensure sufficient width to allow wildlife movement. Locate trails systems within drainages to the extent compatible with wildlife habitat protection.

2.8.2 (3) Locate trails and recreational amenities outside important wildlife and riparian areas.

Staff comments: There are a few mapped ‘intermittent streams’ mapped on this site but none of them will be crossed by a road. “No-build” zones on the final plat should identify any waterbodies that need to be taken into account. There is no mapped critical wildlife habitat on this site. The application materials make reference to a Wildlife Mitigation Plan but to this point, it has not been submitted. CPW said that the upper area, where the residential lots are proposed, is valuable brood/rearing habitat for Sharp Tailed Grouse. Please see their comments. There are no anticipated impacts to water quality or quantity or air quality with this application. There are 10 constructed wells on this site. The Division of Water resources speculates that since these wells are drilled into shale, there may be problems with sulfur being in the water (see DWR comments). In researching previous applications on this site, there is a small amount of wetlands on the site. These areas will have to be identified on the Final Plat as a “no-build” zone. Historically, weeds have been a problem on this site. The County has been performing weed control for the previous owner, with the previous owner paying for those services. The Weed Department is requesting that a Noxious Weed Management Plan be submitted. A provision for weed control will be included in the Development Agreement. The proposed lot sizes are in conformance with Environmental Health’s required lot size to be served by individual wells and septic. Information meeting the Subdivision Regulations for proof of water should be provided as part of the Preliminary Plan submittal. The design of the road and lots is respectful of the wildlife habitat and riparian areas.

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

PLANNING COMMISSION / BOARD OF COUNTY COMMISSIONERS OPTIONS:

Approve the Conceptual PUD 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. The applicable provisions of Sections 5 and 6 have been reviewed and appropriate findings and conditions are included in the approval outlined herein.

Deny the Conceptual PUD 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.

Table the Conceptual PUD request if additional information is required to fully evaluate the petition. Give specific direction to the petitioner and staff.
Approve the Conceptual PUD 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 Conceptual PUD is approved:

1. The proposal with the following conditions meets the applicable guidelines of the Routt County Master Plan, Steamboat Springs Area Community Plan, and West of Steamboat Springs Plan and is in compliance with the applicable provisions of Sections 7 the Routt County Zoning and Section 3 of the Subdivision Regulations.

CONDITIONS that may be appropriate may include the following:

Conceptual PUD:
1. The Conceptual PUD approval is contingent upon submittal of a complete application for Preliminary Subdivision within 12 months.

2. The approval shall not be issued until all fees have been paid in full.

3. A design for the Emergency Services parcel shall be part of the Final PUD submission.

4. Prior to the recording of the Final PUD in which the design of the Emergency Services parcel is included, an amendment to the Steamboat II Metro District Special Use Permit for water and wastewater service shall take place.

Rezoning:
5. An application for the re-zone of this property to PUD shall be submitted concurrently with the Preliminary Subdivision application. The Resolution of Zoning Amendment shall be recorded concurrently with the Final PUD Plan and Final Plat.

Subdivision:
6. 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, wetlands, and other development constraints typically required for non-PUD applications. The “no build” zones shall be defined on the plat and approved by the Planning Director before the plat is recorded.

7. Open space parcels A, B, and C and trail easements shall be deeded to the property owners association and such deed(s) shall be recorded concurrently with the Final Plat.

8. Proof of water to serve all lots must be provided to the Planning Director with the Preliminary Plan application.

9. The Preliminary Plan and Final Plat shall show public road and utility easements and such shall be dedicated appropriately.

10. The Final Plat shall show and appropriately dedicate a minimum of ??? acres for necessary Public Sites or developer shall pay a fee-in-lieu in accordance with Section 3.5.2 of the Routt County Subdivision Regulations prior to recordation of the Final Plat.

11. The Final Plat shall include the following notes:
a. Routt County is not responsible for maintaining or improving subdivision roads. The roads shown hereon have not been dedicated nor accepted by the County.

b. The suitability of these lots for an individual septic disposal system and the availability of permits for individual septic disposal systems have not been established and such shall be a condition of obtaining a building permit for these lots.

c. Existing and new accesses shall meet access standards set forth by the Routt County Road and Bridge Department and Fire Prevention Services.

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

e. Routt County (County) and the Steamboat Springs Rural Fire Protection 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.

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

g. A current soils test showing the sufficient stable nature to support development will be required before obtaining a building permit.

12. Mineral interest owners shall be notified prior to the Planning Commission hearing for the Preliminary subdivision.

13. A balloon test shall be completed after an application for Preliminary subdivision has been submitted. The Skyline Development standard to be used for home construction in this PUD shall be ??????????.

14. The right-of-way for the connector road between CR 42 and US Highway 40 shall be shown on the Preliminary Plan and Final Plat.

15. The approximate grades and surfaces of the internal roads shall be submitted with the Preliminary Plat.

16. Engineer design plans shall be submitted to the Road & Bridge Department with the Final PUD/Subdivision application.

17. Lots 1-11 shall be accessed via Mule Deer Trail. No parcels shall be allowed to direct access to CR 42.

18. A full traffic study shall be conducted prior to submission of the application for Final PUD/Subdivision.
19. Access to the parcels shall be a minimum of 100’ for US 40, or more if required by the traffic study.

20. Prior to development of Tract A, a traffic study shall be performed by the County Consulting Engineer showing the impacts to the County Road system.

21. Prior approval of the Final Plat of the Emergency Services parcel, an access permit from CDOT shall be obtained. Proof shall be submitted to the Planning Department prior to sign offs on any building permit for said parcel.

22. Access to the Emergency Services parcel and other Tracts shall access US 40 via Farmhouse Drive. There shall be no direct access to US 40.

23. A sidewalk shall be shown along US 40 as represented in the Access Control Plan.

24. The roadway cross-sections submitted at the Preliminary Subdivision phase shall show the location and width of the recreational trail.

25. Provisions for the maintenance of the open space shall be submitted to the Planning Department with the application for the Preliminary subdivision.

26. The developer shall be responsible for all costs associated with the expansion of the water and wastewater infrastructure to serve any proposed development.

27. The Preliminary Plan submittal shall include the following detailed information:
   a. Utility plans
   b. Soils report
   c. Landscaping plan
   d. All lot dimensions
   e. Site plan showing land to be dedicated as open space in conformance with Section 3.5.1 of the Subdivision Regulations.
   f. Site plan showing land to be dedicated for public sites or calculation of payment in lieu in conformance with Section 3.5.2 and 3.5.3 of the Subdivision Regulations.
   g. Engineered drainage plan which results in no net increase of runoff from the site
   h. A traffic study based upon the number of approved lots, shall be submitted with the Preliminary Plan, and comments shall be obtained from the Colorado Dept. of Transportation, (if applicable), prior to submittal of the Preliminary Plan.
   i. Road construction plans and specifications for the interior access road which meet the minimum requirements of the Routt County Engineer, the Routt County Road Supervisor, and the Routt County Board of County Commissioners. Plans and specifications shall carefully consider minimizing cuts, fills and visual scarring.
   j. Water well and septic system information.
   k. Draft Covenants
   l. Revegetation of disturbed areas shall occur within one growing season with a seed mix which avoids the use of aggressive grasses.

28. The Petitioner shall enter into a Development Agreement or similar documentation recorded as part of this PUD restricting the uses on the 12 Buildable Lots, 3 Open Space Parcels, Tract A and Tract B.
Specific Conditions:

Agriculture Conditions

29. Maintenance of the fencing shall be completed on an ongoing annual basis by the development’s Owner’s Association. A separate fund shall be set up equal to 2 years maintenance costs by the Applicant, to be administered by the Owner’s Association, at the time of signature of Board of County Commissioners on the Final Plat.

Infrastructure

30. Road Construction Permit(s) shall be obtained in accordance with the provisions of Section 5.8 of the Routt County Zoning Resolution.

31. The developer shall be required to enter into a Subdivision Improvements Agreement (SIA) acceptable to the County requiring the completion of road improvements along with associated grading and excavating, storm water management, erosion control and revegetation; dry utilities; road and trail signage; and surveying unless all infrastructure for the development has been completed prior to the finalization of the Final Plat. Provisions may be included for phasing of the development. The SIA shall be recorded concurrently with the plat.

Wildlife Conditions

32. The Wildlife Mitigation Plan shall be finalized and approved by the Colorado Parks and Wildlife and recorded concurrently with the Final Plat, if recommended by the CPW.

Open Space Parcels

33. Open Space parcels A, B, and C, Tract A, and Tract B shall be subject to a non-exclusive easement for the benefit of the owners of lots within the PUD for recreational use. Such easement may be terminated at the time that the approval of development for Tract A and B is obtained.

34. A buffer surrounding the buildable lots shall remain as open space and subject to an easement for recreational use on a perpetual basis.
There are two Planning Commission members representing Routt County appointed to the Area Plan Coordinating Committee (APCC). Formally these positions were filled by Jay Gallagher and John Ayer. Recently, Jim McGee was appointed to fill John’s spot on the Committee but we are also looking to fill Jay’s spot. Please review the attached document which provides an overview of the role of an APCC member and consider if you would like to represent Routt County and your Planning Commission.
INTERGOVERNMENTAL AGREEMENT
REGARDING IMPLEMENTATION OF THE UPDATED
STEAMBOAT SPRINGS AREA COMMUNITY PLAN AND
FUNCTIONS OF THE AREA PLAN COORDINATING COMMITTEE

This Intergovernmental Agreement Regarding Implementation of the Updated Steamboat Springs Area Community Plan and Functions of the Area Plan Coordinating Committee (the “Agreement”) dated as of October 12, 2004 is between the City of Steamboat Springs, a Colorado home rule municipality (“City”), and Routt County, Colorado, a political subdivision of the State of Colorado (“County”), which are sometimes referred to individually as a "Party" and collectively as "the Parties".

Recitals

A. City and County adopted an update to the August 15, 1995 Steamboat Springs Area Community Plan (the “Updated SSACP”) on May 3, 2004.
B. City and County are authorized to enter into intergovernmental agreements such as this Agreement by Colorado Constitution Article XIV, Section 18, and C.R.S. Sections 29-1-201 et seq., 29-20-105, and 31-23-227.
C. City and County intend by this Agreement to set forth how the Updated SSACP will be implemented by the continuation of the Area Plan Coordinating Committee (APCC) which was formed in 1994 to coordinate the implementation of the 1995 SSACP.
D. APCC is an advisory committee and seeks consensus on recommendations to City and County elected and appointed officials on the implementation of the SSACP.

Terms and Conditions

1. Area Plan Coordinating Committee (APCC)
a. Shall consist of seven (7) Voting Members:
   • one member from the Board of County Commissioners
   • two members from the City Council
   • two members each of the City and County appointed Planning Commissions
b. Advisory Council; The County and City Managers and the County and City Planning Directors or their appointed representatives shall serve as non-voting members whose role is to advise the APCC Voting Members.
c. The APCC may seek participation from members of the Parks and Recreation Commission, the Yampa Valley Housing Authority, the Northwest Regional Transportation Commission, Historic Routt County!, members of the public and other stakeholders in the Updated SSACP and the West of Steamboat Springs Area Plan (WSSAP), as appropriate.

2. Duties of the APCC
a. The APCC shall coordinate, inform, advise, and monitor City and County implementation of the Updated SSACP.
b. The APCC may review issues or studies related to the implementation of the
Updated SSACP, and may advise the appointed and elected officials of both the City and County regarding same.

c. The APCC shall review proposals to further amend the Updated SSACP and shall advise the appointed and elected officials of both the City and County regarding same.

d. The APCC shall review the priority list of Action Items in the Updated SSACP on an annual basis and report at a Joint City and County meeting on the progress of the implementation of the past priority items and seek direction for the following year.

e. The APCC shall meet twice per month, on the second and fourth Thursdays, and at other times at the request of the Chair.

f. The Chair and Vice Chair shall be elected at the first meeting in January of each year.

g. The APCC shall continue to actively monitor, review and coordinate proposed amendments and updates of the West of Steamboat Springs Area Plan (WSSAP) and shall inform and advise the City and County elected and appointed officials about the implementation of the WSSAP.

3. Term of Agreement

The term of this Agreement shall be from the date of signing to the end of the calendar year in which it is signed and shall automatically be extended for additional one-year periods, unless it is terminated or amended earlier pursuant to Paragraph 5 below. This Agreement shall become effective on the date on which both County and City have executed it.

4. Amendments to Agreement

This Agreement may be amended only by a written amendment signed by both Parties.

5. Termination of Agreement

Either Party may terminate this Agreement by delivering written notice to the other Party, no later than June 30 of any year, of its intent to terminate the Agreement at the end of that calendar year. Once such notice is given, this Agreement shall be terminated automatically at the end of that calendar year, unless such notice is subsequently revised by the Party giving such notice, and such revocation is accepted by the other Party. No such termination shall relieve either Party of legal obligations incurred prior to the date of such termination, including any legal obligations related to the formation or operation of any special district.

6. Dispute Resolution

The Parties may agree in writing to participate in any intergovernmental dispute resolution program established by the State of Colorado during the term of this Agreement.
7. Severability

If any part of this Agreement is determined to be invalid by a court of competent jurisdiction, the remaining portions of this Agreement shall remain in full force and effect, and the Parties shall attempt to amend this Agreement to carry out the intent of the invalid provision as closely as possible and in accordance with applicable law.

CITY OF STEAMBOAT SPRINGS, a Colorado home rule municipality

By: [Signature]
Its: [Position]

ROUJT COUNTY, a political subdivision of the State of Colorado

By: [Signature]
Its: [Position]
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REGARDING IMPLEMENTATION OF THE UPDATED
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CITY OF STEAMBOAT SPRINGS,  
a Colorado home rule municipality

By: [Signature]  
Its: [Position]

ROUTT COUNTY,  
a political subdivision of the  
State of Colorado

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Its: [Position]