

ROUTT COUNTY PLANNING COMMISSION AGENDA

October 15, 2020
6:00 PM

Due to the COVID-19 pandemic, this hearing will be conducted through the Zoom application. You may access this meeting by clicking [here](#).

Live audio is available by calling (669) 900-6833.

Meeting ID: 828 3534 3424

Password: 310181

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. ITEMS FOR CONSIDERATION

A. King Creek Ranch Wireless Internet Tower

Activity #: PL-20-164
Petition: Request for a Conditional Use Permit for the installation of a Wireless Internet Tower
Applicant: Pathfinder
Legal: TR IN SW4NW4, TR IN N2NW4SW4 SEC 35-1N-84 TOTAL 40A
Location: Approximately 3.5 miles south from the intersection of US HWY 131 and US HWY 134

Documents:

[Staff Report KCR final pl-20-164.pdf](#)

4. ITEMS FOR DISCUSSION

A. PL-20-114 Review Process/Fee Schedule Regulation Amendment Work Session

Review Process/Fee Schedule Regulation Amendment work session

Activity #: PL-20-114

Documents:

[PC_BCC Memo 10.15.20.pdf](#)

5. ADMINISTRATOR'S REPORT

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

6. ADJOURNMENT

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

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.

King Creek Ranch Wireless Internet Tower

Conditional Use Permit

ACTIVITY #: PL-20-164

HEARING DATES: Planning Commission: 10/15/20 at 6:00pm

PETITIONER: Pathfinder

PETITION: Conditional Use Permit for a Wireless Internet Tower

LEGAL: TR IN SW4NW4, TR IN N2NW4SW4 SEC 35-1N-84 TOTAL 40A

LOCATION: Approximately 3.5 miles south from the intersection of US HWY 131 and US HWY 134

ZONE DISTRICT: Agriculture / Forestry

AREA: 40 acres

STAFF CONTACT: Name and e-mail address

ATTACHMENTS:

- Application
- Site visit photos

History:

The project location is a privately owned parcel that is part of the larger King Creek Ranch operation. In 2019 King Creek Ranch was granted a Special Use Permit for a recreational facility that provides amenities to its owners. Each of the seven owners of the King Creek Ranch has an adjacent parcel that they own individually that contains their own private dwelling units. The subject parcel is one of the seven owners' individual parcels.

The petitioner, Pathfinder, is a wireless internet provider that currently has operations in Eagle, Pitkin, and Garfield Counties. This application is their first proposed project in Routt County.

Site Description:

The proposed site location is a 40 acre parcel zoned A/F located at the approximate midpoint between Toponas and McCoy. A single family dwelling is located on the parcel. The owner of the subject parcel is a part owner of the surrounding King Creek Ranch that has amassed approximately 5,000 acres. The identified tower location is on a ridge located on the west side of the parcel. This location was selected by the applicant due to its line of sight to dwellings, structures, and potential future collocated towers to connect to for a future expanded service area. The site is accessed by traveling east off of State Highway 131 onto the private roads within King Creek Ranch.

Project Description:

The applicant is requesting to construct a wireless internet tower with a maximum height of 35' on the subject parcel. The proposed project has two phases. The first phase is for the proposed tower to provide highspeed wireless internet service to the houses and structures located on King Creek Ranch, as well as the residences of staff associated with the ranch that live adjacent to it. The property owners of King Creek Ranch will provide the funding for the tower installation, the location, and an easement for the servicer, Pathfinder, to access the site for maintenance. The second phase includes extending service to residents, schools, and businesses in south Routt County, once initial service is established. If the next phase will require additional ground equipment it will be subject to the same permit process, which is typical for wireless internet expansion. If the second phase is successful the cost of the operation will be reduced for King Creek Ranch as it will be shared by additional service contract holders.

In addition to the tower, a small concrete pad will be necessary on the site along with a power box mounted on the lower part of the tower. No additional structures or ground equipment are being requested. Electrical power will be provided to the site via underground conduit piping.

Staff Comments:

Standards for Free Standing Telecommunication Facilities in Section 8.10.3 of the Zoning Regulations state that the telecommunication facility shall be visually mitigated from adjacent residential development and public rights-of-ways. The distance to the nearest residence not associated with King Creek Ranch is about 0.6 miles and to State Highway 131 is about 0.5 miles. The tower will be located in front of an established grove of trees, but there is little vegetation in front of the tower. You may consider visual mitigation measures not necessary, however, typical measures considered are opaque fencing and/or landscaping around the equipment area.

There is a 5 business day appeal period before any permits may be issued.

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 five (5) major categories:

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

- 5.1.1 Every use shall be operated so that it does not pose a danger to public health, safety or welfare.
- 5.1.2 Every use shall be operated in conformance with all applicable federal, state and local regulations and standards. Failure to comply with any and all applicable federal, state and local regulations and standards may be cause for review and/or revocation of any Land Use Approval granted pursuant to these regulations.
- 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

Staff comments: Based upon the application submitted, there appear to be no public health or safety concerns from the proposal. The wireless site facility will need to comply with Federal, State, and local regulations, as stated in the conditions, if approved. There are no known hazards, and the site has been designed in keeping with building code standards. Noise, odors, or vibration concerns are not expected.

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

Regulations and Standards

Applicable Regulations – Routt County Zoning Resolution

- 5.2 Dimensional 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).

Applicable Policies – Routt County Master Plan

- 5.3.A The County encourages the use of “green” building techniques that lead to the conservation of energy and overall reduction of pollution in our environment.
- 5.3.D Require Best Management Practices and grading plans and strongly discourage overlot grading.
- 8.10.1.B The construction and use of a telecommunication facility shall not cause interference to other adjacent telecommunication facilities. The County shall be held harmless if interference occurs.
- 8.10.1.D The operator shall agree to allow co-location of other users on the tower, providing their requested use is compatible to the existing use, to limit the construction or proliferation of cellular tower sites in the area.

Staff comments: The proposed tower does not exceed the 40’ structure height maximum found in the Dimensional Standards in Section 5.2 of the Routt County Zoning Regulations. The proposed structure will be required to meet 50’ setbacks on the subject parcel. The applicant is aware of the industry standards and best management practices for wireless internet tower construction and has prepared building permit documents to submit if an approval is granted. Although this is their first proposed project in Routt County, Pathfinder provides internet service to Eagle, Garfield, and Pitkin Counties.

The applicant will need to obtain state, local and federal permits/licensing if applicable and agree to allow co-location, provided if the requested use is compatible to the existing use.

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

Community Character and Visual Concerns

Applicable Regulations – Routt County Zoning Resolution

- 5.1.4 Outdoor storage of materials which might cause fumes, odors, dust, fire hazard, or health hazards is prohibited unless such storage is within enclosed containers or unless a determination is made that such use will not have a detrimental impact on the environment
- 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.G Visual Amenities and Scenic Qualities.
- 6.1.7.K Land Use Compatibility.
- 6.1.7.O Historical Significance.
- 8.10.1.A No (telecommunication) tower shall exceed 100 feet in height.

Applicable Policies – Routt County Master Plan

- 4.3.B Use Permits that significantly alter the historical use, intensity of use, or character of an area may be deemed incompatible with this plan.

- 5.3.C Discourage development on 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, wetland, and air.
- 8.10.1.C Telecommunication facilities that are abandoned by disconnection of power service, equipment removal or loss of lease for greater than six (6) months shall be removed by the telecommunication facility owner and the site reclaimed. Should the owner fail to remove the facilities, the County may do so at its option, and the costs thereof shall be a charge against the owner.
- 8.10.3.A Shall be visually mitigated from adjacent residential development and public rights-of-way.
- 8.10.3.B Screening, landscaping and/or exterior building finishes and colors shall be compatible with the existing character of the site and adjacent properties and shall be determined as part of the review process.

Staff comments: The site is located on a 40-acre parcel surrounded by a large ranch. The current property owner of the site is also a part owner of the larger surrounding ranch that this project is proposed to serve. The tower site is up against a grove of birch and conifer trees that are approximately 20 to 25 feet in height. The tower is proposed to be painted green to blend with the natural environment. The applicant has not proposed lighting on the tower.

Although the site is in a mapped skylined area, it is located outside of the applicability area and cell towers as per the Regulations, are exempt from the Skyline Regulations. At 35 feet in height the wireless facility will be significantly less than the 100-foot maximum height for wireless facilities.

The equipment will be visible from State Highway 131, however, since the site is nearly half a mile from the roadway and at a higher elevation, the tower may not be noticeable to passing vehicles. No new roadways will be constructed in order to access the build site. An existing cleared path from the residence on the subject parcel provides access to the tower site.

It is anticipated that the proposal, if approved, will not have any impact on the agricultural operations on the surrounding parcels. No outdoor storage of items associated with the tower are proposed, nor is signage. As it is proposed, the parcel will continue to be used primarily as a residential property.

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

Roads, Transportation and Site Design

Applicable Regulations – Routt County Zoning Resolution

- 5.4 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

Applicable Policies – Routt County Master Plan

- 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.

Staff comments: Large vehicle parking is available at the existing house on the parcel, about 1/10th of a mile from the tower site. The path providing access to the tower site can support an ATV/UTV style vehicle. No new roadways will be constructed to support the site. The site will be unmanned and, therefore, will not generate noticeable traffic. The applicant anticipates that the site will require maintenance approximately twice annually.

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

Natural Environment

Applicable Regulations – Routt County Zoning Resolution

- 3.2.14 Performance Bond
- 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.P Reclamation and Restoration.
- 6.1.7.Q Noxious Weeds.

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.

- 9.3.G Minimize the cumulative impacts of development on wildlife and wildlife habitat.
- 9.3.H Protect and/or improve the diversity of native vegetation.
- 9.3.E Review Impacts on wildlife caused by recreational use, residential developments, and other developments and permits, then adjust, amend, terminate, or revoke as maybe deemed beneficial to wildlife.

Staff comments: A referral was sent to Colorado Parks and Wildlife (CPW) for comment, however no response was received provided. Staff have reached back out to them to verify that CPW does not have input regarding the application. There are no waterbodies at a concerning proximity to the tower site, and there are no anticipated water quality or air quality. The applicant will need to provide a bond as a condition of approval for restoration of the site.

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

PLANNING COMMISSION OPTIONS:

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

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

1. The proposal with the following conditions meets the applicable guidelines of the Routt County Master Plan and is in compliance with Sections 4, 5, 6 and 8.10 of the Routt County Zoning Regulations.
2. With this approval comes the recognition that the public benefits outweigh strict noncompliance and that visual mitigations are precluded by the nature of the technology and the surrounding landscape.

CONDITIONS that may be appropriate may include the following:

General Conditions:

1. The CUP is contingent upon compliance with the applicable provisions of the Routt County Zoning Regulations including but not limited to Sections 5, 6, and 8.10.
2. The CUP is limited to the uses and facilities presented in the approved project plan. Any additional uses or facilities must be applied for in a new or amended application.
3. Any complaints or concerns that may arise from this operation may be cause for review of the CUP, at any time, and amendment or addition of conditions, or revocation of the permit if necessary.
4. In the event that Routt County commences an action to enforce or interpret this CUP, the substantially prevailing party shall be entitled to recover its costs in such action including, without limitation, attorney fees.
5. No junk, trash, or inoperative vehicles shall be stored on the property.
6. This approval is contingent upon the acquisition of and compliance with any required federal, state and local permits; the operation shall comply with all federal, state and local laws. Copies of permits or letters of approval shall be submitted to the Routt County Planning Department prior to operations.
7. Fuel, flammable materials, or hazardous materials shall be kept in a safe area and shall be stored in accordance with state and local environmental requirements.
8. All maintenance, security, or 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. Permittee shall notify the Routt County Planning Department of any claims made against the policy. Routt County shall be named as an additional insured on the policy. Certificate of liability insurance shall include all permit numbers associated with the activity.
10. Accessory structures/uses associated with this permit may be administratively approved by the Planning Director, without notice.
11. The permit shall not be issued until all fees have been paid in full. Failure to pay fees may result in revocation of this permit. Permits/Approvals that require an ongoing review will be assessed an Annual Fee. Additional fees for mitigation monitoring will be charged on an hourly basis for staff time required to review and/or implement conditions of approval.
12. Transfer of this CUP may occur only after a statement has been filed with the Planning Director by the transferee guaranteeing that they will comply with the terms and conditions of the permit. If transferee is not the landowner of the permitted area, transferee shall submit written consent of the transfer by the landowner. Failure to receive approval for the transfer shall constitute sufficient cause for revocation of the permit if the subject property is transferred. Bonds, insurance certificates or other security required in the permit shall also be filed with the Planning Director by the transferee to assure the work will be completed as specified. Any proposal to change the terms and conditions of a permit shall require a new permit.
13. The Permittee shall prevent the spread of weeds to surrounding lands, and comply with the Colorado Noxious Weed Act as amended in 2013 and Routt County noxious weed management plan.

Specific Conditions:

14. The CUP is valid for the life of the use provided it is acted upon within one year of approval. The CUP shall be deemed to have automatically lapsed if the uses permitted herein are discontinued for a period of one (1) year.
15. The construction and use of a telecommunication facility shall not cause interference to other adjacent telecommunication facilities. The County shall be held harmless if interference occurs.
16. If tower lighting is required by the FAA, the operator shall use only white (preferably) or red strobe lights at the minimum intensity, minimum number of flashes per minute, and minimum number of lights allowed by the FAA.
17. Permittee shall bring the facilities subject to this CUP into service ("on air") within three (3) months of the application of the building permit for the facility. Facilities that are abandoned by disconnection of power service, equipment removal or loss of lease for greater than six (6) months shall be removed by the telecommunication facility owner and the site shall be reclaimed. Should the owner fail to remove the facilities, the County may do so at its option, and the costs thereof shall be a charge against the owner. The permittee shall post a bond with the County in the amount of 150% of the cost of restoration of the site. This bond will be used to guarantee the reclamation of the site in the event that reclamation and removal of equipment is not completed.
18. In order to limit the construction or proliferation of cellular tower sites in the area, the operator shall agree to allow co-location of other users on the tower, providing their requested use is compatible with the existing use.
19. A Routt County Building Permit must be obtained for the wireless facility.
20. Prior to the issuance of a Certificate of Approval, the permittee shall provide the Planning Department with as-built drawings of the tower and facilities.
21. Revegetation of disturbed areas shall occur within one growing season with a seed mix which avoids the use of aggressive grasses. See the Colorado State University Extension Office for appropriate grass seed mixes.
22. The telecommunication equipment shall be painted a color compatible with the existing character of the site and surrounding properties.
23. Anti-perching devices, if applicable shall be installed along antennae frames, horizontal cross arms, and any other vantage point used by raptors for predation.



APPLICATION FORM: LAND USE & ZONING

Activity No. _____	OFFICE USE
Base Fee \$ _____	Receipt No. _____
Received By _____	Date _____
Deemed Complete By _____	Date _____

I. PROJECT NAME KCR Communication Site (King Creek Ranch)

II. TYPE OF REVIEW

This application form must be accompanied by the applicable submittal checklist.

- | | | | |
|--|--|---|--|
| <input type="checkbox"/> Minor Use Permit | <input type="checkbox"/> Administrative Permit | <input type="checkbox"/> Site Plan Review | <input checked="" type="checkbox"/> Conditional Use Permit (CUP) |
| <input type="checkbox"/> Sign Permit | <input type="checkbox"/> Water Body Setback Permit | <input type="checkbox"/> Pre-Application Conference | <input type="checkbox"/> Special Use Permit (SUP) |
| <input type="checkbox"/> Special Event Permit | <input type="checkbox"/> Floodplain Development Permit | <input type="checkbox"/> Zoning Amendment/Rezoning | <input type="checkbox"/> Conceptual PUD |
| <input type="checkbox"/> Administrative Amendment to CUP/SUP/PUD/Site Plan | <input type="checkbox"/> Variance | <input type="checkbox"/> Final PUD | |

III. APPLICANT

Name Pathfinder Broadband
 Mailing Address 1317 Grand Ave.
 City Glenwood Springs State Co Zip 81601
 Phone 970-808-0000 Email farr@path-finder.us

Representative / Primary Contact Farr Shepherd
1317 Grand Ave.
 City Glenwood Springs State Co Zip 81601
 Phone 970-808-0000 Email farr@path-finder.us

IV. PROPERTY OWNER

Name Peter Millett (Travis Snowden - Property Manager)
 Mailing Address PO Box 4532
 City Edwards State Co Zip 80632
 Phone (970) 456-9733 Email (970) 456-9733

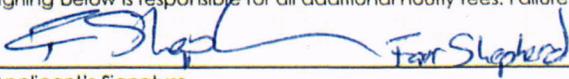
V. PROPERTY INFORMATION

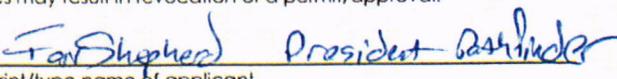
Property Address 34755 N LINCOLN AVE
 General Location GPS 40° 0'34.73"N 106°47'10.49"W
 Legal Description (may be attached) TR IN SW4NW4, TR IN N2NW4SW4 SEC 35-1N-84 TOTAL 40A
 Parcel Identification No. (PIN) Current 969352001 Property Size 40
 Use Private recreational & Agricultural (acres) Zoning SF
 Proposed Use Add Broadband Communications

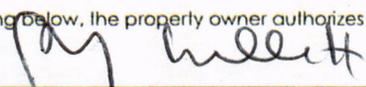
VI. SIGNATURES

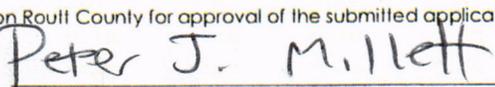
This application form must be signed by both the applicant and legal owner of the property. Attach additional pages if necessary.

By signing below, the applicant acknowledges that all information contained on this application form and within accompanying submittals are true and correct and agrees to pay all required fees associated with this application. The base fee is intended to cover the estimated minimum staff hours to process the application. Any additional staff hours will be assessed at \$134 per hour. The applicant signing below is responsible for all additional hourly fees. Failure to pay fees may result in revocation of a permit/approval.


 Applicant's Signature

 President Pathfinder
 Print/type name of applicant

By signing below, the property owner authorizes the applicant to petition Routt County for approval of the submitted application.

 Property Owner's Signature


 Print/type name of property owner

Written Description

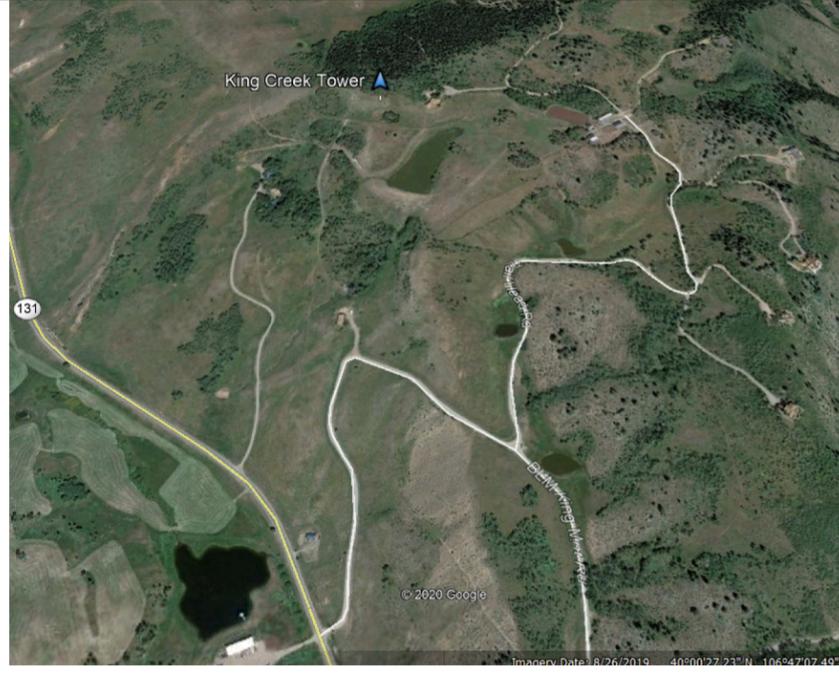
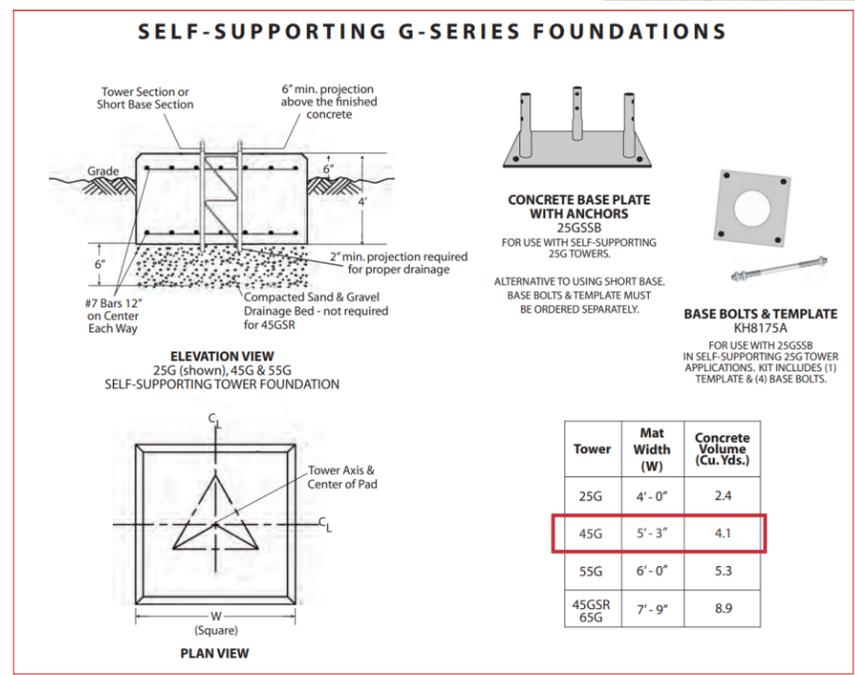
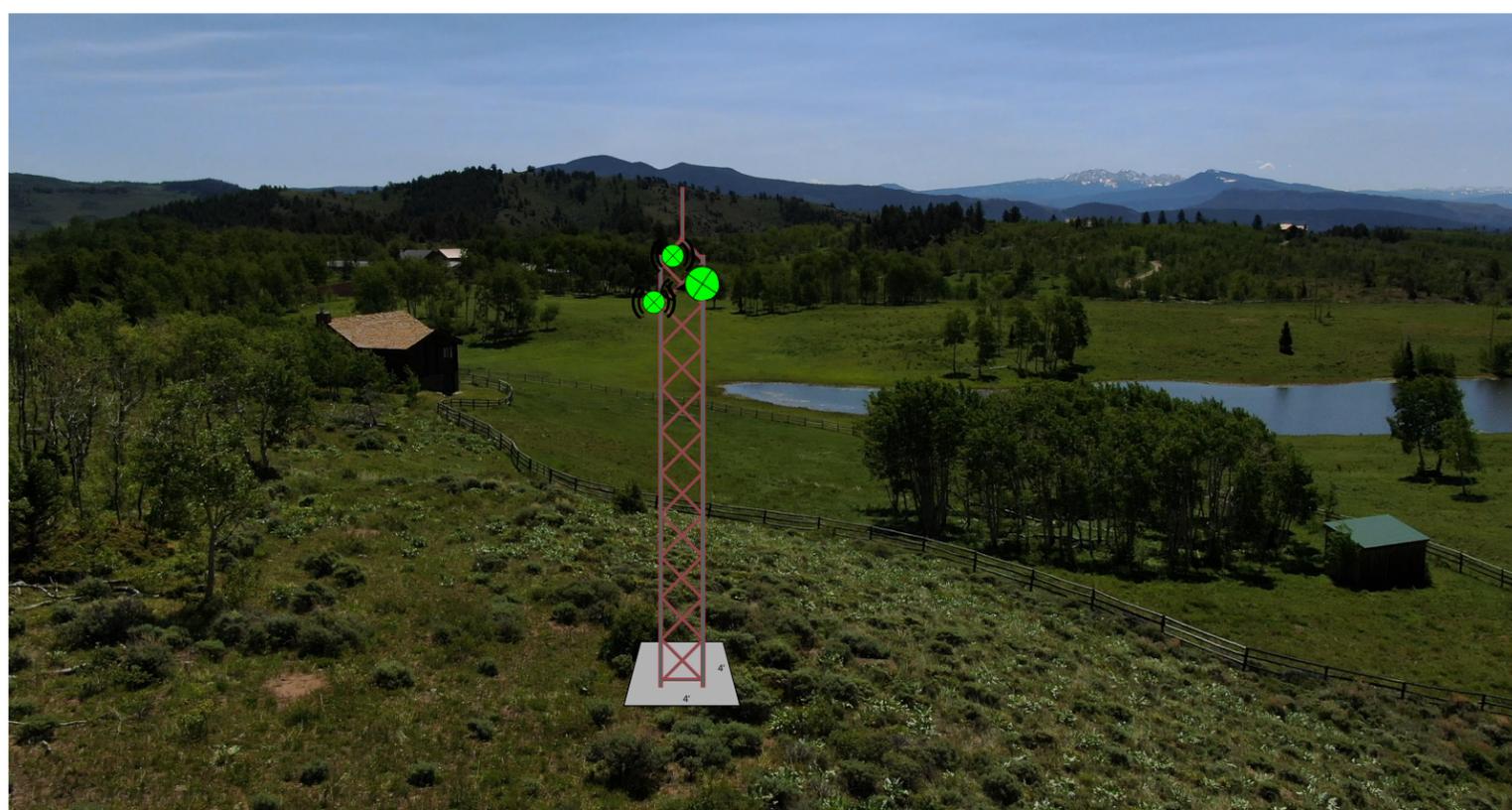
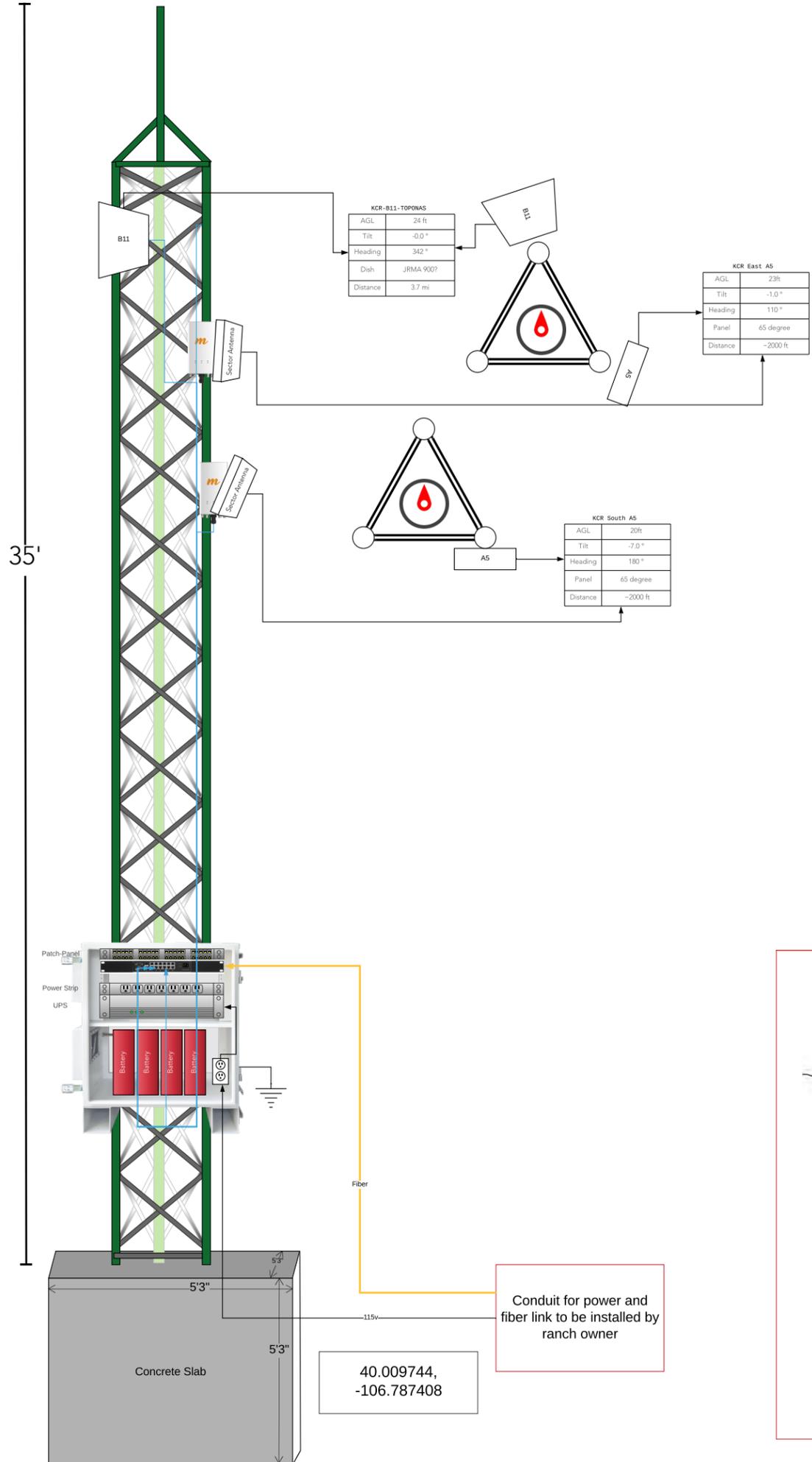
Pathfinder Broadband operates a fixed wireless business in Pitkin and Garfield County and would like to bring high speed internet services to King Creek Ranch (Phase 1) with the possibility to providing service to other Routt County residences, schools and businesses in the future (Phase 2). Pathfinder has an operational tower in Eagle County and has identified Line of Site to a location at King Creek Ranch which will allow us to deliver high speed internet and telephone services to residents of Routt County via the proposed King Creek Ranch tower. King Creek Ranch will pay monthly for services rendered. A property access license and/or an easement will be agreed upon following planning approval for routine and emergency maintenance on the tower. The only ground use being requested is to attach antenna to the proposed tower and a small amount of equipment. The proposal will utilize existing vehicular access there will not be any proposed grading or changes to the road for this project.

If Phase 2 becomes are reality, compensation will be provided to King Creek Ranch in some form to be determined at that time.

This aerial view depicts our requested locations.



Farr Shepherd
President
Pathfinder Broadband
1317 Grand Ave, STE 200
Glenwood Springs, CO 81601
970-808-0000
farr@path-finder.us



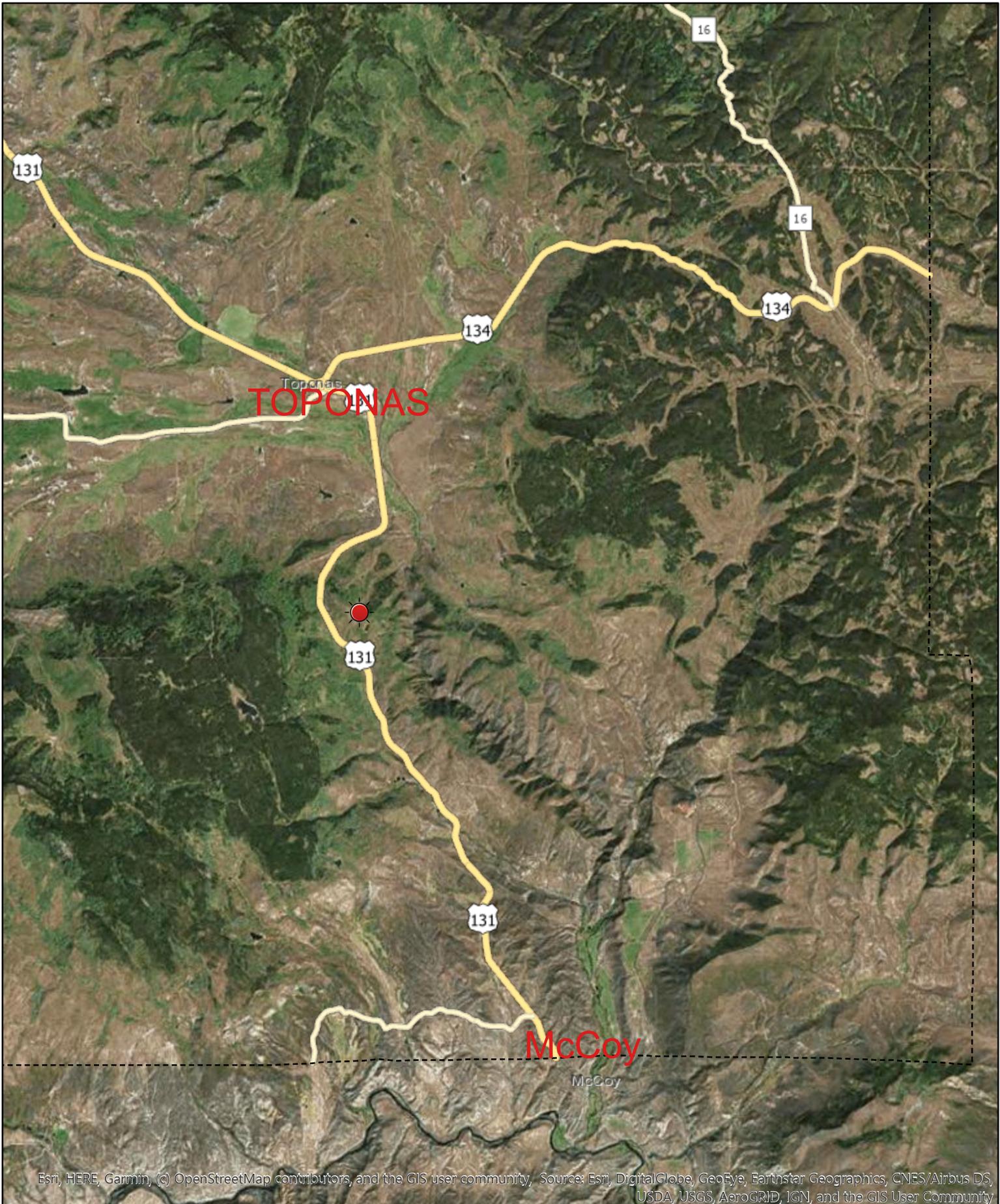
0038-KCR (King Creek Ranch)
40.009375, -106.782107

Revision
9/11/2020 1:22 PM

Last revision by: Ande Grillo

KCR Tower

Page
4 / 4

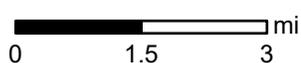


Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



This map is for planning purposes only. It was prepared from publicly available information. Any other use or recompilation of the information is the sole responsibility of the user. This map should not be used to establish legal title, boundary lines, locations of improvements or utilities, or relied upon in any flight activity. Routt County expressly disclaims all liability regarding accuracy or completeness of this map.

Planning

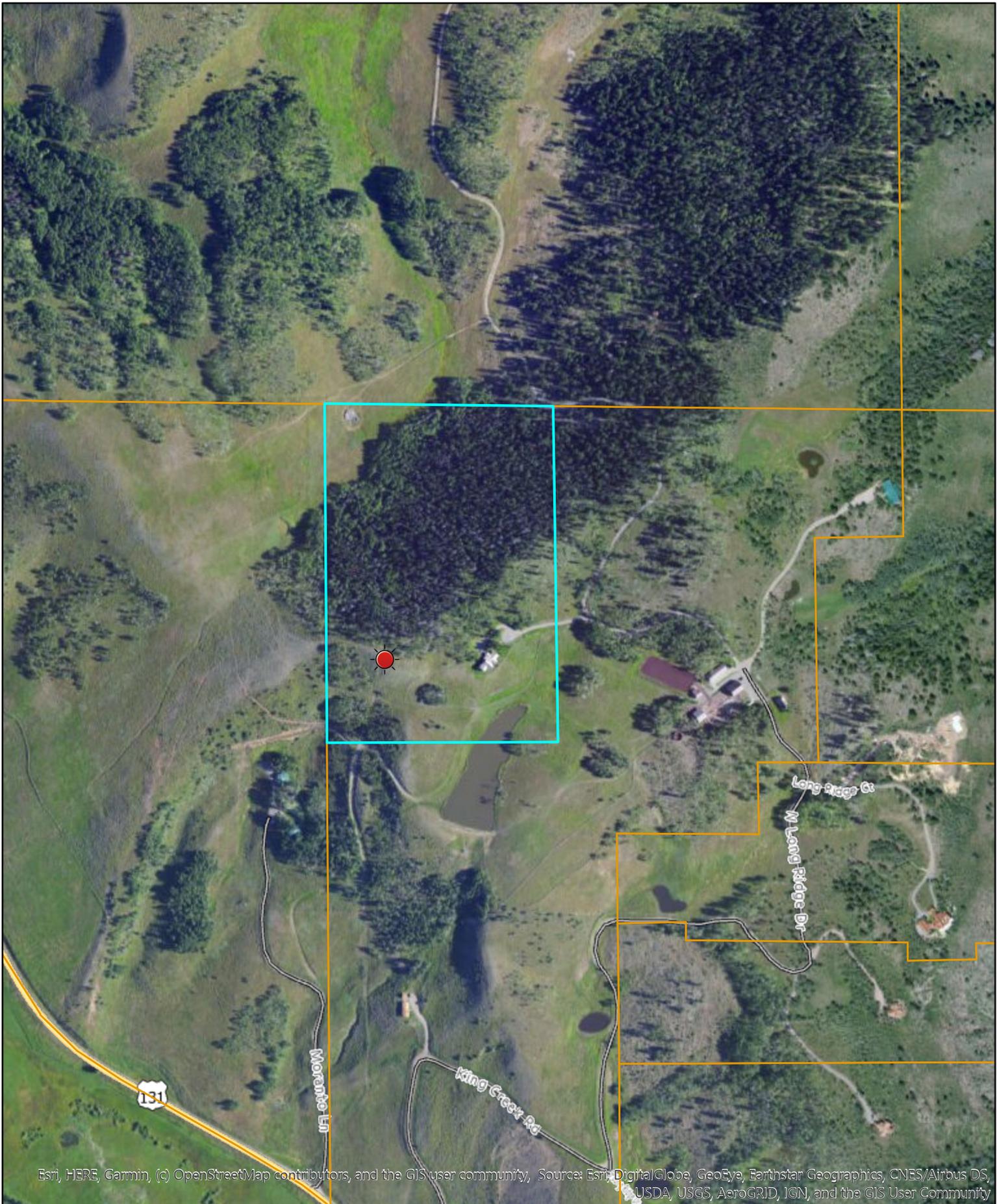


1:144,448

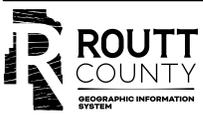


--- Routt County Boundary
 --- Road Centerlines

- Highway
- Primary Public Road
- Highway
- Primary Public Road

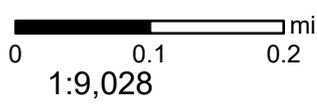


Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



This map is for planning purposes only. It was prepared from publicly available information. Any other use or recompilation of the information is the sole responsibility of the user. This map should not be used to establish legal title, boundary lines, locations of improvements or utilities, or relied upon in any flight activity. Routt County expressly disclaims all liability regarding accuracy or completeness of this map.

Planning



- Routt County Boundary
- Parcels
- Highway
- Private











Memorandum

To: Planning Commission and Board of County Commissioners
From: Alan Goldich
Date: October 8, 2020
Subject: Review Process Changes and Fee Schedule Amendments
Attachments:

- Review process document
- Existing and Proposed review process charts
- Proposed amendments to the Zoning and Subdivision regulations (clean versions available upon request)
- Revised flow charts detailing proposed changes
- Proposed Fee Schedule

The County is in the process of obtaining a new software that will be utilized by the Planning, Building, Environmental Health, and Public Works Departments to process applications. Staff is currently finalizing the scope of the project so that an accurate scope and cost of the software can be determined. This software has workflows, which were refined by the Planning Department, which will standardize the application review and completion process. The tentative go-live date for this software is spring of 2021. As part of the implementation of this software, the Planning Department is also using this as an opportunity to evaluate our fee structure. Staff was provided authorization by the BCC to research and present recommendations on what a new fee structure would look like. This memo is meant to present two changes: the review process for applications and application fee and billing practices. Staff is looking for feedback on these items as these changes will require amendments to the regulations.

Review Process

The new software will require staff to change the way an application is processed. Currently, once an application is deemed complete, which means all of the required documents listed on the submittal checklist for the specific application type have been submitted, the decision date or hearing date(s) are scheduled. Staff's review for completeness does not take into account the quality of the application. This leads to numerous inefficiencies when staff is reviewing the application and creating the staff report. The main issue is not being able to fully evaluate the application because of a lack of clarity or missing information. Another issue of the current process is it allows the submission of additional information at the last minute, many times in response to referral comments. Staff strives to stay on schedule to meet the advertised decision or hearing date(s) outlined in the regulations, but the submission of information at the last minute puts staff under pressure to evaluate the additional information under the current review timeframe. Most of the time, this forces staff to scramble to include this information in the staff packet. Often times there are addendums to the staff packet with no guarantee the decision makers have had time to review the information.

The revised process will be more efficient and will be supported by the new software. Under the new process, an application will not be scheduled for a decision or hearing(s) until a comprehensive review of the application has been completed. This will add one week to an administrative review to account for noticing requirements, but as long as a quality application with all needed information is initially submitted, the new review process will not add a significant amount of time to the review. If a quality application is not submitted, up to three weeks could be added to the review timeframe.

As a summary, under the new process an application will go through the following steps:

1. Once the application is deemed complete (all of the required documents are submitted) it will be assigned to a Planner.
2. The planner will distribute the application to all review agencies and departments and begin Planning's review of the application. An initial notice to adjacent property owners will be sent out stating that an application has been received, the application is being reviewed, and that a decision/hearing date(s) has not been scheduled, but that they will receive another notice once the application is scheduled. Any application that has an administrative decision will have a 2 week review period. All other application will have a 3 week review period.
3. Reviewers provide comments back to Planning within the 2-3 week review timeframe. At the end of the review timeframe, Planning will provide the applicant with a letter detailing the additional information that is required and instructing them to re-submit the application once they have all of the requested information.
4. The applicant then submits all additional information and the original review timeframe is applied to the re-submitted application. If this review can be completed prior to the end of the review timeframe, the application does not have to wait until the end of the review timeframe before being scheduled.
5. Once all reviewer's comments have been addressed, the decision/hearing date(s) are scheduled. For consistency, and to decrease confusion amongst Planners, all of the notice requirements have been standardized across all application types. See the existing review process chart for current notice timeframes. The new notice requirements are proposed to be:
 - a. Legal Ad – published no less than 7 days prior to the decision/hearing.
 - b. APO Notice – mailed no later than 14 days prior to the decision/hearing.
 - c. Poster – posted a minimum of 10 consecutive days prior to the decision/hearing.

In summary, the following changes will occur with the implementation of this new review process:

- The application will not get scheduled until the review by Planning, and other departments/agencies, has been completed and all questions and requests for additional information have been satisfied.
- Timeframe for when adjacent property owner notices, legal ad, and poster gets distributed.
- These changes will not add a significant amount of time to the application review.

Fee Schedule

As a brief overview, the fee structure and the way fees are assessed pre-dates 2005 but has been periodically updated. In 2017, public hearings were held with Planning Commission and the Board to review the Fee Schedule. As part of that review and approval, the hourly rate that we charge was raised from \$120/hour to \$134/hour. This also changed the amount of the base fee.

Background

The minimum base fee is based on the average number of hours devoted to a typical application type, multiplied by the planner hourly rate of \$134/hour. The Accounting Department calculates the planner hourly rate, which is based on the Planning Department's average hourly salary, the cost of employee benefits, and an hourly overhead cost. This hourly rate establishes the actual cost of

County staff to review a particular project. For example, a typical review for a Conditional Use Permit is 5 hours multiplied by the \$134 hourly rate, resulting in a \$670 application fee (under the proposed fee schedule, this will get increased to \$900). Currently, additional staff planner time that is not covered by the minimum base fee is billed to the applicant at a rate of \$134/hour. This is charged when reviews go beyond the number of hours anticipated and not covered by the base fee. The revised rate for 2020-2021 is \$144/hour and is factored into the revised fees.

The issue staff is trying to solve is the practice of charging additional planner time. Neither our current software, nor our new one is a time tracking or billing software. Therefore many workarounds have been developed. The main one being a third application created by Routt County IT (Routtware) that would need to continue in order to accommodate our current billing practices. This process is exceedingly inefficient for planners, administrative staff and the public. The whole process of billing and time tracking involves entering information into three different software systems (View Point, Routtware, and Munis) on a monthly basis.

Staff's recommendation is to move forward with a revised fee schedule that is consistent and clear and covers staff review time through a single application fee and no additional hourly charges. With the new system, billing will be consistent with how other Planning Departments bill; billing can be done in the new City View software and in Munis, eliminating the need for Routtware (including the routine maintenance currently performed by IT); and productivity by both administrative staff and planners will increase.

The proposed fee schedule that is attached takes the following into consideration to support raising the base fee.

- The revised fee will recoup costs on the front end rather sending additional billing to an applicant on the backend, therefore eliminating the need for monthly billing.
- The revised fee will include typical hours spend for each review type, as before, at the new planner rate of \$144/per hour.
- The revised fee considers the unbillable time spent working with an applicant prior to submission of an application.
- The revised fee considers the cost of the new permit software which will be a benefit to the community by streamlining processes through the public portal and overall efficiency.
- The revised fee also considers administration time spend on permit review.
- The revised fee is equivalent with fee structures of other jurisdictions researched.

Additionally there are multiple processes that the County does not charge for. These include Agreements (Plumbing, Removal, Development, Subdivision Improvements, etc.), skyline tests, and plat reviews. Agreements involve staff time obtaining all required information and preparing the agreement. Fees for plat reviews have historically been collected through the hourly rate for additional time not covered under the base fee. As part of the proposed changes, these review fees will be assessed prior to the review at a flat rate, similar to how other fees are proposed to be collected.

Staff is currently working on creating an inspection program for all issued land use permits. Because of this, Annual Fees are proposed to be increased as well, taking into account staff time required for review and inspection of the permit. It is staff's goal to have the inspection program completed by the time we go-live with the new software, however this may not be able to be accomplished by then due to workload. If this is the case, staff is seeking approval to increase annual fees, with implementation following the completion and execution of the inspection program.

Routt County Planning Review Process

I. Organization

1. The following core agencies consistently review, meet to discuss, and provide comments on most development applications:
 - i. Planning Department
 - ii. Public Works
 - iii. Fire Prevention
 - iv. Routt County Regional Building Department
 - v. Routt County Environmental Health
2. Other referral agencies participate in the review as needed based on the specific characteristics of individual projects. These agencies are listed in Attachment A.
3. The Planning Department is the lead agency for application review and is responsible for establishing policies and procedures and coordinating activities.
4. The Project Manager for each development application coordinates review comments and acts as the primary liaison with the applicant. The Project Manager is typically the planner assigned to the application unless otherwise determined.

II. Development Review Timeline Policies

A. Standard Timelines

1. Complete development applications are assigned a Project Manager and timeline and are distributed to the reviewers within two business days of a complete submittal to the Planning Department.
2. The Project Manager provides applicants with review comments on their application in the form of a cover letter and attached memo(s) within 30 days of a complete submittal to the Planning Department, whenever possible.
3. If there are no comments, or if all comments have been addressed, the Project Manager will notify the applicant of an administrative decision or of the schedule for public hearing.

B. Application Complexity

1. Administrative decisions are assigned a two week review timeline. All other applications are assigned a three week review timeline.
2. Concurrently reviewed applications will track with the application that requires the longest review time.
3. The Project Manager may change the review timeline of an application based upon anticipated complexity in consultation with other review agencies.

C. Application Completeness

1. An application, fee, and all supporting documentation, shall be submitted electronically through the County website.

2. An application is considered complete when it includes all items required in submittal checklist (Appendix A of the Zoning and Subdivision Regulations). A review for completeness is performed at the time of check-in by a Planner. Completeness does not check the quality of the items submitted.
3. The Planning Department will not accept or hold onto incomplete applications and will return incomplete applications to the applicant.
4. Reviewers will notify the Project Manager if a required item is missing prior to the draft comment deadline whenever possible.
5. If the application is determined to be incomplete after distribution, the Project Manager will notify the applicant that the review will not proceed until the missing items are submitted.

D. Application Quality

1. The review of an application may be suspended if the quality does not meet a minimum level needed to justify staff time on a detailed, comprehensive review.
2. The Project Manager will notify the applicant that a comprehensive review cannot be completed and that a resubmittal is required due to the quality of the application. The Project Manager will provide the applicant with comments outlining the broad deficiencies of the application that must be addressed in a resubmittal.
3. Reviewers that identify the need to suspend an application's review will provide written justification broadly outlining the deficiencies to the Project Manager prior to the draft comment deadline.
4. The Project Manager and Planning Director may decide to suspend review of the application based on any of the following criteria:
 - i. The information provided in the application is not adequate for reviewers to understand the scope of the development being proposed.
 - ii. The applicant does not appear to have made a good faith effort to address the Zoning and Subdivision Regulations applicable to the project.
 - iii. The application is a resubmittal and fails to address review comments previously provided, including failure to provide requested supporting plans or documentation.

E. Application Review Workload

1. During periods when a high volume of development applications exceeds staff capacity to meet established timelines, the Planning Director may extend review timelines to prevent the quality of development review from declining.
2. The following circumstances may warrant a decision to extend review timelines:
 - i. An acute spike in the number of development applications submitted over a few days or weeks.
 - ii. A sustained increase in the number or complexity of applications in process over several weeks.
 - iii. A short-term issue impacting staff availability or capacity of one or more Reviewer.
 - iv. Reviewers regularly sending comments to applicants after the established review timelines.

3. Reviewers will inform the Planning Director when a period of continued high volume has reached a threshold that exceeds their agency's capacity to meet established timelines.
4. The Planning Director will notify a list of internal and external stakeholders when established review timelines are extended due to the volume of development applications and will also provide notification when timelines have returned to the standard.

III. Application Resubmittal Policies

1. Development applications that are resubmitted to the Planning Department follow the same submittal procedures as a new application. Resubmittals shall not be emailed or dropped off to an individual reviewer or department.
2. Resubmitted applications will be assigned a review timeline of three weeks. This timeline may be decreased if all review comments have been addressed.
3. When a resubmitted application changes significantly in scope, the Project Manager, in consultation with the Planning Director, may determine to process it as a new application, require a new application fee, and apply a full review timeline. This is not meant to be punitive but to cover the costs associated with reviewing the change in scope.
4. If a second submittal of an application requires revisions, the Project Manager shall require a meeting with the applicant to go over the comments.
5. If a third submittal of an application requires revisions, the Planning Department shall require an additional application fee to accept the fourth submittal to cover the costs of the extra review time. The applicant shall pay an additional review fee for each subsequent submittal after the fourth. Refer to the Fee Schedule (Appendix B of the Zoning Regulations) for the fees currently in effect.
6. Applications shall clearly indicate all revisions from the previous submittal, particularly any changes not requested by reviewers, by providing:
 - i. A written narrative of the changes made with references to the plan sheets that have changed and the scope of the changes, and/or
 - ii. Revision clouds on the plan set to clearly call out changes from the previous submittal.

A. Review Comments

1. When reviewers have comments on an application, the reviewer provides a memo to the Project Manager with the following information:
 - i. Date
 - ii. Project name and number as assigned by the Planning Department
 - iii. Name of agency and reviewer name and contact information
 - iv. Comments requiring revisions and additional information from the applicant, as well as comments providing information to aid the applicant
 - v. Draft conditions of approval
2. Comments shall be clearly written in layman's terms and directed to the applicant, not the Project Manager, to minimize the need for interpretation.
3. Comments shall reference the County standard or policy upon which they are based, as applicable.

4. Comments should be provided to the Project Manager by the established deadline. If there are no comments, the reviewer informs the Project Manager by email prior to the comment deadline.
5. The Project Manager will provide comments to the applicant in the form of a cover letter and an attached memo from each reviewer.
6. When a reviewer's comments will be late, the reviewer shall notify the Project Manager prior to the draft comment deadline indicating when the Project Manager can expect the comments. The Project Manager shall await the late comments prior to sending all comments as agreed to with the reviewer. If comments are not received within the extended timeframe, the Project Manager shall send all received comments to the applicant.
7. If a reviewer does not provide review comments or a no comment email to the Project Manager by the established deadline, the Project Manager will assume that the agency does not have comments and will move the application forward.

B. Post Approval Coordination

This section describes general procedures for coordination after development application approval.

1. **Conditions of Approval** – The Project Manager shall be responsible for monitoring compliance with the conditions specified in the approval letter. These may include the payment of fees, submittal of required documents, dedication of easements, etc.
2. **Building Permit** – Project Manager shall review the aspects of the building permit application to check compliance with the approved development plans and conditions prior to approving building permits.
3. **Certificates of Occupancy or Approval, Improvements Agreements, and Release of Surety** – Project Manager shall ensure compliance with conditions of approval and approved building permit plans and conditions. If applicable, the Project Manager shall coordinate inspections prior to issuance of a Certificate of Occupancy/Certificate of Approval, approval of an Improvements Agreement, and reduction or release of surety related to an Improvements Agreement.

IV. External Communication Procedures

A. Applicant Meetings

The following types of meetings are available. An assigned staff member will document discussion items and decisions made at the meeting and provide the notes to the applicant within one week after the meeting.

1. **Pre-Application Meetings** – Potential applicants are required to meet with the Planning Department, and are encouraged to meet with other review departments, to learn more about the required review process and applicable standards. An Administrative Review Team meeting can be set up to streamline discussions among multiple departments.
2. **Post-Approval Meetings** – After the application has been approved, Project Manager may meet with applicants during the pre-construction phase, project

close-out, or to debrief on the project.

B. Public Hearings

1. Public Hearings shall be scheduled in compliance with the Review Process Charts in the Zoning and Subdivision Regulations by the Project Manager, once all comments have been addressed.
2. The Project Manager will inform the applicant about the public hearing process and how to prepare.
3. Other reviewers will attend the public hearing(s) when it is anticipated that a principal discussion item will be a standard or policy administered by their agency.

C. Public Notice

Once the application has been deemed complete, the Planning Director shall send a letter by first class U. S. Mail to owners of property whose land is contiguous to the subject property.

Review Departments and Agencies

Routt County

Assessor's Office

Environmental Health Department

Public Works

Regional Building Department

Planning Department

Addressing

Utilities

Atmos Energy

YVEA

Xcel Energy

Comcast

Century Link

Community Concerns

Army Corps of Engineers

Colorado Parks and Wildlife

City of Steamboat Springs

Town of Oak Creek

Colorado Geologic Survey

Bureau of Land Management

Water providers

Colorado Department of Public Health and Environment

Colorado Division of Reclamation, Mining, and Safety

Colorado Department of Transportation

Division of Water Resources

Town of Yampa

Town of Hayden

School Districts

US Forest Service

Fire Departments

Existing

3.2.1. Review Process Chart

Requirements for all applications prior to processing:						Key	B.P. – Building Permit	PUD – Planned Unit Development	
Submittal of a complete application (application completeness to be determined by Planning Director)						PC – Planning Commission		SUP – Special Use Permit	
Payment of all required fees						BCC – Board of County Commissioners		CUP – Conditional Use Permit	
Pre-Application meeting with a staff planner to review approval process and submittal requirements (recommended)						BOA – Board of Adjustment		ROW – Public Right of Way	
Approval Requested	Notice Requirements				Approval Authority	Required Public Meeting and/or Public Hearing	Appeals	Final Documentation	Notes
	Mailed	Posted	Published	Referral					
Minor Use Permit, B.P. Signoff					Staff Planner	None	Per Section 3.2.7, except B.P. signoff appeals which are heard by BOA	Minor Use Permit issued or initials on B.P.	Road & Bridge Dept is approval authority for ROW Access Permits
Skyline Prior Certification					Planning Director	None	PC at a Public Hearing	Letter from Planning Staff	Appeals limited per Section 5.10.6
Administrative Permit	15 days prior to decision	15 days prior to decision	7 days prior to decision	21 days prior to decision	Planning Director	No Public Meeting or Hearing - Planning Director makes decision 21 days after application has been deemed complete	Appeal to PC at a Public Hearing, PC decision may be appealed to BCC at a Public Hearing (Per Section 3.2.7)	Administrative Use Permit is issued	Planning Director may refer application to PC or BCC for a final decision.
Conditional Use Permit (CUP)	30 days before PC	21 days before PC	15 days before PC	21 days before PC	PC	PC - Public Hearing	Any Appeal will be reviewed by BCC at a Public Hearing	CUP is issued	Minor amendments to a CUP, SUP, or Site Plan approval may be made through the Administrative Permit process
Special Use Permit (SUP)	30 days before PC&BCC	21 days before PC&BCC	30 days before PC&BCC	21 days before PC&BCC	BCC after review by PC	PC - Public Hearing (recommendation to BCC) BCC - Public Hearing (final decision)	Appeal to District Court	SUP is issued	
Site Plan Review	30 days before PC	21 days before PC	15 days before PC	21 days before PC	PC	PC - Public Hearing	Any Appeal will be reviewed by BCC at a Public Hearing (Per Section 3.2.7)	Letter from Planning Staff	
Vacation of platted ROW or Public Utility Easement	30 days before PC&BCC	21 days before PC&BCC	30 days before PC&BCC	21 days before PC&BCC	BCC after review by PC	PC - Public Hearing (recommendation to BCC)* BCC - Public Hearing (final decision)*	Appeal to District Court	Record Resolution	May apply to a dedication of a ROW or Public Utility Easement
Vacation of unplatted ROW	30 days before BCC	21 days before BCC	30 days before BCC	21 days before BCC	BCC	BCC - Public Hearing (final decision)*	Appeal to District Court	Record Resolution	
Zoning Regulations Amendment	30 days before PC&BCC	21 days before PC&BCC	30 days before PC&BCC	21 days before PC&BCC	BCC after review by PC	PC - Public Hearing (recommendation to BCC) BCC - Public Hearing (final decision)	Appeal to District Court	Record Resolution	May be initiated by Staff, PC, BCC or a member of the public
Conceptual PUD	30 days before PC&BCC	21 days before PC&BCC	30 days before PC&BCC	21 days before PC&BCC	BCC after review by PC	PC - Public Hearing (recommendation to BCC) BCC - Public Hearing (final decision)	Appeal to District Court	Letter from Planning Staff	Approval valid for 12 months
Final PUD	30 days before PC	21 days before PC	15 days before PC	21 days before PC	PC	PC – Public Hearing	Any Appeal will be reviewed by BCC at a Public Hearing (Per Section 3.2.7)	Record Final PUD plan	Requires Conceptual PUD approval
Zone Change	30 days before PC&BCC	21 days before PC&BCC	30 days before PC&BCC	21 days before PC&BCC	BCC after review by PC	PC - Public Hearing (recommendation to BCC)* BCC - Public Hearing (final decision)*	Appeal to District Court	Record Resolution & amend Zoning Map	May be initiated by PC, BCC, or the property owner(s)
Variance	30 days before BOA	21 days before BOA	15 days before BOA	21 days before BOA	BOA	BOA – Public Hearing	Appeal to District Court	Letter from Planning Staff	

- Proposals to be reviewed by PC, BCC, and BOA will be scheduled on the first open agenda for which all notification requirements can be met; the review of any proposal may be delayed if additional information and/or studies are required to determine if all applicable Zoning Resolution Standards can be met.
- Proposals must comply with all applicable Standards of Sections 3, 4, 5, 6, 7, 8, and 9 of these Regulations to be approved.
- Conditions may be placed on any Approval if they are deemed necessary to ensure compliance with the applicable Standards of these Regulations
- Permit extensions or renewals, Amendments, and Revocations must follow same procedure as original approval unless otherwise noted.
- No process listed above shall result in a site-specific development plan approval or in a vesting of property rights except as may be provided in Section 3.2.15.
- Planning Director may authorize a concurrent review of any of the processes listed above provided all minimum notification requirements are met.
- * Vacation of ROW or Public Utility Easement and Zone Changes heard in concert with a subdivision plat that results in an overall reduction in the number of Buildable Lots may be heard on the PC's and BCC's Consent Agenda.

3.2 Review Process

All land use changes must be reviewed and approved in accordance with the review process and standards set forth in this section. The following Review Process Chart, Section 3.2.1 establishes the required review steps applicable to different forms of approval that may be requested. Applicants should refer to the chart to determine which one or more "Approval Requested" under the left-hand column of the chart applies to their proposed Land Use Change. The required stages of review for each approval are shown on the lines to the right. Submission requirements and the specific review process for each stage are set out in detail in the balance of these Regulations under the appropriate headings. Incomplete applications (as determined by the Planning Director) shall not be processed or scheduled for review. Unless otherwise indicated, amendment or modification of a prior approval follows the procedure for review of the original application.

Proposed

3.2.1 Review Process Chart

Requirements for all applications prior to processing:				Key		
<ul style="list-style-type: none"> Pre-Application meeting with a staff planner to review approval process and submittal requirements Submittal of a complete application (application completeness to be determined by Planning Director) Payment of all required fees 				PC – Planning Commission		SUP – Special Use Permit
				BCC – Board of County Commissioners		CUP – Conditional Use Permit
				BOA – Board of Adjustment		ROW – Public Right of Way
				B.P. – Building Permit		PUD – Planned Unit Development
Approval Requested	Notice Requirements	Approval Authority	Required Public Meeting and/or Public Hearing	Appeals (Section 3.2.7)	Final Documentation	Notes
Building Permit	N/A	Planner	N/A	Building Permit signoff appeals which are heard by BOA (Section 3.4.4)	Building Permit sign off	
Skyline Prior Certification	N/A	Director	N/A	PC	Approval Letter	Appeals limited per Section 5.10.6
Agreements	N/A	Director	N/A	N/A	Recorded Agreement	
Minor Use Permit	N/A	Planner	N/A	Director then PC then BCC	Issued Permit	
Administrative Permit	Per Section 3.3	Director	N/A	PC then BCC	Issued Permit	Planning Director may refer application to PC or BCC for a final decision.
Conditional Use Permit (CUP)	Per Section 3.3	PC	PC	BCC	Issued Permit	Minor amendments to a CUP, SUP, or Site Plan approval may be made through the Administrative Permit process
Special Use Permit (SUP)	Per Section 3.3	BCC	PC and BCC	District Court	Issued Permit	
Site Plan Review	Per Section 3.3	PC	PC	BCC	Approval Letter	
Vacation of platted ROW or Public Utility Easement*	Per Section 3.3	BCC	PC and BCC	District Court	Recorded Resolution	May apply to a dedication of a ROW or Public Utility Easement
Vacation of unplatted ROW*	Per Section 3.3	BCC	BCC	District Court	Recorded Resolution	
Zoning Regulations Amendment	Per Section 3.3	BCC	PC and BCC	District Court	Recorded Resolution	May be initiated by Staff, PC, BCC or a member of the public
Conceptual PUD	Per Section 3.3	BCC	PC and BCC	District Court	Approval Letter	Approval valid for 12 months
Final PUD	Per Section 3.3	PC	PC	BCC	Recorded Final PUD plan	Requires Conceptual PUD approval
Zone Change*	Per Section 3.3	BCC	PC and BCC	District Court	Recorded Resolution & amend Zoning Map	May be initiated by PC, BCC, or the property owner(s)
Variance	Per Section 3.3	BOA	BOA	District Court	Approval Letter	
Pre-Application Conference	Per Section 3.3	N/A	PC and/or BCC	N/A	N/A	Non-binding and advisory only

- Proposals to be reviewed by PC, BCC, and BOA will be scheduled on the first open agenda for which all notification requirements can be met; the review of any proposal may be delayed if additional information and/or studies are required to determine if all applicable Zoning Resolution Standards can be met.
- Proposals must comply with all applicable Standards of Sections 3, 4, 5, 6, 7, 8, and 9 of these Regulations to be approved.
- Conditions may be placed on any Approval if they are deemed necessary to ensure compliance with the applicable Standards of these Regulations
- Permit extensions or renewals, Amendments, and Revocations must follow same procedure as original approval unless otherwise noted.
- No process listed above shall result in a site-specific development plan approval or in a vesting of property rights except as may be provided in Section 3.2.15.
- Planning Director may authorize a concurrent review of any of the processes listed above provided all minimum notification requirements are met.
- * Vacation of ROW or Public Utility Easement and Zone Changes heard in concert with a subdivision plat that results in an overall reduction in the number of Buildable Lots may be heard on the PC's and BCC's Consent Agenda.

3.2.2 Application Fees

To help defray the costs of processing and administering these Regulations, Application Fees shall be paid to Routt County by applicants at the time of filing the application in an amount as noted in the Fee Schedule – Appendix B attached to these Regulations.

3.2.3 Pre-Application Meeting with a Staff Planner

Prior to any application for a Land Use Approval, the applicant ~~should~~ shall meet with a staff planner. At the meeting the staff planner will work with the applicant to determine the appropriate process for the proposed land use change. In addition the staff planner will provide a preliminary list of submittal requirements.

3.2.4 Pre-Application Conference

At the discretion of the Planning Director, or the request of an applicant, a pre-application conference may be held with the Planning Commission and/or Board of County Commissioners for the purpose of establishing general guidelines and eliciting feedback from the members of the Planning Commission and/or Board of County Commissioners regarding specific questions or problem areas related to a proposed development. The pre-application conference is intended to provide the applicant with general guidance prior to the expenditure of large amounts of time and money in the planning effort. A pre-application conference is non-binding and advisory only.

3.2.5 Procedure

~~A. Application shall be submitted in writing to the Planning Department along with such evidence as may be necessary to demonstrate compliance with the conditions and requirements set forth for the particular land use change according to these Regulations.~~

~~B. The Planning Director shall review the application and accompanying evidence and thereafter determine if the application is complete in accordance with the Submittal Schedule (Appendix A). Once an application has been deemed complete by the Planning Director it will be scheduled for review in accordance with the Review Process Chart (Section 3.2.1). The review of any proposal may be delayed if additional information and/or studies are required to determine if all applicable Regulations can be met. If, in the opinion of the Planning Director, a submittal at any stage of review is incomplete, the matter shall be removed from the agenda and not further processed until deemed complete.~~

~~C. Upon application or at any stage of review of any land use change the Planning Commission, Board of County Commissioners, Board of Adjustment or Planning Director may require at the applicant's expense the submission or completion of any plan, study, survey or other information (e.g., a Road Engineering Study), in addition to that specified in these Regulations, as such body or individual may determine necessary to enable it to review and act upon the application or in order to determine whether the application complies with the requirements of these Regulations.~~

D.A. Approval authority and review process for each type of approval are as noted in the Review Process Chart (Section 3.2.1). Approvals may be granted by designated Approval Authority provided all applicable

requirements of the Routt County Zoning and Subdivision Regulations have been met.

~~E.B.~~ For approvals that require a Public Meeting or Public Hearing, once all internal reviews have been completed, the Planning Director shall schedule the application for review on the next open agenda (Planning Commission, Board of County Commissioners, Board of Adjustment as applicable) consistent with the notice requirements set forth herein. Pursuant to Section 3.2.5.B, the review of any proposal may be delayed if additional information and/or studies are required to determine if all applicable Regulations can be met.

~~F. All approvals may be subject to conditions as necessary to ensure compliance with the applicable standards of these Regulations.~~

3.2.6 Scope of Conditions

The approval authority, as noted in the Review Process Chart (Section 3.2.1), in granting any approval, may, in addition to any other condition, restriction or limitation, and further condition issuance of such approval in any or all of the following respects:

- A. Installation and proper and continuing maintenance of landscaping, lighting and/or buffering materials or structures;
- B. Limitation on the number of permissible customers and/or vehicle trips received or generated by the use, measured by the hour, day, week, month or other suitable increment;
- C. Limitation on hours and/or days of operation;
- D. Setback requirements greater than those generally applicable in the Zone District in which the use is proposed;
- E. Limitation upon area, size, height or scope of proposed use;
- F. Requirement for performance bond or bonds to guarantee permit condition compliance or site restoration;
- G. Requirement for review, on an annual or other basis, of the history of permit condition compliance;
- H. Right to revise or further condition the permit in the future;
- I. Right to prohibit or restrict transfer of permit;
- J. Duration of the permit;
- K. Such other conditions as are found to be reasonable and appropriate to address or mitigate any significant negative impacts or a threat to public health, safety or welfare presented by the proposed land use change.

3.2.7 Appeals

- A. The Board of County Commissioners (BCC) or any individual member of the BCC, Planning Commission (PC) or any individual member of the PC, applicant or any adjacent property owner who would have been entitled to receive notice of the original permit application, pursuant to Section 3.3.4 may appeal the decision of Planning Staff, Planning Director, Planning Commission, or BCC, or other County board or department with authority under this Section 3, to the next stage of review. In general the stages of review occur in the following order: Planning Staff, Planning Director,

Planning Commission, BCC. Exceptions are noted in the Review Process Chart, Section 3.2.1 of these Regulations. ~~Administration Routt County Zoning Regulations (Section 3.2.1).~~ In the event the review stage is before the BCC, the application may not be further processed following a denial, and any appeal or review of such denial should be as provided by law.

- B. Any appeal of a decision must be [electronically](#) filed with the Planning Director in writing within five (5) business days of the decision. The appeal shall be filed on forms provided by the Planning Department.
- C. Any appeal considered by an individual member of the PC or BCC will be scheduled by the Planning Director at the next regularly scheduled Public Hearing for that individual's respective commission for consideration of formally furthering the appeal. If a commission quorum approves the furtherance of the appeal or if the appeal was initiated by the applicant or adjacent property owner, then the appeal shall be scheduled for a Public Hearing at the next available agenda to the next stage of review ~~for which the minimum public notice requirements of Section 3.3 can be met.~~ Appeals considered by the Planning Director shall be processed within five business days, unless additional information is required.
- D. Upon hearing the appeal PC or the BCC (as applicable) may uphold or reverse the decision, or uphold or reverse the issuance of the permit and may add, eliminate, or modify conditions of approval.

3.3 ~~Public Hearing~~ Notices

3.3.1 Applicability Generally

The requirements of this section apply ~~only to public hearings~~ [to those application types required by these Regulations and](#) as shown on the Review Process Chart, [Section \(3.2.1\)](#). This section does not apply to public meetings (in contrast to public hearings) and notice of such meetings are subject only to the requirements of the Colorado Open Meetings law, C.R.S. § 24-6-401, et seq.

3.3.2 Types of Notice

[The following types of notice shall be used, in accordance with the Review Process Chart, to notify the public of applications submitted to the County for review and decision:](#)

- [A. Publication in a newspaper of general circulation.](#)
- [B. Mail to adjacent property owners.](#)
- [C. Posting a sign on the property.](#)
- [D. Certified mail to mineral rights owners, if applicable.](#)

3.3.3 Content of Notices

[Whenever notice is required by these regulations, the notice shall include the following information:](#)

- [A. Name of the project and a brief summary of the requested action and type of application; and](#)
- [B. General description of the location of the subject property; and](#)
- [C. Name of the applicant; and](#)

- D. Contact information for the Planning Department; and
- E. A statement of how the application can be accessed by the public; and
- F. The time, date, and location of any public hearings, if applicable, or the final decision date; and
- G. Address where written comments may be sent.

3.3.4 Notice Procedures

3.3.2A. Published Notice

~~Prior to any public hearing for a land use change that requires published notice;~~
 The Planning Director shall cause to be published in the legal section of a newspaper of general circulation within the County a notice of such public hearing or decision date no less than seven days prior to the public hearing or final decision. ~~in conformance with the requirements of the Review Process Chart (3.2.1). The notice shall specify the kind of action requested; the hearing authority; the time, date and location of hearing; and the location of the parcel under consideration, by both address and legal description.~~

3.3.3B. Posted Notice

- 1) Prior to any public hearing which requires posted notice, The Planning Director shall cause to be prepared, and the applicant shall post signs upon the parcel under consideration for a minimum of ten consecutive days prior to the public hearing or final decision date. ~~which provide notice of the kind of action requested; the hearing authority; the time, date and location of hearing; and the location of the parcel by address or approximate address or a short legal description.~~
- 2) The signs shall be of a size and form prescribed by the County and shall consist of at least one sign facing, and reasonably visible and legible from, each an adjacent public right-of-way. If there is no location on the property that is conspicuously and readily visible from a public right-of-way, the Planning Director may approve an alternative location. In all situations, the sign shall be posted where the greatest number of public will have a reasonable opportunity to view the sign. The signs shall be posted in conformance with the requirements of the Review Process Chart (3.2.1).
- 3) For projects that include more than one lot, more than one street frontage, or property greater than one acre, the Planning Director may require additional signs to be posted.
- 4) The fact that a parcel was not continuously posted the full period shall not, at the sole discretion of the hearing authority, constitute grounds for continuance where the applicant can show that a good faith effort to meet this posting requirement was made.

3.3.4C. Mailed Notice

- 1) Prior to any public hearing that requires notification by letter, The Planning Director shall ~~cause send a letter to be sent,~~ by first class U. S. ~~m~~Mail, ~~a letter to:~~ to owners of property whose land is contiguous, as defined in these regulations, to the subject property.
- ~~A. Owners of property whose land abuts the subject property or is separated from the subject property only by a public right-of-way or water course, and~~

~~B. Owners of property included within the application.~~

~~2) The letter shall be sent no later than 14 days prior to the public hearing or final decision date. in conformance with the requirements of the Review Process Chart (3.2.1). The letter shall include information as necessary regarding the application and an announcement of the date, time and location of the scheduled hearing. The letters shall specify the kind of action requested; the hearing authority; and the location of the parcel under consideration by address or approximate address or a short legal description.~~

~~3) Failure of a property owner to receive a mailed notice will not necessitate the delay of a hearing and shall not be regarded as constituting inadequate notice.~~

~~3.3.5 Referral Agency Notice~~

~~Prior to any public hearing that requires referral agency notification, the Planning Director shall cause to be sent, by first class U. S. mail or by email, a notice to all applicable referral agencies in conformance with the requirements of the Review Process Chart (3.2.1). Referral Agencies may include any local, state, and/or federal agencies or departments that are required by these Regulations to be notified or in the judgment of the Planning Director might have particular knowledge or interests that could be of assistance during the review of the land use change. Failure of a Referral Agency to receive a notice will not necessitate the delay of a hearing and shall not be regarded as constituting inadequate notice.~~

~~3.3.6~~3.3.5 Public Notice Time Requirements

Unless otherwise provided in these Regulations, public notice time requirements include the day the notice is posted, appears in the newspaper, is mailed, and shall also include the day of the public hearing.

Existing

2.1.1 Review Process Chart

Requirements for all applications prior to processing						Key			
<ul style="list-style-type: none"> - Pre-Application meeting with a staff planner to review approval process and submittal requirements. - Approval Requested must meet applicable standards of Sections 2.3 through 2.9 - Submittal of a complete application (application completeness to be determined by Planning Director) - Payment of all required fees 						PC – Planning Commission		Record – submission of a final plat or other document to Routt County Clerk & Recorder	
						BCC – Board of County Commissioners		Days – calendar days	
						ROW – Public Right of Way		Admin – Administrative	
						CGS – Colorado Geologic Survey			
Approval Requested	Notice Requirements				Approval Authority	Required Public Meeting and/or Public Hearing	Appeals	Final Action - required within time period specified in Section 2.1.6	Notes
	Mailed	Posted	Publish	Referral					
Plat Correction	21 days prior to decision	15 days prior to decision	15 days prior to decision	21 days prior to decision	Planning Director	A Public Hearing is only required if Planning Director refers the application to PC or BCC for a final decision	Appeal to PC at a Public Hearing, PC decision may be appealed to BCC at a Public Hearing (Per Section 2.1.4)	Record Plat (after being signed by the Chair of the BCC)	Planning Director may refer application to PC or BCC for a final decision
Lot Line Adjustment	Same as for Plat Corrections								
Consolidation Plat	Same as for Plat Corrections								
Pre-Application Conference**	21 days prior to decision	15 days prior to decision	15 days prior to decision	21 days prior to decision	Same as for approval intended to be requested**	Same as for approval intended to be requested**	No final decision is made; no appeals process	Approval Authority provides feedback only; no final decision is made	
Division of Land - Public Purposes	Same as for Plat Corrections							Record Plat, Deed(s) or other instrument(s) acceptable to Routt County	
Road Review Exempt Subdivision	No Public Notice Requirements				BCC after review by PC	PC - Public Meeting (Consent Agenda) BCC - Public Hearing	Appeal to District Court	Record Plat & any required Agreements (after being signed by the Chair of the BCC)	
Vacate Plat, Platted ROW or Public Utility Easement	30 days before PC&BCC	21 days before PC&BCC	30 days before PC&BCC	30 days before PC&BCC	BCC after review by PC	PC - Public Meeting (recommendation to BCC)* BCC - Public Hearing*	Appeal to District Court	Record Resolution (after being signed by the Chair of the BCC)	Also applies to a Dedication of a ROW or Public utility Easement
Vacate Unplatted ROW	30 days before BCC	21 days before BCC	30 days before BCC	30 days before BCC	BCC	BCC - Public Hearing*	Appeal to District Court	Record Resolution (after being signed by the Chair of the BCC)	Also applies to a Dedication of a ROW
LPS – Minor	30 days before BCC	21 days before BCC	15 days before BCC	30 days before BCC	BCC	BCC - Public Hearing	Appeal to District Court	Record Plat & Agreement (after being signed by the Chair of the BCC)	Planning Director makes recommendation to BCC
LPS – Major and Non-Contiguous Parcel	30 days before PC&BCC	21 days before PC&BCC	30 days before PC&BCC	21 days before PC&BCC	BCC after review by PC	PC - Public Meeting (Consent Agenda) BCC - Public Hearing	Appeal to District Court	Record Plat & Agreement (after being signed by the Chair of the BCC)	Planning Director makes recommendation to PC. See Section 2.1.3 J for consent agenda process
LPS – Admin Amendment	Same as for Plat Corrections								
Major Subdivision (includes Sketch, Preliminary and Final Subdivision review)									
Sketch Subdivision	30 days before PC&BCC	21 days before PC&BCC	30 days before PC&BCC	21 days before PC&BCC	BCC after review by PC	PC - Public Meeting (recommendation to BCC) BCC - Public Hearing	Appeal to District Court	Not Applicable	
Preliminary Subdivision	30 days before PC&BCC	21 days before PC&BCC	30 days before PC&BCC	21 days before PC&BCC	BCC after review by PC	PC - Public Meeting (recommendation to BCC) BCC - Public Hearing	Any Appeal will be reviewed by BCC at a Public Hearing (Per Section 2.1.4)	Not Applicable	
Final Subdivision	21 days prior to decision	15 days prior to decision	15 days prior to decision	21 days prior to decision	Planning Director	A Public Hearing is only required if Planning Director refers the application to PC or BCC for a final decision	Appeal to PC at a Public Hearing, PC decision may be appealed to BCC at a Public Hearing (Per Section 2.1.4)	Record Final Plat, Deed(s), etc. (after being signed by the Chair of the BCC)	

- Proposals to be reviewed by PC and BCC will be scheduled on the first open agenda for which all notification requirements can be met.
- The Planning Director, PC, or BCC may delay the review of any proposal if additional information is required to determine if all applicable Zoning & Subdivision Standards can be met.
- Planning Director may authorize the Sketch, Preliminary, and/or Final steps of a Major Subdivision to be reviewed concurrently for subdivisions that will create 5 or fewer lots, or that result in an overall reduction in the number of Buildable Lots and such may be reviewed by the PC and BCC on their Consent Agendas.
- Unless noted otherwise in Section 2 all proposals must comply with all applicable Standards of Sections 2, 3, 4, and 5 and 7 of these Regulations to be approved.
- Conditions may be placed on any Approval if they are deemed necessary to ensure compliance with the applicable Standards of these Regulations.
- All Plats must be signed by the Chair of the BCC prior to recording.
- * Vacations of ROW or Public Utility Easement heard in concert with a subdivision plat that results in an overall reduction in the number of Buildable Lots may be heard on the PC's and BCC's Consent Agenda.
- ** At the request of the Applicant or discretion of the Planning Director, a Pre-Application Conference may be held for the purpose of establishing general guidelines and eliciting feedback regarding specific questions or problem areas related to a proposed development. The Pre-Application Conference is intended to provide the Applicant with general guidance prior to the expenditure of large amounts of time and money in the planning effort. A Pre-Application Conference is non-binding and advisory only.

2.1 Review Process

All subdivisions and certain subdivision exemptions must be reviewed and approved in accordance with the review process and standards set forth in this section. The following chart establishes the required review steps applicable to different types of subdivisions and subdivision exemptions. Applicants should refer to the chart to determine which one (1) or more "APPROVAL REQUESTED" under the left-hand column of the chart applies to their proposed subdivision. The required stages of review for each approval are shown on the lines to the right. Submittal requirements and the specific review process for each stage are set out in detail in the balance of these Regulations under the appropriate headings. The subdivider is required to attend in person or by authorized representative all meetings and hearings at which the project is considered, unless otherwise notified by the Planning Department. No subdivision may be undertaken except in accordance with and pursuant to the appropriate approvals listed in the Review Process Chart.

Proposed

2.1.1 Review Process Chart

Requirements for all applications prior to processing:			Key			
<ul style="list-style-type: none"> • Pre-Application meeting with a staff planner to review approval process and submittal requirements. • Submittal of a complete application (application completeness to be determined by Planning Director) • Payment of all required fees 			PC – Planning Commission		Director – Planning Director	
			BCC – Board of County Commissioners		ROW – Public Right of Way	
Approval Requested	Notice Requirements	Approval Authority	Required Public Meeting and/or Public Hearing	Appeals (Section 2.1.7)	Final Documentation	Notes
Plat Correction	Per Section 2.2	Director	N/A	PC then BCC	Record Plat	Planning Director may refer application to PC or BCC for a final decision
Lot Line Adjustment	Per Section 2.2	Director	N/A	PC then BCC	Record Plat	Planning Director may refer application to PC or BCC for a final decision
Consolidation Plat	Per Section 2.2	Director	N/A	PC then BCC	Record Plat	Planning Director may refer application to PC or BCC for a final decision
Pre-Application Conference**	Per Section 2.2	N/A	PC and/or BCC	N/A	N/A	
Division of Land - Public Purposes	Per Section 2.2	Director	N/A	PC then BCC	Record Plat	Planning Director may refer application to PC or BCC for a final decision
Road Review Exempt Subdivision	N/A	BCC	PC (Consent Agenda) and BCC	District Court	Record Plat	See Section 2.1.3 J for consent agenda process
Vacate Plat, Platted ROW or Public Utility Easement*	Per Section 2.2	BCC	PC and BCC	District Court	Record Resolution	Also applies to a Dedication of a ROW or Public utility Easement
Vacate Unplatted ROW*	Per Section 2.2	BCC	BCC	District Court	Record Resolution	Also applies to a Dedication of a ROW
LPS – Minor	Per Section 2.2	BCC	BCC	District Court	Record Plat & Agreement	Planning Director makes recommendation to BCC
LPS – Major and Non-Contiguous Parcel	Per Section 2.2	BCC	PC (Consent Agenda) and BCC	District Court	Record Plat & Agreement	Planning Director makes recommendation to PC.
LPS – Admin Amendment	Per Section 2.2	Director	Director	PC then BCC	Record Plat	Planning Director may refer application to PC or BCC for a final decision
Sketch Subdivision	Per Section 2.2	BCC	PC and BCC	District Court	N/A	
Preliminary Subdivision	Per Section 2.2	BCC	PC and BCC	District Court	N/A	
Final Subdivision	Per Section 2.2	Director	N/A	PC then BCC	Record Plat	Planning Director may refer application to PC or BCC for a final decision
Development Agreement	N/A	BCC	N/A	District Court	Record Agreement	

- Proposals to be reviewed by PC and BCC will be scheduled on the first open agenda for which all notification requirements can be met.
- The Planning Director, PC, or BCC may delay the review of any proposal if additional information is required to determine if all applicable Zoning & Subdivision Standards can be met.
- Planning Director may authorize the Sketch, Preliminary, and/or Final steps of a Major Subdivision to be reviewed concurrently for subdivisions that will create 5 or fewer lots, or that result in an overall reduction in the number of Buildable Lots and such may be reviewed by the PC and BCC on their Consent Agendas.
- Unless noted otherwise in Section 2 all proposals must comply with all applicable Standards of Sections 2, 3, 4, and 5 and 7 of these Regulations to be approved.
- Conditions may be placed on any Approval if they are deemed necessary to ensure compliance with the applicable Standards of these Regulations.
- All Plats must be signed by the Chair of the BCC prior to recording.
- * Vacation of ROW or Public Utility Easement heard in concert with a subdivision plat that results in an overall reduction in the number of Buildable Lots may be heard on the PC's and BCC's Consent Agenda.
- ** At the request of the Applicant or discretion of the Planning Director, a Pre-Application Conference may be held for the purpose of establishing general guidelines and eliciting feedback regarding specific questions or problem areas related to a proposed development. The Pre-Application Conference is intended to provide the Applicant with general guidance prior to the expenditure of large amounts of time and money in the planning effort. A Pre-Application Conference is non-binding and advisory only.

2.1.2 Application Fees

To help defray the costs of processing and administering these Regulations, Application Fees shall be paid to Routt County by applicants at the time of filing the application in an amount ~~as noted in the Fee Schedule – Appendix B to be determined by resolution of the Routt County Board of Commissioners as adopted from time to time and~~ attached to the Routt County Zoning Regulations ~~as Appendix B.~~

2.1.3 Pre-Application Meeting with a Staff Planner

Prior to any application subject to these regulations, the applicant shall meet with a staff planner. At the meeting the staff planner will work with the applicant to determine the appropriate process for the project. In addition the staff planner will provide a preliminary list of submittal requirements.

2.1.4 Pre-Application Conference

At the discretion of the Planning Director, or the request of an applicant, a pre-application conference may be held with the Planning Commission and/or Board of County Commissioners for the purpose of establishing general guidelines and eliciting feedback from the members of the Planning Commission and/or Board of County Commissioners regarding specific questions or problem areas related to a proposed development. The pre-application conference is intended to provide the applicant with general guidance prior to the expenditure of large amounts of time and money in the planning effort. A pre-application conference is non-binding and advisory only.

2.1.32.1.5 Procedure

- ~~A. The subdivider is encouraged to consult with land planners, engineers and lending institutions to clearly establish the suitability and location of the proposed subdivision and the most advantageous general plan or arrangement of streets, lots, and other features of the proposed development prior to making application.~~
- ~~B. Prior to any application for a Land Use Approval the applicant shall meet with a staff planner. At the meeting the staff planner will work with the applicant to determine the appropriate process for the proposed land use change. In addition the staff planner will provide a preliminary list of submittal requirements.~~
- ~~C. Application shall be submitted in writing to the Planning Department along with such evidence as may be necessary to demonstrate compliance with the conditions and requirements set forth for the particular Approval Requested according to these Regulations.~~
- ~~D. The Planning Director shall review the application and accompanying evidence and thereafter determine if the application is complete in accordance with the Submittal Schedule (Appendix A). If, in the opinion of the Planning Director, a submittal at any stage of review is incomplete, the matter shall be removed from the agenda and not further processed until deemed complete.~~
- ~~E. At any stage of review of any subdivision, the Planning Director, Planning Commission, or Board, may require at the applicant's expense the submission of any plan, study, survey or other information, in addition to~~

~~that specified in these Regulations, as such body or individual may determine necessary to enable it to review and act upon the application or in order to determine whether the application complies with the requirements of these Regulations.~~

- ~~F.A.~~ Approval authority and review process for each type of approval are as noted in the Review Process Chart (Section 2.1.1). All approvals must meet the Standards of these Subdivision Regulations and the applicable Zone District as detailed in the Zoning Regulations.
- ~~G.B.~~ For approvals that require a Public Meeting or Public Hearing, once all internal reviews have been completed, the Planning Director shall schedule the application for review on the next open agenda (Planning Commission or Board as applicable) consistent with the notice requirements set forth herein. Land Preservation Subdivision Exemption applications shall be given priority in scheduling.
- ~~H.C.~~ All approvals may be subject to conditions as necessary to ensure compliance with the applicable standards of these Regulations and the Zoning Regulations.
- ~~I.D.~~ A resubmittal of the same application under these Regulations or one which, in the judgment of the Planning Director is substantially the same as a prior application or one that has been denied or conditionally approved, shall not be accepted within one (1) year of the denial or conditional approval of the first application. The determination of the Planning Director that an application is substantially the same as a prior application and, therefore, pursuant to this provision, may not be accepted shall be communicated to the applicant in writing electronically and may be appealed utilizing the appeal process detailed in Section 2.1.4 of these regulations.~~to the Board by the filing of a written appeal with the Board within ten (10) calendar days after the date of such determination by the Planning Director is sent in writing to the applicant.~~
- ~~J.E.~~ Land Preservation Subdivision and Road Review Exempt Subdivision approvals that are reviewed by Planning Commission as Consent Agenda items shall be voted on without discussion unless one of the following occurs:
- 1) The applicant or a member of the public files a written notice of objection pertaining to the application of the Design Standards by the Planning Director. Any such objection shall include a statement of the basis for such objection, and shall be submitted at least seventy-two (72) hours~~three (3) calendar days~~ before the day on which the application has been set for handling as a Consent Agenda item. (The failure of the applicant or any other member of the public to submit a written notice of objection and statement within the specified time period shall be a basis for disregarding such objection by the Planning Commission.) OR
 - 2) Prior to the matter being approved on the Consent Agenda, the Planning Commission, by a majority vote, requires the matter to be fully reviewed identifying the specific Design Standards to be discussed.

The Planning Commission's review, if any, hereunder shall be limited to a determination as to whether the Planning Director has properly applied these Regulations and the Design Standards set forth in Sections [2](#) and [5.4](#).

2.1.6 Scope of Conditions

The approval authority, as noted in the Review Process Chart (Section 2.2.1), in granting any approval, may place any condition, restriction or limitation, and further condition any such approval.

2.1.42.1.7 Appeals

~~A. In the event the Planning Director or Planning Commission recommends denial of an application at any stage, the applicant may appeal the denial and proceed to the next stage of review.~~

A. The applicant or any adjacent property owner who would have been entitled to receive notice of the original permit application may appeal a Planning Director or Planning Commission decision to the next stage of review. In general the stages of review occur in the following order: Planning Director, Planning Commission, the Board. Exceptions are noted in the Review Process Chart Section 2.2.1. In the event the review stage is before the Board, the application may not be further processed following a denial. A denial of an application by the Board may not be appealed further within the County process. The Board of County Commissioners (BCC) or any individual member of the BCC, Planning Commission (PC) or any individual member of the PC, applicant or any adjacent property owner who would have been entitled to receive notice of the original permit application, pursuant to Section 2.2.3 may appeal the decision of Planning Staff, Planning Director, Planning Commission, or BCC, to the next stage of review. In general the stages of review occur in the following order: Planning Staff, Planning Director, Planning Commission, BCC. Exceptions are noted in the Review Process Chart, Section 2.2.1 of these Regulations. In the event the review stage is before the BCC, the application may not be further processed following a denial, and any appeal or review of such denial should be as provided by law.

B. Any appeal must be electronically filed with the Planning Director in writing within five (5) working days of the decision. The appeal shall be filed on forms prescribed by the Planning Department.

C. ~~Any appeal considered by the Planning Commission or the Board shall be scheduled for a Public Hearing on the next available agenda for which the minimum public hearing notice requirements of Section 2.2 can be met.~~ Any appeal considered by an individual member of the PC or BCC will be scheduled by the Planning Director at the next regularly scheduled Public Hearing for that individual's respective commission for consideration of formally furthering the appeal. If a commission quorum approves the furtherance of the appeal or if the appeal was initiated by the applicant or adjacent property owner, then the appeal shall be scheduled for a Public Hearing at the next available agenda to the next stage of review for which the minimum public notice requirements of Section 3.3 can be met. Appeals

considered by the Planning Director shall be processed within five business days, unless additional information is required.

- D. ~~Upon hearing the appeal, Planning Commission or the Board (as applicable) may uphold, reverse, or uphold the approval with additional conditions.~~ Upon hearing the appeal PC or the BCC (as applicable) may uphold or reverse the decision, or uphold or reverse the issuance of the permit and may add, eliminate, or modify conditions of approval.

2.1.52.1.8 Signatures on Plats

The chair of the Board is authorized to sign all plat documents which have received the appropriate final or ultimate approval, whether administrative, given by the Planning Commission, or by the Board itself.

2.1.62.1.9 Plat Recordation

Following final approval of any Plat Correction, Lot Line Adjustment, Consolidation Plat, Division of Land for Public Purposes, Road Review Exemption Subdivision, Minor or Major Land Preservation Subdivision, or Final Subdivision, the applicant shall file the approved plat meeting the standards in Appendix B in the office of the County Clerk and Recorder within one year of approval, or as specified in a motion of the Board, or in any subsequent motion by the Board extending such time; otherwise the approval shall be deemed to have been revoked. The Planning Director may authorize technical corrections or clarifications to any plat approval so long as the corrections or clarifications do not alter the scope or extent of the approval. The final plat shall meet the applicable standards as detailed in Appendix B.

2.1.72.1.10 Withdrawal of Approval

The Board may withdraw any recommendation of the Planning Commission or approval by the Board of a plan or plat if and when it is determined that information provided by the applicant is false or inaccurate.

2.1.82.1.11 Expiration of Approval (Major Subdivision)

Sketch plan approval shall be effective for a maximum period of twelve (12) months, and Preliminary Subdivision Plan approval shall be effective for a maximum period of twelve (12) months unless, upon application by the subdivider, an extension is allowed under one of the following:

- A. Administrative approval by the Planning Director; or
- B. Whenever a final plat is submitted for less than the entire area covered by the Preliminary Subdivision Plan, approval of the Preliminary Subdivision Plan for the remaining unplatted area shall be extended for an additional twelve (12) months. The total allowable extension under this method shall not exceed (36) months.

2.1.92.1.12 Vested Property Rights

Pursuant to CRS 24-68-101, et seq, the following types of approvals, and only those types, shall be site specific development plan approvals which will result in the vesting of property rights:

- A. Approval of a Plat Correction pursuant to Sections 2.1 and 2.3 of the Routt County Subdivision Regulations

- B. Approval of a Lot Line Adjustment pursuant to Sections 2.1 and 2.4 of the Routt County Subdivision Regulations
- C. Approval of a Consolidation Plat pursuant to Sections 2.1 and 2.5 of the Routt County Subdivision Regulations
- D. Approval of a Division of Land for Public Purposes pursuant to Sections 2.1 and 2.7 of the Routt County Subdivision Regulations
- E. Approval of a Minor Land Preservation Subdivision Exemption pursuant to Sections 2.1 and 2.9 of the Routt County Subdivision Regulations
- F. Approval of a Major Land Preservation Subdivision Exemption pursuant to Sections 2.1 and 2.10 of the Routt County Subdivision Regulations
- G. Approval of a Final Subdivision Plat pursuant to Sections 2.1 and 2.15 of the Routt County Subdivision Regulations
- H. Any approval for which the vesting of rights is provided in a development agreement which specifically provides for the vesting of property rights

Approval of divisions of land pursuant to of a Sketch or Preliminary Subdivision Plan shall not constitute the approval of a Final Subdivision Plat, and no vested right shall be created by or attach to such approvals. In the event an applicant wishes such Sketch or Preliminary Subdivision Plan approval to have the effect of creating a vested property under CRS 24-68-101, et seq., the applicant must so request, in writing, as a part of the application for such approval.

2.2 Public ~~Hearing~~ Notices

2.2.1 Applicability Generally

The requirements of this section apply to those application types ~~only to public hearings required by these Regulations~~ and as shown on the Review Process Chart, Section 2.1.1. Where that chart indicates that a Public Meeting (in contrast to a Public Hearing) is required, this section does not apply, and notice of such meeting is subject only to the requirements of the Colorado Open Meetings Law, C.R.S. § 24-6-401, et seq.

2.2.2 Types of Notice

The following types of notice shall be used, in accordance with the Review Process Chart, to notify the public of applications submitted to the County for review and decision:

- A. Publication in a newspaper of general circulation.
- B. Mail to adjacent property owners.
- C. Posting a sign on the property.
- D. Certified mail to mineral rights owners, if applicable.

2.2.1

2.2.3 Content of Notices

Whenever notice is required by these regulations, the notice shall include the following information:

- A. Name of the project and a brief summary of the requested action and type of application; and
- B. General description of the location of the subject property; and
- C. Name of the applicant; and

- D. Contact information for the Planning Department; and
- E. A statement of how the application can be accessed by the public; and
- F. The time, date, and location of any public hearings, if applicable, or the final decision date; and
- G. Address where written comments may be sent.

2.2.4 Notice Procedure

~~2.2.2~~

A. **Published Notice**

~~At least thirty (30) days prior to any hearing which requires published notice,~~ The Planning Director shall cause to be published in the legal section of a newspaper of general circulation within the County a notice of public hearing or final decision. ~~The notice shall specify the kind of action requested, the hearing authority, the time, date and location of hearing; and the location of the parcel under consideration, by both address and legal description. Proof of publication shall be kept on file in the Planning Department.~~

B. **Posted Notice**

- 1) As set forth in the Review Process Chart, prior to any hearing which requires posted notice, The Planning Director shall cause to be prepared, and the applicant shall post, signs upon the parcel under consideration for a minimum of ten consecutive days prior to the public hearing of final decision date. ~~which provides notice of the kind of action requested, the hearing authority, the time, date and location of hearing; and the location of the parcel by both address and legal description.~~
- 2) The signs shall be of a size and form prescribed by the County and shall consist of at least one sign facing, and reasonably visible and legible from, an adjacent public right-of-way. If there is no location on the property that is conspicuously and readily visible from a public right-of-way, the Planning Director may approve an alternative location. In all situations, the sign shall be posted where the greatest number of public will have a reasonable opportunity to view the sign.
- 3) For projects that include more than one lot, more than one street frontage, or property greater than one acre, the Planning Director may require additional signs to be posted.
- 4) The fact that a parcel was not continuously posted the full period may shall not, at the sole discretion of the hearing authority, constitute grounds for continuance where the applicant can show that a good faith effort to meet this posting requirement was made. The applicant shall complete the proof of posting form provided by the Planning Department, and such completed form shall be kept on file at the Planning Department.

C. **Mailed Notice**

- 1) At least thirty (30) days prior to any hearing, which requires notification by letter, The Planning Director shall send a letter ~~cause a letter to be sent by~~ first class U.S. Mail to: owners of property whose land abuts the subject

property whose land is contiguous, as defined in these regulations, to the subject property

~~A. Adjoining property owners; and~~

~~B. Owners of property included within the application.~~

~~2) The letter shall be sent no later than 14 days prior to the public hearing or final decision date. The letter shall include a vicinity map, a short narrative describing the application and an announcement of the date, time and location of the scheduled hearing. The letter shall specify the kind of action requested, the hearing authority, the time, date and location of hearing, and the location of the parcel under consideration by address or approximate address.~~

~~3) Failure to mail such a notice due to clerical omissions or failure of an adjacent of a property owner to receive a mailed notice will not necessitate the delay of a hearing and shall not be regarded as constituting inadequate notice.~~

~~**i. Referral Agency Notice**~~

~~At least thirty (30) days prior to any public hearing that requires referral agency notification, the Planning Director shall cause to be sent, by first class U. S. mail or by email, a notice to all applicable referral agencies. Referral Agencies may include any local, state, and federal agencies or departments that in the judgment of the Planning Director might have particular knowledge or interests that could be of assistance during the review of the land use change. Failure of a Referral Agency to receive a notice will not necessitate the delay of a hearing and shall not be regarded as constituting inadequate notice.~~

2.2.5 Public Notice Time Requirements

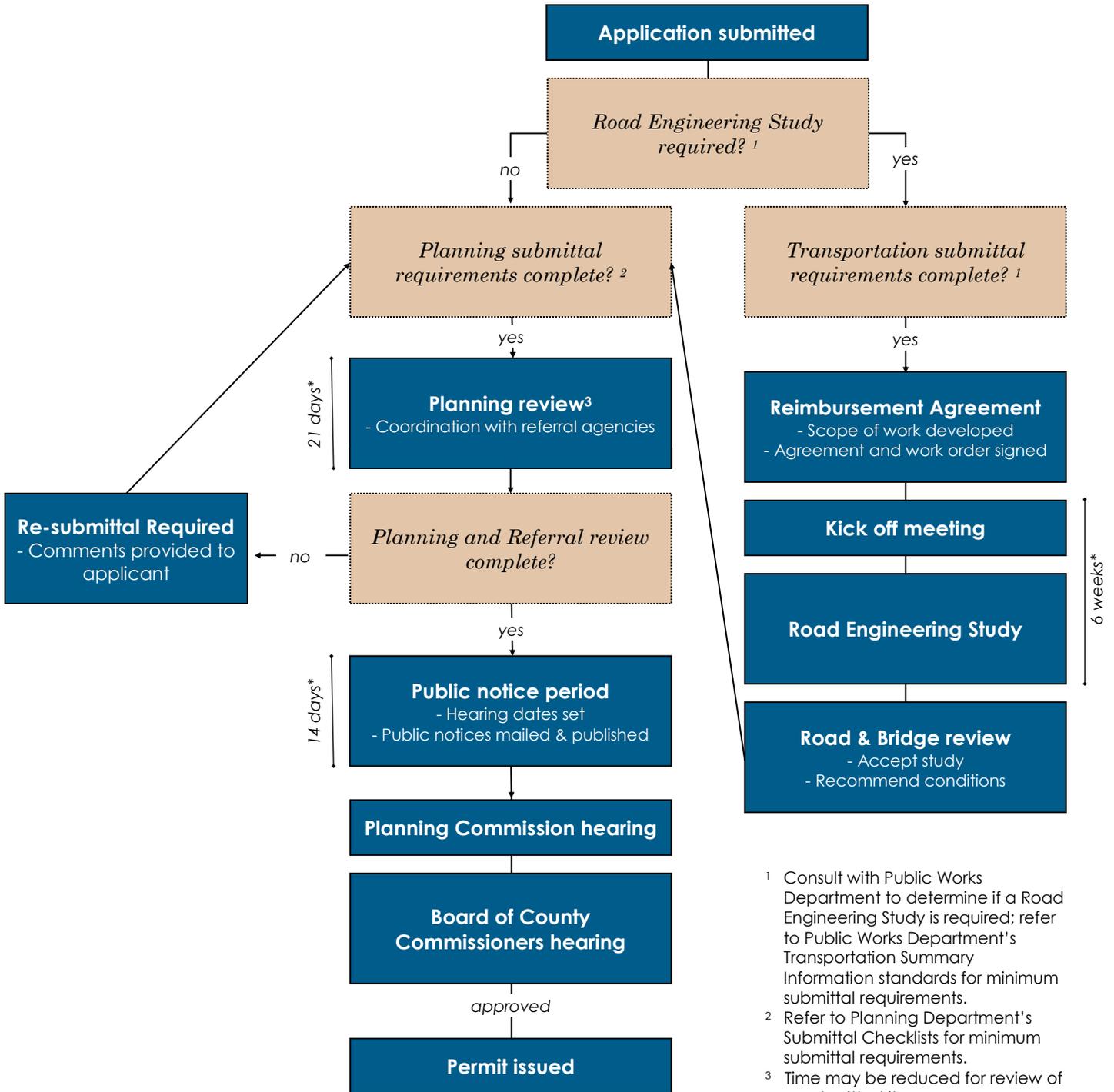
Unless otherwise provided in these Regulations, public notice time requirements include the day the notice is posted, appears in the newspaper, is mailed, and shall also include the day of the public hearing.



ROUTT COUNTY

PLANNING DEPARTMENT
136 6th Street, Suite 200
Steamboat Springs, CO 80477
Ph: (970) 879-2704

REVIEW PROCESS SPECIAL USE PERMITS



¹ Consult with Public Works Department to determine if a Road Engineering Study is required; refer to Public Works Department's Transportation Summary Information standards for minimum submittal requirements.

² Refer to Planning Department's Submittal Checklists for minimum submittal requirements.

³ Time may be reduced for review of re-submitted items.

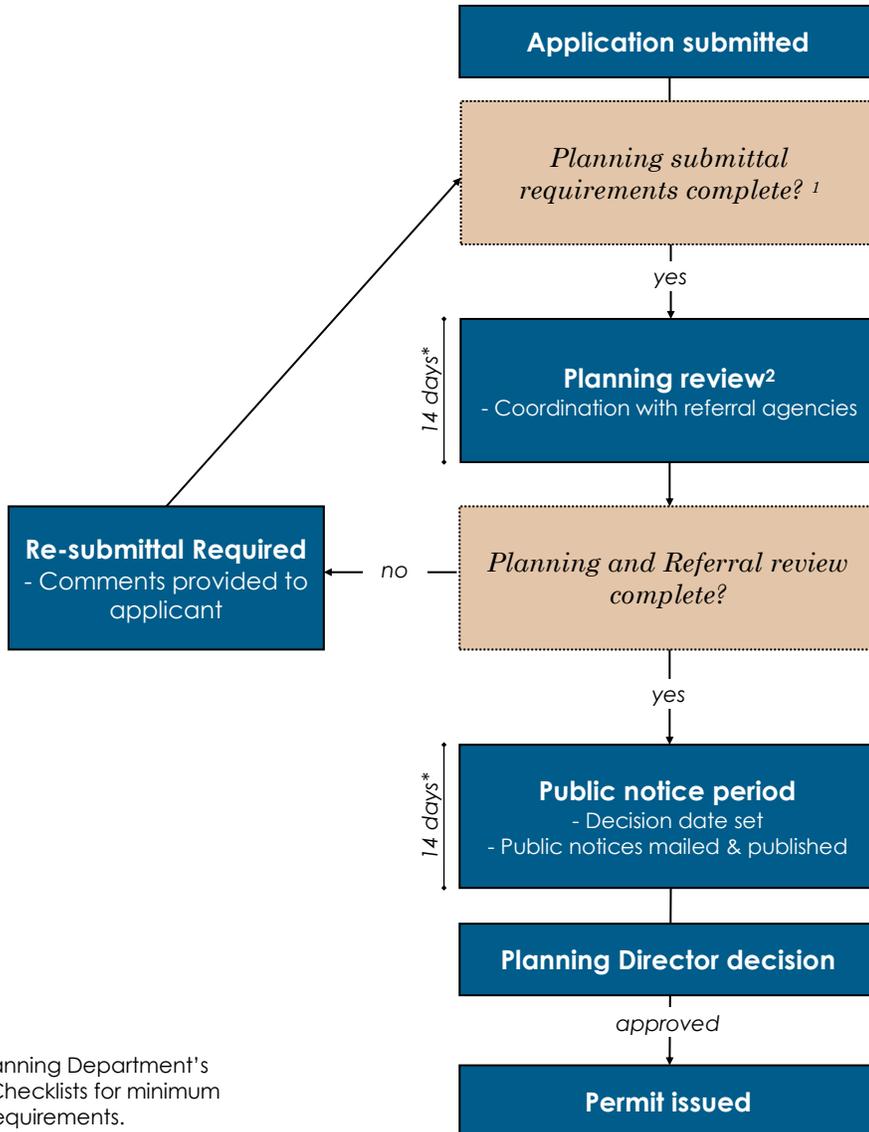
* Timeframes are approximate.



ROUTT COUNTY

PLANNING DEPARTMENT
136 6th Street, Suite 200
Steamboat Springs, CO 80477
Ph: (970) 879-2704

REVIEW PROCESS ADMINISTRATIVE REVIEWS



1 Refer to Planning Department's Submittal Checklists for minimum submittal requirements.

2 Time may be reduced for review of re-submitted items.

* Timeframe is approximate.

APPENDIX B: ROUTT COUNTY PLANNING DEPARTMENT FEE SCHEDULE

Effective 3/27/2019

MINIMUM BASIC APPLICATION FEES: The ~~Minimum Basic~~ Application Fees listed shall be paid in full at the time of application. An application will not be deemed complete and scheduled for review until the ~~Application~~ Minimum Basic fee has been paid in full. The ~~Application~~ Minimum Basic Fee is designed to cover ~~basic~~ filing, publication, ~~and~~ processing costs ~~and Staff Planner time to process the application~~. ~~It is also includes the minimum amount of Staff Planner time typically required for an application of that type.~~

HOURLY FEES: ~~Hourly Fees will be charged for Staff Planner time not covered by the Minimum Basic Fees. Staff Planner time will be charged at a minimum rate of \$134/hr. This rate may be adjusted by the Planning Director as necessary. Hourly Fees apply to all review processes unless otherwise noted.~~

ANNUAL FEES: Permits/Approvals that require an ongoing review and administration (as determined by the Planning Director) are required to pay Annual Fees as noted below. Annual Fees apply to all active Permits/Approvals including those issued prior to the adoption of this fees schedule. ~~Additional Annual Fees for mitigation monitoring will be charged on an hourly basis for any staff time necessary to review and/or implement conditions of approval.~~

RENEWAL FEES: 50% of the minimum basic fee will be charged to process administrative renewals that are authorized under the original conditions of approval.

SPECIAL FEES: Special fees may be charged at the discretion of the Planning Director for professional consultants or special research/analysis that is required to ensure adequate review of a development application.

DIGITAL SCANNING SURCHARGE: ~~Application materials and final plats which are not submitted in a digital format that conforms to Planning Department application requirements will be subject to a minimum surcharge of \$50. Additional charges may apply based on an Administrative staff rate of \$50/hr to complete any required scanning and/or document conversion.~~

APPROVALS/PERMITS ARE CONTINGENT ON FULL PAYMENT OF ALL APPLICABLE FEES: This includes any and all ~~Application~~ Minimum Basic Fees, Hourly Fees, Annual Fees, ~~Surcharges~~, and/or Special Fees. Approvals/Permits with outstanding balances that exceed 90 days ~~will~~ may be revoked.

REVIEW PROCESS	MINIMUM BASIC APPLICATION FEES	ANNUAL FEES	NOTES
Minor Use Permit	\$150 142		
Building Permit Review	\$75 56		Collected at permit application through Building Dept. Hourly rates apply for reviews more than 1/2 hour.
Floodplain Development Permit	\$300 142		
Sign Permit	\$56		No Hourly Fees
35-acre Subdivision Plat Road Review	\$1,800 1,675		
Major Land Preservation Subdivision Exemption (LPS)	\$1,200 1,116 + \$100/ buildable lot		
Minor Land Preservation Subdivision Exemption (LPS)	\$1,200 + \$75/ buildable lot		
LPS Amendments	Minor - \$540 Major - \$1,116		Major and Minor amendments as defined in Section 2 of the Subdivision Regulations
Minor Development Subdivision Exemption	\$1,200 1,116		
Pre-Application Conference	\$1,200 1,116		
Administrative Permit	\$600 446	\$150 50	Additional Annual Fees for mitigation monitoring may apply No Fee for Waterbody Setback Permit required for buildable lot access Total fees collected for electric or solar thermal devices shall not exceed actual costs to the County and up to a maximum of \$500 for residential systems.

Conditional Use Permit	\$ 900 670	\$150 50	Additional Annual Fees for mitigation monitoring may apply Total fees collected for electric or solar thermal devices shall not exceed actual costs to the County and up to a maximum of \$1000 for non-residential systems.
Special Use Permit (Non-mining)	\$1,200 894	\$150100	Additional Annual Fees for mitigation monitoring may apply
Special Use Permit (Mining, mineral extraction and related uses)	\$2,000 1,675	\$200 (<10 acre permit area) \$400 (10+ acre permit area) \$500	Additional Annual Fees for mitigation monitoring may apply
Amendment to Zoning Map	\$1,200 1,116		50% reduction in Minimum-Basic Application Fee for Milner rezone AF to LDR, MDR, or GR 50% reduction in Minimum Basic Fee for Steamboat Lake Subdivision or Stagecoach rezone from LDR, MDR, HDR, or GR to MRE
Zoning Variance	\$1,200 1,116		Total fees collected for electric or solar thermal devices shall not exceed actual costs to the County and up to a maximum of \$500 for residential systems and \$1000 for non-residential systems.
Conceptual PUD Plan	\$1,200 1,116		
Final PUD Plan	\$2,400 2,232		
Subdivision Exemption (BCC review only)	\$2,400 2,232		Creation of new tracts of land or residential sites
Pre-App./Sketch Subdivision	\$580 540 + \$20/lot		Final Plats and Replats that combine Pre-Application, Sketch, Preliminary and Final Subdivision review will be charged Final Subdivision Plat fees
Preliminary Subdivision	\$2,400 2,232 + \$40/lot		
Final Subdivision Plat	\$1,100 1,000 + \$20/lot		
Plat Correction Replat	\$600		<u>Includes, but not limited to, Lot Line Adjustment, Consolidation, Plat Correction, and Building Envelope removal applications</u>
<u>Plat Review</u>	\$600		<u>Assessed following application approval but prior to staff beginning review of the plat</u>
Lot Line Adjustment	\$600		
Consolidation Plat	\$600		
Division of Land for Public Purposes	\$1,116		
Vacation of Plat, Right-of-Way or Public Utility Easement	\$800 750		
Site Plan Review	\$670 900		
<u>Skyline Test</u>	\$300		
<u>Resubmittals</u>	50% of original application fee		<u>Will be assessed on the fourth application submittal</u>
<u>Appeal</u>	\$800		
<u>Plumbing/Removal Agreement</u>	\$150		
<u>Large Lot Agreement</u>	\$75		
<u>Development/Subdivision Improvement Agreement</u>	\$300		
Other review that requires County approval (including Master, Comprehensive, and Community Plan amendments including Urban Growth Boundary Expansions)	\$1,200		Hourly fees only. A \$1,200 deposit against which the hourly rate will be applied is required. Any unused balances will be returned to the applicant.

~~**RESEARCH**¹: First three (3) hours no charge; each additional hour will be charged at the current rate for Hourly Fees. Research requests shall be submitted for review and approval of the Planning Director prior to the initiation of any staff research. The Director shall determine if the requested research is appropriate based on the nature of the research requested, the amount of research requested, and the available staff time.~~

PLANNING DIRECTOR DETERMINATION/INTERPRETATION LETTER: Hourly Fees will apply (\$50 minimum).

¹Research is defined as the interpretation of documents in the planning files of the County. By way of example and not limitation, a party may request research as to the history of the zoning for a particular parcel or for the history and status of a planning approval for a specific parcel. This section is not intended to replace or nullify a citizen's rights under the Open Records Act to inspect and copy a specifically described document or documents or file.

~~**APPEALS:** Appeals in accordance with the Zoning Regulations will be charged Minimum Basic Fees and Hourly Fees at the same rate as the original application.~~

AFTER THE FACT REVIEW: An additional charge equal to the total applicable ~~Minimum Basic~~Application Fees shall ~~may~~ be applied to all applications for Approvals/Permits that are received after the start of construction and/or operation. ~~These additional fees will not be used to offset any Hourly Fees that may apply.~~

MULTIPLE PROCESSES: In general an application will be charged the total of all applicable ~~Application~~Minimum Basic Fees at the time of application. However the Planning Director may adjust the aggregate of fees for **concurrent multiple processes** based upon the scope and complexity of each affected application and the cost to Routt County to complete the reviews.

~~**REFUNDS:** A written request may be made for a base fee reimbursement for unused planner time in excess of 30 minutes. Fees, other than for unused planner time, will not be refunded for any processing or partial processing of an application except as approved by the Board of County Commissioners.~~

OTHER DEPARTMENT AND AGENCY FEES: Applicant will be responsible for any and all fees charged by other departments or agencies necessary to process application including but not limited to:

- a) Colorado Geologic Survey subdivision review fees
- b) Steamboat Springs Rural Fire Protection District Review Fees
- c) Clerk and Recorder Fees
- d) Routt County Building Department

CRITERIA FOR THE WAIVER OF FEES FOR SPECIAL PROJECTS: Fees may be reduced or waived by the Planning Director or the Board of County Commissioners. In general, but not limited to, the following categories will be used to determine if a fee reduction or waiver is appropriate:

- a) Projects of public entities.
- b) Projects of non-profit entities that will have a substantial benefit to the citizens of Routt County.
- c) Projects initiated by Routt County