

## ROUTT COUNTY PLANNING COMMISSION

### MINUTES

August 16, 2018

The regular meeting of the Routt County Planning Commission was called to order at 6:00 p.m. with the following members present: Chairman Steve Warnke and Commissioners Troy Brookshire, Geoff Petis, Brian Arel, Bill Norris, Roberta Marshall, Andrew Benjamin, Paul Hebert and John Merrill. Commissioners Karl Koehler and Peter Flint were absent. Planning Director Chad Phillips and staff planner Alan Goldich also attended. Sarah Katherman recorded the meeting and prepared the minutes.

#### PUBLIC COMMENT

There was no public comment.

#### MINUTES – June 21, 2018

Commissioner Petis moved to approve the minutes of the June 21, 2018 Planning Commission meeting, as written. The motion was seconded by Commissioner Benjamin. **The motion carried unanimously.**

**ACTIVITY: PL-18-150**

**PETITIONER: Vance Bates & Debra Kay Mack**

**PETITION: Preliminary & Final Subdivision of one lot into two**

**LOCATION: 27125 Moonlight Way, Steamboat II; located approximately 1.5 miles west of Steamboat Springs**

Mr. Steve Ivancie, Project Manager for Jake's Drafting, representing the petitioners, stated that the proposal is identical to the Sketch Subdivision Plan that was approved by Planning Commission and the Board of County Commissioners about a year ago. He presented a photo of the site, and stated that he had nothing to add to the information that was included in the staff report.

Mr. Goldich stated that this petition is for both the Preliminary and Final Subdivision of an existing lot in Steamboat II. He reviewed the petition and presented a site plan of the subdivision, noting that the existing lot has double frontage. He stated that the lot was created in the early 1970s. The current Subdivision Regulations do not allow lots to have double frontages in new subdivisions, so the proposed subdivision would bring the existing parcel more into conformance with the Routt County Subdivision Regulations. Mr. Goldich stated that at the Sketch Subdivision hearing it was determined that the proposal is in compliance with all of the applicable planning documents, including the Routt County Master Plan, the Steamboat Springs Area Community Plan and the West of Steamboat Springs Area Plan. Mr. Goldich stated that no correspondence regarding the application had been received, and no comments had been submitted from referral agencies.

Mr. Goldich noted that the fee-in-lieu of public sites listed in suggested Condition of Approval (COA) #7 in the staff report is incorrect. The correct amount is \$4,787.40. This amount was determined using the same formula employed to determine the fee-in-lieu of dedication of public sites for the Fox Grove Subdivision.

Commissioner Arel asked about suggested COA #5b. Mr. Goldich said that this is a standard plat note included on all plats. Commissioner Arel noted the water conservation plan that had been submitted by the petitioner, and asked if should be included in a COA. Mr. Goldich stated that the plan was a requirement of the Steamboat II Metropolitan District, and is not a requirement of the Subdivision or Zoning Regulations. It was included in the meeting materials because it had been submitted by the applicant.

Chairman Warnke asked about the average lot size in Steamboat II. Mr. Ivancie stated that the existing lot was one of the larger lots in the subdivision. He said that the lot sizes in Steamboat II vary from 0.25 and 3 acres. Mr. Phillips noted that this lot is just over the minimum square footage required for a subdivision. He added that the lot immediately to the east of this lot is just under the minimum square footage, and so could not be subdivided. Mr. Goldich said that the Steamboat II Metro District had expressed concern regarding how many additional lots could be created through subdivision, but that it was determined that this was the only one. This lot is unique because it has a double frontage. The other lots in the subdivision that are large enough to meet the square footage requirements do not have double frontages.

#### **MOTION**

Commissioner Petis moved to recommend approval of the Preliminary and Final Subdivision of Lot 93, Steamboat II with the following findings of fact:

1. The proposal has been determined to be in compliance with the guidelines of the Routt County Master Plan, the Steamboat Springs Area Community Plan, and the West Steamboat Springs Area Plan.
2. The proposal with the following conditions is in compliance with Sections 4, 5, and 6 of the Routt County Zoning Regulations and Sections 3 and 4 of the Routt County Subdivision Regulations.

This approval is subject to the following conditions:

#### **General Conditions:**

1. This Preliminary Subdivision Plan approval is contingent upon submittal of a complete application for a Final Subdivision Plan within twelve (12) months. Extensions of up to one (1) year may be approved administratively.
2. Prior to recordation, the applicant shall submit an electronic copy of the approved plat to the County Planning Department in a .DWG format or other format acceptable to the GIS Department.
3. The approval shall not be issued until all fees have been paid in full.
4. All property taxes must be paid prior to the recording of the plat.
5. The following notes shall be shown on the plat:
  - a. The new access shall meet the access standards set forth by the Routt County Road and Bridge Department and the Steamboat Springs Area Fire Protection District.

- b. Routt County (County) and the Steamboat Springs Area Fire Protection District (District) shall be held harmless from any injury, damage, or claim that may be made against the County or the District by reason of the County's or the District's failure to provide ambulance, fire, rescue or police protection to the property described on this plat, provided that the failure to provide such services is due to inaccessibility of the property by reason of internal roads being impassable. This conditions shall not relieve the County or the District of their responsibility to make a bona fide effort to provide emergency services should the need arise.
6. A current soils test showing that the soils are sufficiently stable to support development will be required before obtaining a building permit.
7. Prior to recordation of the Final Plat, the applicant shall pay a fee-in-lieu in the amount of \$4,787.40 to satisfy the requirements of Section 3.5.2 of the Routt County Subdivision Regulations.
8. The Final Plat shall show 10' utility easements along all lot lines and such shall be dedicated appropriately.

Commissioner Arel seconded the motion.

**The motion carried 9 – 0 with the Chair voting yes.**

Chairman Warnke noted that the petition for mini-storage units listed on the original agenda had been withdrawn.

#### **ADMINISTRATOR'S REPORT**

Mr. Phillips stated that the Board had not made any decisions regarding Planning Commission recommendations since the last Planning Commission meeting. He stated that the regular meeting scheduled for September 6, 2018 had been cancelled. The next meeting will be on September 20<sup>th</sup>. He reviewed the agenda for that meeting.

Chairman Warnke stated that a question had come up regarding the appropriateness of including the letter submitted by Commissioner Marshall in the packet for the petition for the mini-storage units. Mr. Phillips said that he had reviewed the Planning Commission Handbook and By-laws, which are clear that when there is a conflict of interest for a Planning Commissioner, that commissioner is to recuse him/herself from consideration of the petition. The Handbook cites the potential for influencing the opinions of other commissioners. Mr. Phillips said that this is the reason that when a Planning Commissioner recuses him/herself, they should leave the room. He said that neither the Handbook nor the By-laws refer to a letter submitted by a commissioner with a direct conflict of interest. He suggested that Planning Commission could discuss this matter toward a possible amendment to the Handbook. He added that County Attorney Knaus had agreed that including the letter in the packet of meeting materials was appropriate.

Commissioner Marshall said that she had consulted with Assistant Planning Director Kristy Winser prior to submitting the letter. She said that she had planned on recusing herself from the hearing, as she is an adjacent property owner.

Mr. Phillips cited an example of how the presence of a recused member in the room can influence not only the Board, but also the public. He stated that Commissioner Marshall's letter was questionable only because it might carry extra weight compared to other letters because it was written by their colleague. He offered that it might be difficult to separate Ms. Marshall the citizen from Planning Commissioner Marshall.

Commissioner Petis offered that it was completely appropriate and within her rights for Ms. Marshall to submit a letter. Chairman Warnke stated that the issue is one of perception. Commissioner Merrill said that there was no issue, and that Ms. Marshall had the right to submit a letter. Mr. Phillips said that this issue would be revisited.

**The meeting was adjourned at 6:40 p.m.**