

ROUTT COUNTY PLANNING COMMISSION

FINAL MINUTES

JANUARY 5, 2017

The regular meeting of the Routt County Planning Commission was called to order at 6:00 p.m. with the following members present: Acting Chairman Troy Brookshire and Commissioners Bill Norris, Brian Arel, Jim McGee, Andrew Benjamin and John Merrill. Commissioners Steve Warnke, Doug Baker, Bob Woodmansee, 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.

SUNSHINE LAW RESOLUTION

Chairman Brookshire reviewed the Sunshine Law Resolution in accordance with C.R.S. § 24-6-402 and specified the locations of postings for notices of meetings of the Routt County Planning Commission.

MOTION

Commissioner Norris moved to approve the Sunshine Law Resolution for 2017 as presented. Commissioner Arel seconded the motion. **The motion carried 6 - 0 on a roll call vote .**

MINUTES - November 17, 2016

Commissioner McGee moved to approve the minutes of the November 17, 2016 Routt County Planning Commission meeting, as written. Commissioner Benjamin seconded the motion. **The motion carried 6 - 0.**

ACTIVITY: PL-16-72 & PL-16-73

PETITIONER: David & Laurie Susla and Ivan & Romola Goldner

**PETITION: 1) Lot consolidation of 3 lots into 2 lots
2) Vacation of associated utility easement**

LOCATION: Lot 23 Tree Haus Subdivision and Lots 1 & 2 Replat of former Lots 19 & 21 Tree Haus Subdivision; located approximately 1500 ft. southwest of the intersection of CR 14 and Mt. Werner Rd.

Mr. Brian Kelly, a surveyor representing the petitioners, stated that he was very familiar with the property, which is very steep. He reviewed the petition to consolidate three lots into two in order to enlarge and increase the privacy of both lots. He noted that there are no utilities in the easements to be vacated and that a new easement will be dedicated along the new lot line. He added that because

the utilities are located in the roadway, it is unlikely that new utilities would be placed in the new easement.

Mr. Goldich reviewed the application and confirmed that a new utility easement would be dedicated along the new lot line. He stated that because the two petitions were rolled into one, and the vacation of the utility easement requires Board of County Commissioner approval, the lot consolidation would not be processed administratively.

Mr. Goldich noted that the petitioner had expressed concern with suggested Condition #6 regarding no-build zones. He said that one of the lots is under contract to be purchased and the petitioners do not want the sale to be delayed until spring when the no-build zones could be identified. To address this concern, Mr. Goldich said that staff is proposing that Condition #6 could be removed and replaced with an additional plat note that would allow the identification of no-build zones to be postponed until such time that the property owners apply for a building permit. He reviewed the language of the newly proposed plat note.

Commissioner Brookshire asked why such a plat note is needed, given that there is already a house on each lot. Mr. Goldich said that the consolidation creates new lots, which must comply with current regulations.

In response to a question from Commissioner Arel, Mr. Phillips reviewed the difference between setbacks, which are regulatory, and no-build zones, which indicate physical constraints due to topography or other hazards. Regarding the need for the new plat note, Mr. Phillips provided a scenario in which a future landowner may want to scrape the existing home and construct a new home in a different location. He said that under the proposed plat note, if the footprint of the existing home is not changed, no new action would need to be taken.

Public Comment

There was no public comment.

MOTION

Commissioner McGee moved to recommend approval of the consolidation of three lots into two lots with the findings of fact that the proposal, with the following conditions, complies with the applicable guidelines of the Routt County Master Plan and Steamboat Springs Area Community Plan and is in compliance with Sections 4, 5, and 6 of the Routt County Zoning Regulations, Sections 3 and 4 of the Routt County Subdivision Regulations. This approval is subject to the following conditions:

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

2. Prior to recordation, the applicant shall submit an electronic copy of the approved plat to the County Planning Department in a .DWG format or other format acceptable to the GIS Department.
3. Prior to recordation all fees must be paid in full.
4. All property taxes must be paid prior to the recording of the plat. A Certificate of Taxes Due shall be submitted to the Planning Department prior to the plat being recorded.
5. The Final Plat notes shall include, but are not limited to:
 - a. Routt County is not responsible for maintaining or improving subdivision roads. The roads shown hereon have not been dedicated nor accepted by the County.
 - b. Existing and new accesses shall meet access standards set forth by the Routt County Road and Bridge Department and the Steamboat Springs Rural Fire Protection District.
 - c. Revegetation of disturbed areas shall occur within one growing season with a seed mix that avoids the use of aggressive grasses. See the Colorado State University Extension Office for appropriate grass mixes.
 - d. Routt County (County) and the Steamboat Springs Rural Fire Protection District (District) shall be held harmless from any injury, damage, or claim that may be made against the County or the District by reason of the County's or the District's failure to provide ambulance, fire, rescue or police protection to the property described on this plat, provided that the failure to provide such services is due to inaccessibility of the property by reason of internal roads being impassable. This conditions shall not relieve the County or the District of their responsibility to make a bona fide effort to provide emergency services should the need arise.
 - e. Address signage in conformance with Routt County Road Addressing, Naming, and Signing Policy shall be located at the entrance to the driveway.
 - f. All lots (or identify the lots) have been shown to be within mapped areas of Slope Failure Complex. If site development reveals evidence of faulting in soils, then additional investigation will be need to ensure that individual structures are not located within active fault rupture zones.
 - g. A current soils test showing that the soils are sufficiently stable to support development will be required before obtaining a building permit.

- h. **No-build zones have not been shown on this plat. If any development beyond the footprint of the existing structures on the lots is desired, no build zones shall be submitted with the building permit.**

Commissioner Arel seconded the motion.

The motion carried 6 - 0, with the Chair voting yes.

MOTION

Commissioner McGee moved to recommend approval of the vacation of the utility easements with the finding of fact that the proposal, with the following conditions, complies with the applicable guidelines of the Routt County Master Plan and Steamboat Springs Area Community Plan and is in compliance with Sections 4, 5, and 6 of the Routt County Zoning Regulations, Sections 3 and 4 of the Routt County Subdivision Regulations. This approval is subject to the following conditions:

1. A resolution vacating the utility easements shall be recorded concurrently with the Final Plat.
2. Utility easements shall be shown and dedicated on the Final Plat. The plat shall show 10' easements on the side lot lines and 15' easements on the rear lot line.

Commissioner Arel seconded the motion.

The motion carried 6 - 0, with the Chair voting yes.

ADMINISTRATOR 'S REPORT

Mr. Phillips reviewed the upcoming agendas.

Mr. Phillips reviewed the Intergovernmental Agreement (IGA) between the City and the County that sets out the process for the review of development applications within the Urban Growth Boundary. He noted that the IGA had been cited in the discussion of the Fox Grove Subdivision. He said that he would forward the document to Planning Commission.

Mr. Phillips called attention to an article in today's Steamboat Today regarding a decision in a lawsuit concerning City Council's approval of a controversial apartment building in downtown Steamboat. He noted that the judge had determined that the approval had not cited sufficient findings to support the decision. Mr. Phillips said that if the apartment complex doesn't comply with specific policies or regulations, a reconsideration of the decision could be a possibility.

The meeting was adjourned at 6:30 p.m.