

ROUTT COUNTY PLANNING COMMISSION

FINAL MINUTES

August 6, 2020

The regular meeting of the Routt County Planning Commission was called to order at 6:00 p.m. with the following members present: Chairman Steve Warnke, Bill Norris, Troy Brookshire, Peter Flint, Brian Kelly, Roberta Marshall, Billy Mitzelfeld and Andrew Benjamin. Greg Jaeger and Rohail Abid were absent. Interim Planning Director Kristy Winser and staff planners Chris Brookshire and Alan Goldich also attended. Sarah Katherman prepared the minutes. This meeting was conducted via Zoom.

PUBLIC COMMENT

There was no public comment.

CONSENT AGENDA

ACTIVITY: PL-20-111

PETITIONER: Reed Sanctuary, LLC

PETITION: Road Review - Exempt Subdivision review of a three lot subdivision

LOCATION: Off CR 14, approximately 2.5 miles north of the intersection with CR 131

MOTION

Commissioner Benjamin moved to remove the above stated item from the consent agenda to hear and consider additional information. Commissioner Kelly seconded the motion. **The motion carried 8 - 0.**

Commissioner Benjamin disclosed that he has worked on the petitioner's property in the past, but is not currently doing so.

Mr. Goldich presented a site plan of the property and indicated the proposed 35-acre subdivision. He stated that the current petition is not for the subdivision, which is a use-by-right. It is a Road Review under Section 2.6.2 of the Subdivision Regulations.

Mr. Goldich stated that all the roads on the parcel have been constructed. It was recently discovered that the access road between CR 14 and the subject parcel is only 18 ft. wide and does not meet the road standard for a road that accesses three or more parcels. Mr. Goldich said that the road will have to be widened to 22 ft. He indicated the portion of road that needs to be widened on an aerial map. Width of this road was missed in the Fire District review. Mr. Goldich stated that conditions of approval (COAs) must be added to ensure that the road is brought

up to the standard. He presented suggested additional COAs, and added that the petitioner has been informed and is fine with these proposed COAs.

In response to a question from Commissioner Kelly, Mr. Goldich stated that the easement is 60 ft. wide. He said that the easement is identified on the plat. He noted that the road is the old CR 43, which was partially vacated in the 1950s. This portion of the road was not vacated, but is not maintained by the County.

Mr. John Vanderbloemen, representing the petitioner, stated that the easement is recorded. He reviewed the history of this road.

Commissioner Brookshire asked if a permit would be required to improve the road. Mr. Goldich said it would, and noted that this was included in the suggested conditions of approval.

Mr. Vanderbloemen reviewed the road system that has been constructed to serve the 35-acre lots and the lodge on the property. He said that these roads had all been built to the standards. He said that a plan has been developed to increase the width of the access road to 22 ft.

There was no public comment.

MOTION

Commissioner Brookshire moved to approve the Road Review with the following findings of fact:

1. The proposal with the following conditions meets the applicable guidelines of the Routt County Zoning and Subdivision Regulations.
2. This review is strictly to ensure that all of the lots related to this subdivision have legal and adequate access.
3. The road serving the lots have been constructed in accordance with the submitted plans.

This approval is subject to the following conditions:

1. A plat for the subdivision exemption shall be finalized and recorded within six months of the Board of County Commissioners' approval. Extensions up to one (1) year may be approved administratively.
2. If the applicant wishes to obtain a building permit for any of the lots prior to the completion of the road, the applicant shall enter into an agreement, in compliance with section 5.8 of the Zoning Regulations. Such agreement shall be recorded concurrently with the final plat.
3. A Road Construction Permit shall be obtained for the stretch of road that must be improved.

Commissioner Kelly seconded the motion.

Discussion and Friendly Amendments

Commissioner Benjamin suggested deleting the original COA and replacing it with the three conditions provided by staff. This amendment was accepted, as indicated above.

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

ACTIVITY: PL-19-188, PL-20-105

PETITIONER: Home Ranch, LLC

PETITION: Amendment to a Planned Unit Development and Zone Change to add 8 acres to the PUD

LOCATION: Located east of Clark, on the east side of CR 129

Commissioner Benjamin recused himself from consideration of this item.

Mr. Joe Robbins, an architect representing the McFarlane family, the new owners of the Home Ranch, said that he had been involved with the property for a long time. He said that the McFarlanes have already upgraded many of the facilities that could be improved without permits, including agricultural building, siding, roofing, etc. Mr. Robbins stated that the owners want to live on the property and to provide a residence for an on-site manager. He said that they want to add a kitchen and a garage to the Columbine Cabin, which will serve as the manager's residence, construct an owners' home and remodel the lodge. Mr. Robbins explained that the McFarlanes are currently living in the lodge, which contains the only kitchen on the property. He stated that the intention is to move away from the dude ranch operation and toward an event-oriented operation.

Mr. McFarlane introduced himself and described the plan to host weddings, special events, retreats and horsemanship events. He added that over time they intend to make the Home Ranch their permanent home.

Ms. Brookshire presented an aerial view of the property and indicated the PUD boundary and the buildings and improvements. She also indicated the location of the proposed new structures. She noted that the existing barn is not currently within the PUD boundary. One part of this petition is a request for a zone change that would be needed to add eight acres to the PUD boundary to bring the operation into conformance. Regarding the special events, Ms. Brookshire said that she had allowed for 30 events annually, not including horsemanship events, in the suggested conditions of approval (COAs).

Ms. Brookshire reviewed the improvements, additions and new construction planned for the property. She said that all the cabins would be upgraded and brought up to current code. She stated that the proposed greenhouse would be located on the site of the current parking lot. She said that while sufficient parking would be available for those staying at the ranch, additional parking areas may need to be identified for event guests and employees.

In response to a question from Chairman Warnke regarding the change in total guest/resident capacity, Ms. Brookshire said that the occupancy would be reduced from the former dude ranch. Chairman Warnke asked about the COAs from the original PUD that are referenced in the existing PUD. Ms. Brookshire said that rather than referring back to the original PUD, staff had written entirely new COAs to reflect the change from a dude ranch to an event-centered operation. She said that a new Administrative Permit associated with the PUD would be required for the tours. She said that the tours will remain the same, and will be available only to event clientele. She said that a COA could be added to clarify that the tours are only for clients of the PUD.

Commissioner Brookshire asked if clients would be able to drive in and stay, or whether guests would only be booked with prior reservations. Mr. McFarlane said that all guests would be attending curated events that would be arranged in advance.

Chairman Warnke asked if the fire protection plan had been reviewed and updated. Ms. Brookshire described the former plan, which utilized the pond and pool. Mr. McFarlane said that they were working on a new fire suppression plan. He added that in addition to the pool and the pond, they would also install fire hydrants and have access to irrigation water. Ms. Winser noted that fire suppression would be reviewed in conjunction with building permits.

In response to a question about the domestic water system from Chairman Brookshire, Mr. McFarlane described the springs that support central storage tanks from which water is pumped for the ranch. He said that the system had been inspected and had been approved for a commercial operation. He added that they intend to bring the system up to a higher standard. Commissioner Flint asked if a COA was needed to address the water system. Ms. Winser said that a condition could be added, but the water supply would also be evaluated through the building permit process.

Commissioner Flint asked about the sewage disposal system. Ms. Brookshire stated that suggested COA #9 covers many of these issues, but a more specific COA could be added requiring that the water and waste disposal systems comply with state and local regulations.

Commissioner Brookshire asked about parking. Mr. McFarlane indicated the location of an existing employee parking lot with a lighted path to the compound, and other parking areas available within the PUD. Mr. Robbins noted that indoor parking would be added for the Columbine Cabin and the new owners' residence. Ms. Brookshire noted that the employee parking lot is outside the PUD boundary. There was further discussion of parking options and how to amend the PUD boundary to accommodate the proposed uses and parking.

Commissioner Marshall asked about the blanks in the COAs regarding amplified music and shuttle requirements. Mr. Robbins noted that Home Ranch has been hosting events for 40 years without complaints. He added that the PUD boundary is surrounded by approximately 500 acres. Ms. Marshall suggested that music should stop at 11:00 pm, and that shuttles should be required for all guests that cannot be accommodated by the defined parking. Commissioner Flint expressed concern regarding possible traffic and parking issues for horse events. Mr. McFarlane said that he envisions horse events being primarily for locals and those staying in the cabins, not large events. Commissioner Brookshire offered that if the events are to be small, they need not be limited to one per week. Commissioner Flint agreed that horse trailer parking and traffic was not an issue for small local events.

Ms. Brookshire summarized the issues to be addressed in the COAs: parking, shuttles, water and waste disposal, music and horse events. Commissioner Mitzelfeld asked about an access permit. Ms. Brookshire said that the Home Ranch already has an access permit, and that the road into the ranch is in great condition. Ms. Marshall suggested adding a condition regarding the fire suppression plan.

There was no public comment.

There was further discussion of the water supply. Mr. McFarlane said that updated report on the water is available and can be submitted. He added that the septic system is being evaluated, and will be upgraded. Chairman Warnke proposed adding COAs regarding the submission of the fire suppression plan, the water and waste system, and the submission of a parking plan. There was consensus on 11 pm for the cessation of amplified music, that the shuttle issue could be addressed through the parking plan, and that bear-proof trash containers should be required.

Roundtable Discussion

Commissioners Norris, Flint and Marshall said they would support the petition with the changes discussed.

In response to a question from Commissioner Mitzelfeld regarding when the various conditions would have to be met, Commissioner Kelly said that all requirements of the permit must be met prior to the recordation of the PUD.

Commissioner Kelly offered that the applicant should be provided with some flexibility regarding the PUD map to ensure that all uses are contained within the 48 acres. Ms. Brookshire said that this would difficult because of the process needed for the required zone change.

Mr. Robbins expressed concern that the water and septic improvements would have to be built prior to the construction of the house foundation. Ms. Brookshire

reviewed the timing of the Building Department and Environmental Health reviews. Ms. Winser added that staff would work with the Building Department on the permitting, and stated that although building permits could be issued, the Certificate of Occupancy would not be issued until the systems are fully functional.

Commissioner Brookshire said that the number of horse events should not be limited, but that the approval should include a COA stating that any complaints could result in a review of the operation.

MOTION

Commissioner Marshall moved to recommend approval of the amendment to the PUD (activity #PL-19-188) and the zone change to allow the addition of 8 acres to the PUD boundary (activity #PL-20-105) with the following findings of fact:

1. The proposal with the following conditions meets the applicable guidelines of the Routt County Master Plan and applicable Sub Area plan and is in compliance with the applicable provisions of Sections 4, 5, 6, 7 and 8 of the Routt County Zoning and Subdivision Regulations.
2. The proposal has been determined to be in compliance with the guidelines of the Routt County Master Plan and Upper Elk River Community Plan
3. In review of the Final PUD and Zoning Amendment standards, it has been determined that the Zoning Amendment standards have been met.

This approval is subject to the following conditions:

Rezone

1. A resolution of approval must be signed by the Board of Commissioners for recording in the Routt County Clerk and Records Office and recorded concurrently with the Final PUD Plan.

Final PUD:

1. This approval shall become effective upon the recording of the Final PUD plan.
2. The approved project plan shall be listed be placed on the recorded plan.
3. Planned Unit Development shall be operated as presented in the approved project plan.
4. 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.

5. Prior to operation, permittee shall submit to Routt County proof of a Sales Tax Account /License.
6. 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.
7. Protect the visual quality and rural character of the valley at night by encouraging the use of minimal exterior lighting; that lighting be downcast; and that there be no general floodlighting of buildings. The proposal shall comply with the Outdoor Lighting Standards in Section 6.3 of the Routt County Zoning Regulations
8. All signage shall be in conformance with the Routt County Zoning Regulations.
9. 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.
10. Every use shall be operated so that it does not pose a danger to public health, safety or welfare.

Specific Conditions

11. Weddings shall provide shuttle service for all guests not staying at the facility. Members of the immediate wedding party, catering service, music venue and special exceptions are exempt. Weddings are limited to 300 people.
12. Port-a-lets shall be provided at events that are attended by guests not staying at the facility.
13. Amplified music shall cease at 11:00 p.m.
14. Special Events shall not exceed 30 per year.
15. Events shall not exceed 300 in attendance.
16. Horsemanship/roping events may be held. Parking shall be shown on the PUD as approved by the Planning Director.
17. Fire Suppression/Protection Plan shall be updated and agreed on by the North Routt Fire Protection District and the owner. The Fire Suppression/Protection Plan shall be submitted to the Planning Department.
18. Water and Sewage systems must comply the Routt County standards as applicable to this operation.
19. A parking plan to accommodate guest parking for special events shall be developed and approved by the Planning Director prior to recording of the PUD.

20. All trash containers shall be bear-proof.

21. Any complaints or concerns regarding this operation may be cause for review or amendment of this PUD.

Commissioner Kelly seconded the motion.

The motion carried 7 - 0, with the Chair voting yes.

ACTIVITY: PL-19-102

PETITIONER: Routt County

PETITION: Worksession/Adoption of an amendment to Sections 3.5 and 3.2.9 of the Zoning Regulations

LOCATION: Countywide

MOTION

Commissioner Warnke moved to table this item to August 20, 2020. Commissioner Kelly seconded the motion. **The motion was approved unanimously.**

ADMINISTRATOR’S REPORT

Ms. Winser reviewed the letter submitted by Historic Routt County. Planning Commission agreed that staff should work with HRC on scheduling a presentation.

Ms. Winser reviewed the upcoming agendas, noting that no items have been scheduled for the September 3rd meeting. She added, however, that many applications are in the pipeline. She said that the staff workload is very high; PLOD calls are up 43% over last month. There was discussion of the influx of people coming to Routt County in response to covid-19.

Ms. Winser said that just prior to the covid-related shut-down, a joint meeting with the BCC had been scheduled to discuss the Master Plan survey results. She said that she would still like to hold the joint meeting, although some things may have changed due to covid. The survey revealed general support for the existing Master Plan. She suggested that Planning Commission should formally reaffirm the validity of the Plan with updated basic information and language. The more thorough update process can be revisited after the covid pandemic.

Ms. Winser reported that only three applications for Planning Commission and the Board of Adjustment had been received, with none from West Routt. She said that the search for new members, particularly for the BOA, would be extended.

The meeting was adjourned at 9:00 p.m.