

ROUTT COUNTY PLANNING COMMISSION

FINAL MINUTES

AUGUST 5, 2021

The regular meeting of the Routt County Planning Commission was called to order at 6:20 p.m. with the following members present: Acting Chairman Brian Kelly, Andrew Benjamin, Linda Miller, Paul Weese, and Bill Norris. Commissioners Steve Warnke, Ren Martyn, Greg Jaeger, Jim DeFrancia and Roberta Marshall were absent. Staff planner Tegan Ebbert also attended. Sarah Katherman prepared the minutes.

PUBLIC COMMENT

There was no public comment.

ACTIVITY: PL-21-126

PETITIONER: Sidney Peak Owners ' Association, Inc.

PETITION: Special Use Permit for Private Recreational Facility with Overnight Accommodations

LOCATION: Bunkhouse Parcel Sidney Peak Subdivision F3; located approximately 2.5 miles south of CR 35 and CR 39

Commissioner Miller disclosed that she boards two horses at Sidney Peak Ranch, but that she is not a property owner and has no involvement with the property owners' association.

Mr. Michael Gerriero, a member of the Board of Directors of the Sidney Peak Owners' Association, representing the petitioner, explained that through the process of applying for a building permit to construct storage barns on the parcel, it was discovered that the ongoing use of the existing bunkhouse requires a Special Use Permit. He said that an application was subsequently submitted to bring the use of the bunkhouse into conformance and to add the storage facilities to the property. Mr. Guerriero stated that Sidney Peak Ranch is a 35-acre subdivision. It contains 32 homesites and has 24 owners. He said that many of the new owners want additional services, recreational activities and amenities.

Ms. Ebbert stated that the application is for a Recreation Facility with Overnight Accommodations because in addition to the bunkhouse, there are other recreational activities and amenities on the parcel that serve the owners and their guests. The storage buildings will provide space for the storage of recreational and maintenance equipment for property owners. Ms. Ebbert stated that the bunkhouse is used as temporary housing for property owners while their homes are under construction, and for the private guests of property owners. The property and its amenities are not open to the public. In addition, a pole barn will be constructed on the parcel to support the agricultural operation.

Ms. Ebbert presented an aerial photo of Sidney Peak Ranch and indicated the location of the 35-acre parcel where the bunkhouse is located. She pointed out the location of the proposed storage barns, as well as the equestrian center, and the access roads into the ranch. The northern access road is very near to the subject parcel. The main access road, used by the owners, is on the southern portion of the ranch. She noted that a large percentage of the overall Sidney Peak Ranch property is under a conservation easement. Ms. Ebbert stated that the two uses that are not uses by right are the overnight use of the existing bunkhouse by owners of property within Sidney Peak Ranch and their guests, and the proposed storage buildings for recreational equipment, maintenance equipment, etc. She noted that because the pole barn is exclusively for agricultural use, it is a use by right.

Ms. Ebbert presented renderings of the proposed storage buildings, which are designed to have the appearance of barns and are located in an area that is not highly visible. She said that the request is for three barn structures, each with six storage units. The barns will be built according to demand. Ms. Ebbert presented a photo of the existing bunkhouse, which the applicant has been using for some time without knowing that a permit for this use was needed.

Commissioner Benjamin noted that he had done work for Mr. Guerriero in the past and is currently working on another project at Sidney Peak Ranch, but has no involvement or knowledge of the proposed project.

In response to a question from Commissioner Norris, Ms. Ebbert indicated the location of the equestrian center on a site plan. Mr. Ed Calhoun, the president of the Sidney Peak Owners' Association, noted that the back entrance, near the bunkhouse, is currently used as an emergency exit/access only. He said that property owners moving equipment to and from the storage facility would most likely be using the internal ranch roads.

Commissioner Benjamin stated that other subdivisions, LPS developments, etc. have similar facilities and uses. He said he would be in support of the application. Commissioners Miller and Weese agreed.

Acting Chair Kelly asked about suggested Condition of Approval #20 regarding special events. Ms. Ebbert stated that two special events annually may be approved administratively under the Special Event Permit regulations. If there is a desire on the part of the owners to host more regular events, an amendment to the Special Use Permit would be required. Any change in use over 20% would require a review by Planning Commission and cannot be approved administratively.

MOTION

Commissioner Weese moved to recommend approval of activity PL-21-126, a Special Use Permit for a Recreational Facility with Overnight Accommodations, with the findings of fact that the proposal, with the following conditions, meets the

applicable guidelines of the Routt County Master Plan and is in compliance with Sections 4, 5, and 6 of the Routt County Zoning Regulations.

This approval is subject to the following conditions:

General Conditions:

1. The SUP is contingent upon compliance with the applicable provisions of the Routt County Zoning Regulations including but not limited to Sections 5, and 6.
2. The SUP is limited to uses and facilities presented in the approved project plan. Any additional uses or facilities must be applied for in a new or amended application.
3. Any complaints or concerns that may arise from this operation may be cause for review of the SUP, at any time, and amendment or addition of conditions, or revocation of the permit if necessary.
4. In the event that Routt County commences an action to enforce or interpret this SUP, the substantially prevailing party shall be entitled to recover its costs in such action including, without limitation, attorney fees.
5. No junk, trash, or inoperative vehicles shall be stored on the property.
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 the commencement of operations.
7. Fuel, flammable materials, or hazardous materials shall be kept in a safe area and shall be stored in accordance with state and local environmental requirements.
8. All exterior lighting shall be downcast and opaquely shielded.
9. All trash shall be stored either inside a garage or inside Interagency Grizzly Bear Committee (IGBC) certified receptacles
10. Prior to the issuance of the permit, the permittee shall provide evidence of liability insurance in compliance with the County's Insurance and Surety **Requirements policy then in effect. The certificate of insurance shall include all permit numbers associated with the activity and Routt County shall be named as an additional insured. Permittee shall notify the Routt County Planning Department of any claims made against the policy.**
11. Accessory structures/uses associated with this permit may be administratively approved by the Planning Director, without notice.
12. 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.
13. Transfer of this SUP may occur only after a statement has been filed with the Planning Director by the transferee guaranteeing that they will comply with the terms and conditions of the permit. If transferee is not the landowner of the permitted area, transferee shall submit written consent for 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.
 14. 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:

15. The Special Use Permit (SUP) is valid for the life of the use provided it is acted upon within one year of approval. The SUP shall be deemed to have automatically lapsed if the uses permitted herein are discontinued for a period of one (1) year. Approved uses are identified in the project plan and narrative. Uses and structures approved that required this Special Use Permit include:
 16. Any structures deemed to be non-conforming without this permit must be removed, converted to a conforming use, or seek the necessary permit to allow the structures if this permit ceases to exist.
 17. Any accidents shall be reported to the Planning Department.
 18. 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.
 19. The activities and amenities approved in this permit are limited for the use of only the property owners and their private guests. No nightly rentals, memberships, or public access is permitted.
 20. Any Special Events may be approved through an amendment to this permit or through a separate Special Events permit.

Commissioner Miller seconded the motion.

Discussion and Friendly Amendments

Commissioner Benjamin proposed adding the findings of fact as listed in the staff report. This amendment was accepted, as indicated above.

The motion carried 5 - 0, with the Chair voting yes.

ADMINISTRATOR'S REPORT

Ms. Ebbert stated that there is currently nothing on calendar for the regular meeting scheduled for August 19th. She said she would confirm this and send out an email.

The meeting was adjourned at 7:00 p.m.