
Alpine Mountain Ranch Lot 41

Building Envelope Removal

ACTIVITY #: PL20230086
DECISION DATE: 11/29/2023
PETITIONER: Alpine Mountain Ranch at Steamboat Springs, LLLP
PETITION: Subdivision - LPS Amendment; a re-plat of AMR Lot 41 to remove building envelope and create no-build zones
LEGAL DESCRIPTION: LOT 41, ALPINE MOUNTAIN RANCH LPSE, 5.03A
LOCATION: 33170 MEADOW CREEK DR, ROUTT, CO 80487
Approximately .25 miles ENE of the intersection of Meadow Creek Drive & US HWY 40
ZONE DISTRICT: Agriculture & Forestry (A/F)
AREA: 5.03
STAFF CONTACT: Blake Kelly; bkelly@co.routt.co.us
ATTACHMENTS:

- Narrative
- Plans

History:

Alpine Mountain Ranch (AMR) LPS was approved for recording on December 29, 2006. Building envelopes were included on all of the lots.

Site Description:

The subject lot is 5.03 acres and has a building envelope. The lot, which is under development, is accessed off of Meadow Creek Drive and is located in the western portion of the AMR. The line of sight from US Highway 40 to the lot is obscured by natural vegetation and the higher elevation of the lot relative to US Highway 40. The southwestern and northern portions of the lot are contiguous to the Alpine Mountain Ranch Remainder parcel.

This lot is northerly facing and vegetation consists mainly of shrubs and aspen. The lot is not mapped to be within the Elk Winter Range or Elk Calving Area.

Project Description:

The applicant would like to remove the building envelope and replace it with "no build" zones.

Staff Comments:

- Routt County no longer uses building envelopes due to the cumbersome process of amending them. Instead, no-build zones are identified on lots indicating areas such as slopes over 30%, waterbodies, floodplains, skylined areas and critical wildlife habitat. Alpine Mountain Ranch LPS has an approved CPW wildlife mitigation plan that includes the existing building envelope on this lot, as well as others in the subdivision.

- The only constraints that are present on this site are steep slopes in the southern portion of the lot.
- CPW provided no comments related to this proposal.

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 three (3) major categories:

1. Lot Line Adjustment Standards
2. Administrative Amendments to LPS Exemption Approvals Standards
3. Land Preservation Subdivision Exemption Design Standards

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.**

Administrative Amendments to LPS Exemption Approvals Standards

Section 2.11.2 – Standards

An Administrative Amendment to a Land Preservation Subdivision Exemption approval must meet all of the following standards to be approved:

- 2.11.2.A The requested adjustment will have no significant negative impact on the health, safety, or general welfare of the surrounding property owners of the general public; and
- 2.11.2.B The requested adjustment is equivalent to or enhances the original approval, with regard to conformance to the Design Standards; and
- 2.11.2.C The requested adjustment is of a technical nature and is required to compensate for some unusual physical aspect of the site or of the proposed development
- 2.11.2.D The requested adjustment is of a technical nature and is due to an oversight of the developer and/or County during the planning review and approval process; or
- 2.11.2.E The requested adjustment is fifteen (15) percent or less of a change of a numerical requirement set forth by the Board of County Commissioners' approval.

Staff comments: This request will not affect any adjoining properties and is of a technical nature to address the steep slopes on the site. There is currently a structure under development on the site.

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

Land Preservation Subdivision Exemption Design Standards

The design standards listed below have been satisfied through the LPS review process, the acceptance of the final plat for the Alpine Mountain Ranch LPS and, as such, no longer serve any further planning purpose with respect to the above referenced petition.

- 5.1.1 Agricultural Lands. The agricultural lands and operations associated with Alpine Mountain Ranch are dedicated and apart from the lots and building envelopes.
- 5.1.4 Infrastructure. The planning objectives associated with internal infrastructure of the development are considered in the Subdivision Improvements Agreement and are separate and apart from individual building envelope considerations.
- 5.1.7 Remainder Parcel(s). The Development Agreement for the Alpine Mountain Ranch Land Preservation Subdivision creates a conservation easement associated with the platted remainder parcel. Building envelopes and lots are separate from the conservation easement.

The application shall demonstrate that the proposed development of the land meets all of the Objectives set forth below by use of the Design Guidelines and Standards (the "Design Standards") set forth opposite the Objectives. The Design Standards set forth opposite a particular Objective are intended to be alternative means of satisfying the Objective unless the Design Standards are followed by the word "and". The applicant may also propose other alternatives to satisfy the Objectives that may be accepted by the Planning Director if such alternatives satisfy the Objective that they address.

5.1.1 AGRICULTURAL LANDS

Objectives	Design Guidelines and Standards
A. Minimize the direct, indirect and cumulative impacts of residential development on agricultural lands and agricultural operations. Maintain open rural grazing areas.	<ul style="list-style-type: none"> 1. Reserve commercially viable enclaves of large scale agricultural operations. OR 2. Site and size lots and building sites to minimize impact on and from existing agricultural activities. OR 3. Consolidate, through leases or purchase, adjacent properties to combine into adequately sized parcels for a commercial operation. AND 4. The Remainder Parcel(s) must have physically feasible, legal access to public roads that is appropriate to the likely uses of the parcel.

B. Maintain the opportunity for agricultural production on the most productive and viable parcels of land.	<ol style="list-style-type: none"> 1. Protect areas of irrigated hay meadow especially those that connect with and/or are adjacent to other irrigated meadows. AND 2. Reserve adequate water supply to ensure irrigated meadows will remain irrigated with an adequate amount of water as identified by the State Division of Water Resources or the Routt County Extension Office or one cubic feet per second for every 35 acres, whichever is greater. Such decreed water rights shall not be severed from the land. There shall be no removal of adequate water supply to continue the historic application of water to the Remainder Parcel. AND 3. Protect upland grazing areas needed for agricultural uses. OR 4. Site and size lots and building envelopes to minimize impact on agricultural activities. AND 5. To the extent practicable, avoid crossing and dividing irrigated lands with roads, fences, development and utilities. 6. Provide adequately sized and appropriately placed culverts when crossing agricultural ditches.
C. Minimize residential disturbance on ranching and farming land.	<ol style="list-style-type: none"> 1. Ensure that the residential property owners have responsibility for fence construction and maintenance and weed control. If no complete and structurally sound fencing exists, then: 2. The applicant must agree in the Development Agreement to build a perimeter fence within one year after the approval. The applicant shall construct perimeter fencing at the property lines for the entire length where there exists actively used agricultural lands on any one side of the property line. Maintenance of perimeter fencing shall be completed on an ongoing annual basis by the development's Homeowners Association; a partnership of the development's lot owners who own the property along the perimeter of the subdivision, or other method and party identified within the Development Agreement. There shall be a separate fund set up equal to 2 years maintenance costs by the Applicant and administered by the Homeowners Association or other entity as established in the Development Agreement at time of signature of the Board on the final plat. If agricultural use on adjacent property ceases permanently (i.e., development occurs) then ongoing maintenance can cease upon notification to and inspection by the Planning Department and amendment of the Development Agreement. 3. Developers shall provide residential property owners within their development the County Extension Service's "Guide to Small Scale Agriculture and Rural Living" at time of real estate closing.
D. Create an open lands system that provides substantial interconnected acreage for commercially viable agricultural lands production.	<ol style="list-style-type: none"> 1. Locate Remainder Parcels so that they are nearby or are adjacent to (if possible) other agricultural lands, other Remainder Parcels, conservation easements, public open lands, and natural resource areas, and 2. To the extent practicable, Cluster Buildable Lots and Residential Building Envelopes.

Staff comment: This building envelope removal will not have any impact on activities/uses that take place on the remainder parcel.

5.1.2 Visual Resources

Objectives	Design Guidelines and Standards
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A. Minimize negative visual impact from public rights-of-way including roads, and public open spaces.	<ol style="list-style-type: none"> 1. Site and size building lots and building envelopes to minimize visual impacts. AND 2. All Buildable Lots within a Cluster should be between five (5) and seven (7) acres. AND 3. Limit the height, amount of fixtures and direction of lighting. Require opaquely shielded, downcast lighting fixtures to protect views and the night sky from light pollution. No general floodlighting of buildings shall be allowed. AND 4. To the extent practicable, use topographic breaks to shield building envelopes and roads from view. AND 5. To the extent practicable, utilize the landscape or landscaping treatments to minimize visual impacts. OR 6. For larger Clusters greater than 10 units and/or Clusters where houses are set apart by minimum setbacks, increase the distance so that both of the Clusters will have limited visibility from a point on Federal and State highways and County Roads at the same time.
B. Keep structures off of highly visible places and design them so they are not obtrusive and do not "loom out" over the landscape.	<ol style="list-style-type: none"> 1. For ridgelines which are "skylined" from public rights-of-way: 2. Where necessary, height of structures shall be limited so the structure will not project into the skyline when viewed from public roads.
C. Select sites that are appropriately scaled for the type of proposed development without major alterations to the natural landscape. Protect natural land forms.	<ol style="list-style-type: none"> 1. Replace topsoil and revegetate the landscape with native plant materials of adequate quantity and quality within one growing season after disturbance of the area. 2. Minimize the removal of existing trees. 3. Minimize the disturbance outside of Building Envelopes.
D. Maintain the rural character and scale of the area. Minimize the cumulative impact of development on adjacent rural properties.	<ol style="list-style-type: none"> 1. Generally presume that 10 or fewer lots per cluster are rural in character. If more than 10 lots are proposed to be in one cluster, the applicant shall demonstrate that the rural character of the area can be maintained (including the cumulative impact of development on adjacent properties) and visibility from federal and state highways, and county roads can be mitigated. AND 2. Avoid long, uninterrupted rows of houses lining major roadways.

Staff comment: This lot and building envelope are not visible from US Highway 40 due to natural vegetation and terrain. Removal of the building envelope will not increase the visual impact of development on this lot.

5.1.3 Rivers, Lakes, Wetlands, and Riparian Areas	
Objectives	Design Guidelines and Standards
E. Provide adequate buffers between water bodies and development to protect water quality, enhance wildlife habitat and improve visual quality of rivers, lakes, wetlands and irrigation ditches.	<ol style="list-style-type: none"> 1. All structures shall meet with the requirements of the Routt County Water Body Setback Regulations, as described in the Routt County Zoning Regulations. AND 2. Place all roads and structures other than bridges, fences, ditches, flood control devices, and other water-related uses at least fifty (50) feet from all wetlands, unless the applicant can demonstrate that the critical riparian areas are not negatively impacted.
F. Avoid sedimentation and runoff impacts during and after development including those that impact irrigation ditches.	<ol style="list-style-type: none"> 1. Use appropriate Best Management Practices during construction, siting and development. Avoid sedimentation with acceptable water management techniques during and after development.
G. Protect the riparian environment with its diverse habitat.	<ol style="list-style-type: none"> 1. To the extent practicable, locate Remainder Parcels to protect the maximum amount of riparian and wetland areas.

Staff comments: There are no waterbody or wetland concerns on this lot.

5.1.5 Wildlife	
Objectives	Design Guidelines and Standards
A. To the extent practicable, avoid areas used by Threatened or Endangered Species if the areas are critical to survival or production.	<ol style="list-style-type: none"> 1. Limit development within known Critical Habitat of Threatened and/or Endangered species sites including nesting, roosting, mating, birthing, and feeding areas.
B. To the extent practicable, avoid Critical Winter Habitat of elk, deer, moose, bald eagles, golden eagles, sharptail grouse, and sage grouse.	<ol style="list-style-type: none"> 1. Restrict activities including construction, maintenance and special events to avoid seasonally critical habitat during sensitive seasons. AND 2. Limit development allowed within these areas to the greatest extent possible. OR 3. Submit a Wildlife Mitigation Plan and/or other legally enforceable agreement for development in Critical Habitat Areas.

C. Locate development to permit wildlife movement and migration of elk, deer and moose. Maintain wildlife corridors of such animals and avoid fragmentation of habitat.	<ol style="list-style-type: none"> 4. Restrict any fences that obstruct historical movement patterns of wildlife. Use fences which allow free wildlife movement, as specified by the Division of Wildlife. AND 5. No outdoor lighting adjacent to movement corridors other than what is necessary for security purposes. No general flood lighting in these areas.
D. To the extent practicable, avoid areas that are Critical Wildlife production areas.	<ol style="list-style-type: none"> 1. Limit development within Critical Wildlife Habitat production areas including mating, nesting, and rearing area, calving, fawning, leeks, and staging areas to the greatest extent. OR 2. Submit a Wildlife Mitigation Plan and/or other legally enforceable agreement for development in Critical Habitat Areas.
E. Limit wildlife harassment by domestic predators.	<ol style="list-style-type: none"> 1. Limit the number of domestic predators on a case by case basis to fit habitat using Development Agreements to limit wildlife harassment. Provide effective enforcement in the Development Agreement. AND 2. Construct effective physical restraints for domestic predators such as fencing in areas near homes that are close to Critical Wildlife Habitat.

Staff comments: No areas of this lot are mapped as heavy utilization for elk winter range or elk calving areas. CPW was sent a referral and no comments were received.

5.1.6 Geologic, Fire, Flood and Slope Hazards	
Objectives	Design Guidelines and Standards
A. To the extent practicable, locate all development outside known and/or active hazard areas. These include: Ground subsidence, potential rock fall, fault or fault zone, unstable slopes, slope failure complex, landslide, mudflow, and earthflow.	<ol style="list-style-type: none"> 1. Locate all residential structures outside of hazard areas as necessary to eliminate impacts to hazard areas. AND 2. To the extent practicable, place all utilities and infrastructure outside of hazard areas.
B. Provide adequate and explicit notice for development in potentially hazardous areas including potentially unstable slopes.	<ol style="list-style-type: none"> 1. Put potential purchasers of property on notice through legal disclosures on the plat and in the Development Agreement. For building envelopes at the edge or fringe of the hazard boundary, special studies may be required at submittal to determine the most accurate boundary. AND 2. Mitigate with best engineering practices if possible and practical.

C. Limit the impact to people and structures, on and off site, from flood damage.	<ol style="list-style-type: none"> 1. Locate residential structures outside of the 100-year floodplain. AND 2. Other non-residential improvements shall meet with the requirements of the Routt County Floodplain Resolution 92-069 or any successive resolution.
D. Minimize the risk of wildfires in severe hazard areas. Minimize the cost of fire fighting in these areas.	<ol style="list-style-type: none"> 1. Place structures outside of severe hazard areas. OR 2. Comply with Colorado State Forester recommendations for mitigation including thinning of all nearby trees to their standards and establishing a 30' clear zone around structures. AND 3. Use non-flammable building materials, including treated roofing materials; AND 4. Provide on-site storage areas of at least 1000 gallon capacity (irrigation, springs, ponds, cisterns and/or underground storage tanks) for fire suppression purposes.

Staff comments: The northern half of the lot is not mapped for any geological hazards and has a low wildfire risk. The southern half of the lot is mapped to have potentially unstable slopes and has a high wildfire risk. Since these lots exist, the removal of the building envelopes will not increase the impact.

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

Planning Director Options

1. **Approve the Administrative Amendment without conditions** if it is determined that the petition will not adversely affect the public health, safety, and welfare and the requested amendment is equivalent to or enhances the original approval, with regard to conformance to the Design Standards.
2. **Deny the Administrative Amendment request** if it is determined that the petition will adversely affect the public health, safety, and welfare and/or the proposed amendment is not equivalent to nor enhances the original approval.
3. **Table the Administrative Amendment request** if additional information is required to fully evaluate the petition. Give specific direction to the petitioner and staff.
4. **Approve the Administrative Amendment 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 Subdivision Regulations.

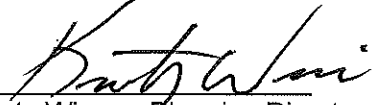
FINDINGS OF FACT that may be appropriate if the Administrative Amendment is approved:

1. The proposal is in conformance with the Sections 2 and 5 of the Routt County Subdivision Regulations and Chapter 10 of The Routt County Master Plan.
2. The proposal is substantially similar to the approved Building Envelope in the Land Preservation Subdivision Exemption project and does not increase impacts as listed in Section 5 of the Routt County Subdivision Regulations.

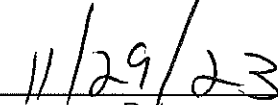
CONDITIONS that may be appropriate include the following:

1. The plat shall be finalized and recorded within one (1) year unless such time is otherwise extended 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. All property taxes must be paid prior to the recording of the plat.
4. All conditions of the Alpine Mountain Ranch LPS approval and requirements of the Development Agreement shall continue to apply.
5. The plat shall reflect the "No Build" zones for slopes over 30% as submitted in the slope analysis report.

I hereby approve this Lot 56, Alpine Mountain Ranch LPS Building Envelope Adjustment.



Kristy Winsor, Planning Director



Date

September 21, 2023

Routt County Planning
136 6th Street, 2nd Floor
Steamboat Springs, CO 80477

RE: Lot 41, Alpine Mountain Ranch LPSE
Building Envelope Removal – REPLAT

Dear Routt County Planning;

Four Points Surveying and Engineering is pleased to submit the application and drawings for the final plat for Lot 41, Alpine Mountain Ranch LPSE Building Envelope Removal.

The owner of Lot 41 requests removal of the building envelope to permit the installation of a solar array outside of the original platted building envelope. Page 2 of the replat depicts no build zones with metes and bounds label which end up as a de-facto building envelope.

For layout of the proposed replat Four Points Surveying and Engineering reviewed the Routt County Subdivision Regulations, Section 5. The following regulations support the modification of the building envelope being requested by the applicant on Lot 41.

1. Section 5.1.1. Agricultural Land B4 “Site and size lots and building envelopes to minimize impact on agricultural activities.” The relocation of the building envelope within Lot 41 will not impact on the existing agricultural activities at Alpine Mountain Ranch since the agricultural activities are contained within the remainder parcel.
2. Section 5.1.2 Visual Resources A1, A2 and A4: Lot 41 is located on the westernly portion of the Alpine Mountain Ranch property. The new building location will not increase visual impacts to public right of way, skylining or increase visual impact from the open space.
3. Section 5.1.3 Rivers, Lakes, Wetlands, and Riparian Areas A1, A2: The placement of the proposed structures will follow water body setbacks as outlined in the Routt County Zoning Regulations 5.11.
4. Section 5.1.5 Wildlife A1: The removal of the building envelope will not impact critical wildlife habitat of threatened and/or endangered species.
5. Section 5.1.6 Geologic, Fire, Flood and Slope Hazards A1, A2 and C1 and D1: The removal of the building envelope area will not place the building envelope into geological unstable areas or areas within any floodplain or severe fire hazard areas.

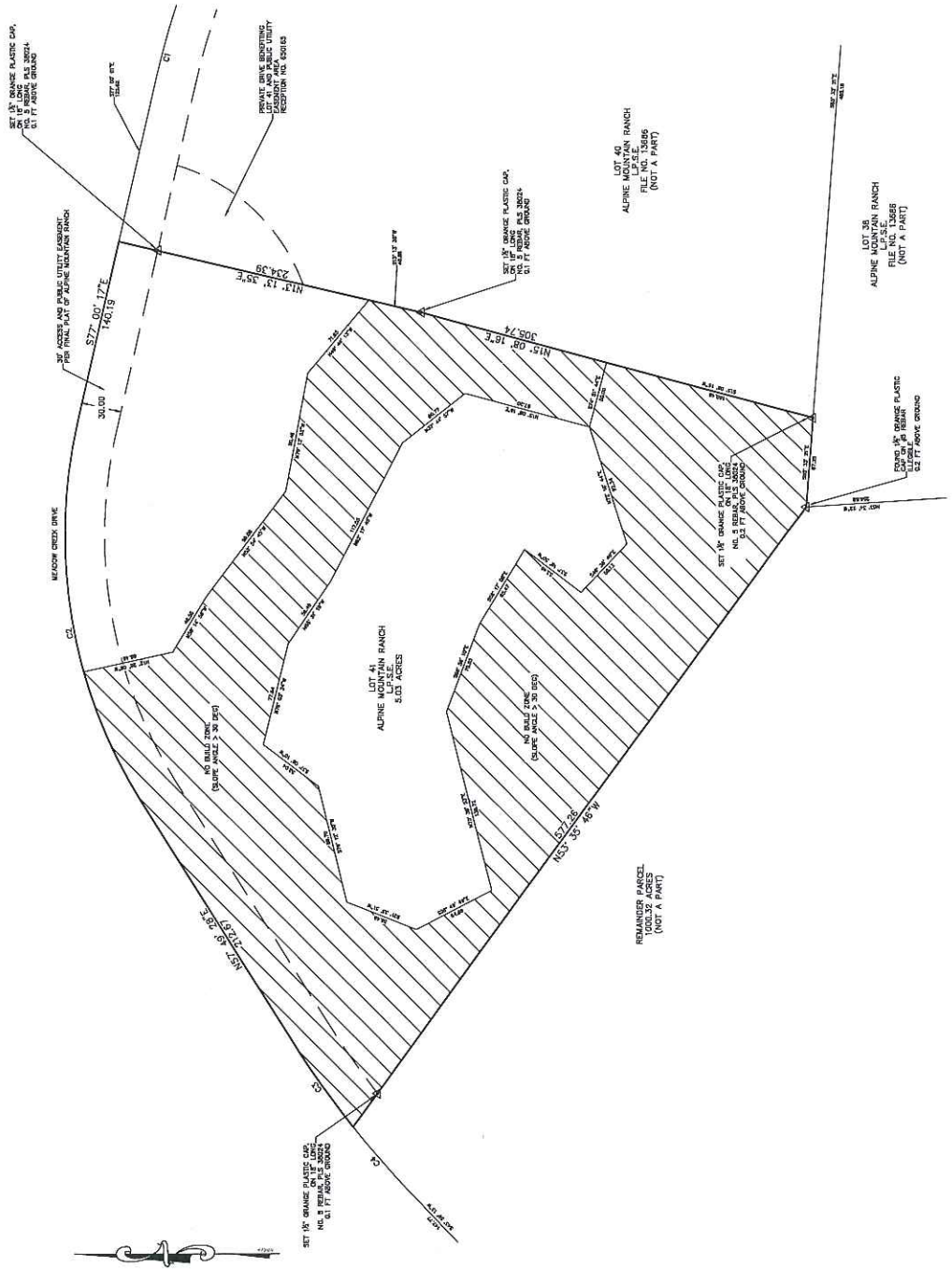
Lastly the removal of the building envelope will not violate the Alpine Mountain Ranch covenants.

We look forward to the planning department review and we are available to meet or speak about the project anytime.

Sincerely;


Walter N. Magill, PE-PLS
Four Points Surveying and Engineering

LOT 41, BUILDING ENVELOPE REMOVAL
LOCATED IN THE NW $\frac{1}{4}$ OF SECTION 3, TOWNSHIP 5 NORTH,
RANGE 84 WEST OF THE 6TH P.M., ROUTT COUNTY,
COLORADO



Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	135.87	600.00	12.84	N75° 31' 37"W	130.39
C2	263.64	375.00	45.17	S60° 24' 35"W	268.08
C3	761.4	710.00	6.39	S54° 37' 52"W	781.10
C4	55.37	710.00	4.52	S48° 10' 47"W	53.66

LEGEND	
_____	PROPERTY BOUNDARY
_____	ADJACENT PROPERTY BOUNDARY

 <p>Horizontal Scale</p> <p>1" = 40'</p>	<p>Contour Interval = 2 ft</p> <p>DATE: 9-27-2023</p> <p>JOB NO. 114174053</p> <p>DRAWN BY: AP</p> <p>DESIGN BY:</p> <p>REVIEW BY:</p> <p># 14174053.DWG (11/14/2023) 14.4 11/14/2023 11:41:40 AM 11/14/2023 11:41:40 AM</p>
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33170 MEADOW CREEK DRIVE
STEAMBOAT SPRINGS, CO
LOT 41, ALPINE MOUNTAIN RANCH

FINAL PLAT

9

133HS SHEET

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