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August 21, 2024

Nicole R. Ament  
Brownstein Hyatt Farber Schreck, LLP  
Via Email

*Re: Stagecoach Mountain Ranch; Applicability of 1041 Regulations*

Dear Ms. Ament,

Thank you for your letter dated August 7, 2024, regarding the application of Routt County 1041 regulations to a potential land use development. Except for an application to amend an existing Special Use Permit, the County has not received an application from your client for its future new development proposal(s). The County will offer guidance as to the applicability of certain processes and required applications but cannot issue a determination of same until full review of an actual application is completed. Indeed, your client has asked for a preliminary review of the land use applications it intends to submit. A response to that request in the form of guidance is expected in the near future.

As to your letter, I do not agree with your assessment that “a 1041 permit is not required.” Your client has submitted an application for annexation with Morrison Creek Water and Sanitation District. This would involve an expansion of that District’s system by approximately 3480 acres based on materials Discovery Land Company submitted to the Morrison Creek District. Unified Development Code Section 7.2.B.2 would clearly require a 1041 permit for such an expansion.

Again, there is no application before the County at this time. As such, there is a limited ability to ascertain the relevant requirements of the potential development at this time. The above example concerning an extension of water and sewage systems should not be construed as limiting the future requirements under the County’s Code, including its 1041 Regulations.

This Office consents to your clients’ agents and representatives having direct contact with Routt County Planning staff outside the presence of County Attorney Office representatives. This consent is for the purpose of facilitating communications between your client and County Planning only and may be revoked at any time.

Sincerely,

Erick Knaus