
Creative Springs Lot Line Adjustment Planning Director's Findings

ACTIVITY #: PL20250018

DIRECTOR DECISION: 04/08/2025

PETITIONER: Paula Jo Steele-Jaconetta
PETITION: Lot Line Adjustment between Lot 1 and Lot 3 Gypsum Springs Subdivision
LEGAL: Lot 3 Gypsum Springs Subdivision
LOCATION: 24045 County Road 25, Routt, CO 80467
ZONE DISTRICT: Agriculture and Forestry
AREA:

<u>Existing</u>	<u>Proposed</u>
• Lot 1 – 6.97 acres	6.46 acres
• Lot 3 – .41 acres	.92 acres

STAFF CONTACT: Michael Eggert, Planner Tech, meggert@co.routt.co.us
ATTACHMENTS:

- Submitted Narrative
- Existing Conditions
- Site Photos
- Proposed Plat

History:

Lots 1 and 3 were explicitly approved by the County through the Gypsum Springs Subdivision plat in 2011 at Reception 722265, recorded on 2/17/2012 in the public records of the Routt County Clerk and Recorder's office.

Site Description:

Lot 3 of the Gypsum Springs subdivision has several structural improvements, including a residential structure initially built in 1935 with updates in 1980, a garage, sheds, and a greenhouse situated under a few large trees on the edge of an open area of land. Lot 1 of Gypsum Springs is much larger and is comprised of a gently sloped meadow with no residential homes or structural improvements noted onsite. There is an overhead powerline running through Lot 1 and what appears to be a bowl-shaped feature (unfilled pond).

Project Description:

Robin Livingston, who owns Lots 1 and 2 Gypsum Springs Subdivision, has agreed to sell Paula Jaconetta 0.51 acres from Lot 1, which will enlarge Lot 3 to .92 acres while keeping Lot 1 above the 5.0 acre minimum at 6.46 acres after the Lot Line Adjustment takes place. 5.0 acres is the minimum required for well/septic and is a standard contained in the UDC for Lot Line Adjustments. The AF zone minimum is still 35 acres.

Staff Comments:

This is a straightforward lot line adjustment between platted lots with a common lot line.

*****Issues for Discussion*****

No issues for discussion have been identified.

Compliance with the Routt County Master Plan, Sub Area Plans and Unified Development Code

The Routt County Master Plan (Master Plan), Sub Area Plans and Unified Development Code contain dozens of land use policies and regulations that are intended to reinforce the guiding principals of the Master Plan. This report categorizes subject matter content that is important to consider when reviewing. The categories include:

1. Health, Safety and Nuisances
2. Regulations and Standards
3. Lot Line Adjustment Regulations and Standards
4. Community Character and Visual Issues
5. Roads, Transportation and Site Design
6. Natural Environment

Within each category are applicable policies and regulations. Specific UDC sections include:

- **Chapter 3** of the UDC is 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. It also contains mitigation techniques that apply to use permits, PUD plans, site plans, and subdivisions.
- **Chapter 4 Section 5** of the UDC contains applicability criteria, standards, and procedures for different types of subdivisions. When applicable, it also requires dedications, fees-in-lieu, and infrastructure installation to ensure subdivisions are designed to best serve the public and contain all the required infrastructure necessary to develop lots.

Interested parties are encouraged to review the Master Plan, Sub Area plans and Unified Development Code to determine if there are additional policies and regulations that may be applicable to the review of this petition.

Staff comments are included in bold at the end of each category and highlight questions and/or comments from the general public, referral agencies, and/or Planning Staff.

1. Public Health, Safety and Nuisances

Applicable UDC Regulations

- 3.2 Lighting
- 3.3 Signage

Applicable Routt County Master Plan Policies

- 11.11 In addition to the HMP, the Master Plan also recognizes strategies in the Community Wildfire Protection Plan (CWPP) in reference to wildfire hazards and acknowledges associated implementation measures including partnering on fuels treatment projects designed to reduce overall wildfire risk.

- 11.12 Discourage land uses that increase the potential for wildfires in high risk wildfire hazard areas.

Staff comments: There is no proposed signage and the subdivision plat requires all lighting to be downcast and opaquely shielded. Wildfire risk is not affected by this proposal.

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

2. Regulations and Standards

Applicable UDC Regulations

- 3.1 General Provisions
3.20 Development in Tier 2/3 Growth Areas

Staff comments: All general provisions from Section 3.1 of the UDC will be complied with where applicable.

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

3. Lot Line Adjustment Regulations and Standards

Applicable UDC Regulations

4.52.E.1 Standards. A Lot Line Adjustment shall comply with the following standards:

- a. Only lot/parcel lines that are common to the subject lots/parcels may be adjusted.
- b. The adjustment results in the same number of lots or parcels. No new lots or parcels may be created through the Lot Line Adjustment.
- c. The existing subject lots/parcels have been deemed buildable lots by the Planning Director.
- d. In the case of an LPS, Minor Development Subdivision Exemption, a lot/parcel not serviced by a Combined Sewer Collection System, or non-conforming lot/parcel, the Lot Line Adjustment shall not reduce the size of any existing non-conforming lot/parcel to less than five acres or reduce the size of any existing lot/parcel which is less than five acres.
- e. The adjustment does not result in a parcel lying in more than one zone district.
- f. If a subject lot has a legal non-conforming structure that does not conform to a zone district setback, the Lot Line Adjustment shall not increase the non-conformity

Applicable Policies – Routt County Master Plan

- 4.2 Support infill development and redevelopment that is complementary to existing character and consistent with available resources to accommodate evolving community needs within the Future Growth Areas.

Staff comments: This application complies with all standards in Section 4.52.E.1. Lot 1 is going from 6.97 to 6.46 acres. Lot 3 is going from .41 to .92 acres. The Lot Line Adjustment does not reduce the size of an existing non-conforming Lot 1 to less than 5 acres, and does not reduce the size of the existing Lot 3 which is less than 5 acres.

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

4. Community Character and Visual Impacts

Applicable UDC Regulations

- 3.2 Lighting
- 3.30 Development within Visually Sensitive Viewsheds

Applicable Routt County Master Plan Policies

- 4.1 Direct new growth and development to Tier 1, Tier 2, and Tier 3 Future Growth Areas, in that order and as defined in the Growth & Land Use Chapter.
- 4.2 Support infill development and redevelopment that is complementary to existing character and consistent with available resources to accommodate evolving community needs within the Future Growth Areas.
- 4.6 Support efforts to maintain Dark Skies and control light pollution.
- 4.9 Discourage development on ridges that result in sky lining.
- 9.3 Discourage development that changes the rural character or historic agricultural uses and/or practices.
- 9.5 Discourage rural residential developments in areas of prime agricultural production.
- 9.16 Protect unique view corridors with high aesthetic value, including the south valley floor and the Hwy 40 and CR 129 corridors.

Staff comments: No new structures are proposed, and the adjustment will not change the character of the neighborhood.

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

5. Roads, Transportation and Site Design

Applicable UDC Regulations

- 2.1-2.21 Zoning and Land Uses
- 3.4 Utilities
- 3.5 Stormwater Management
- 3.6 Access Management
- 3.7 Common Roads
- 3.8 Parking & Loading
- 3.9 Landscaping
- 3.10 Snow Storage
- 3.23 Transportation

Applicable Routt County Master Plan Policies

- 7.15 Ensure that future development occurs where roads can accommodate projected traffic volumes and patterns.
- 9.4 Preserve open space.
- 11.15 Prohibit all development on slopes of 30% or greater. Development in steep draws or valleys, which tend to channel fire movement, is particularly dangerous and is also strongly discouraged.
- 11.17 Prohibit all construction and excavations on potential hazard areas, including landslides, rockfall areas, unstable slopes, mudflows, and steep drainages.

Staff comments: No issues have been identified from the applicable UDC regulations and the applicable Routt County Master Plan Policies mentioned above. The land uses are

conforming single family and ag uses, parking is compliant, and access is remaining unchanged.

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

6. Natural Environment

Applicable UDC Regulations

- 3.31 Development Adjacent to Waterbodies
- 3.32 Development within Floodplains
- 3.33 Development within a Natural Hazard Area
- 3.34 Development within a Sensitive Wildlife Area

Applicable Routt County Master Plan Policies

- 9.12 Noxious weeds must be controlled at the expense of the landowner.
- 9.13 Enforce the weed management program and educate new or unaware landowners or those that refuse to manage weeds.
- 11.6 Consider impacts on wildlife before approving new recreational uses, residential developments, and other developments and permits.
- 11.7 Minimize the cumulative impacts of development on wildlife and wildlife habitats.

Staff comments: No impacts to the natural environment are expected from a lot line adjustment, and no known hazards as defined in the UDC are present on the site.

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

PLANNING DIRECTOR OPTIONS:

1. **Approve the Lot Line Adjustment request without conditions** if it is determined that the petition will not adversely affect the public health, safety, and welfare and the proposed use is compatible with the immediately adjacent and nearby neighborhood properties and uses and the proposal is in compliance with the Routt County Unified Development Code and complies with the guidelines of the Routt County Master Plan.
2. **Deny the Lot Line Adjustment request** if it is determined that the petition will adversely affect the public health, safety, and welfare and/or the proposed use is not compatible with the immediately adjacent and nearby neighborhood properties and uses and/or the proposed use is not in compliance with the Routt County Unified Development Code and/or the Routt County Master Plan, Make specific findings of fact; cite specific regulations or policies by number from the Routt County Master Plan, and the Routt County Unified Development Code.
3. **Table the Lot Line Adjustment request** if additional information is required to fully evaluate the petition. Give specific direction to the petitioner and staff.
4. **Approve the Lot Line Adjustment request 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 Unified Development Code and the Routt County Master Plan.

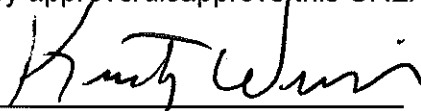
FINDINGS OF FACT that may be appropriate if the Lot Line Adjustment is approved:

1. The proposal with the following conditions complies with the applicable guidelines of the Routt County Master Plan and is in compliance with Chapters 3 and 4 of the Routt County Unified Development Code.

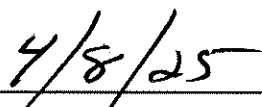
CONDITIONS that may be appropriate may include the following:

1. The Final Plat shall be finalized and recorded within three years per Section 4.9.B of the UDC
2. All conditions of the Gympsum Springs Subdivision approval shall continue to apply.
3. The right of way for County Road 25 shall be appropriately dedicated on the final plat.
4. The notes on the plat shall include but are not limited to the following:
 - a. County Road 25 has been accepted, and is maintained, by the County. The subdivision roads shown hereon have not been dedicated, nor accepted by the County.
 - b. The suitability of these lots for an individual septic disposal system and the availability of permits for individual septic disposal systems have not been established. The issuance of permits for individual septic disposal systems shall be a condition of obtaining a building permit for these lots.
 - c. Routt County (County) and the Oak Creek Fire 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 condition 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.
 - d. All exterior lighting should be downcast and opaquely shielded.
 - e. Lot owners shall comply with the requirements and guidelines of the Colorado State Forest Service and other applicable agencies with regard to wildlife fire mitigation measures.
5. Address signage shall be in conformance with Routt County Road Addressing, Naming, and Signing Policy and shall be located at the entrance to the driveway.
6. A 'no build' zone shall be indicated on the plat to avoid construction of structures, septic fields, and roads in areas including, but not limited to 30% or greater slopes. The "no build" zones shall be defined on the plat and approved by the Planning Director before the plat is recorded.
7. Any fencing constructed on the site is recommended to meet the Colorado Parks and Wildlife standards.
8. It is recommended that all trash be stored either inside a garage or inside Interagency Grizzly Bear Committee (IGBC) -certified receptacles.

I hereby approve/disapprove this CREATIVE SPRINGS Lot Line Adjustment.



Kristy Winsor, Planning Director



Date