
Stagecoach State Park PUD

Minor Amendment to Planned Unit Development

Planning Director's Findings & Decision

ACTIVITY #: PP2014-010

Decision Date: April 10, 2014

PETITIONER: Upper Yampa Water Conservancy District, Andy Rossi

PETITION: Minor amendment to the Stagecoach State Park Final PUD;
Construction of a Storage Shed at the dam

LOCATION: In the parking lot located at the dam. On County Road 18
approximately 1.75 miles from the intersection of CR 14 and
CR 18

ZONE DISTRICT: Planned Unit Development

STAFF CONTACT: Alan Goldich

Site Description:

The entire footprint of the proposed structure will be located in the existing parking lot located at the dam. No disturbance of vegetated or natural areas is anticipated for the foundation or any of the construction activities. This area is mapped for landslides and as a High Wildfire Shrub area.

Project Description:

The applicant is proposing a minor amendment to the Stagecoach State Park PUD Plan. The amendment involves the construction of a storage/maintenance shed. The proposed structure is 30'x33'x19.5'. The proposed location is in the parking lot on CR 18 next to the dam.

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 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 seven (7) major categories:

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

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.**

Public Health, Safety and Nuisances

Applicable Regulations – Routt County Zoning Resolution

- 5.1.1 Every use shall be operated so that it does not pose a danger to public health, safety or welfare.
- 5.1.2 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.
- 6.1.2 The proposal shall be consistent with applicable Master Plans and sub-area plans.
- 6.1.7.C Natural Hazards
- 6.1.7.H Wildland Fire
- 6.1.7.I Noise
- 6.1.7.L Odors
- 6.1.7.M Vibration

Staff comments: There are no anticipated dangers associated with this application. A condition of approval is suggested requiring compliance with all federal, state, and local laws. This area is mapped for landslides. The Colorado Geological Survey was sent a referral and did not have any concerns with the proposal. There has been disturbance to the site previously to construct the parking lot and no disturbance for this structure is taking place outside of the parking lot.

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

Regulations and Standards

Applicable Regulations – Routt County Zoning Resolution

- 5.2 Dimensional Standards:
- 6.1.5 The proposal shall meet or exceed accepted industry standards and Best Management Practices.

Applicable Policies – Routt County Master Plan

- 5.3.D Require Best Management Practices and grading plans and strongly discourage overlot grading.

Staff comments: This application is in compliance with dimensional standards. A condition of approval requiring Best Management Practices is suggested. No grading is taking place and if more than 300 cubic yards of dirt is moved, a Grading and Excavating permit will be required.

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

PUD Regulations and Standards

Applicable Regulations – Routt County Zoning Resolution

- 7.3.A The PUD shall be consistent with the intent and policies of the Master Plan and any applicable sub-area plans.
- 7.3.B The PUD shall comply with all applicable standards and mitigation techniques listed in Sections 5, 6, 8 and 9 of these Regulations
- 7.3.C The design and construction of the PUD shall include adequate, safe and convenient arrangements for pedestrian and vehicular circulation, off-street parking and loading space.
- 7.3.D While there are no fixed setbacks and lot widths required for a PUD, the Planning Commission may require such setbacks, lot widths, and space between buildings as necessary to provide adequate access and fire protection, to ensure proper ventilation, light, air and snow melt between buildings, proper locations from utility lines, and to ensure that the PUD is compatible with other development in the area.
- 7.3.E Open space for the PUD shall be planned to produce maximum usefulness to the residents of the development for the purposes of recreation, scenery, and to produce a feeling of openness. All areas designated as open space pursuant to the requirements of this section shall be provided with access from a public road, street, or right-of-way.
- 7.3.F Open space: A minimum of 25% of the total PUD area shall be devoted to open air recreation or other usable open space, public or quasi-public. Public sites as required as part of a Subdivision may be included in the required 25%. Unusable open space shall not be included in the required 25%. It shall be the option of the Board of County Commissioners to require any of the "useable open space" of a Planned Unit Development to be dedicated to a public agency or homeowners association.

- 7.3.G The developer shall provide within the PUD central water and sewer facilities as may be required by the Planning Commission, the Colorado Department of Public Health and Environment, and the local health authorities.
- 7.3.H Clustered housing shall be encouraged to promote maximum open space and economy of development and variety in type, design, and layout of buildings.
- 7.3.I Residential density shall be limited as required by the Planning Commission and the County Commissioners upon consideration of the Master Plan and individual characteristics of the subject land.
- 7.3.J The density of uses other than residential shall be limited as required by the Planning Commission and the County Commissioners upon consideration of the Master Plan and individual characteristics of the subject land and the adjoining properties.
- 7.3.K Mixed Uses: The PUD shall be designed, in so far as practicable when considering the overall size of the PUD, to provide commercial, recreational and educational amenities conveniently located to its residents in order to alleviate the impacts of increased traffic congestion.
- 7.3.L Architecture: Each structure in the PUD shall be designed in such a manner as to be compatible with other units in the area, yet to avoid uniformity and lack of variety of structural designs among the PUD.
- 7.3.M Maintenance of Open Space: No PUD shall be approved unless the County is satisfied that the landowner has provided for or established an adequate organization for the ownership and maintenance of open space and private roads, drives and parking.
- 7.3.1 Before an approved PUD plan or an amendment thereto is recorded, the land on which it is located shall be zoned PUD or OR. If a Zone Change is required, all the applicable Standards, including, but not limited to Section 8.2 of these Regulations shall apply.
- 7.4.2 Minor Amendments**
- Minor Amendments to a Final PUD Plan, not qualifying as Technical Corrections and substantially similar to the approved Conceptual PUD Plan may be approved in the same manner permitted for review of Administrative Permits as outlined in Section 3 of these Regulations, provided all the following standards are satisfied:
- 7.4.2.A The amendment affects no more than three (3) lots or interests in land within the PUD.
- 7.4.2.B All owners of the affected lots or interests in land consent in writing to the amendment.
- 7.4.2.C The amendment does not require or involve modification of existing public utilities or streets within or adjacent to the PUD.
- 7.4.2.D The amendment would not result in the creation of additional lots or interests in land.
- 7.4.2.E The amendment meets all the applicable standards of this section and Sections 4, 5, 6, 7 and 8 of these Regulations.
- 7.4.2.F The Planning Director or other approval authority may make a Minor amendment approval contingent on the recording of an amended Final PUD Plan.

Staff comments: The proposal makes no changes to the original analysis of the Master Plan during the original PUD Plan review. There is adequate space for pedestrian and vehicular traffic, however this new structure will take up approximately 30% of the existing parking lot. In regards to setbacks, dedication and maintenance of open space, central water and

sewer, clustering of buildings, density, and mixed uses, the proposal makes no changes to the previous approvals in this regard. The structure is of similar style to existing structures. All of the land associated with this application is currently zoned OR. This application only affects one lot and the owner has consented in writing to this amendment. There is no modification of existing public utilities or streets. The amendment does not create any additional lots. The approval of this application will not be contingent upon recording an amended Final PUD plan.

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

Community Character and Visual Concerns

Applicable Regulations – Routt County Zoning Resolution

- 5.1.4 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
- 5.9 Sign Standards
- 5.10 Standards for Structures within mapped Skyline Areas
- 6.1.6 Outdoor Lighting: The proposal shall comply with the Outdoor Lighting Standards in Section 6.3 of these Regulations.
- 6.1.7.G Visual Amenities and Scenic Qualities.
- 6.1.7.K Land Use Compatibility.

Applicable Policies – Routt County Master Plan

- 5.3.B While respecting private property rights, the County will not approve development applications or special use permits that would lead to the degradation of the environment without proper mitigation that would bring the proposal into compliance with the Master Plan, appropriate sub-area plans, Zoning Resolution, and Subdivision Regulations.
- 5.3.E Routt County requires that all new developments do not contribute to light pollution.
- 5.3.F Routt County will continue to consider the impacts of development and uses on view corridors, water, wetland, and air.

Staff comments: There is no outdoor storage or signs proposed with this application. This site is not located within the Skyline area. Lighting is proposed on this structure and it will utilize downcast features. A condition of approval addressing lighting is suggested. This structure is not anticipated to have negative impacts on the scenic quality or environment of the area. This area receives high traffic from citizens using the State Park and it is not anticipated to negatively impact those using the state park.

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

Roads, Transportation and Site Design

Applicable Regulations – Routt County Zoning Resolution

- 5.4 Parking Standards
- 5.5 Addressing Standards
- 5.6 Access to Buildable Lot Standards
- 5.7 Right of Way Access Standards: A Right of Way Access Permit is required prior to construction of any new access point onto a County Road or other Local Public Road or Right of Way.
- 5.8 Road Construction Standards
- 6.1.4 Public Road Use Performance Standards: The proposal shall comply with the Public Road Use Performance Standards in Section 6.2 of these Regulations.
- 6.1.7.A Public Roads, Services and Infrastructure
- 6.1.7.B Road Capacity, traffic, and traffic safety
- 6.1.7.N Snow Storage

Applicable Policies – Routt County Master Plan

- 4.3.D Rural developments and uses should be limited to areas that have adequate access to accommodate the projected traffic.

Staff comments: This structure is going in an existing parking lot. RC Addressing had no comments in relation to this application. An access permit off of CR 18 is in place. No new roads are proposed. This site cannot be accessed during the winter time and will not be plowed. There have been no complaints in relation to access and transportation for this PUD.

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

Natural Environment

Applicable Regulations – Routt County Zoning Resolution

- 5.11 Waterbody Setback Standards
- 6.1.7.D Wildlife and Wildlife Habitat.
- 6.1.7.E Water Quality and Quantity.
- 6.1.7.F Air Quality.
- 6.1.7.J Wetlands.
- 6.1.7.P Reclamation and Restoration.
- 6.1.7.Q Noxious Weeds.

Staff comments: This structure is outside of the Waterbody Setback applicability area. This site is mapped as severe winter range for elk but this site is not accessible by vehicles in the winter. CPW's only concern was with the outdoor storage of trash due to the high concentration of black bears in the area. Since there will not be an outdoor trash container, CPW does not anticipate any negative impacts. There is no anticipated impact to water quality and quantity, air quality, or wetlands. Re-vegetation of the disturbed site is proposed.

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

Mitigation Techniques

Applicable Regulations – Routt County Zoning Resolution

Mitigation Techniques for Development Within a Natural Hazard Area

- 6.5.5.A Ensure development does not create or increase geologic hazard or subject adjacent properties to geologic hazard.
- 6.5.8.A Avoid development in areas with great distance to fire fighting apparatus.
- 6.5.8.B Avoid development and use extreme caution when working in areas listed as high or extreme wildfire hazard areas.
- 6.5.8.C Have fire extinguishing equipment on the site.
- 6.5.8.D Use grazing, thinning, pruning and slash removal to minimize wildfire hazards.
- 6.5.8.F Use fireproofing measures on buildings, and provide sufficient separation of buildings to prevent fire spread.

Applicable Policies – Routt County Master Plan

- 8.7.A Routt County strongly discourages all construction on potential landslide and rockfall areas.
- 8.7.B Routt County strongly discourages all excavations on unstable slopes and in rockfall or potential landslide areas.
- 8.18.B Construction of structures in all potential wildfire areas will include the following considerations:
 - To avoid insects and diseases destructive to forests and wildfire hazards, all vegetative residue, slashings, branches, limbs, stumps, roots, or other such flammable lot-clearing debris will be disposed of from around homesite areas by either burial, chipping or removal.
 - Roofing should be of fire resistant material
- 8.18.E Prior to construction of any structures in a high risk wildfire hazard area, Routt County encourages the following steps to be taken:
 - Lowering the wildfire risk for the area by removal of shrubs and trees,
 - Slash material that will not be used for specific purposes should be chipped or burned under safe conditions,

- Practical fuel break systems should be installed and approved by the State Forest Service where necessary.

Applicable Policies – Stagecoach Community Plan

- 4.9.A New construction should avoid the hazards associated with steep slopes and geologically unstable areas.
- 4.9.D New improvements should generally not be located in open meadows, unless this Plan designates portions of those meadows as development areas.

Staff comments: The location of this structure, and the hillside across the canyon, are mapped as one landslide area. The direction of the slide is to the northwest, coming down the slope on the other side of the canyon from this site. The only disturbance to the site will occur in the existing parking lot. The Colorado Geological Survey has no concerns with the proposal. The site is mapped as a High Shrub Wildfire area. There is no fire suppression system in the area but Stagecoach reservoir is very near and able to be pumped out of in case of a fire. The Oak Creek Fire Protection District consulted with the applicant prior to submission of this application and does not have any concerns. This is the only structure in the area and therefore if a fire ignited, it would not be able to spread to other structures. A condition of approval is suggested requiring fire extinguishers be stored in the structure or on-site. Since this structure is located in an existing parking lot there are no shrubs immediately adjacent to the site. The only vegetation in the area are shrubs such as Scrub Oak, Serviceberry, and sage.

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

Mitigation Techniques for Development Within Critical Wildlife Areas:

- 6.6.A Avoid areas during seasons of use by the wildlife species.
- 6.6.D Limit recreational or other use of wildlife concentration areas during the seasons of wildlife concentration, staging, and/or nesting.
- 6.6.H Close roads not used for residential access in critical areas.
- 6.6.Q Provide bear and/or rodent proof trash containers as warranted.

Applicable Policies – Routt County Master Plan

- 9.3.D Encourage land use practices that will minimize conflicts between wildlife and human uses.
- 9.3.G Minimize the cumulative impacts of development on wildlife and wildlife habitat.

Applicable Policies – Stagecoach Community Plan

- 4.9.H Require that any trash containers be bear and rodent-resistant.

Staff comments: The use of this site during the winter is minimal due to the fact the County Road to this site is closed in the winter. No new permanent trash containers are proposed. A wildlife proof container will be on site during the construction period. There are no negative impacts to wildlife anticipated with this application.

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

PLANNING DIRECTOR OPTIONS:

Approve the Minor Amendment 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 Zoning Regulations and complies with the guidelines of the Routt County Master Plan. The applicable provisions of Sections 5 and 6 have been reviewed and appropriate findings and conditions are included in the approval outlined herein.

Deny the Minor Amendment 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 Zoning Regulations 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 Zoning Regulations.

Table the Minor Amendment request if additional information is required to fully evaluate the petition. Give specific direction to the petitioner and staff.

Approve the Minor Amendment 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 Zoning Regulations and Routt County Master Plan.

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

1. The proposal with the following conditions meets the applicable guidelines of the Routt County Master Plan and is in compliance with Sections 4, 5, 6 and 7 of the Routt County Zoning Regulations.
2. The proposed amendment affects one lot within the PUD.
3. The proposed amendment does not require or involve modification of existing public utilities or streets within or adjacent to the PUD
4. The proposed amendment does not create additional lots or interests in the land.

CONDITIONS that may be appropriate may include the following:

General Conditions:

1. The permits/approval shall not be issued until all fees have been paid in full.
2. All exterior lighting shall be downward cast and opaquely shielded.
3. A fire extinguisher shall be on-site at all times.
4. This Minor Amendment is specific to the site plan presented in the application. All other conditions of the Stagecoach State Park Final PUD Plan continue to apply.

I hereby approve/disapprove this Planned Unit Development Minor Amendment.


Chad Phillips, Planning Director

4/14/14
Date

