
Quealy Property MAJOR AMENDMENT

ACTIVITY #:	PL20220101
DECISION DATE:	Planning Commission - April 06, 2023 Board of County Commissioners - April 18, 2023
PETITIONER:	Steamboat Lake State Park-Ryan Crabb
PETITION:	A Major Amendment to the Steamboat Lake State Park PUD to allow for the use of the Quealy parcel as the base for the snowmobile operation at the state park.
LEGAL DESCRIPTION:	TR 46B (AKA TR 46) AND LOT 19, SEC 19 LOT 23 SEC 20-10-85 78.64AC PER B714 P1239
LOCATION:	ZSUZSIYAMA LN From: 25825 To: 26048 The proposed site is located on State of Colorado land, Board of Land Commissioners property. The parcel sits northeast of Steamboat Lake State Park on the east side of CR 129.
ZONE DISTRICT:	Outdoor Recreation
AREA:	168.95
STAFF CONTACT:	Sally Ross, sross@co.routt.co.us
ATTACHMENTS:	<ul style="list-style-type: none">• Narrative and supplement• Site Plan• Picture of entrance off of CR 129• Picture of temporary building• Lockhart comments• Current PUD Plan

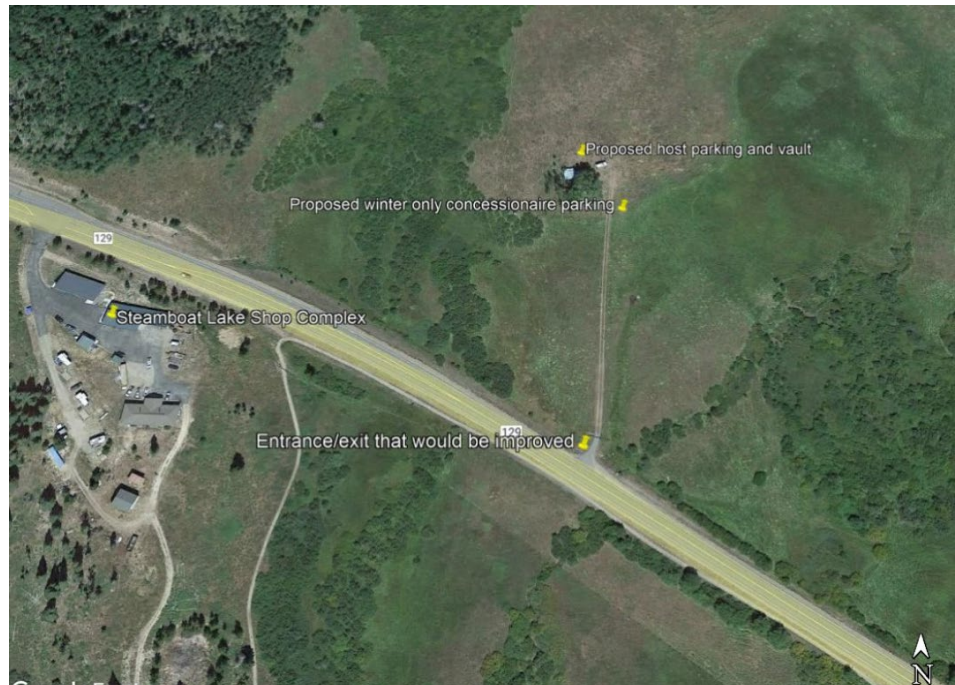
History:

On November 4, 2004 the Board of County Commissioners approved the Quealy Trail and Cabins section of the Steamboat Lake State Park Final PUD Plan (Quealy Parcel), which allowed Rocky Mountain Sled Rentals (RMR) – a concessionaire of Steamboat Lake State Park, managed by Colorado Parks and Wildlife (applicant) – to utilize groomed trails on the Quealy Parcel for snowmobiling. This provided RMR with access to the National Forest to the north of the subject parcel. The staging site and business operations for RMR has historically been located at the marina, west of the Quealy Parcel and on the opposite side of CR129.

The Quealy Parcel is owned by the Colorado State Land Board. Both parcels are currently zoned as Outdoor Recreation (OR). Historically, the Quealy Cabin parcel was zoned as Agriculture and Forestry (AF); a zone change from A/F to OR for the Quealy Cabin parcel was approved by the Board of County Commissioners on November 4, 2004.

Site Description:

The Quealy Parcel is 168.95 acres and is located on the east side of CR 129, north of Hahn’s Peak Village. It currently contains a minimally used access road and small parking area in proximity to the Quealy Cabin, in addition to established seasonal snowmobile trails and non-motorized summer hiking trails. The Quealy Parcel is separate from the existing concessionaire staging site and operating center, which is west of and directly across CR 129 from the Quealy Parcel.



The central/southeast portion of the site contains open meadows that have minor drainages, and associated wetlands, flowing through it. The Cabin, and proposed staging area, are located in one of these open areas. The northwest portion of the site contains forested areas.

The Routt National Forest is directly north of the subject parcel. The trail into the Routt National Forest is in close proximity to several other privately owned parcels north of the subject parcel. One of these parcels contains a mobile home. There is a landform to the east of this parcel. This landform separates the site from Hahn’s Peak Village. There are several 35-acre parcels on this landform. All of these parcels are vacant.

Project Description:

Due to increased pressure on trailheads in North Routt, Steamboat Lake State Park has become a popular spot to park. This has put pressure on the parking lot at the Marina. To open up parking areas at the marina, the State Park would like to move their concessionaire across CR 129 to the Quealy Parcel. Therefore, the applicant would like to amend the existing Quealy Trail and Cabins conditions section of the PUD to allow for the concessionaire to move its existing staging site and business operations to the Quealy Parcel.

The relocation would require: widening the access road from CR 129 to the parking area and implementing signage at the turnoff; expanding the existing parking area to accommodate increased traffic, infrastructure and equipment; erecting a temporary building to store 30 snowmobiles during winter operations; staging 6 trailers onsite during winter operations; and installing a seasonal toilet. The parking area will consist of approximately 5 vehicles onsite daily and will be graded in the summer to a 30’x80’ dimension. The applicant has informed the County that onsite repairs to snowmobiles will be minimal, as they are fuel injected and thus no fluid changes are necessary. Limited exterior lighting is proposed on the temporary structure.

The applicant is also requesting the removal of the 25 mph speed limit. The concessionaire is upgrading its snowmobiles to a newer model, which reportedly requires the snowmobiles to operate at a higher speed on groomed trails in order to keep snow circulating through the engine for cooling purposes. The alternative to operating at higher speeds is to allow the snowmobiles to operate off the groomed trail. The applicant would prefer to require that all snowmobile traffic operate only on established, groomed trails, and has received approval from the State Land Board to develop and operate on established, groomed trails.

An eight foot snow berm will be constructed to obstruct the view of the operations from CR129.

No additional details outlining the winter operations have been provided with regard to number of trips per day, number of individuals per trip, and hours of operation. The concessionaire's US Forest Service permit limits operations to:

- Confining trail grooming to designated routes, not to begin until a minimum of 18" of snow has accumulated and ceasing by May 1st each year.
- Grooming of designated routes should occur during daylight hours as much as possible, and must cease by 7:30pm.
- Client: Guide ratio is 8 (clients):1 (guide).

An additional request included in the proposed amendment is remodeling the Quealy Cabin to allow for year-round public educational programs. The Quealy Cabin is in need of updates and is not currently used by Steamboat Lake State Park. No plans have been submitted regarding the remodel. State Parks are exempt from obtaining building permits from Routt County; however, the applicant has informed the County that the remodel will be designed by a State engineer and those plans will be provided to Routt County when they are complete. Summer programming at the Quealy Cabin is unknown at this time. The applicant provided a "best guess" of a general summer educational program operating approximately once per week with approximately 12 participants each week.

Staff Comments:

- Even though not required by law, Steamboat Lake State Park has participated in Routt County Planning processes on several of its key development projects. This has been done to gather additional public input and coordinate efforts with local government. It is understood that the authority to approve projects on State Park property rests with the State Parks Board and the Director of State Parks. The future decisions related to participation in these planning processes also rest with the State Parks Board. All county planning documents such as PUDs and SUPs are signed in recognition that the processes have been completed but Routt County has no legal authority to enforce the conditions of approval listed. The Quealy Parcel is zoned OR, which allows for outdoor recreational activities as well as retail commercial facilities that support such recreational activities.
- The design and construction of the access to the staging site and operating center during the winter, as well as the educational programs that will be hosted in the Quealy Cabin year-round, must have adequate, safe and convenient arrangements for all visitor and vehicular circulation and loading spaces (§7.3.C, Routt County Zoning Regulations).
- Moving the concessionaire staging site and business operations from the west side of CR 129 to the east side of CR 129 will not require any modification of CR 129 (§7.4.2.C, Routt County Zoning Regulations).
- Planning has not received a site plan for the Quealy Cabin remodel or the operating plan for the year-round public educational programs. The State Park is not required to obtain a building permit from Routt County. The State Park will provide the County with plans drafted by the State engineer, once completed.

- The Quealy Cabin remodel and improved parking area construction is approximately 350 feet from a mapped wetland. The Army Corps of Engineers commented that the applicant does not need a permit so long as the impact will not result in the discharge of dredge or fill material into the wetland (§404, Clean Water Act).
- Abutting landowner Ty Lockhart has submitted a comment stating his concerns, claiming the following would result if the PUD were amended as proposed: an increase in noise would negatively impact adjacent private lands; public safety would be at risk as a result of snowmobile speeds exceeding 25 miles per hour; the historical use of the parcel, which has been managed as passive open space, would be radically changed. (February 2, 2023.)
- Referrals:
 - CPW – No formal comments were submitted, however CPW’s Land Use Specialist who reviews application in response to referral stated that they work closely with the state parks and that the wildlife staff were aware of this proposal.
 - Army Corps of Engineers (ACOE) - Project features that result in the discharge of dredged or fill material into waters of the US will require Department of the Army authorization prior to starting work. No work is proposed in any of the mapped wetlands, therefore a permit from the ACOE is not required.
 - Public Works – They did not have any concerns with the application.
 - North Routt Fire – They did not have any concerns with the application.
 - US Forest Service – The concessionaire that operates out of the state park possesses the required permits to guide in the national forest.

Staff Recommendation

Staff recommends that the application be **RECOMMENDED FOR APPROVAL** to the Board of County Commissioners.

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

1. The applicant has requested that the condition limiting the speed limit to 25 mph be removed. Should the allowed speed limit remain at 25 mph to reduce impacts to neighboring properties?
2. The visual mitigation proposed are the snow berms created by plowing the parking area. Is this adequate for mitigating any visual impacts created by the parking area?

Compliance with the Routt County Master Plan, Sub Area Plans and Zoning Regulations

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

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

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

- **Section 5**, which 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.
- **Section 6**, contains mitigation techniques and applies to all Minor, Administrative, Conditional or Special Uses allowed by permit only, PUD plans, Site plans, and Subdivisions.
- **Section 7**, which applies to all PUDs.

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.

Planning 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 Planning Staff.

1. 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** General Approval Standards
 - 7.C** Natural Hazards
 - 7.H** Wildland Fire
 - 7.I** Noise
 - 7.L** Odors
 - 7.M** Vibration

Applicable Policies – Upper Elk River Valley Community Plan

- 2.2.4(4)** Encourage alternate dispersed trailheads and access to recreational destination areas to relieve congestion while minimizing negative impacts to residential neighborhoods and the residential and natural environment.
- 2.2.4(6)** Guided tour routes should be located and operated to avoid negative impacts on residential areas.
- 2.2.4(7)** The extent of new commercial recreational uses shall be determined by the constraints upon them, including, but not limited to, parcel size, topography and geologic stability, wildlife, wildfire, access and impacts to the County Road system, proximity to incompatible uses, and the cumulative impacts of all applicable uses in the area.

- 2.2.4(12) New permitted recreational uses shall be located away from or have their impacts buffered from defined residential neighborhoods.
- 2.2.4(14) Separate non-motorized from motorized uses to avoid conflicts. Use natural or cultural boundaries (roads) so that boundaries are clearly defined.
- 2.4.4(6) Encourage visitors to use guides and outfitters and guest ranches. Emphasize protecting the safety of the visitors and responsible use of the land and its resources.

Staff comments: The concessionaire is not changing its existing business model, but rather is relocating the temporary business operation site to a different but nearby parcel. Customer use will not increase and no additional trails allowing winter motorized access will be implemented. Snowmobile crossings of CR 129 should not increase either and therefore should not pose additional risk to the public, as trails on both sides of CR 129 have been accessible for winter motorized recreation since the inception of the use.

Potential additional offsite impacts – such as increased noise and/or increased trespass – could occur as a result of relocating the concessionaire’s business operations and staging site to the Quealy parcel. The removal of the 25 mph speed limit to keep the engines cool would result in increased noise on neighboring parcels. An adjacent landowner submitted comments expressing this concern. The alternative of allowing users to ride off of the groomed trail to keep the engines cool would create additional impacts to the parcel and is not preferred by the concessionaire. Since this parcel is already used to access the National Forest, some odors from exhaust already exist. Staging sleds and starting tours from this location will increase the amount of odors, however staff is unable to quantify if the additional odors will have impacts off site. Efforts to reduce potential offsite impacts on nearby residential properties by requiring guests to stay on identified trails should be implemented.

The Upper Elk River Plan supports these types of uses. This location would help disperse trail users to relieve congestion. Since most of the surrounding parcels are vacant, impacts to these parcels should be minimal.

***Is the application in compliance with the Policies and Regulation outlined above? Yes*

2. Regulations and Standards

Applicable Regulations – Routt County Zoning Resolution

- 6.1.2 The proposal shall be consistent with applicable Master Plans and sub-area plans.
- 6.1.5 The proposal shall meet or exceed accepted industry standards and Best Management Practices (BMP's).

Applicable Policies – Routt County Master Plan

- 8.4 Commercial recreational businesses should be located on primary roads in the County, when possible. Discourage commercial recreational development that creates traffic on Secondary A and Secondary B County roads.
- 8.6 Encourage the establishment of a formal system of cooperation to improve partnerships with land managers (USFS, BLM, State Parks), outfitters, rental companies, etc. to develop coordinated public access strategies and manage recreational impacts.

- 8.7 When considering recreational uses in rural areas, focus on maintaining the high quality of life of the County's residents.
- 8.8 Preserve public access to public lands.

Applicable Policies – Upper Elk River Valley Community Plan

- 2.2.4(9) Encourage a partnership with the Routt National Forest and other agencies in providing educational facilities, including trailhead kiosks and other similar signage that will inform visitors about proper use of public lands and trespass issues.

Staff comments: The applicant is not applying for a new use and the existing use has been determined to be in compliance with the Master Plan. This is an amendment to an existing PUD that relocates a portion of the existing use. The potential impacts of the relocation of the operations on neighboring parcels are not fully understandable, as a clear operating plan has not been submitted; however, the applicant has not indicated that the number of individuals utilizing snowmobiles for recreation will increase. Nor has the applicant indicated that additional trails will be implemented for increased access throughout the parcel.

***Is the application in compliance with the Policies and Regulation outlined above? Yes*

3. 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.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.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.

Staff comments: The PUD is intended to allow flexibility in development in a manner varying from the constraints upon creative innovative design and creative land use that might otherwise be imposed by zoning and subdivision regulations when narrowly construed (§4.16). The applicant submitted a request for a zone change for the Quealy Cabin parcel from AF to OR and was granted this zone change in 2004. The layout of the site will provide safe

and convenient circulation. The architectural style of the temporary structure is typical of other agricultural structures located throughout the County and is only going to be on-site for the winter.

***Is the application in compliance with the Policies and Regulation outlined above? Yes*

4. Community Character and Visual Impacts

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
- 6.1 General Approval Standards
 - 7.G Visual Amenities and Scenic Qualities.
 - 7.K Land Use Compatibility.
 - 7.O Historical Significance.
- 6.3 Outdoor Lighting Standards

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.
- 4.6 Support efforts to maintain Dark Skies and control light pollution.
- 5.1 The importance of preservation of cultural and historic resources, including archaeological sites, historic structures, natural areas, and agricultural landscapes should be considered in the review of proposed new land uses.
- 5.2 Support adaptive re-use of historic structures.
- 8.1 Evaluate the most appropriate areas for recreational use.
- 8.7 When considering recreational uses in rural areas, focus on maintaining the high quality of life of the County's residents.
- 9.16 Protect unique view corridors with high aesthetic value, including the south valley floor and the Hwy4 and CR 129 corridors.

Applicable Policies – Upper Elk River Valley Community Plan

- 2.2.4(10) Encourage State parks and the Forest Service to recognize the community desire to avoid overcrowding and over use and to maintain open space and rural character of the Valley in their decision making process. Prior to permitting new uses evaluate the cumulative impact on the resource, infrastructure including roads and county character.

- 2.4.4(1)** Rural-type tourist operations such as guest ranches and similar operations are an appropriate and important part of the area's heritage and economy and should be supported. In evaluation proposals consider the following: a) New visitor accommodations should preserve significant amounts of open space and the size of the operation should be proportional to the open space preserved with traffic generation less than the associated LPS development; b) Provide year round access; and c) Create minimal impacts.
- 2.5.4(10)** Protect the visual quality and rural character of the valley at night by encouraging the use of minimal exterior lighting, that lighting be downcast, and that there be no general floodlighting of buildings.

Staff comments: Items stored outside include 6 trailers. Approximately 30 snowmobiles will be stored inside and outside. Winter fuel storage is located on a fuel storage trailer which is designed for the legal transfer and storing of fuel. Trash will be stored inside the temporary building and will be hauled away as necessary. No dumpsters will be onsite. A condition recommended that recycling be employed has been included. Access to the temporary building is restricted to employees only. An eight foot snow berm will be plowed and maintained to obstruct the view of the operations from the CR129.

The proposal does support the adaptive re-use of the historic Quealy Cabin through the remodel of an historic structure, as well as the implementation of a year-round educational program based out of the Quealy Cabin.

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

5. Roads, Transportation and Site Design

Applicable Regulations – Routt County Zoning Resolution

- 5.2** Dimensional Standards
- 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.
- 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** General Approval Standards
 - 7.A** Public Roads, Services and Infrastructure
 - 7.B** Road Capacity, traffic, and traffic safety
 - 7.N** Snow Storage

Applicable Policies – Routt County Master Plan

- 7.3** Encourage mass transit alternative to popular visitor destinations.

- 7.11 All roads and driveways used for residential or commercial use must allow for emergency access.
- 7.15 Ensure that future development occurs where roads can accommodate projected traffic volumes and patterns.
- 8.4 Commercial recreational businesses should be located on primary roads in the County, when possible. Discourage commercial recreational development that creates traffic on Secondary A and Secondary B County roads.

Applicable Policies – Upper Elk River Valley Community Plan

- 2.4.4(4) Expansion of existing business is supported as owners determine a need, so long as such expansion is visually compatible with the rural mountain community. Size, shape and form, massing and height, materials and scale should be compatible to what is built today.
- 2.7.4(3) Resolve parking and traffic problems for snowmobiles and other recreationists and minimize impact on residential areas.
- 2.7.4(5) Develop a trail system for alternative transportation modes (e.g. bicycle, pedestrian, equestrian, snowmobile) in the Upper Elk River Valley. Consider trails that link recreational concentrations in parks and a trail along RCR 129.
- 2.7.4(8) Connect appropriate trails to create an integrated system.

Staff comments: Dimensions regarding parking area and driveway standards accessing the concessionaire’s operation and the Quealy Cabin area will be drafted by a State Engineer. Dimensions will be provided to the County.

Operational capacity is not being added to the proposed use; the relocation of the operation should not increase traffic and use along CR 129. It is estimated that the summer programs based out of the Quealy Cabin parcel will host approximately 12 individuals each week and will not create a significant capacity increase on CR 129.

***Is the application in compliance with the Policies and Regulation outlined above? Yes*

6. Natural Environment

Applicable Regulations – Routt County Zoning Resolution

- 5.11 Waterbody Setback Standards
- 6.1 General Approval Standards
 - 7.D Wildlife and Wildlife Habitat.
 - 7.E Water Quality and Quantity.
 - 7.F Air Quality.
 - 7.J Wetlands.
 - 7.P Reclamation and Restoration.

- 7.Q Noxious Weeds.
- 6.5.8 Wildlife Hazard Areas

Applicable Policies – Routt County Master Plan

- 4.5 Apply best practices and data to inform decisions impacting sensitive ecological and wildlife areas throughout the County.
- 9.13 Enforce the weed management program and educate new or unaware landowners or those that refuse to manage weeds.
- 11.3 Protect wildlife species and their habitats.
- 11.4 Include wildlife habitat and species information in land use and site plan decisionmaking.
- 11.5 Encourage land use practices that will minimize conflicts between wildlife and human uses.
- 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 habitat.

Applicable Policies – Upper Elk River Valley Community Plan

- 2.3.4.(3) Direct winter recreation away from critical winter wildlife habitat and movement areas.
- 2.3.4.(4) Strongly encourage building and development outside of riparian areas, critical wildlife habitat and wildlife movement corridors within the planning area. If this is not possible, encourage mitigation of impacts to wildlife with appropriate lighting, fencing and pet control provisions.
- 2.3.4.(5) Discourage winter recreational use in critical elk winter habitat and movement corridors.

Staff comments: The Quealy Cabin parcel contains a designated wetland as well as a non-motorized summer use area. As the applicant, Colorado Parks and Wildlife should enforce its regulations regarding motorized use within critically mapped habitat.

The applicant will not dredge or fill the wetland, which is near the proposed parking lot. The grading of the access road and parking area will not require a new culvert but will rather utilize an existing culvert. This should reduce ground impact and drainage in proximity to the wetland by eliminating the need to dig. Some widening of the access road will be necessary but should be minimal; gravel for road base will be brought to the site from a nearby gravel pit. Prior to any construction, soil erosion waddles will be placed around the perimeter of the site to keep runoff from entering the wetland.

*****Is the application in compliance with the Policies and Regulation outlined above? Yes***

7. Mitigation Techniques

Applicable Regulations – Routt County Zoning Resolution

Mitigation Techniques to Reduce Water Quality and Quantity Impacts:

- 6.7.C Limit the size of the excavated area
- 6.7.G Avoid sites that would present a high probability of surface or ground water pollution.
- 6.7.H Provide buffers from waterbodies, rivers, streams, wetlands etc; buffers/setbacks in excess of 50 feet may be required depending on site conditions and proposed use.

Mitigation Techniques to Reduce Impacts to Scenic Quality:

- 6.9.E.4 Proposed landscaping, screening, fencing and other visual impact mitigation shall be approved by the Planning Director, Planning Commission or Board of County Commissioners prior to operation.
- 6.9.E.5 Berms or other screening techniques may be used to effectively screen the area.

Mitigation Techniques to Reduce Noise Impacts:

- 6.10.J Place the operation a sufficient distance from residences, commercial areas, and recreation areas to minimize noise impacts to those areas.

Mitigation Techniques to Reduce Wetland Impacts:

- 6.11.A Avoid wetland areas.

Mitigation Techniques to Reduce Impacts to Residential and Recreational Uses:

- 6.13.B Locate uses incompatible with residential or recreation and tourism uses a sufficient distance from such areas. Planning Commission and the Board of County Commissioners will determine sufficiency of distance.

Staff comments: Significant construction will not be necessary for the proposed concept. Final plans will be drafted by a State engineer and provided to the County. No filling or dredging of mapped wetlands are proposed. Grading for the parking area and the access road will be minimal and waddles will be put in place in proximity to the project site to avoid runoff into the nearby wetland. No digging will be required to expand the access road and the parking area. The grading that will be necessary will be buffered by soil erosion waddles to prevent runoff from entering the wetland area. Snowmobile use will be limited to existing groomed trails that have been utilized historically for the concessaire’s operation. The amendment request does not include grooming of additional trails. Speed limits are the best way to mitigate noise impacts from the use of snowmobiles. Staff has suggested that the current 25 mph speed limit be adhered to.

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

PLANNING COMMISSION / BOARD OF COUNTY COMMISSIONERS OPTIONS:

Approve the Amended PUD 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 Amended PUD 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 Amended PUD request if additional information is required to fully evaluate the petition. Give specific direction to the petitioner and staff.

Approve the Amended PUD 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 Amended PUD is approved:

1. The proposal with the following conditions meets the applicable guidelines of the Routt County Master Plan and the Upper Elk River Valley Community Plan and is in compliance with the applicable provisions of Sections 4, 5, 6, 7 and of the Routt County Zoning Regulations.
2. The Final PUD is substantially similar to the Conceptual PUD.

CONDITIONS that may be appropriate may include the following:

Final PUD:

1. **This approval shall become effective upon the recording of a resolution amending the Final PUD Plan. Such resolution shall be recorded within 6 months of approval. An extension of an additional 6 months may be approved by the Planning Director.** ~~This approval shall become effective upon the recording of the Final PUD plan~~
2. The following conditions and notes shall be included in the resolution:
 - a. ~~This approval shall become effective upon the recording of the Final PUD Plan. Such Plan shall be recorded within 12 months of approval. An extension of an additional 6 months may be approved by the Planning Administrator.~~
 - b. ~~All access easement, apparent and of record, shall be shown and noted on the PUD Plan.~~
 - c. Under no circumstances, except for emergencies, shall any snow machines operate on the winter multi-use trail on the 168-acre parcel (Quealy Parcel) between April 15th and June 20th, subject to change with ~~DOW~~ **CPW** recommendations.
 - d. Steamboat Lake State Park shall be responsible for routine patrolling of the ~~new~~ trails and shall respond to trespass and misuse complaints.
 - e. All other applicable conditions of the Steamboat Lake PUD **as reflected on the Final PUD Plan recorded at reception number 635207 shall continue to apply.** ~~(1995) and as amended (1997 and 2003) shall continue to apply, and shall be reflected on the Final PUD Plan.~~

- f. Prior to issuance of building permits, the Planning Commission shall review (and approve, if applicable criteria are met) the site plan for the cabins, including their capacity size, parking, trails and other associated improvements on the Quealy Parcel.
- g. Any additional **uses or cabins** and changes in use shall require an amendment to this PUD.
- h. The Quealy trail will be open to both motorized and non-motorized users. The trail shall be open to the public from Thanksgiving to April 15th. Snow conditions permitting, the trail may be open earlier in the year with notice to the Planning Director. Hours of operation shall be restricted to State Park day-use hours, except for emergencies and groomer operation.
- i. The summer non-motorized trail shall be open seasonally when conditions allow, to be determined by Steamboat Lake State Park. Hours of operation shall be restricted to State Park day-use except for emergencies.
- j. The design and materials used to construct the cabins shall be consistent with those generally used in the area.
- k. **There shall be no parking on County Road 129.** ~~Parking for access will not be allowed on CR 129. General parking for motorized use shall be adjacent to Steamboat Lake Marina.~~
- l. Speed limit on the trail shall be no more than 25 mph, and signs shall be posted.
- m. Public shall stay on the trail at all times. Signs shall be posted informing public to stay on the trail.
- n. Caution or stop signs shall be posted at the intersection of FS 410 and this trail.
- o. All exterior lighting shall be downcast and opaquely shielded.
- ~~p. After one year, snowmobile traffic study shall be conducted by Steamboat Lake State Park.~~
- ~~q. After the 2004-2005 season the trail through the BLM property will be reviewed. Until that time, the proposed alignment shall be considered an approximate location. The permanent trail alignment shall be approved administratively.~~
- ~~r. Intensity of use, levels of capacity, compliance and environmental impacts shall be monitored. An annual monitoring report shall be submitted to Planning Staff and related agencies.~~
- s. Cabin users shall be educated regarding the Sandhill Crane nesting area, and advised of the restricted use of the area between April 15th and June 20th.
- ~~t. This amendment to the PUD Plan is contingent upon the purchase of the Quealy property by the State Land Board.~~
- u. **The concessionaire is encouraged to recycle to reduce the amount of waste entering the landfill.**

Steamboat Lake State Park would like to amend the Quealy Trail and cabins section of our current PUD. We are requesting that the following be included:

- 1) Allow for our snowmobile rental/tour concessionaire to stage their winter operation near the Quealy Cabin.
 - a. The concessionaire can operate out of snowmobile trailers and a temporary building. The current temporary building is 30'x40'. The concessionaire currently uses 30 snowmobiles and 6 trailers that will be stored on-site. The majority of the snowmobiles will be stored inside overnight.
 - b. The concessionaire would be allowed to operate December through April. The concessionaire currently uses 30 snowmobiles that will be stored on-site.
 - c. A winter connection trail can be established to connect the concessionaires operation to the current winter use trail (Quealy Trail). That connector trail will be signed as open for concessionaire and agency use only. The Quealy Trail is open to the general public in the winter.
 - d. The concessionaire already has approval to guide snowmobile tours on State Park lands west of CR 129 and will be able to access that area via the Quealy Trail.
 - e. The concessionaire will be required to have all of their possessions removed from the property prior to the Memorial Day weekend.
 - f. The concessionaire will be required to make minimal impact to the grounds.
 - g. The concessionaire would be responsible for:
 - i. Providing and caring for a toilet or porta-potty and trash receptacles for their guests.
 - ii. Snow removal
 - iii. Site cleanup
 - h. The entrance will be gated and signed.
 - i. Any damage to the grounds or cabin caused by the concessionaire shall be remedied by the concessionaire.
- 2) Widening of the road entrance from CR 129.
- 3) Improvements to the cabin road and parking area.
- 4) Expansion of the parking area to accommodate temporary steel building and parking.
- 5) Installing a CXT type toilet.
- 6) Remodeling the current cabin to allow for an outdoor education classroom & potential for winter concessionaire's use.
- 7) Provide outdoor education programs/classes to the public year round.
- 8) Any major improvements will be approved by the State Land Board Office prior to their start.

We are requesting that the following be removed from the Quealy Trail and cabins section in the "all conditions" page:

- 12) Speed limit on the trail shall be no more than 25 mph, and signs shall be posted.
Reasoning: Due to the evolution of mountain snowmobiles this is no longer feasible. They require snow circulation provided by the track to keep from overheating. This cannot be achieved on the hard pack trail that they are required to stay on. To prevent engine damage, these snowmobiles need to be able to

go faster than 25mph on this trail. Lower speeds force snowmobilers to dip off the designated trail to find powder to cool their engines.

16) A one-year snowmobile traffic study shall be conducted by Steamboat Lake State Park. **Completed**

17) After the 2004 - 2005 season the trail through the BLM property will be reviewed. Until that time, the proposed alignment shall be considered an approximate location. The permanent trail alignment shall be approved administratively. **Completed**

20) This amendment to the PUD Plan is contingent upon the purchase of the Quealy property by the State Land Board. **Completed**

January 06, 2023

Steamboat Lake State Park-Ryan Crabb
PO Box 750
Clark, CO 80428

Re: Quealy Property access PUD amendment MINOR AMMENDMENT

Dear Applicant,

Following are the comments regarding Routt County's plan review for the above referenced project. We are requesting additional information per the outline below. These items must be addressed through revised drawings and/or notes in order for us to complete the project review for the above referenced project.

Planning Review (Reviewed By: Sally Ross)

1. What will the steel building look like and will it be removed at the end of the winter?
Yes. See attached pic of exact building
2. How big will the parking area be? **No exact plans yet. Approximately 30'x80'**
What is the anticipated number of vehicles and snowmobiles that will be parked in this area? **Approximately 30 snowmobiles, mostly parked inside and 5 vehicles.**
3. Is there a proposal for signage that will be implemented? **Yes. Winter signage to keep public out at roadway and trail intersection.**
4. Will the motorized recreation crossing CR 129 increase? **No**
5. Will there be any site grading necessary to create the parking area? **Yes. Minimal.**
6. The parking area is adjacent to mapped wetlands. What precautions will be taken to prevent negative impacts to these wetlands? **Keep work away from wetlands. Place soil erosion barrier matting where necessary.**
7. Will maintenance of snowmobiles take place on site? **Minimal repairs.** If so, what precautions will be taken to prevent environmental impacts from such activities? **These are oil injected machines so no fluid changes are required.**
8. State Parks are exempt from obtaining building permits from Routt County. What process will be put in place to ensure that the cabin is safe for members of the public that are using it. **It will be engineered by our State engineers.**
9. Please provide more details on what the summer programming at the cabin will consist of. This should include frequency and number of participants. **Unknown. Best guess is once per week with 12 participants. Could be more or less depending on interest.**
10. Will any visual mitigation measures be employed to help mitigate the visual impacts of the parking area and steel building? **Not other than 8ft plow banks and 400in of snow.**
11. The current access is immediately adjacent to a mapped waterbody. Please provide plans

for the widening of the access that is protective of, and minimizes impacts to, this waterbody. There is already a culvert in place that is wide enough to accommodate the necessary widening of the access so there will be minimal, if any, digging. Material will be brought in from the local gravel pit to widen the entry. This is on the other side of CR 129 from Steamboat Lake and 500 yards away. There will be no impact to the water body.

12. Will there be any outdoor lighting?

The office trailer and the temporary building both have low output, downward facing lights that are used minimally. There are currently no plans for exterior lighting on the cabin.

Once you have uploaded answers to these questions in the portal, please let me know that you have done so. If I can provide any further information, please feel free to contact me at (970) 879-2704 or by email at sross@co.routt.co.us.

Sincerely,



136 6th St., Suite 200
Steamboat Springs, CO 80487
970-879-2704

www.co.routt.co.us/Planning

A handwritten signature in cursive script that reads 'Sally Ross'.

Sally Ross, Planner II
Routt County Planning Department



Winter only concessionaire connector trail

Proposed vault toilet
Parking area to be improved

Cabin to be remodeled for outdoor ed classroom

Proposed snowmobile concessionaire staging

Steamboat Lake Shop Complex

Entrance to be improved

29

129





SHARP, SHERMAN & ENGLE LLC

Attorneys and Counselors at Law
401 Lincoln Avenue
P.O. Box 774608
Steamboat Springs, Colorado 80477
Telephone: (970) 879-7600 FAX: (866)-247-8614
bhinchman@steamboatlawfirm.com

MELINDA H. SHERMAN
GARY S. ENGLE
BRYCE K. HINCHMAN

Of Counsel
THOMAS R. SHARP

February 5, 2023

Via Email to sross@co.routt.co.us only

Routt County Planning Department
c/o Sally Ross
136 6th Street, Suite 200
Steamboat Springs, CO 80487

**Re: *Comments Regarding Routt County Planning Project No. PL20220101
Quealy Property Access Minor Amendment***

Dear Ms. Ross,

This law office represents Ty Lockhart, a member of Remnant Investors, LLLP. Remnant Investors owns Lot 5, Lucky Camp Filing 3, a subdivision bordering the Steamboat Lake State Park P.U.D. Mr. Lockhart was recently notified as an adjacent landowner of a proposal to amend the Steamboat Lake State Park P.U.D. Specifically, the amendment proposal seeks to modify certain P.U.D. restrictions encumbering the “Quealy Parcel” and introduce a new staging area for commercial snowmobile operations to use in accessing nearby U.S. Forest Service lands (“P.U.D. Amendment”).

By this letter, we submit Mr. Lockhart’s concerns regarding certain aspects of the P.U.D. Amendment which would eliminate an important safeguard imposed by Routt County for the purpose of mitigating noise and promoting public safety. Perhaps of greater significance, the proposal would radically alter the status quo at the Quealy Parcel, which has historically been managed as passive open space with the Quealy Trail providing limited public access to the Medicine Bow-Routt National Forest.

If approved, the human footprint at the Quealy Parcel would be expanded to encompass a much larger area on the property beyond just the Quealy Trail. In place of open space, there would be a 1,200-square foot steel structure, approximately 30 snowmobiles and six trailers stored on-site, and an undefined number of passenger vehicles in a new parking lot. Groups of potentially 60 or more people would be concentrated into a staging area with insufficient facilities to suit basic sanitation needs, as they would have access to just a single portable toilet on-site. It is also foreseeable that the multi-use Quealy Trail would be converted into a high-speed drag strip of sorts for snowmobile users to test their equipment before venturing onto Forest Service lands. Lastly,

if refueling is to occur on the property, or repairs of any nature to the snowmobiles, then the use of hazardous materials with the potential for waterbody contamination must be considered as well. While this proposal is framed as a minor amendment, it in effect requests a major expansion of use that is neither contemplated in, nor expressly permitted by the current P.U.D. Mr. Lockhart's specific concerns with the proposal are set forth below. Separately, Mr. Lockhart may have received improper notice of the P.U.D. Amendment proposal as an adjacent landowner, and further objects on such a basis.

A. *Quealy Parcel P.U.D. History*

The existing P.U.D. for Steamboat Lake State Park was conditionally approved by County Commissioners in November of 2004, when the 168-acre Quealy Parcel was rezoned to Outdoor Recreation and incorporated into the Steamboat Lake P.U.D. by way of amendment ("2004 P.U.D. Approval"). In granting its conditional approval, Routt County required that the public remain on the Quealy Trail at all times, thereby limiting impacts to an area less than 30 feet wide through a narrow strip of the property. This condition reflects an intent to maintain the Quealy Parcel primarily as open space, with the trail used for ingress and egress to adjacent National Forest Lands. It does not contemplate high-intensity uses on other areas of the property outside of the Quealy Trail as is now proposed in the P.U.D. Amendment. At the time of the purchase, in County Commissioners' minutes dated November 23, 2004, the Steamboat Lake State Park manager emphasized that "... the property would provide many benefits to the SLSP besides the multiple-use trail, including providing a buffer between SLSP and surrounding private property, and protecting the view shed towards Hahn's Peak."

The 2004 P.U.D. Approval permitted public use of the Quealy Trail for both motorized and non-motorized recreation. As a multi-use connector trail, a speed limit of 25 miles per hour was required in accordance with posted signage. The imposition of a speed limit was a compromise position following significant public comment during the 2004 P.U.D. Approval process. At that time, area residents mobilized to voice their concerns about engine noise and public safety issues stemming from commercial snowmobile use of the nearby "Poverty Bar Trail" easement. The Planning Commission responded to these concerns – including concerns raised by Mr. Lockhart and other lot owners in the Lucky Camp subdivision – by crafting a set of commonsense rules to lessen the impacts of commercial snowmobile use upon neighboring privately-owned lands. Establishing a 25 mile per hour speed limit was one of such rules adopted by the Board of County Commissioners after careful review of the same during its review process.

B. *Noise and Safety Concerns*

In an effort to erode a material condition of approval in the existing P.U.D., the current proposal now seeks to eliminate the speed limit entirely for the Quealy Trail. The applicant states that modern snowmobiles must travel at speeds in excess of 25 miles per hour to prevent engine damage, and therefore, the applicant contends that a speed limit should not be required. It is important to consider the practical implications of such a request from both a noise and public safety perspective. Many modern snowmobiles are capable of sustained speeds of 70 to 120 miles per hour. This presents a scenario in which inexperienced snowmobile users would be

concentrated on the Quealy Trail with both foot traffic and other motorized users, traveling at speeds comparable to a passenger vehicle, and without posted signage to curb excessive speeds.

Beyond bona fide safety concerns, having a posted speed limit reduces noise and reminds snowmobile users that their behavior affects others around them. The Quealy Parcel is not a snowmobile park; it is public land upon which reasonable, site-specific restrictions have been imposed by Routt County, striking a balance that allows limited snowmobile operations to occur in a manner that does not materially interfere with the use and enjoyment of privately-owned lands adjacent to the P.U.D. boundary.

Eliminating a defined speed limit for the Quealy Trail would encourage reckless speeds and result in increased engine noise that is audible to nearby property owners, such as those in the Lucky Camp subdivision. According to a study conducted by the University of Northern Colorado, “Snowmobiles have been measured at 86 decibels (dB) at an idle, to 113 dB at full throttle using a sound level meter.” For purposes of comparison, car horns are in the range of 110 dB. The outfitter could in theory have as many as 30 snowmobiles in use at one time on the Quealy Parcel while mobilizing tour groups, each snowmobile capable of generating noise roughly equivalent to a car horn. In that regard, it is important for the County to consider potential cumulative noise impacts to the surrounding area.

Approving the P.U.D. Amendment in its present form would condone commercial activities that could be perceived as a private nuisance impacting nearby landowners. Mr. Lockhart’s lot line at Lucky Camp sits less than 300 feet from the snowmobile access route. He and other private landowners in the vicinity would be materially impacted by the noise and intensity of use now proposed on the Quealy Parcel. To the extent any activities proposed by the P.U.D. Amendment would entail summer access to the Quealy Parcel, those activities are opposed as well.

C. *Impacts to Critical Wildlife Habitat*

In addition to noise and public safety concerns, eliminating the speed limit through the Quealy easement has the potential to negatively impact unique winter habitats found at Steamboat Lake State Park. For example, the area surrounding Steamboat Lake State Park is mapped by Colorado Parks and Wildlife (“CPW”) as Bald Eagle Winter Range and Winter Forage Area. Bald Eagles are designated a Tier 2 “Species of Greatest Conservation Need” in CPW’s 2015 State Wildlife Action Plan. The presence of a large waterbody provides one of the only locations in the Elk River Valley north of Clark where Bald Eagle Winter Range is found. Increased engine noise from speeding snowmobiles threatens to degrade the quality of critical wildlife habitat for Bald Eagles and other threatened species in the area. In the updated Routt County Master Plan, Policy 11.6 requires that the County “[c]onsider impacts on wildlife before approving new recreational uses, residential developments, and other developments and permits.”

D. *Failure to Comply with Zoning Regulations*

The procedure governing minor amendments to a P.U.D. is set forth in Section 7 of the Routt County Zoning Regulations. Section 7.3 provides that “[a]ny new or amended PUD shall comply

with *all* of the following: (A) The PUD shall be consistent with the intent and policies of the Master Plan and *any applicable sub-area plans*. (B) The PUD shall comply with all applicable standards and mitigation techniques listed in Sections 5, 6, 7, and 9 of these regulations” (emphasis added).

The proposal does not comply with all of the above requirements as needed for a minor P.U.D. amendment. For example, Section 5.1.5 of the Zoning Regulations prohibits the outdoor storage of materials, including machinery, equipment, parts, and vehicles. Maintaining a fleet of over 30 snowmobiles and six trailers on-site does not comply with this requirement. Section 6 of the Zoning Regulations sets forth standards that apply to all P.U.D. Plans being considered by the Planning staff, under which 6.1.1 provides that “[t]he proposal shall be consistent with public health, *safety* and welfare” (emphasis added). Removing speed restrictions governing the use of high-speed recreational vehicles in a multi-use area that is open to motorized and non-motorized users would create inherently dangerous conditions on the ground, in a manner inconsistent with the requirements of Section 6.1.1 of the Zoning Regulations.

The uses contemplated through the P.U.D. Amendment are also inconsistent with the applicable sub-area plan, the Upper Elk River Valley Community Plan (“Community Plan”). The Recreational Uses and Public Lands chapter of the Community Plan expressly acknowledges the problems caused by the interface of motorized and non-motorized recreational users in the North Routt area. The Community Plan states: “Problems have surfaced, because of the increase of users, such as ... conflicts between motorized and non-motorized users ... noise and odor complaints from residential neighborhoods (incompatible uses) ... overcrowding at trailheads and trailhead proximity to residential neighborhoods ... sanitary issues at trailheads and at the amenities that serve tourists and locals.”

Specific provisions in the Community Plan that are in conflict with the P.U.D. Amendment include, but are not limited to:

Section 2.2.2 (Challenges and Opportunities): “Conflicts between snowmobiles and non-motorized uses such as cross-country skiing and snowshoeing have increased as the number of users grows.”

Section 2.2.4 (Policies): “(5) The cumulative impacts of additional uses should be considered when determining their appropriateness. (6) Guided tour routes should be located and operated to avoid negative impacts on residential areas. (7) The extent of new commercial recreational uses shall be determined by the constraints upon them, including, but not limited to, parcel size, topography and geologic stability, wildlife, wildlife, access and impacts to the County Road system, proximity to incompatible uses, and the cumulative impacts of all applicable uses in the area. (12) New permitted recreational uses shall be located away from or have their impacts buffered from defined residential neighborhoods. (14) Separate non-motorized from motorized uses to avoid conflicts.”

Section 2.3.4 (Policies): “(3) Direct winter recreation activities away from critical winter wildlife habitat and movement areas.”

In particular, Section 2.2.4, subsections (6) and (7) should receive due consideration in light of the proximity of the proposed winter staging area to the Lucky Camp subdivision.

The P.U.D. Amendment does not comply with all applicable standards in the Zoning Regulations, including the requirement that it comply with all sub-area plans (i.e., the Community Plan), and should be denied on such a basis.

E. Conclusion

For the above reasons, Mr. Lockhart respectfully requests that the Routt County Planning Commission deny the petition for a minor amendment to the Quealy P.U.D.

We thank you for your time and consideration of the foregoing.

Sincerely,

SHARP, SHERMAN & ENGLE, LLC



Bryce K. Hinchman, Esq.

cc: Melinda H. Sherman, Esq.
Ty Lockhart

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1 of 2

LEGAL DESCRIPTION:

Steamboat Lake State Park - Located in Sections 19, 20, 29, 30, 31, and 32, T10N, R85W, and Sections 24, 25, and 36, T10N, R86W of the 6th PM, Routt County, Colorado

OWNER'S ACCEPTANCE:

Steamboat Lake State Park, does hereby accept for themselves, and for their heirs and assigns, the conditions and uses set forth on this PLANNED UNIT DEVELOPMENT (PUD) Plan under the following conditions:

Even though not required by law, Steamboat Lake State Park has participated in Routt County Planning processes on several of their key development projects. This has been done to gather additional public input and coordinate efforts with local government. It is understood that the authority to approve projects on State Park property rests with the State Parks Board and the Director of State Parks. The future decisions related to participation in these planning processes also rests with the State Parks Board. All county planning documents such as PUDs and SUPs are signed in recognition that the processes have been completed but Routt County has no legal authority to enforce the conditions of approval listed.

Ken Brink Jr.
Ken Brink Jr., Park Manager V, Steamboat Lake State Park

NOTARY:

State of Colorado

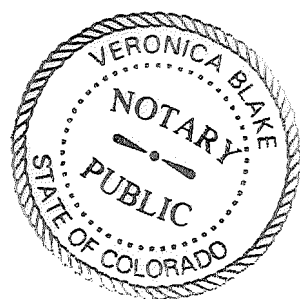
County of Routt

The foregoing acceptance was acknowledged before me this 22 day of March, 2006 by Ken Brink Jr.

My commission expires on 9-21-06

Witness my hand and official seal

Veronica Blake
Notary Public



STEAMBOAT LAKE STATE PARK

FINAL PLANNED UNIT DEVELOPMENT PLAN

PZ2004-019



CONDITIONS OF APPROVAL

RCRPC-02/16/1995 Park Plan, except for Sage Flats and Placer Cove—Final PUD—PZ1995-009

- This approval shall become effective upon recording of the Steamboat Lake State Park Master Plan, dated 11/17/94, as amended, as the Final PUD plan for the areas of the park not including the Placer Cove and Sage Flats areas. These areas will continue to have the Conceptual PUD plan approval from January 24, 1995 in place until the required additional site planning information is submitted and approved by Planning Commission as the Final PUD plans for those areas.
- All Colorado Dept. of Health and Routt County Dept. of Environmental Health standards and Building codes shall be complied with.
- All easements, apparent and of record, shall be shown and noted on the PUD plan.
- Sub-area plans shall be submitted to Planning Staff for Placer Cove and Sage flats, and surrounding areas, at least four weeks prior to the Planning Commission review. The plans shall include:
 - *Parking areas, pedestrian and vehicular circulation, and building locations, materials and colors, scale, mass, lighting, landscaping, berming and screening, and other details of the site design.
 - *All other facilities such as the full service campgrounds and picnic areas.
 - *Horse facilities (to include commercial riding staging areas), and any other proposed structures or improvements.
 - *Landscaping plan for the property shall be submitted to Planning Staff for approval prior to issuance of any building permits.
 - *Phases with development of the project.
- Site improvements for the Dutch Hill campground and the Sunrise Vista campground shall comply with requirements set forth by the North Routt Fire Protection District.
- Camper Services Buildings and other improvements within the Dutch Hill and Sunrise Vista Campgrounds should be landscaped and/or screened with native vegetation, and should be compatible with other structures and facilities at the park.

RCPC, 01/23/1997 Final PUD Amendment—PZ1996-010

- This approval is for the Visitor Center and surrounding grounds as shown on the site plan only. Any other future development in Placer Cove is subject to review and Final PUD approval as per the conditions of the 2/26/95 approval of the Final PUD for the remainder of Steamboat Lake State Park.
- This approval shall become effective upon recording of the Final P.U.D. plan.
- All Colorado Department of Health and Routt County Department of Environmental Health standards and Building codes shall be complied with.
- All easements, apparent and of record, shall be shown and noted on the PUD plan.
- A detailed landscape plan, including lighting, drainage, entry signage, plant material, and the details for the "observation tower" shall be submitted and approved by the Planning Director prior to issuance of final building permit. They shall be evaluated upon their ability to screen parking and minimize light disturbance to Hahns Peak Village.
- The "observation tower" will be designed to be of similar materials, color and architecture as the Visitors Center and shall not be lighted.
- The parking lot will not be used for commercial snowmobile operations, except for State Park or Search and Rescue usage, without prior approval of the Planning Director. The Planning Director, at her (his) discretion, can present any concerns to the Planning Commission for review and approval.

BCC, 03/18/2003 Poverty Bar Trail—Final PUD Amendment - PZ2002-012

- This approval shall become effective upon recording of the Final PUD Plan.
- All easements, apparent and of record, shall be shown and noted on the PUD plan.
- Steamboat Lake State Park shall be responsible for routine patrolling of the new trail, shall respond to trespass and misuse complaints, and shall be responsible for dust mitigation if needed.
- The State Park shall develop a sign plan to be approved by the Planning Director. The signing shall address non-motorized use, trespass, private property, multiple use, seasonal use, emergency access, County Road 129 crossing and parking issues. Signage shall be posted at both ends of the trail and along the trail as is appropriate.
- All other applicable conditions of the Steamboat Lake PUD Plan (1995) as amended (1997) shall continue to apply.
- Trail use shall be for summer non-motorized use only from May 1 through October 31, weather and trail conditions permitting.
- The State Park shall develop a fencing and trail construction plan designed to deter trespassing while minimizing the impact to wetlands. All necessary permits and reviews required for waterbody setbacks or impacts to wetlands shall be provided to the Planning Administrator for approval.
- The operator shall prevent the spread of noxious weeds to surrounding lands, and comply with the Colorado Noxious Weed Act and the Routt County noxious weed management plan.
- The use of this trail by commercial guides and outfitters for equestrian tours shall be prohibited.
- If in the future the winter use of this trail becomes a problem, each end of the trail will be gated during the winter and/or signed stating that no winter use is allowed.

BCC, 12/23/2004 Quealy Trail, Cabins—PZ2004-018

- This approval shall become effective upon recording of the Final PUD Plan. Such Plan shall be recorded within 12 months of approval. An extension of an additional 6 months may be approved by the Planning Administrator.
- All access easements, apparent and of record, shall be shown and noted on the PUD Plan.
- Under no circumstances, except for emergencies, shall any snow machines operate on the winter multi-use trail on the 168-acre parcel (Quealy Parcel) between April 15th and June 20th, subject to change with DOW recommendation.
- Steamboat Lake State Park shall be responsible for routine patrolling of the new trails and shall respond to trespass and misuse complaints.
- All other applicable conditions of the Steamboat Lake PUD (1995) and as amended (1997 and 2003) shall continue to apply, and shall be reflected on the Final PUD Plan.
- Prior to issuance of building permits, the Planning Commission shall review (and approve, if applicable criteria are met) the site plan for the cabins, including their capacity and size, parking, trails and other associated improvements on the Quealy parcel.
- Any additional cabins and changes in use shall require an amendment to this PUD.
- The Quealy trail will be open to both motorized and non-motorized users. The trail shall be open to the public from Thanksgiving to April 15th. Snow conditions permitting, the trail may open earlier in the year with notice to the Planning Director. Hours of operation shall be restricted to State Park day-use hours, except for emergencies and groomer operation.
- The summer non-motorized trail shall be open seasonally when conditions allow, to be determined by Steamboat Lake State Park. Hours of operation shall be restricted to State Park day-use hours except for emergencies.
- The design and materials used to construct the cabins shall be consistent with those generally used in the area.
- Parking for access will not be allowed on CR 129. General parking for motorized use shall be adjacent to Steamboat Lake Marina.
- Speed limit on the trail shall be no more than 25 mph, and signs shall be posted.
- Public shall stay on the trail at all times. Signs shall be posted informing the public to stay on the trail.
- Caution or stop signs shall be posted at the intersection of FS 410 and this trail.
- All exterior lighting on the cabins shall be downcast and opaquely shielded.
- A one-year snowmobile traffic study shall be conducted by Steamboat Lake State Park.
- After the 2004 - 2005 season the trail through the BLM property will be reviewed. Until that time, the proposed alignment shall be considered an approximate location. The permanent trail alignment shall be approved administratively.
- Intensity of use, levels of capacity, compliance and environmental impacts shall be monitored. An annual monitoring report shall be submitted to Planning Staff and related agencies.
- Cabin users shall be educated regarding the Sandhill Crane nesting area, and advised of the restricted use of the area between April 15th and June 20th.
- This amendment to the PUD Plan is contingent upon the purchase of the Quealy property by the State Land Board.

ROUTT COUNTY PLANNING COMMISSION APPROVAL

The Planning Commission of Routt County Colorado approved this Final Planned Unit Development Plan at a meeting of said commission held on November 4, 2004.

Donald J. Alpert
Donald J. Alpert, Chairman

ROUTT COUNTY BOARD OF COUNTY COMMISSIONERS

This P.U.D. Plan approved for filing this 28th day of March, 2006.

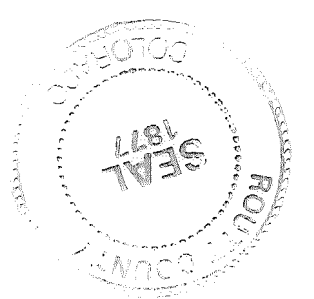
Douglas B. Monger
Douglas B. Monger, Chairman

Attest: *Kay Weinland* By *Peggy S. Murphy*
Kay Weinland, County Clerk Chief Deputy Clerk

ROUTT COUNTY CLERK AND RECORDER'S ACCEPTANCE:

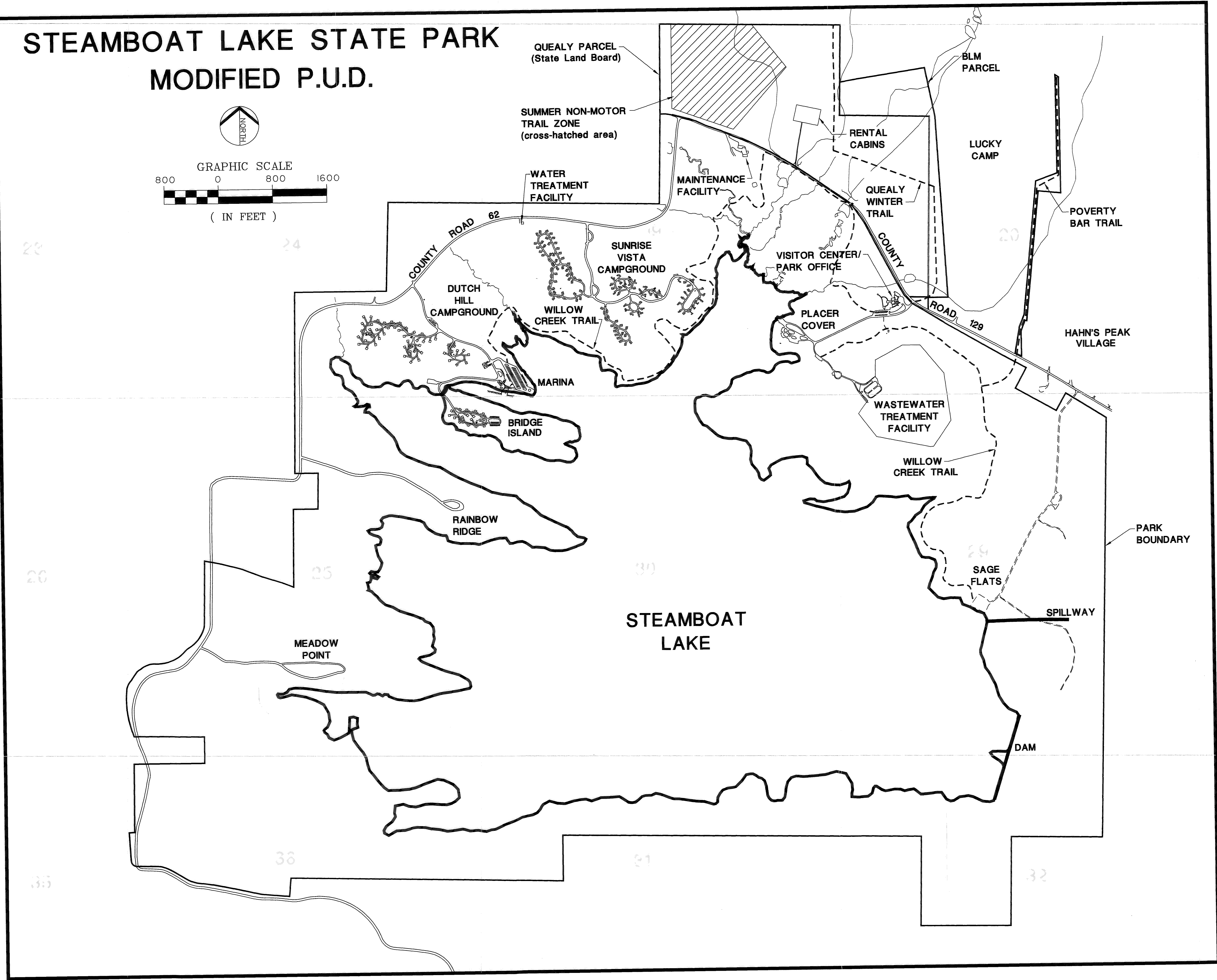
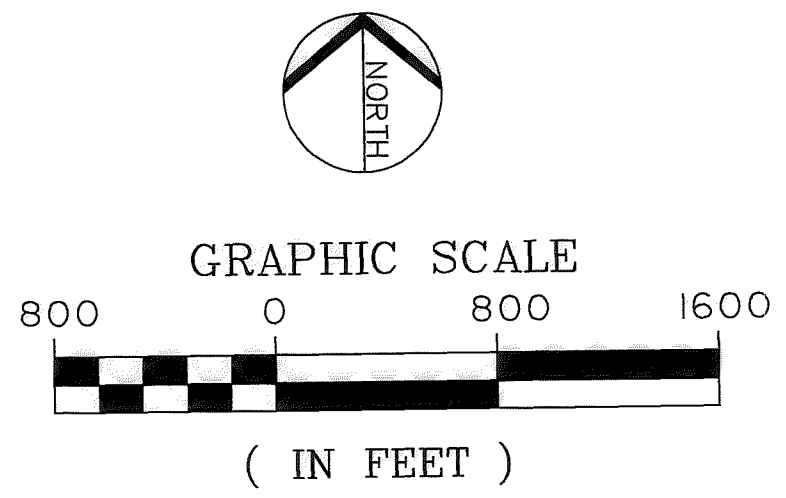
This Planned Unit Development Plan is accepted for filing in the office of the Clerk and Recorder of Routt County, Colorado on this 28th day of March, 2006.

Kay Weinland By *Peggy S. Murphy*
Kay Weinland, County Clerk Chief Deputy Clerk



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2 of 2

STEAMBOAT LAKE STATE PARK MODIFIED P.U.D.



RANGE 86 WEST RANGE 85 WEST

TOWNSHIP 10 NORTH

COLORADO DIVISION OF
PARKS
& OUTDOOR RECREATION



Ken Brink
PARK MANAGER
David Giger
REGIONAL MANAGER

DESIGNED: PRB
DRAWN: QCAD.SLW
FILE: PUDMOD2.dwg
DATE: 9-21-04

SHEET 1 OF 1 SHEETS

STEAMBOAT LAKE STATE PARK
PLANNED UNIT DEVELOPMENT
2004 MODIFICATION

13591



Page 2 of 2

RECEPTION#: 635207, 03/28/2006 at 12:00:00 AM, 2 of 2, Jenny Thomas, Routt County, CO