

MEETING MINUTES
GRAND COUNTY BOARD OF COUNTY COMMISSIONERS
GRAND COUNTY DEPARTMENT OF SOCIAL SERVICES
GRAND COUNTY BOARD OF HEALTH
GRAND COUNTY HOUSING AUTHORITY

May 25, 2021

Present: Commissioner Richard D. Cimino, Commissioner District 1
Commissioner Merrit S. Linke, Commissioner District 2- Chair
Commissioner Kristen Manguso, Commissioner District 3

Also Present: County Clerk and Recorder Sara L. Rosene
County Manager Ed Moyer
Assistant County Manager Micah Benson
County Attorney Chris Leahy
Assistant County Attorney Maxine LaBarre-Krostue

Those present recited the Pledge of Allegiance.

Commissioner Cimino moved to approve the Minutes of the May 18, 2021 Board of Commissioners meeting. The motion passed unanimously.

Housing Authority

Commissioner Linke announced the Board is sitting as the Grand County Housing Authority.

Commissioner Manguso moved to waive the purchase option for Unit 9 Balcony and direct staff to bring for amendments to the Restrictive Covenants to allow the HOA to purchase and other amendments as necessary. Discussion: Before the sale, the restrictions have to be in place. Before completing the sale, please provide the restrictive covenants to the Board.

Commissioner Manguso aye

Commissioner Cimino no

Commissioner Linke aye

The motion passed.

Commissioner Linke announced the Board is sitting as the Grand County Board of Commissioners.

General Public Comments

Mariette McGrath expressed concerns over vaccination of children.

Dennis Johnson came to discuss a zoning violation notice that he received.

Finance Department

Commissioner Cimino moved to apply for the American Rescue Plan Act Funds and authorize County Manager Moyer to be the authorized signer.

The motion passed unanimously.

Finance Director Curtis Lange presented the Check Register and Expenditure List to be paid on May 26, 2021, for vendor payments. The list for this period was verified for the Board's approval.

Commissioner Cimino moved to approve the checks presented on May 25, 2021, for payment on May 26, 2021, for the Grand County Housing Authority.

The motion passed unanimously.

Finance Director Curtis Lange presented the Warrant Register and Expenditure List to be paid on May 26, 2021, for vendor payments. The list for this period was verified for the Board's approval.

Commissioner Cimino moved to approve the vouchers presented on May 25, 2021, for payment on May 26, 2021, for the Grand County Department of Human Services.

The motion passed unanimously.

Commissioner Cimino moved to approve wire payment, vouchers, and interfund transfers presented on May 25, 2021, for payment on May 26, 2021, for Grand County.

The motion passed unanimously.

	East Troublesome Fire			
	COVID-19	Paid	Unbilled but expected	Total Fire
2020 Cares Act/ETFire Reimbursement Allocation	\$ 701,883	\$ 20,388		\$ 20,388
Less:				
2020 Personnel costs	\$ 381,135	\$ 243,829		\$ 243,829
2020 Grand Foundation programs funded	\$ 230,000			\$ -
2020 Rural Health grant	\$ 10,000			\$ -
2020 Other operating costs	\$ 115,852	\$ 254,503	\$ 56,813	\$ 311,316
Total 2020 costs	\$ 736,987	\$ 498,332	\$ 56,813	\$ 555,146
Net 2020 (costs) after reimbursements	(\$ 35,104)	(\$ 477,944)	(\$ 56,813)	(\$ 534,758)
2021 Reimbursements Requested	\$ -	\$ -	\$ -	\$ -
Less:				
2021 Personnel costs	\$ 183,025	\$ -		\$ -
2021 Grand Foundation programs funded	\$ -			\$ -
2021 Rural Health grant	\$ -			\$ -
2021 Other operating costs	\$ 13,531	\$ 3,298		\$ 3,298
Total 2021 costs	\$ 196,556	\$ 3,298	\$ -	\$ 3,298
Net 2021 (costs) after reimbursements	(\$ 196,556)	(\$ 3,298)	\$ -	(\$ 3,298)
Total Costs after reimbursements	(\$ 231,660)	(\$ 481,243)	(\$ 56,813)	(\$ 538,056)

Unrestricted Fund Balance calculation	
2020 Operating Expenditure Budget	\$ 20,172,000
2019 Unrestricted Fund Balance	\$ 6,194,000
2020 estimated unrestricted funds increase	\$ 400,000
Projected 2020 Unrestricted Fund Balance	\$ 6,594,000
	33%

Departmental Contracts, Comments, Issue

Commissioner Cimino moved to approve the renewal of the Retail Marijuana Store License for Serene Wellness V LLC dba Serene Wellness Winter Park as presented. The motion passed unanimously.

Commissioner Cimino moved to approve the renewal of the Tavern Liquor License for Todd Gold, Managing Member of Tenco, LLC dba Red Dog Saloon as resented. The motion passed unanimously.

Commissioner Cimino moved to approve the renewal of the Retail Liquor Store for John R. Waller, Owner of Discount Liquor Store as presented. The motion passed unanimously.

Commissioner Cimino moved to approve the Approved Task Order Contract Waiver #154 between the State of Colorado Department of Public health and Environment Division of Environmental Health and Sustainability and Grand County Department of Public Health in the amount of \$15,000 for Environmental Health individual. To be signed via Docusign. The motion passed unanimously.

Commissioner Manguso moved to approve Contract Amendment 2019*0273 Amendment #5 between Grand County and Colorado Department of Public Health and Environment for Core Public Health Services in the amount of \$295,376.22 and authorize the Chair to sign all applicable documents. The motion passed unanimously.

Commissioner Manguso moved to approve and sign the FAA Airport Improvement Program Grant Agreement No 3-08-0075-014-2021 and authorize the Chair to sign applicable documents for the Granby-Grand County Airport in the amount of \$779,571. The motion passed unanimously.

Commissioner Manguso moved to approve Resolution No. 2021-5-18, "A RESOLUTION APPROVING ADOPTION OF THE GRAND COUNTY MINOR SUBDIVISION REGULATIONS, COUNTY OF GRAND, STATE OF COLORADO" with an effective date of June 1, 2021. The motion passed unanimously.

Commissioner Manguso moved to approve Resolution No. 2021-5-20, "AMENDMENT TO RESOLUTION NO. 2021-1-29 TEMPORARY EMERGENCY PLANNING AND ZONING AND PERMIT FEES RELIEF

FOR HOMEOWNERS AFFECTED BY FIRE DAMAGE TO THEIR HOMES AND COMMERCIAL STRUCTURES ASSOCIATED WITH THE EAST TROUBLESOME FIRE LOCAL DISASTER EMERGENCY DECLARED IN RESOLUTION NUMBER 2020-10-22”

The motion passed unanimously.

Community Development Director Robert Davis reported that there have been some air quality complaints in the Fraser Valley. The State will be looking into the matter.

Grand County Board of Health

Commissioner Linke announced the Board is sitting as the Grand County Board of Health.

Presented by Public Health Director Abbie Baker.

The case rates in Grand County continue to stay low. As of today, Grand County has six cases over the last seven days and seven cases over the last 14 days. The positivity rate 6.56 percent.

Grand County Public Health offered a vaccine clinic at Middle Park High School this weekend. There were approximately 117 vaccines provided. Many of those were second doses.

Over the last week there were 415 vaccines administered in Grand County. That brings Grand County to between 59 and 60 percent immunity for those eligible to receive vaccine. The state considers 59.7 percent of Grand County population to have received at least one dose. With natural immunity, Grand County is at approximately 61 percent.

Grand County is ranked 17th highest in vaccine uptake. For case transmission, Grand County is the 8th lowest in the state.

The vaccines are considered 94 percent effective overall including variant exposures.

Grand County had two breakthrough cases.

Grand County is moving from masks requirement to masks recommended.

Grand County will be rescinding the Public Health Order.

There are current zero hospitalizations and zero outbreaks in Grand County.

Commissioner Linke announced the Board is sitting as the Grand County Board of Commissioners.

Manager & Attorney Items

The planned Environment Assessment for Windy Gap Connectivity Channel was submitted to the NRCS Water Management Center for review. After the review, it will go out for final public scoping.

Mr. Moyer thanked for the volunteers who worked on sandbagging.

Mr. Moyer reported that he testified on the Watershed Protection Program bill.

Consent Agenda

Resolution No. 2021HA-5-13, “APPROVING AN APPLICATION FOR EXEMPTION FROM THE AFFORDABLE HOUSING TRANSFER FEE IMPOSED BY THE RESTRICTIVE COVENANTS OF THE RANCHES AT DEVIL’S THUMB, RELATED TO REAL PROPERTY LOCATED AT LOT 9, THE RANCHES AT DEVIL’S THUMB, GRAND COUNTY, COLORADO”

Resolution No. 2021-5-14, “APPROVING A BUDGET ALLOCATION TO SUPPORT LOGISTICS FOR SITE SURVEY AND ASSESSMENT WORK RELATED TO THE EAST TROUBLESOME FIRE”

Resolution No. 2021-5-15, “APPROVING AMENDMENT #2 TO RESOLUTION NO. 2020-12-11 AND THE CONSTRUCTION CONTRACT BY AND BETWEEN ACORD ASPHALT, INC. AND GRAND COUNTY FOR THE 2020 ROAD REHABILITATION PROJECTS”

Resolution No. 2021-5-16, "APPROVING REMOTE WORK FOR COMMUNITY DEVELOPMENT LEED GREEN ASSOCIATE"

Resolution No. 2021-5-17, "APPROVING AN APPLICATION FOR THE COLORADO DEPARTMENT OF HUMAN SERVICES, OFFICE OF EARLY CHILDHOOD, PROMOTING SAFE AND STABLE FAMILIES (PSSF) GRANT"

Commissioner Cimino moved to approve Consent Agenda.
The motion passed unanimously.

Fire Recovery Update

Presented by Emergency Manager Joel Cochran.

The work on getting sandbags done was great. There was a community meeting last night and it went well.

Alyssa Ingle, Recovery Manager, stated that 3,000 sandbags were completed.

The Southern Baptists are back in Grand County and have started site assessments. Debris removal crews are coming soon.

The Recover Task Force teams have been meeting twice per month and will be moving to once per month. Long term recovery is being worked on now.

Micah Benson reported the SGM is coming tomorrow to perform site visits.

Consideration of Ballot Question Concerning Elected Official Term Limits

The Board gave direction to draft ballot questions for term limits for all county elected officials. The ballot questions will be on the 2021 ballot.

Board Business / Comments / Calendar

Commissioner Cimino moved to approve the letter regarding the Boulder Wagon Road and directed staff to include copies to Boulder and Gilpin County Boards of Commissioners.

The motion passed unanimously

Amended Final Plat, Lot 1A, Grand Country Village

PROJECT NAME: Ryan Amended Final Plat
APPLICANT: Jeffrey Ryan
LOCATION: Lots 1 and 2, Grand Country Village Commonly known as: 1104 and 1126
County Road 86
ZONING: Tourist (T)
APPLICABLE
REGULATIONS: Grand County Zoning Regulations, Grand County Subdivision Regulations

ATTACHMENTS

- B. Development Application
- C. Project Narrative
- D. Proposed Amended Final Plat
- E. Grand Country Village Final Plat, recorded October 6th, 1967 at Reception no. 107531
- F. Vicinity and Detail Maps
- G. Special Warranty Deed, Reception no. 2021-002478
- H. Title Commitment effective February 5th, 2021
- I. Lots 1 & 2 Property Tax Receipts

STAFF PLANNER: Jacob Cote, Planner I

REQUEST: Approval of an Amended Final Plat to combine two adjacent, jointly-owned parcels to create a single larger lot on which to construct a single-family dwelling.

BACKGROUND AND HISTORY

Jeffrey Ryan, herein referred to as the "Applicant", has owned Lots 1 and 2 of the Grand Country Village subdivision since February 23rd, 2021 per Special Warranty Deed recorded at Reception no. 2021-002478. The parcels are currently both approximately ½ acre in size, and neither are yet developed. The properties created

through this Amended Final Plat would be serviced by well water and a septic system. The adjacent property to the northeast—Lot 52 of the Grand Country Estates subdivision—has a driveway which crosses over onto Applicant’s Lot 1. This is reflected on the Applicant’s submitted proposed Amended Final Plat.

The Grand Country Village Final Plat was recorded October 6th, 1967 at Reception No. 107531. It was originally platted with 35 parcels, all approximately 0.5 acres large. One other Amended Final Plat has been recorded in the subdivision which combined four adjacent lots into two larger lots.

PURPOSE OF REQUEST

The Applicant is pursuing this Amended Final Plat to combine two adjacent parcels—both of which are owned by the Applicant—to increase the buildable area and eliminate the potential of front, side, or rear yard encroachment.

STAFF COMMENTS AND ANALYSIS

This Amended Final Plat application is consistent with most AFP applications submitted to Grand County Community Development staff in that it is a request to combine adjacent lots, increasing the buildable area for the Applicant. This increase in buildable area will also make easier the establishment of well and septic systems on the parcel. The neighboring property’s driveway—shown on the Preliminary Plat—is being addressed by the Applicant privately.

The subject property is directly surrounded by single family residential uses with lot sizes ranging from .58 acres to 1.37 acres.

PLANNING COMMISSION RECOMMENDATION

The Grand County Planning Commission heard the application for this Amended Final Plat at a regularly-scheduled meeting on April 14th, 2021 and unanimously recommends approval of the Amended Final Plat, Lot 1A, Grand Country Village. The following conditions shall be met prior to the recording of the Amended Final Plat:

1. The Title of the Amended Final Plat shall be written as recommended in this Certificate of Recommendation.
2. The street adjacent to the parcel’s front property line shall be labeled as GCR 86 as recommended.
3. The Dedication shall be amended as recommended.
4. The approved property address of 1126 Grand County Road 86 shall be placed on the Final Plat Mylar as recommended.
5. Final Plat shall reverse the original lot names shown on the Plat near the front lot lines to accurately reflect the original locations of Lots 1 and 2.
6. An electronic copy of the Final Plat shall be submitted as recommended.
7. All recording fees are to be paid by the Applicant.
8. Quit Claim Deeds to describe the amended legal description of the parcels shall be completed and recorded with the Grand County Clerk and Recorder’s Office.

The Board expressed concern over the driveway on the property.

The Board gave direction to table the decision until the driveway issue can be cleared up.

2nd Amended Final Plat, Lot A, Amended Final Plat, Lot A and Lot 5; and Lot 6, Wildacres First Filing

PROJECT NAME: Amended Final Plat, Lot A, Wildacres Subdivision
APPLICANT: Stephen and Patricia Trunck
LOCATION: Lot A, Amended Final Plat Lot A, Lot 5 and Lot 6, Block 5, Wildacres Subdivision, First Filing
ZONING: Residential (R)
APPLICABLE REGULATIONS: Grand County Zoning Regulations, Grand County Subdivision Regulations

ATTACHMENTS

- B. Development Application
- C. Project Narrative
- D. Proposed Amended Final Plat
- E. Wildacres Subdivision, First Filing Final Plat, Reception no. 91063
- F. Amended Final Plat Lot A, Lot 5 and Lot 6, Block 5, Wildacres Subdivision, First Filing, Reception no. 2005-007430
- G. Vicinity and Detail Maps
- H. Warranty Deed, Reception no. 2005-008041
- I. Title Commitment effective March 3rd, 2021
- J. 2020 Property Tax Receipt

STAFF PLANNER: Jacob Cote, Planner I and Alexander Taft, LEED Green Associate
REQUEST: Approval of an Amended Final Plat to remove the no-build zone and building envelope from Lot A, and to clarify access easements.

BACKGROUND AND HISTORY

Stephen Trunck, herein referred to as the “Applicant”, has owned Lot A, Block 5 of the Amended Final Plat Lot A, Lot 5 and Lot 6, Block 5, Wildacres Subdivision, First Filing since July 15th, 2005 per Warranty Deed recorded at Reception no. 2005-008041. The parcel is approximately 2.3 acres large and is undeveloped. The subject parcel will be serviced by Three Lakes Water and Sanitation District, public sewer and water via State issued well permitted.

The Wildacres, First Filing Final Plat was recorded March 8th, 1960 at Reception no. 91063. Lot A was then subject to an Amended Final Plat in 2005 (recorded at Reception no. 2005-007430), as well as Lots 5 and 6 of the subdivision. This Amended Final Plat was intended to make Lot 6 developable, so Lots 5 and 6 were increased in size while Lot A was decreased in size.

PURPOSE OF REQUEST

The Applicant is pursuing this Amended Final Plat to eliminate the platted Building Envelope and No-Build Zone designated in the 2005 AFP.

STAFF COMMENTS AND ANALYSIS

This Amended Final Plat application will increase the developable area of the lot and permit potential access to the southern portion of the property, which cannot currently be accessed via driveway or structure due to the extent of the no-build zone. The Applicant—part of the original Amended Final Plat application process—has confirmed that it was a Grand County Community Development staff member who insisted on the inclusion of a building envelope and no-build zone on the property, citing concerns about the steep grade of the property.

It is Staff’s conclusion that the development potential for the property can be improved if the building envelope and no-build zone are removed from the Final Plat. All Grand County regulations pertaining to development (planning and zoning building permit reviews and plans examinations) will ensure safe development of the property, which appears to have been the original intent of the envelope and no-build zone. After a site visit, Staff also concluded that the building envelope was not intended to preserve view sheds for neighboring property owners; development outside the building envelope would not intrude upon any neighbor’s views.

PLANNING COMMISSION RECOMMENDATION

The Grand County Planning Commission heard the application for this Amended Final Plat at a regularly-scheduled meeting on May 12th, 2021 and unanimously recommends approval of the Second Amended Final Plat, Amended Lot A, Wildacres First Filing Subdivision.

The Planning Commission had questions about the subject driveway being on the neighbor’s property. The applicant stated they would apply for a driveway permit to ensure proper access will be addressed. The applicant also stated they would make sure the easement is recorded with the plat if there is a problem.

The following conditions shall be met prior to the recording of the Amended Final Plat:

1. A Plat note shall be added stating: This proposal is located within the geographic area of the county known as the Three Lakes Design Review Area and is subject to all design criteria of the overlay zoning district.
2. The Title of the Amended Final Plat shall read as shown in this recommendation.
3. The name of the street adjacent, commonly known as Meadow Road, shall be labeled GCR 4634 (Meadow Road).
4. The property owner shall ensure that proper access to the site will be addressed.
5. Statement by owner platting the property and dedicating the streets, rights-of-way, easements and any sites for public uses, to be in substantially as shown in this recommendation.
6. The existing address shall be placed on the Final Plat Mylar.
7. An electronic copy of the Final Plat shall be submitted as recommended.
8. All recording fees are to be paid by the Applicant.
9. Quit Claim Deeds to describe the amended legal description of the parcels shall be completed and recorded with the Grand County Clerk and Recorder’s Office.

The Board agreed that the plat needs to show the 30 percent grade and show that areas as a “no build” zone.

The applicant would like the Board to table this so he can bring back a survey and identify the “no build” zone.

The Board agreed with the request to table.

Amended Final Plat, Lot 1A, Aspen Pine Acres

PROJECT NAME: Becay Homestead Amended Final Plat
APPLICANT: Paul Becay
LOCATION: Lots 1 and 3, Aspen Pine Acres Commonly known as: 45 Grand County Road 492
ZONING: Forestry/Open (F/O)
APPLICABLE REGULATIONS: Grand County Zoning Regulations, Grand County Subdivision Regulations
ATTACHMENTS
B. Development Application
C. Project Narrative
D. Proposed Amended Final Plat
E. Aspen Pine Acres Final Plat, Reception no. 83601
F. Vicinity and Detail Maps
G. Trustee's Deed, Reception no.2021-000949
H. Title Commitment effective February 3rd, 2021
I. Property Tax Receipts
STAFF PLANNER: Jacob Cote, Planner I
REQUEST: Approval of an Amended Final Plat to combine two adjacent, jointly-owned parcels to increase the amount of land on the property on which to construct a single-family dwelling, since a portion of the lot is too wet to build upon.

BACKGROUND AND HISTORY

The family of Paul Becay (the Applicant), has owned Lots 1 and 3 of the Aspen Pine Acres subdivision since 1950's, when Paul's father, John Becay, traded a bulldozer (John Becay owned an excavation company) to Fairman Wallace Taber, the original platter of the subdivision, in exchange for five or six of the newly-created parcels. Mr. Tabor then used the newly-acquired bulldozer to create the roads for the subdivision. Paul Becay gained full ownership of the parcel in January 2021 per Trustee's Deed recorded at Reception no. 2021-000949. The parcels are currently both approximately ½ acre in size, and the parcel on the east (Lot 1) hosts a single-family dwelling built in 1937. The property created through this Amended Final Plat would be serviced by well water and Three Lakes Sanitation and is in the Three Lakes Design Review Area. There are no utility easements on the property.

The Aspen Pine Acres Final Plat was recorded October 17th, 1956 at Reception no. 83601. It was originally platted with 32 parcels. The subdivision rests in the Kawuneeche Valley just west of the Colorado River, directly north of the Winding River Resort. The subdivision—like all subdivisions in the Kawuneeche Valley—was severely impacted by the East Troublesome Fire, but the Applicant's property did not burn.

PURPOSE OF REQUEST

The Applicant is pursuing this Amended Final Plat to combine two adjacent parcels—both of which are owned by the Applicant—to increase the buildable area and eliminate the potential of front, side, or rear yard encroachment.

Both lots are very flat, and Lot 3 (the parcel to the west) tends to hold surface water, making it too wet to build on. It is the Applicant's intent to construct a new home where the lot line separating Lots 1 and 3 currently exists.

STAFF COMMENTS AND ANALYSIS

This Amended Final Plat application is consistent with most AFP applications submitted to Grand County Community Development staff in that it is a request to combine adjacent lots, increasing the buildable area for the Applicant. The difficulty of developing on Lot 3 due to the parcel's tendency to hold water makes an Amended Final Plat removing the interior lot line separating the two parcels the most practical means of encouraging development on the property.

The Preliminary Plat provided by the Applicant shows utility easements corresponding to the north, west, and east property lines. These easements were added to the Preliminary Plat at the discretion of the Applicant's contracted surveyor, Warren Ward, to ensure compliance with requirements that all newly-created lots have easements and public access. After receiving this explanation from Warren, staff has recommended that the width of the easements be adjusted to more accurately reflect which of the property's "yards" are going to be the "front", "side", and "rear" yards.

Staff notes the proposed plat need to be revised to reflect the correct street names for GCR 491 and GCR 492.

PLANNING COMMISSION RECOMMENDATION

Planning Commission recommends approval of the Amended Final Plat, Aspen Pine Acres Lot 1A. The following conditions shall be met prior to the recording of the Amended Final Plat:

1. The Title of the Amended Final Plat shall be written as recommended in this Certificate of Recommendation.
2. Utility easements shall be amended on the Final Plat as recommended before final recording.
3. The street names of GCR 492 and GCR 491 are mislabeled on the mylar and needs to be corrected on the Final Plat.
4. The "Original Lot" numbers on the Final Plat and the legal description shown on the Plat shall be amended as recommended.
5. The Dedication shall be amended as recommended.
6. The Surveyor's Certificate shall be amended as recommended.
7. The approved property address of 45Grand County Road 492shall be placed on the Final Plat Mylar as recommended.
8. An electronic copy of the Final Plat shall be submitted as recommended (see (y) above).
9. All recording fees are to be paid by the Applicant.
10. A Quit Claim Deed to describe the amended legal description of the parcel shall be completed and recorded with the Grand County Clerk and Recorder's Office.

The Board expressed concern over access.

The Board requested that this be tabled until the access is resolved.

Public Hearing – Lots 49-51, Stagecoach Meadows Subdivision, Amended Final Plat & Easement Vacation

The public hearing scheduled to begin at 11:45 a.m. was called to order by Chair Linke at 11:58 a.m. County Attorney Leahy set the record as follows:

- A. Application and Project Narrative Letter, dated January 18, 2021
- B. Public Notice Memo to all adjacent property owners from Community Development Department, Planning & Zoning, dated May 13, 2021
- C. List of Mailings property to all adjacent property owners as established by the Grand County GIS
- D. Vicinity Map depicting the notification buffer as established by the Grand County GIS
- E. Certificate of Recommendation, dated May 25, 2021
- F. Proposed Amended Final Plat, dated December 201, 2020
- G. Stagecoach Meadows Final Plat, Reception No. 2000008387, dated September 12, 2000

PROJECT NAME: Lot 49, 50, and 51 Stagecoach Meadows Amended Final Plat
APPLICANT: Represented by: Robert Franek
LOCATION: Lots 49, 50,& 51Stagecoach Meadows Commonly known as: 185-261County Road 5171
ZONING: Forestry and Open District(F)
APPLICABLE REGULATIONS: Grand County Zoning Regulations, Grand County Subdivision Regulations
ATTACHMENTS
Development Application
Project Narrative
Vicinity and Detail Maps
Proposed Amended Final Plat
Title Commitment effective January 25th, 2021
Stagecoach Meadows Final Plat, Reception no. 2000008387
STAFF PLANNER: Alexander Taft, LEED Green Associate
REQUEST: Approval of an Amended Final Plat combine three (3) lots within an existing subdivision also eliminating any building area or envelopes in the undeveloped lots and vacate interior lot line easements.

I. BACKGROUND

a. Proposal

Robert Franek is legal counsel representing the owner of Stagecoach Meadows, Lots49, 50,and 51, herein referred to as the Applicant. The application is a request for the combination of Lots 49, 50,and 51, Stagecoach Meadows Subdivision which was originally recorded in September 2000.Lot 49has an area of 3.161acres, Lot50has an area of 3.301acres, and Lot 51has an area of 3.405acres.These parcels as well as the adjacent properties are in the Forestry and Open District. Lot 50 is developed with a single-family residence and the other parcels are vacant.

b. History

Stagecoach Meadows Subdivision was platted in September 2000 at Reception No. 2000-008387. It consists of 60 lots totaling 256.74 acres. During the approval process the density was noted being consistent with the Rural Growth Area being 1 dwelling unit (DU) per 4.2 acres. This subdivision was platted with the intention of creating single-family low-density home sites. Stagecoach Meadows Subdivision lies approximately 2 Miles southwest of the Town of Tabernash and approximately 3.2 miles from the Town of Fraser.

STAFF ANALYSIS

The lots are larger lots in a Rural Growth Area which was developed when growth areas were newly established within the Grand County Master Plan. In that original subdivision final plat each lot was designated a building envelope. The two currently vacant lots will also have the existing building envelopes vacated in this proposal, consolidating any future accessory structures and uses to Lot 50. This request is a typical lot combination request which can be processed through the Amended Final Plat section of the Subdivision Regulations.

Two of the three lots subject to this application are vacant. Staff knows that this eliminates the possibility of developing the adjacent lots when the amended plat is recorded. When approached about this proposal to combine lots which have been created in the last twenty years, Staff suggested that the applicant reconsider. Ultimately, they desired to combine these lots and relinquish any wells which are allowed.

PLANNING COMMISSION RECOMMENDATION

Planning Commission reviewed this application during their regular meeting on April 14, 2021. Staff presented background on the project and analysis of the project based on various regulations which are applicable. The Planning Commissioners asked for more clarification regarding the removal of the Building Envelopes. It was noted that all lots within the subdivision had envelopes and they were identified in the Covenants. Staff explained that the permissibility to create a larger building envelope should be a decision made or recommended by the Homeowners Association.

Since the April Planning Commission meeting, the Stagecoach Meadows Design Review Committee allowed an expansion totaling forty feet (40') on each side, but would not allow an expansion on the southerly portion of the envelope due to the view corridors. This will be shown on the revised Plat Mylar when submitted for signature.

Planning Commission unanimously recommended the approval of the Amended Final Plat, Amended Lot 50A, Stagecoach Meadows Subdivision, A Replat of Lots 49, 50, and 51, Stagecoach Meadows Subdivision and vacation of interior utility easements through Planning Commission Resolution 2021-4-2 with the following conditions to be met:

1. The Title of the Amended Final Plat shall be corrected to match what is in this recommendation.
2. The proposed plat shall include a control point at the nearest section corner such as SW COR SEC 11, as use on the original plat.
3. Monuments shall be shown for both sides of the ROW adjacent to the property verifying total width.
4. Reference to the reception number where pre-recorded easements have been created shall be included.
5. 2020 Property Taxes shall be paid in full prior to recording of the Final Plat.
6. An electronic copy of the Final Plat in AutoCAD.dwg or AutoCAD.dxf format shall be provided prior to any recording of any Final Plat.
7. A quit claim deed shall be filed concurrently and following the Final Plat Mylar to correct the Legal Description within the Real Estate Records of Grand County.

All legal documents required in conjunction with the final approval of this request are subject to the review and acceptance of the County Attorney.

Commissioner Cimino moved to approve Lot 49, 50, and 51 Stagecoach Meadows Amended Final Plat with staff recommendations and include all plat notes from the original plat.

The motion passed unanimously.

Commissioner Manguso moved to close the public hearing.

The motion passed unanimously.

Amended Final Plat, Part of Tract 5 & Part of Tract 6, Gudgel Subdivision

PROJECT NAME: Gudgel Subdivision Tract: 5-6 E125ft of Tract 5 & N50ft of The E125ft of Tract 6:Amended Final Plat
APPLICANT: Brock, Ryan & Theresa
LOCATION: Gudgel Subdivision Tract: 5-6 E125ft of Tract 5 & N50ft of The E125ft of Tract 6:
ZONING: Residential (R)
APPLICABLE REGULATIONS: Grand County Zoning Regulations, Grand County Subdivision Regulations, Three Lakes Design Review Area Regulations

ATTACHMENTS

- A. Development Application
- B. Project Narrative
- C. Proposed Amended Final Plat
- D. Gudgel Subdivision, Reception #56512
- E. Site Map
- F. Warranty Deed, Reception no.2019008140
- G. Title Commitment effective March 18th, 2021
- H. 2020 Property Tax Receipt

STAFF PLANNER: Taylor Schlueter, Planner I

REQUEST: Approval of an Amended Final Plat to allow for a residence to be rebuilt in slightly north of its original location preceding the East Troublesome Fire

BACKGROUND AND HISTORY

Ryan & Theresa Brock, herein referred to as the “Applicant”, has owned Gudgel Subdivision Tract 5 since July 15th, 2019 per Warranty Deed recorded at Reception no. 2019008140. The Gudgel Subdivision was recorded November 5th, 1941 at Reception no. 56512.

In 1967, the eastern 125’ of Tract 5 and the northern 50’ of the eastern 125’ of Tract 6 was deeded to Eugene and Eileen Myberg. In 1971, the western 165’ of Tracts 5 & 6 were deeded to Donald Rittenhouse. These deeded subdivisions were not platted and the 1941 platted lot line between Tracts 5 and 6 still exists. As such, this request involves the removal of the boundary line depicted as the portion of the dashed line bisecting the red outline in Map 1 below.

The parcel is 0.574 acres and is currently undeveloped as the house shown on Map 1 was destroyed in the 2020 East Troublesome Fire. The property is serviced by Three Lakes Sanitation infrastructure and well water.

PURPOSE OF REQUEST

This Amended Final Plat is intended to allow the house previously on the site to be rebuilt near its historical footprint. The original footprint was bisected by the line between Gudgel Subdivision Tracts 5 & 6.

STAFF ANALYSIS AND PLANNING COMMISSION COMMENTS

The subject parcel is surrounded by residential zoning on all sides, although most properties are located within the East Troublesome Fire burn scar. Access to the subject parcel will be provided by the existing driveway. A drainage ditch traverses the site; the original building encroached into the water quality setback of the ditch. The Planning Commission commented that the setback from the ditch was 21.5 feet on each side and stated the applicant needed to be sure the water quality setback from the ditch is correct and updated to 30 feet. Per BOCC Resolution 2021-1-29, the thirty-foot setback from waterways could be relaxed for rebuild projects conditional that the new structure does not encroach greater than the original condition. The rebuilt home location should reduce the degree of non-conformity if the new building footprint is further away from the ditch.

The Planning Commission discussed the western portion of Tract 6 and that if it was ever sold, there would be no access. Currently the western portion of Tract 5 and Tract 6 are owned by the same person. Although this situation existed prior to this application, the Planning Commission asked that adjacent ownership be named on the plat. The Planning Commission also said they wanted the setbacks removed from the plat because in the event the applicant would need a variance to construct their new home, then they would have to revise the plat again.

PLANNING COMMISSION RECOMMENDATION

Planning Commission recommends approval of the Amended Final Plat through Resolution Number 2021-5-1 the following conditions shall be met prior to the recording of the Amended Final Plat:

1. The Title of the Amended Final Plat shall be written as recommended in this Certificate of Recommendation.

2. The Dedication shall be amended as recommended.
3. An electronic copy of the Final Plat shall be submitted as recommended.
4. All recording fees are to be paid by the Applicant.
5. Quit Claim Deeds to describe the amended legal description of the parcels shall be completed and recorded with the Grand County Clerk and Recorder's Office.
6. The names of surrounding property owners shall be added to the Final Plat.
7. Notification of this proposal is to be made to the owner of the Howard Ditch.
8. Setback lines shall be removed from the Final Plat.

Commissioner Manguso moved to approve Gudge Subdivision Tract: 5-6 E125ft of Tract 5 & N50ft of The E125ft of Tract 6: Amended Final Plat with staff recommendations with an added condition that a Quit Claim Deed be provided by the applicant conveying any interest they may have in any County Road right-of-way adjacent to the property to Grand County plus a note on the plat making reference to the reason the County is allowing it to be closer than 30 feet. (Rebuilding in the current footprint will be addressed in the resolution) The motion passed unanimously.

Sterling Point Subdivision – Final Plat Recording Extension

Subject: Requesting for recording Extension: Sterling Pointe Condominiums
Location: Sterling Pointe Amended Final Plat a resubdivision of Lots 1, 2, 3, and Tract A, according to the Plat recorded September 19, 2008 at Reception No. 2008009060

I. DISCUSSION

Sterling Pointe, LLC represented by Christina Schaefer is requesting a one-year extension of the approval of the Amended Final Plat for Sterling Pointe Condominiums. The Applicant is proposing to complete a condominium type development which was begun in 2008 and went defunct during the Great Recession. Sterling Pointe Condominiums is composed of a 140-units in the Winter Park Ranch and Meadow Ridge Area east of Fraser.

Grand County Subdivision Regulations Section 7.3 (3) (e) states:

"Approval of any Final Plat shall expire after one (7) year if not recorded in the Office of the Grand County Clerk and Recorder following the date of the Board of County Commissioners Final Plat approval. One (7) year extensions may be requested in writing by the developer and will be considered by the Board of County Commissioners."

Sterling Pointe, LLC made the request for an Amended Final Plat, and it was approved by Grand County Board of County Commissioners on April 23, 2019. Staff again has been working with the applicant intermittently in 2020 and at the beginning of 2021 to get the Plat and support materials complete when it was realized that the request would expire. Sterling Pointe, LLC provided a letter dated April 27, 2021 requesting the extension.

II. RECOMMENDATION

Staff recommends approval of the one-year extension request for Sterling Pointe Subdivision - Amended Final Plat, with an expiration date of **April 23, 2022**.

Commissioner Manguso moved to approve Resolution No. 2021-5-19, "A RESOLUTION GRANTING A ONE (1) YEAR EXTENSION TO THE RECORDING REQUIREMENT OF THE AMENDED FINAL PLAT FOR THE STERLING POINTE CONDOMINIUMS, A RE-SUBDIVISION OF LOT 1-9 AND 13-29, WINTER PARK RANCH SIXTH FILING (REC# 167324), A PORTION OF THE W½ OF THE NE¼ OF SECTION 20, TOWNSHIP 1 SOUTH, RANGE 75 WEST, 6TH P.M., COUNTY OF GRAND, STATE OF COLORADO" The motion passed unanimously.

Board Business

The Board would like to hire referees for the Board of Equalization Hearings.

Commissioner Manguso moved to approve a letter to the Bureau of Land Management regarding unplanned ignitions. The motion passed unanimously.

Community Development – Tiny Homes Discussion

GRAND COUNTY HOUSING DATA

Housing—and housing affordability—is a topic of much discussion in Grand County. Recent population growth made possible by remote employment opportunities and a desire to live in a location with exceptional recreation opportunities and scenic views has exasperated housing prices and availability. While many full-time residents can observe this housing crunch through the ever-increasing list prices for homes and the stories of units lasting less than a day on the market, a quantitative assessment of the housing prices and forms of housing present in Grand County can help establish a more well-founded understanding of the current real estate conditions.

HOUSING PRICES SOARING

As of May 21st, 2021, the Grand County Board of Realtors has record of 590 real estate listings available on its website. These listings include all forms of real estate for sale, including vacant land, single-family dwellings, and condominiums. It also includes listings in various stages of sale and purchase: active, pending, “kick out”, and pending contingent properties are included in this data. The table below provides detailed information on the quantity of each form of real estate and its listing price:

Listing Type	# of Properties	Median Listing Price	Max Listing Price	Min Listing Price	Median \$/SF
Single-Family	155	\$1,200,000	\$4,450,000	\$72,233	\$403.87
Condominiums	117	\$525,000	\$1,429,000	\$3,500	\$552.28
Inc/Comm/Ranch	24	\$1,042,500	\$14,499,000	-	\$219.09
Twnhm/Dup/Multifam	104	\$763,839	\$1,719,000	\$229,900	\$372.99
Vacant Land/Acreage	174	\$175,500	\$8,900,000	\$22,000	-
Total	574				
Median		\$763,839	\$14,499,000	\$3,500	\$388

Source: Grand County Board of Realtors Flexmis web search platform, accessed 5/21/21

“Move-in ready” properties (defined here as single-family dwellings, condominiums, and townhomes/duplexes/multifamily properties) have a median listing price of \$759,450. The current market for construction labor and materials does not make the possibility for new construction on vacant land any more appealing for residents seeking affordable housing opportunities.

The median annual income for a household in Grand County in 2019 was \$71,198, or approximately \$5,933/month. If the current median price of real estate is \$763,839, we can assume a typical 30-year mortgage payment period and estimate a median monthly mortgage payment at \$2,122. This does not include any interest on the mortgage loan, but still exhibits the high median cost of housing in Grand County at present.

Our median household making \$5,933/month before taxes is paying nearly 36% of its monthly income on mortgage payments alone. If this calculation were to include interest on the loan, utility expenses, and median household income after taxes, the percentage of monthly median income being spent on mortgage payments would be even higher. It is not a stretch to assume that percentage would be comfortably over 40%.

MISMATCHED HOUSING STOCK

The sizes of American homes reflect the sizes of American households less today than at any point in history. While the average household size has steadily decreased for several decades, the average square footage and bedroom count for homes have increased over the same period of time. The result is a significant disconnect between the size of a household and the housing options available on the market.

According to the 2019 American Community Survey, 66.1% of renter-occupied households are one- or two-person homes. Compare this to the percentage of no-, one-, or two-bedroom housing units in the county: these units account for only 46.3% of housing units (no-bedroom units refer to studio units). This disconnect is even greater when we examine owner-occupied households: 78.1% of owner-occupied households in Grand County consist of only one or two people, yet the housing stock in the County is largely built to accommodate large households.

The prevalence of vacation homes in Grand County certainly contributes to the higher proportion of large, expensive homes: families and friends will often pool resources to purchase a vacation house together, reducing the financial burden for each party while also necessitating a high number of bedrooms to accommodate all guests. However, the development of large homes does not appear to be meeting the needs of full-time Grand County residents.

TINY HOMES AS PART OF FIRE RECOVERY EFFORTS

Tiny homes are not currently permissible in Grand County because there is no means of regulating their construction as permanent structures. Building Code appendices are available that provide building standards specifically for tiny homes. Such a building code appendix could be adopted by Grand County to facilitate the development of permanent tiny homes and tiny home communities.

ACCESSORY DWELLING UNITS

Portland, Oregon was the first major American city to permit tiny houses as a single-family dwelling alternative to the “typical” single-family residence when their housing regulations were amended to permit Accessory Dwelling Units (ADU’s) by-right. ADU’s are a useful tool for increasing the number of housing units on a property without dramatically impacting the perceived density of a neighborhood or the impact additional units have on existing infrastructure.

Tiny houses are often built or placed on properties to serve as ADU’s, either as a rental option or as a separate dwelling for family members (resulting in the popular term “granny flats”, referring to units on a property where elderly relatives can live in an independent unit while also living near their family).

Many American cities have begun allowing ADU’s in certain zoning districts, either by-right or with a special permit. ADU regulations also vary on owner-occupancy requirements, meaning an ADU may only be permitted on properties occupied by a full-time resident. The intent of this regulation is to ensure a constant presence at the property, minimizing neighborhood concerns about renters on the property causing disturbances or neglecting property upkeep.

TINY HOUSES CODIFIED

The International Code Council passed a public comment tiny house appendix in 2016 to provide structural requirements to specifically accommodate construction of tiny houses smaller than 400 square feet¹. Municipalities are able to adopt this section of code to adequately facilitate tiny home construction, occupancy, and permitting. This grants local governments the ability to regulate tiny houses as they see fit.

This appendix does not discern between mobile and permanent tiny houses: all tiny houses are held to the same structural standards. Additional structural considerations must be given to mobile tiny homes to ensure highway safety, but these design standards are not within the purview of building departments.

Before Grand County can consider amending zoning or subdivision regulations to permit tiny houses, an appendix of the International Building Code must be adopted that allows for the construction of tiny houses. Routt County adopted Appendix Q of the IRC to allow for tiny home designs.

DEFINING TINY HOUSES WHAT IS A TINY HOUSE?

Tiny houses come in a variety of forms. Some are mobile (like a camper or RV), some are stick-built on foundations (like a traditional house), and some are pre-fabricated at a far-away factory and brought to a site with a truck and a crane. While the breadth of options for potential tiny home dwellers may make them appealing for large swaths of American households, it also presents significant—and seemingly uncharted—difficulties for the municipalities in which these houses are located. The first hurdle for any government creating tiny house regulations is creating a clear definition for the dwellings.

The first—and most obvious—defining characteristic of a tiny house is its diminutive stature. Colorado’s Department of Local Affairs uses the term “tiny home” to refer to any house between 100 and 800 square feet³, making no discernment between dwellings on wheels and dwellings on foundations. Most tiny homes are a single story, though lofted spaces are popular design features. The homes are completely self-contained, including (at a minimum) a kitchen, bathroom, and sleeping area.

DEFINING TINY HOUSES IN GRAND COUNTY

A tiny home definition for Grand County will have to differ from DOLA’s broad definition to distinguish a “tiny home” from other forms of development. The current minimum dwelling size in Grand County is 400 square feet⁴, and any home built to code that meets this minimum requirement is treated as a “typical” single-family residence. A “tiny home” in Grand County should be defined as a dwelling of less than 400 ft.² that satisfies tiny home building codes and complies with all other County regulations.

Appendix V is the tiny house building code appendix approved in 2016 and provides specific detail about the structural requirements for dwellings smaller than 400 ft.²-. This code does not discern between mobile and permanent tiny houses: all tiny houses are held to the same structural standards. When considering the adoption of building code specifically designed to accommodate tiny house construction, Grand County may use dwelling mobility characteristics (whether or not the tiny house can be moved/towed) to delineate where tiny houses are permitted in the County. Some zoning districts may be deemed appropriate

for both mobile and permanent tiny houses, while others may specifically mandate that all tiny homes be either entirely mobile or entirely permanent.

TINY HOME COMMUNITIES AS PLANNED UNIT DEVELOPMENTS

Tiny homes—and tiny home communities—are not suited to be treated as a typical single-family dwelling subdivision. Grand County’s minimum lot and dwelling sizes are not written to accompany tiny homes which require far less acreage and living space. To accompany proposed tiny home communities, Planned Unit Developments can be used as a precise and effective tool, providing standards and regulations to ensure safe and reasonable development of tiny house communities while granting the flexibilities needed to permit such developments where they are most practical.

PLANNED UNIT DEVELOPMENTS

Planned Unit Developments—or “PUD’s”—are a tool used by municipal planners to review and permit projects that do not neatly fit into the standard forms of development permitted by the Zoning Regulations. PUD regulations provide basic parameters for development in a municipality, and they facilitate a dialogue between the potential developer and the planning and zoning department to ensure effective and compliant use of the regulations. PUD’s often share many similarities with other projects in an area that can be facilitated by the standard zoning regulations; the PUD allows for adjustments to a development proposal when those adjustments are not expected to negatively impact an area or drastically alter the development patterns of a neighborhood. Any PUD must promote the Grand County Master Plan goals and objectives.

PUD’s apply as an “alternative” zoning district; in other words, any parcel could become a PUD if it is deemed to be a practical location for such a development. In Grand County, a PUD may help facilitate tiny home community development by giving applicants flexibility of location (assuming the selected location is agreeable to County leadership). However, PUD’s only modify zoning regulations; they cannot be used to accompany projects that do not comply with subdivision regulations or any other land use regulations.

Like a typical subdivision, a PUD application requires extensive public review and outreach before final acceptance can be granted. This ensures the PUD’s compliance with the Grand County Master Plan and gives the Planning Commission and County Commissioners an opportunity to review the plans and receive public input on the proposal.

WHAT CAN PUD’S DETERMINE?

PUD’s can permit zoning regulations that differ from the standard municipal zoning regulations. These regulations can dictate:

- Minimum (or maximum) lot sizes
- Lot widths
- Front, side, and rear yard setbacks
- Minimum parking requirements
- Minimum (or maximum) dwelling sizes
- Allowed uses (including mixed uses)

The flexibility built in to PUD regulations can lead to developments that progress the goals and objectives of the Master Plan where standard regulations may fail. A PUD for tiny homes could allow for smaller lots, lesser setbacks, and smaller dwelling sizes. It cannot change the requirements written into the Subdivision, Minor Subdivision, Subdivision Exemption, or Outright Exemption regulations (for example, open space requirements must remain in place).

EMS – Turn Corps, Mill Levy Discussion

EMS Chief Robert Good and EMS Deputy Chief Allen Pulliam presented.

The Board reviewed information regarding how information will be made available to the public for the ballot question.

With future costs considered, staff is working toward a mill levy increase of 1.75 mills.

Board Business

Commissioner Manguso moved to approve the Special Use Permit for rain gauges in Rocky Mountain National Park. The County will take over the costs in 2022.

The motion passed unanimously.

Commissioner Cimino attended
CCI Steering Committees

Commissioner Linke attended
AGNC
Community Partnership Panel (Henderson)
CCI Steering Committees
Basin Round Table

Calendar

- May 26-27 Club 20 Bi-Annual Washington, DC Fly-In (Virtual)
May 26 Monthly Legislators Breakfast via Zoom 8 to 10 am
May 26 Counties & Commissioners Acting Together (CCAT) Meeting RE Affordable Housing via Zoom 8:30 to 9:30 am
May 26 National Association of Counties (NACo) Workforce Network Focus Group via Zoom 1 to 3 pm
May 26 CCAT Public Health & Human Service Meeting via Zoom 4 to 5 pm
May 26 Northwest Colorado Bureau of Land Management Resource Advisory Council from 10 am to 3 pm
May 27 State of the River Webinar via Zoom 6 to 7:30 pm
May 31 County Offices Closed – Memorial Day Holiday
May 31 Board of Health Workshop RE: Operations w/ Public Health Director, *as needed*, BOCC Meeting Room, Hot Sulphur Springs, starting at 1:30 pm

June 1 BOCC Bi-Annual Update to Town of Winter Park, at Winter Park Town Hall and via Zoom, 4 to 6 pm

The Grand County Board of County Commissioners and Grand County Board of Health will meet remotely, as needed, via conference call to discuss COVID-19 starting at 2:00 pm

There being no further business to come before the Board, the meeting was adjourned at 3:36 p.m. The minutes were prepared by Clerk and Recorder Sara L. Rosene. Approved this 7th day of June 2021.

Merrit Linke, Chair

Attest:

Sara L. Rosene, Clerk and Recorder