

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

August 20, 2019

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

Also Present: County Clerk and Recorder Sara L. Rosene
County Manager Kate McIntire
Interim County Manager Ed Moyer
County Attorney Chris Leahy

Those present recited the Pledge of Allegiance.

Commissioner Linke moved to approve the Meeting Minutes of August 13, 2019, Meeting of the Board of Commissioners.

The motion passed unanimously.

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

The Board will have a Housing Authority Workshop with the Housing Authority Director on September 9, 2019 from 1 to 3 p.m.

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

Finance Department

Finance Director Curtis Lange presented the Check Register and Expenditure List to be paid on August 21, 2019, for vendor payments. The list for this period was verified for the Board's approval.

Commissioner Linke moved to approve the checks presented on August 20, 2019 for payment on August 21, 2019 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 August 21, 2019, for vendor payments. The list for this period was verified for the Board's approval.

Commissioner Linke moved to approve the vouchers presented on August 20, 2019, for payment on August 21, 2019 for the Grand County Board of Social Services.

The motion passed unanimously.

Commissioner Linke moved to approve the wires payment and vouchers presented on August 20, 2019, for payment on August 21, 2019 for Grand County.

The motion passed unanimously.

Road and Bridge Update

Road and Bridge Superintendent stated that the crews are working on County Road 53. The work should be done around August 28.

Commissioner Cimino would like to discuss the purchase of speed trailers at budget time.

Departmental Contracts, Comments

Commissioner Manguso moved to approve Resolution No. 2019-8-8, "A RESOLUTION AUTHORIZING THE GRAND COUNTY TREASURER TO ABATE CERTAIN TAXES PURSUANT TO CRS 39-11-107 THAT ARE ERRONEOUS ASSESSMENTS"

The motion passed unanimously.

Commissioner Manguso moved to approve out-of-state travel for Josh Schroeder to a General Aviation Conference in Minneapolis from September 8 through September 12. The cost to the County will be approximately \$386.

The motion passed unanimously.

Commissioner Manguso moved to approve 2019-8-5, "A RESOLUTION APPROVING THE PETITION AND ORDERING AN ELECTION REGARDING THE SUNSET RIDGE, GRAND COUNTY, COLORADO PUBLIC IMPROVEMENT DISTRICT, AND CERTIFYING THE BALLOT QUESTIONS TO THE GRAND COUNTY CLERK AND RECORDER

Commissioner Manguso withdrew the motion.

Commissioner Manguso moved to approve Resolution No. 2019-8-6, "A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPROVING AMENDMENTS TO AND RE-ADOPTING THE GRAND COUNTY OUTRIGHT EXEMPTION REGULATIONS"

The motion passed unanimously.

Commissioner Manguso moved to approve Resolution No. 2019-8-7, "A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPROVING AMENDMENTS TO AND RE-ADOPTING THE GRAND COUNTY OUTRIGHT EXEMPTION REGULATIONS"

The motion passed unanimously.

Commissioner Linke moved to waive the any or all fees imposed by the County for house #12 for Habitat for Humanity of Grand County for a new house located in Hot Sulphur Springs.

The motion passed unanimously.

Clerk and Recorder Sara Rosene presented the monthly Clerk revenue for July 2019.

Clerk and Recorder Sara Rosene stated that she has been dismissed from Hale vs. Whitmer and Rosene lawsuit.

Commissioner Linke moved to approve the renewal of Serene Wellness V LLC, dba Serene Wellness Winter Park LLC as presented.

The motion passed unanimously.

Manager and Attorney Items

County Manager McIntire presented the weekly update.

Consent Agenda

Resolution No. 2019HA-8-4, "A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO, ACTING IN THE CAPACITY AS THE GRAND COUNTY HOUSING AUTHORITY BOARD, APPROVING A LOAN FROM THE GRAND COUNTY HOUSING AUTHORITY DOWN PAYMENT ASSISTANCE PROGRAM, AND AUTHORIZING A BOARD MEMBER TO EXECUTE THE WIRE TRANSFER REQUEST"

Resolution No. 2019-8-3, "A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE A CONSTRUCTION CONTRACT BY AND BETWEEN C.G.R.S., INC. AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO FOR THE INSTALLATION OF REPLACEMENT FLEX HOSE AT A GRAND COUNTY ROAD AND BRIDGE FUEL FARM"

Commissioner Manguso moved to approve the Consent Agenda.

The motion passed unanimously.

Grand County Assessor – Abstract of Assessment

County Assessor Tom Weydert presented the Abstract of Assessment.

2019 August Abstract Assessed Values

	2019	2018	Change
Vacant	\$101,972,610	\$90,062,470	12%
Residential	\$504,032,110	\$388,421,550	23%
Commercial	\$103,161,710	\$89,991,850	13%
Industrial	\$29,037,350	\$40,301,420	-39%
Agricultural	\$10,096,450	\$9,265,700	8%
Natural Resources	\$530,370	\$457,040	14%
Mines	\$2,479,820	\$2,341,850	6%
State Assessed	\$44,533,300	\$43,817,500	2%
Exempt	\$86,069,080	\$73,367,420	15%
Total Assessed	\$881,912,800	\$738,026,800	16%
Total Actual	\$8,355,904,810	\$6,609,948,690	21%

Mr. Weydert reported that there were 187 appeals to the Board of Equalization. That was one percent of the total appeals that went to CBOE from the Assessor’s appeals.

Mr. Weydert stated that his office defended \$107 million and of that \$9 million was adjusted. All adjustments made were recommended by the Assessor.

Commissioner Manguso moved to approve and authorize the Chair to sign the Abstract of Assessment.

The motion passed unanimously.

Accessory Building Discussion (continued from August 5, 2019)

Though regulations state that accessory structures and uses are not allowed to be built on lots prior to the development of a single-family dwelling, Staff has been instructed to allow said development to take place until further development of new regulations.

At the May 20, 2019 Workshop, Staff requested direction from the BOCC and indicated that it would provide a follow-up discussion which was held on August 5, 2019.

It is recognized that the allowance of the construction of garages, barns, sheds, etc., for the storage of snow mobiles, boats, etc. has alleviated complaints relative to blighting outdoor storage. Although an unintended consequence of allowing garages as principal uses are the modification of permits after they are closed to create living spaces in the garages. Staff feels that this can be controlled through requiring of septic and water permits.

Because of a lack of affordable housing, the conversion of garages to living spaces may be a future opportunity for increasing it housing supply.

Moving forward, the Zoning Regulation should be amended to allow garages on lots by themselves. Staff will continue to monitor the Building and Fire Codes, water and sewer for the purposes of safeguarding the environment. As such, Staff is recommending that garages defined as ‘garage, detached private non-accessory’ be allowed as a principle use in all zoning districts. Also included are two new definitions to be included in Section XX Definitions, i.e., ‘garage, detached private accessory’ and ‘garage, detached private non-accessory’.

SECTION III

E - ESTATE DISTRICT

3.1 DECLARATION OF INTENT – ESTATE DISTRICT

It is the purpose is to provide areas for low density, single-family residential use; to stabilize and protect the characteristics of these areas; to maintain a suitable environment for family living. Uses by Right in the Estate District include:

USES PERMITTED

- (1) Single - Family dwellings;
- (2) Schools, and churches;
- (3) Parks, playgrounds and golf courses;

- (4) Accessory uses and structures as defined in Section XIII;
- (5) Garage, detached private non-accessory, the non-accessory garage shall not exceed 40% of lot coverage and have an operable garage door.
- (56) Reservoirs and dams engineered to contain one hundred (100) acre feet of water or less;
- (67) Water diversion structures, ditches, and pipeline structures engineered to convey fifteen (15) cubic feet of water per second of time or less;
- (78) Private riding stables;
- (88) Small Wind Energy System thirty five (35) feet in height and below that comply with the provisions contained within Section 11.8 (10).
- (910) Short Term Rentals in compliance with Section 14.8 Supplementary Regulations.

SECTION IV

R - RESIDENTIAL DISTRICT

4.1 DECLARATION OF INTENT - RESIDENTIAL ZONE DISTRICT

It is the purpose of the Residential Zone to provide areas for single-family residential use as well as multi-family residential use; to ensure other community facilities are available to properly serve said residential developments; to leave ample area available for on-site parking, recreational and outdoor activity areas; and to protect the existing character of the area to which said zone district is applied.

USES PERMITTED

- (1) Single-family dwellings;
- (2) Multiple-family dwellings;
- (3) Boarding and rooming houses, rest homes, and bed and breakfasts each containing no more than five (5) total bedrooms provided a commercial well or municipal owner water system is available for service;
- (4) Schools, and churches;
- (5) Private riding stables;
- (6) Parks and playgrounds;
- (7) Accessory uses and structures as defined in Section XIII;
- (8) Garage, detached private non-accessory, the non-accessory garage shall not exceed 40% of lot coverage and have an operable garage door.
- (89) Reservoirs and dams engineered to contain one hundred (100) acre feet of water or less; Water diversion structures, ditches and pipeline structures engineered to convey fifteen (15) cubic feet of water per second of time or less.
- (910) Small Wind Energy System thirty five (35) feet in height and below that comply with the provisions contained within Section 11.8 (10).
- (1011) Short Term Rentals in compliance with Section 14.8 Supplementary Regulations.

SECTION V

A - ACCOMMODATIONS DISTRICT

5.1 DECLARATION OF INTENT - ACCOMMODATIONS ZONE DISTRICT

The purpose of the Accommodations Zone is to provide lodging facilities with accessory uses to serve the traveling public, mainly to be located along federal and state highways. Residential uses are permitted in this zone district.

USES PERMITTED

- (1) Single-family dwellings;
- (2) Multiple-family dwellings;
- (3) Boarding and rooming houses, rest homes, and bed and breakfasts (any bed and breakfast, rooming house or boarding house that wishes to have over five (5) total bedrooms must be constructed or modified to meet R-1 requirements of the current County Building Code); provide a commercial well or municipal owner water system is available for service;
- (4) Schools, and churches;
- (5) Offices and Clinics and other structures in which a professional occupation is located, provided the uses generate twenty (20) or less ADT's and that the uses are not obnoxious, offensive, or objectionable because of excessive noise, odors, dust or vibration;
- (6) Parks and playgrounds;
- (7) Accessory uses and structures as defined in Section XIII;
- (8) Garage, detached private non-accessory, the non-accessory garage shall not exceed 40% of lot coverage and have an operable garage door.
- (89) Hotels, motels, lodges, resort cabins, short term rentals, including incidental businesses within the principal buildings; incidental businesses may include places serving food and beverages, newsstands, gift shops, sports shops and conference facilities provided that: All such businesses are clearly incidental to the primary use.

- (910) Outdoor recreational areas and incidental facilities, provided all such uses retain natural environmental conditions, do not involve the storage of equipment outside of a building and are not obnoxious, offensive or objectionable because of excessive noise, odors, dust or vibration;
- (4011) Reservoirs and dams engineered to contain one hundred (100) acre feet of water or less;
- (4412) Water diversion structures, ditches, and pipeline structures engineered to convey fifteen (15) cubic feet of water per second of time or less;
- (4213) Small Wind Energy System thirty five (35) feet in height and below that comply with the provisions contained within Section 11.8 (10).

SECTION VI

F - FORESTRY AND OPEN DISTRICT

6.1 DECLARATION OF INTENT - FORESTRY AND OPEN ZONE DISTRICT

The purpose of the Forestry and Open Zone District is to protect lands suitable for agricultural and related uses including uses related to forestry, mining and recreation after additional permitting. Higher impact uses are allowed when permitted and mitigated properly. Low density single-family residential uses are permitted in this zone district.

USES PERMITTED

- (1) Single-family dwellings;
- (2) Schools, churches and hospitals;
- (3) Offices and Clinics and other structures in which a professional occupation is located, provided the uses generate twenty (20) or less ADT's and that the uses are not obnoxious, offensive, or objectionable because of excessive noise, odors, dust or vibration;
- (4) Parks and playgrounds;
- (5) Outdoor recreational areas and incidental facilities, provided all such uses retain natural environmental conditions, do not involve the storage of equipment outside of a building and are not obnoxious, offensive or objectionable because of excessive noise, odors, dust or vibration;
- (6) Accessory uses and structures as defined in Section XIII;
- (7) Garage, detached private non-accessory, the non-accessory garage shall not exceed 40% of lot coverage and have an operable garage door.
- (78) Lodges and resort cabins, including incidental business within the principal building; incidental businesses may include conference facilities provided that said conference facilities are clearly incidental to the primary use. Bed and breakfasts with no more than five (5) total bedrooms; must be constructed or modified to meet R-1 requirements of the current County Building Code); provided a commercial well or municipal owner water system is available for service;
- (89) Private riding stables;
- (910) Commercial feed yards, fur farms, kennels, veterinary hospitals, and commercial riding stables, provided all such uses are located at least five hundred feet (500) from schools, churches, and dwellings on other lots;
- (4011) Reservoirs and dams engineered to contain one hundred (100) acre feet of water or less;
- (4412) Water diversion structures, ditches and pipeline structures engineered to convey fifteen (15) cubic feet of water per second of time or less;
- (4213) Small Wind Energy System thirty five (35) feet in height and below that comply with the provisions contained within Section 11.8 (10).
- (4314) Short Term Rentals in compliance with Section 14.8 Supplementary Regulations.

SECTION VII

M - MOBILE HOME DISTRICT

7.1 DECLARATION OF INTENT - MOBILE ZONE DISTRICT

The purpose of this zone district is to allow the use and placement of mobile homes and travel trailers on either a permanent or temporary basis. Mobile homes and travel trailers are restricted to this zone district except as allowed by Section XI. Residential uses are permitted in this zone district.

USES PERMITTED:

- (1) Single-family dwellings; (2) Individual mobile homes;
- (3) Multiple-family dwellings;
- (4) Boarding and rooming houses, rest homes, and bed and breakfasts, each containing no more than five
- (5) total bedrooms; provided a commercial well or municipal water system is available for service;
- (6) Schools, churches and hospitals; (6) Parks and playgrounds;
- (7) Accessory uses and structures as defined in Section XIII;
- (8) Garage, detached private non-accessory, the non-accessory garage shall not exceed 40% of lot coverage and have an operable garage door.
- (89) Reservoirs and dams engineered to contain one hundred (100) acre feet of water or less;

- (910) Water diversion structures, ditches, and pipeline structures engineered to convey fifteen (15) cubic feet of water per second of time or less;
- ~~(1011)~~ Small Wind Energy System thirty five (35) feet in height and below that comply with the provisions contained within Section 11.8 (10).
- ~~(112)~~ Short Term Rentals in compliance with Section 14.8 Supplementary Regulations.

SECTION VIII T - TOURIST DISTRICT

8.1 DECLARATION OF INTENT - TOURIST ZONE DISTRICT

The purpose of the Tourist Zone is to provide areas to accommodate related retail businesses to serve the traveling and recreation oriented public; mainly located along federal and state highways. Residential uses are permitted in this zone district.

USES PERMITTED:

- (1) Single-family dwellings;
- (2) Multiple-family dwellings.
- (3) Boarding and rooming houses, rest homes, and bed and breakfasts (any bed and breakfast, rooming house or boarding house that wishes to have over five (5) total bedrooms must be constructed or modified to meet R-1 requirements of the current County Building Code);
- (4) Schools, churches and hospitals;
- (5) Medical and dental offices and clinics;
- (6) Parks and playgrounds;
- (7) Outdoor recreational areas provided all such uses retain natural environmental conditions, do not involve the storage of equipment outside of a building and are not obnoxious, offensive or objectionable because of excessive noise, odors, dust or vibration;
- (8) Accessory uses and structures as defined in Section XIII;
- (9) Garage, detached private non-accessory, the non-accessory garage shall not exceed 40% of lot coverage and have an operable garage door.
- ~~(10)~~ Hotels, motels, lodges, resort cabins, short term rentals and conference facilities including accessory businesses within the principal buildings;
- ~~(11)~~ Private riding stables and commercial riding stables provided all such uses are located at least one hundred feet (100') from schools, churches and dwellings on other lots;
- ~~(12)~~ Small Wind Energy System thirty five (35) feet in height and below that comply with the provisions contained within Section 11.8 (10);
- ~~(13)~~ Commercial uses, including but not limited to the following provided that all previous listed uses do not allow objectionable or obnoxious amounts of noise, odor, dust, smoke, vibration or other similar causes to be disseminated beyond individual lot lines, and that all outdoor storage areas are completely screened including.
 - Antique Stores
 - Bakeries
 - Banks
 - Barber and Beauty Shops
 - Clothing Stores
 - Drug Stores
 - Eating and Drinking Establishments
 - Florists
 - Grocery Stores
 - Home Improvement Stores
 - Mini-Storage Warehouse Facilities
 - Retail and Rental Sporting Goods Stores
 - Indoor Theatres

- ~~(14)~~ Reservoirs and dams engineered to contain one hundred (100) acre feet of water or less;
- ~~(15)~~ Water diversion structures, ditches and pipeline structures engineered to convey fifteen (15) cubic feet of water per second of time or less;
- ~~(16)~~ Small Wind Energy System thirty five (35) feet in height and below that comply with the provisions contained within section 11.8 (10)

SECTION IX – B - BUSINESS DISTRICT

9.1 DECLARATION OF INTENT - BUSINESS ZONE DISTRICT

The purpose of the Business District is to provide areas designed for retail shopping convenience of persons residing in the County as well as from more distant places. The Business District is designated to provide a

wide range of commercial uses. There may be some emphasis upon wholesale and business services. Light manufacturing and some types of processing are also permitted.

USES PERMITTED

- (1) Single-family dwellings;
- (2) Multiple-family dwellings
- (3) Boarding and rooming houses, rest homes, and bed and breakfasts (any bed and breakfast, rooming house or boarding house that wishes to have over five (5) total bedrooms, must be constructed or modified to meet R-1 requirements of the current County Building Code);
- (4) Hotels, motels, lodges, resort cabins, short term rentals and conference facilities including accessory business within the principal buildings;
- (5) Schools, churches and hospitals;
- (6) Medical and dental offices and clinics;
- (7) Parks and playgrounds;
- (8) Small Wind Energy System thirty five (35) feet in height and below that comply with the provisions contained within Section 11.8 (10).
- (9) Accessory uses and structures as defined in Section XIII;
- (10) Garage, detached private non-accessory, the non-accessory garage shall not exceed 40% of lot coverage and have an operable garage door.
- ~~(11)~~ Outdoor recreational areas provided all such uses retain natural environmental conditions, do not involve the storage of equipment outside of a building and are not obnoxious, offensive or objectionable because of excessive noise, odors, dust or vibration;
- ~~(12)~~ Any general commercial activity, retail or wholesale, including but not limited to the following:
 - Antique Shops
 - Bakeries
 - Banks
 - Barber and Beauty Shops
 - Bottling Works
 - Clothing Stores
 - Construction Businesses, Heavy Equipment Storage Area and Earth-Moving Businesses
 - Dairies
 - Drug Stores
 - Eating and Drinking Establishments
 - Florists
 - Furniture Repair and Sales
 - Commercial Nurseries and Retail Greenhouses
 - Grocery Stores
 - Home Improvement Stores
 - Light Manufacturing
 - Mini-Storage Warehouse Facilities
 - Personal Service Shops
 - Retail and Rental Stores
 - Theatres, Indoor
 - Warehouse Facilities

Provided that all previous listed uses do not allow objectionable or obnoxious amounts of noise, odor, dust, smoke, vibration or other similar causes to be disseminated outside the "B" – Business District.

- ~~(13)~~ Reservoirs and dams engineered to contain one hundred (100) acre feet of water or less;
- ~~(14)~~ Water diversion structures, ditches and pipeline structures engineered to convey fifteen (15) cubic feet of water per second of time or less;
- ~~(15)~~ Small Wind Energy Systems thirty five (35) feet in height and below that comply with the provisions contained within section 11.8 (10)

SECTION XX DEFINITIONS

(22) DWELLING UNIT: One (1) or more rooms in a dwelling designed for occupancy by one (1) family for living purposes and having not more than one (1) kitchen. All dwelling units shall contain at least four hundred (400) square feet of floor area measured on the outside walls.

(23) GARAGE, DETACHED PRIVATE NON-ACCESSORY: A building designed or used primarily for shelter or storage of vehicles, boats, snow mobiles, recreational vehicles and materials used for the construction of a single family home, that is not accessory to a single-family residence on the same building site. Where any vehicles or boats are equipped for operation, repaired or kept for remuneration, hire or sale, the term 'private garage' does not apply. The term garage does not include agricultural buildings.

(24) **GARAGE, DETACHED PRIVATE ACCESSORY:** A building designed or used primarily for shelter or storage of vehicles, boats, snow mobiles, recreational vehicles and materials used for the construction of a single family home, located on the same building site as a single family residence. Where any vehicles or boats are equipped for operation, repaired or kept for remuneration, hire or sale, the term 'private garage' does not apply. The term garage does not include agricultural buildings

(2325) **FARM AND GARDEN (AKA) AGRICULTURE BUILDING:** A structure located on real property classified as agriculture by the Grand County Assessor that is designed, constructed and used to house farm implements, hay, grain, poultry, livestock or other horticultural products. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated or packaged, nor shall it be a place used by the public.

Community Development Director Robert Davis stated that he is taking this to the Planning Commission.

Grand County Donor-Advised Funds to the Grand Foundation, Amount and Mission

County Manager Kate McIntire reminded the Board that currently the County's guidelines for the Grand County Donor-Advised Funds is that the grants go primarily to health and human services and secondarily to education. The Board has directed that Grand County does not want the funds used for faith-based organizations.

The Grand Foundation funds:

1. Health and Human Services
2. Education
3. Environment
4. Sports and recreation
5. Arts and culture

In addition, Grand Foundation funds faith-based organizations.

Commissioner Cimino would like the Grand County Donor Advised Fund to mirror the Grand Foundation's five areas with the additional clarification that faith-based organizations are excluded.

The Board agreed to keep the two mission areas of health and human services and education and add environment. The Board agreed to remove ranking from the fund requirements.

Commissioner Cimino is in favor of Headwaters Trail Alliance and Middle Park Soil Conservation getting funds directly from the General Fund annually but they would be excluded from the County's Donor Fund.

The Board will still consider whether it will fund Grand Enterprise directly from the General Fund.

The Board agreed to provide General Fund funds to Headwaters Trail Alliance and the Middle Park Conservation District. The Board gave direction that it will provide \$50,000 to Headwaters Trail Alliance.

The Board intends to fund the Donor Advised fund in 2020 in the amount of \$255,000 with annual inflation increases starting in 2022.

Board Business / Correspondence / Calendar

The Board agreed to appoint Rich Cimino to be Grand County's CCI representative.

Commissioner Manguso attended the TPR meeting last week. The number one consideration in Grand County is a roundabout at Country Road 804 and US Highway 40. The second roundabout will be at the intersection Highways 34 and 40. Shoulders and passing lanes on Highway 40 are being considered.

Commissioners Manguso and Cimino sold tickets at the Demolition Derby.

Commissioner Cimino attended the Elected Officials breakfast.

Calendar

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| August 21 | Blue Valley Land Exchange meeting with Summit County Commissioners at 9:45 a.m. at Blue Valley Ranch – All three commissioners |
| August 22 | CCI Mountain District meeting at 10:00 a.m. at Park County Office Building – Commissioner Linke |

- August 23 Peak Health Meeting at Middle Park Health Conference Room in Granby from 9 a.m. to 11:30 a.m. – all three commissioners
- August 24 Chipping Day at Grand Fire at 9:00 a.m. – Commissioner Linke
- August 26 Grand County Mental Health Task Force from 1 pm to 3 pm in the Board of Commissioner’s Meeting Room – Commissioners Cimino and Linke
- August 28 Legislative Breakfast at Carvers in Winter Park from 8 am to 10 am – All three commissioners
- August 29 Big Thompson Tour at 8:00 a.m. at the Farr Pumping Plant – All three commissioners
- September 9 Housing Authority Workshop from 1 p.m. to 3 p.m. in the Board of Commissioner’s Meeting Room

Blue Valley Ranch Outright Exemption

- PROJECT NAME: Blue Valley Ranch Outright Exemption
- APPLICANT: Galloway, Inc., Represented by Jim Killean and Robert Firth
- LOCATION: SE ¼, of the NE ¼ Section, 33, Township 1 South, Range 80 West
- APPLICABLE REGULATIONS: Master Plan, Zoning Regulations, Outright Exemption Regulations
- ZONING: F – Forestry and Open District
- ATTACHMENTS:
- A. Vicinity Maps
 - B. Application and Narrative Letter
 - C. Title Commitment
 - D. Proposed Outright Exemption Plat
 - E. Environmental Impact Survey
 - F. Federal Land Patent
- STAFF PLANNER: Alexander Taft, LEED Green Associate
- REQUEST: The Applicant is proposing a new parcel to contain an access easement requested by BLM to the Blue River through an Outright Exemption.

I. BACKGROUND

a. Proposal

Galloway Inc., represented by Jim Killean, of Ireland Stapleton Pryor & Pascoe, PC and Robert Firth, Blue Valley Ranch land manager hereafter referred to as “the Applicant,” purchased property by Personal Representatives Deed on February 24, 1999, recorded at Reception No. 99001655. Blue Valley Ranch is composed of several thousand acres south of the Town of Kremmling, along Colorado State Highway 9. The newly proposed parcel is just west of the Spring Creek Bridge near the edge of Blue Valley Acres Subdivision.

Blue Valley Land Exchange has been in process with Grand County since spring of 2018. The Land Exchange is proposed to provide public improvements such as accessible fishing platforms, boat put-in/take-out, and day use areas. With this land exchange the County made comments to provide a “permanent” public amenity. The Applicant will also need a variance from the five (5) acre minimum area of a lot.

Approximately 3000 acres are being exchanged, of those 1500 are going to the BLM for access to existing Public Lands. There is currently an existing Take-out at this location but the property will be imp

The proposed lot is located approximately 10 miles south of Kremmling and approximately 3 miles northwest of the Green Mountain Reservoir (See attachment E).

Portable toilets and picnic tables are proposed as a seasonal amenity for this site for recreational users.

Access is by way of local road County Road 10 west of State Highway 9 and west of the Spring Creek Bridge. The site is surrounded by Blue Valley Ranch, bounded to the north by Blue River. The subject parcel is approximately 1 mile north from the Summit and Grand County boundary.

b. History

The property was originally part of a federal land patent granting 480 acres to George Thomas Bell in 23rd of May 1929. The property transferred within the family several times between 1929 and 1943 and then sold to Pete and Mary Hogan (recorded at Book 94 Page 143) who owned the land from 1943 to 1961. The Hogan’s sold the property to Corinne, George A., and Karl H. Knorr as joint tenants, Recorded at Book 138 Page 22. Blue Valley Ranch owners Galloway, Inc. purchased the land from the Knorr Estate who were owners between 1961 and 1998-9. As far as Staff can tell, the property has remained agricultural use since the original land patent.

II. STAFF ANALYSIS

During the comment period for a land exchange between Blue Valley Ranch and the Bureau of Land

Management (BLM), the County supported the exchange. Public access was a large factor in the support as the Land Exchange granted hunting and fishing access adjacent to many popular BLM lands. One area that lacked this access was adjacent to the Spring Creek Bridge where Blue Valley Ranch gave a license agreement to allow recreational users the ability to “take-out” at this location. To preserve this the County recommended that this site be included in the Land Exchange.

III. PLANNING COMMISSION RECOMMENDATION

The Planning Commission reviewed this application during their regular meeting of August 14, 2019. Following Staff’s presentation, Robert Firth the manager of Blue Valley Ranch added some clarification on the whole land exchange and the implications of this parcel. It was made clear that the parcel being created has long been an easement for boaters and anglers along the Blue River to exit the Blue River from an entry located near Green Mountain Reservoir. The Planning Commission had some additional questions about the management and improvements that would be added to the site. There are currently 10 parking spots, additionally portable toilets will be added and two picnic tables. The intention of this being part of the entire land exchange is Colorado Parks and Wildlife (CPW) will manage it, including enforcement. The Applicant was also granted a variance to allow a lot under five (5) acres. Staff explained that an interested property owner was concerned about a rise in use and misuse if this was approved. The Applicant’s representative was confident that CPW would be able to enforce the site as a take-out only.

Staff recommends the approval of the Blue Valley Ranch Outright Exemption with the following conditions to be met:

1. The following notes shall be added to the proposed Plat:
 - a. Any utility easements shall be established on an as needed basis within this Outright Exemption Plat in compliance with this provision [Section 2.1].
 - b. The Lot shall be for outdoor recreational area and incidental facilities purposes only, a note shall be added to this effect [Section 3.2 (2) (h)].
 - c. No water supply is suggested to service the parcel and no well permit shall be issued for this Parcel as any new well would cause material injury to existing water rights [Section 3.2 (2) (r)].
2. An address of 1175 GCR 10 shall be shown on the Final Plat. [Section 2.2].
3. The Title of the Plat shall be corrected as shown above [Section 3.2 (2) (a)].
4. Names and Right-of-Way width of each street including for County Road 10 shall be provided [Section 3.2 (2) (e)].
5. Adjacent property owners shall be correctly identified [Section 3.2 (2) (g)].
6. A lien holder’s certificate shall be added to the Plat showing parties with interest in the subject property [Section 3.2 (2) (j)].
7. A Certificate of Approval by the Board of County Commissioners shall be in the form similar to the Subdivision Regulations. The certificate for Planning Commission shall be removed. [Section 3.2 (2)(m)].
8. The Applicant shall comply with current County Onsite Wastewater Treatment System regulations [Section 3.2(2) (r)].
9. Statement of taxes due showing current taxes paid shall be supplied prior to recording the Plat [Section 3.2(2) (s)].
10. An electronic copy of the Outright Exemption Final Plat in AutoCAD.dwg or AutoCAD.dxf format shall be provided [Section 3.2 (2) (t)].
11. The Applicant shall meet all Plat requirements and such additional information as may be required by the Grand County Board of County Commissioners.

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

Ranch Manager Rob Firth stated that this is part of the land exchange. This is a take-out on the river and he wants to make sure that it is recognized as a permanent take out location. Funding will be provided for managed of the site to Colorado Parks and Wildlife.

Mr. Firth stated that the site cannot be used to put into the river. It will be a trespass if people use the site for putting into the river.

Commissioner Manguso moved to approve the Blue Valley Ranch Outright Exemption as presented with the exception of Requirement Number 8 which is to be removed.

The motion passed unanimously.

Lots 2, 3 and 4, Block 4, Val Moritz Village Filing No. 2, Amended Final Plat

PROJECT NAME: Amended Final Plat, Lots 2, 3, and 4, Block 4, Val Moritz Village Second Filing and the Vacation of Utility Easements.
APPLICANT: Aspen Acres of Grand County, LLC, Clifton R. and Louise D. Foster, and Craig T. and

Joyce Holly Wood represented by Doug Foster (Aspen Acres of Grand County, LLC)

LOCATION: Lots 2, 3, and 4, Block 4 Val Moritz Village Second Filing, 2520-2596 GCR 88

ZONING: Residential District (R)

APPLICABLE REGULATIONS: Grand County Zoning Regulations, Grand County Master Plan, Subdivision Regulations

ATTACHMENTS:

- A. Vicinity Map
- B. Letter of Application and Narrative
- C. Proposed plat
- D. Title Commitments
- E. Site photos

STAFF PLANNER: Alexander Taft, LEED Green Associate

REQUEST: The applicant is requesting amended final plat to combine three (3) lots into two (2) lots. The Amended Final Plat will also show the vacation of two (2) privately dedicated utility easements which run along the common interior lot lines of the lots involved in this proposal.

I. BACKGROUND

a. History:

Val Moritz Village Second Filing was platted in 1971 recorded at Reception No. 117594. All of the lots in the subdivision are approximately one acre in size and are serviced by wells and septic systems. The one acre lots are capable of accommodating both well and septic systems in most situations. However the property owners face difficulties because of soils and required well depths, it has proven to be less than ideal.

All lots within the subdivision were intended to be served by public water and sewer as a part of these two filings and Innsbruck Val-Moritz. The homeowners' association that is presently known as the Village Lots Homeowners Association have made three attempts to extend central sewer service to Val Moritz Village Second Filing. The third attempt was recently unsuccessful and therefore, the Homeowners Association is encouraging lot combinations so that lot sizes are increased, thus facilitating the siting of well and septic systems on the properties.

Roads and easements within the subdivision are dedicated to the owners of Val-Moritz Village, any vacation of these easements will need to be via deed provided by the Village Lots Homeowners Association.

b. Proposal:

Craig T. and Joyce Holly Wood are owners of Lot 2 recorded at Reception No. 2018009705. Aspen Acres of Grand County, LLC, is the owner of Lot 3 via Warranty Deed at Reception No. 99010056. Clifton R. and Louise D. Foster are owners of Lot 4 via Warranty Deed at Reception No. 2012001520. Aspen Acres of Grand County, LLC, Clifton R. and Louise D. Foster, and Craig T. and Joyce Holly Wood are herein referred to as the Applicants. The Applicants propose to split Lot 3 and combine each half to Lot 2 and Lot 4 therefore reducing three (3) lots to two (2) lots. The objective is to reduce the number of lots within Val-Moritz Village, since public water and sewer are not available. There are currently single family dwellings on Lots 2 and 4, so no further development is being requested with this proposal. Amended Lot 2A will consist of 1.52 acres and Amended Lot 4A will also consist of 1.52 acres.

II. STAFF COMMENTS AND ANALYSIS

This Amended Final Plat involves three (3) lots being reduced to two (2) lots. Doug Foster, owner of several lots, member of the Village Lot Owners Association and the Applicant's representative is also representing this effort. The Owners Association is still recommending property owners combine lots that present problems with well and septic spacing.

The lots subject to this proposed plat are surrounded by vacant residential use. Val Moritz Village is a County enclave to the Town of Granby also being adjacent to Granby Ranch a larger resort and residential development to the north.

III. PLANNING COMMISSION RECOMMENDATION

The Planning Commission reviewed this application during their regular meeting of August 14, 2019. Planning Commission had questions about the inconsistency with Grand County Master Plan i.e., reducing density in areas where higher density uses have been identified. The suggestion was that Val Moritz Village lying in an Urban Growth Boundary where wells and septic currently exist that public water and wastewater are still possible on many of these one (1) acre lots. The Applicant's representative made it clear that across the subdivision soil test had been completed and the Homeowners Association was recommending the combination of lots to cure the general issues with clayey soils.

Planning Commission recommended approval in a vote of 8 to 1 of the Amended Final Plat, Amended lots 2A and 4A, Block 4, Val Moritz Village Second Filing a replat of Lots 2, 3, and 4, Block 4, Val Moritz Village

Second Filing according to the Plat recorded at Reception No. 117594 with the following conditions to be met prior to the recording of the Amended Final Plat.

1. The title shall be amended to include Section, township and range, conveyance to owners and location of Recording (4.3 (2) (a)).
2. Pre-Existing recorded easements with reference to their location of recording within the Grand County Real Estate records (4.3 (2) (e)).
3. Quit Claim Deeds for the (HOA) vacation of easements shall occur prior to filing the Plat.
4. Any easements adjacent to existing property lines to be vacated shall reference Reception Numbers to their recording in records of the Grand County Clerk and Records Office (4.3 (2) (f)).
5. A lien holders certificates shall be added to the Plat (4.3 (2) (j)).
6. Planning Commission Certificate shall be corrected (4.3 (2) (m)).
7. The County Attorney's Office shall review the Dedication (4.3 (2) (r)).
8. A statement of taxes that shows all taxes have been paid shall be submitted (4.3 (2) (x)).
9. An electronic copy in AutoCAD.dwg or AutoCAD.dxf of the Final Plat shall be submitted (4.3 (2) (y)).
10. All recording fees are to be paid by the Applicant.
11. Any existing wells will need to be repermited with the State following the recording of the Amended Final Plat.

Commissioner Linke moved to approve Amended Final Plat, Lots 2, 3, and 4, Block 4, Val Moritz Village Second Filing and the Vacation of Utility Easements as presented.

The motion passed unanimously.

There being no further business to come before the Board, the meeting was adjourned at 1:20 p.m. The minutes were prepared by Clerk and Recorder Sara L. Rosene. Approved this 27th day of August 2019.

Richard Cimino, Chair

Attest:

Sara L. Rosene, Clerk and Recorder