

Town of Yampa Workshop Agenda  
October 20, 2021  
7:00 P.M.

Workshops are open to the public and the public is encouraged to attend

Town of Yampa Planning Commission and Workshop Meeting  
Wed, Oct 20, 2021 7:00 PM (MDT)

**Please join my meeting from your computer, tablet or smartphone.**

<https://global.gotomeeting.com/join/212876245>

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Planning Commission Agenda:

- Call to Order
- Roll Call
  
- Review and consideration for approval of September 15, 2021 Planning Commission minutes
  
- Yampa Vista PUD & Subdivision:
  - a. Public Hearing: A public hearing on the Preliminary Planned Unit Development (PUD) Plan and combined Sketch Plan/Preliminary Plat for Yampa Vista Subdivision, a 4-lot subdivision proposed on 4.56 acres located at 30 Moffat Avenue, Yampa (this will be a joint public hearing held by the Yampa Planning Commission and Yampa Town Board pursuant to Title 17, Yampa Zoning Code, Section 15.G.1.b)
  
  - b. Review and consideration of a recommendation on the Preliminary PUD Plan and combined Sketch Plan/Preliminary Plat for Yampa Vista Subdivision, a 4-lot subdivision proposed on 4.56 acres located at 30 Moffat Avenue, Yampa
  
- Consideration of recommendation on Ordinance 2021-06, An Ordinance Amending and Modifying Title 16, Subdivisions, and Title 17, Zoning, at Various Sections; Repealing All Conflicting Ordinances; and Providing and Effective Date
  
- Adjournment

## Town of Yampa 2022 Workshop

- Call to Order
- Roll Call
- Review and consideration of the Planning Commission Advisory Report and recommendation on the Preliminary PUD Plan and combined Sketch Plan/Preliminary Plat for Yampa Vista Subdivision, a 4-lot subdivision proposed on 4.56 acres located at 30 Moffat Avenue, Yampa
- 2022 Budget for the Town of Yampa presented and discussion with Town Board on questions and/or concerns
- Other matters that the Clerk cannot wait until the November 3, 2021 Regular Meeting for Town Board Discussion and Clerk updates
- Adjournment

**TOWN OF YAMPA  
PLANNING COMMISSION MEETING  
SEPTEMBER 15, 2021  
YAMPA TOWN HALL – 101 MAIN STREET  
CROSSAN BUILDING – 2<sup>ND</sup> FLOOR**

**CALL TO ORDER & ROLL CALL:**

Commissioner Jeffrey Drust called the regular meeting to order at 7:00 p.m., Wednesday, September 15, 2021 at Town Hall.

Other Commissioners present at roll call were: Mike Lewis, Stacey Geilert, Crystal McLaughlin, Michael Geanious and Gene Sanders.

Others in attendance: Sheila Symons, Town Clerk; Mary Alice Page-Allen, Page-Allen Associates LLC.

**WORK SESSION – YAMPA SUBDIVISION & ZONING CODES & YAMPA MASTER PLAN**

Ms. Page-Allen, Page-Allen Associates LLC, staff and members of the Planning Commission held a work session to discuss and provide direction on changes to the Yampa Subdivision & Zoning Codes and the Yampa Master Plan.

**ADJOURNMENT**

At 8:02 p.m. Commissioner Drust adjourned the meeting.

\_\_\_\_\_  
Sheila Symons  
Town Clerk/Treasurer

\_\_\_\_\_  
Jeffrey Drust, Chair

\_\_\_\_\_  
Date



## **YAMPA TOWN PLANNING COMMISSION**

### **PLANNING COMMISSION AGENDA ITEM**

**MEETING DATE:** October 20, 2021

**AGENDA ITEM:** Consideration recommendation on Ordinance 2021-06, An Ordinance Amending and Modifying Title 16, Subdivisions, and Title 17, Zoning, at Various Sections; Repealing All Conflicting Ordinances; and Providing and Effective Date

**PRESENTED BY:** Mary Alice Page-Allen, MPA AICP CMC  
Page-Allen Associates LLC

**ATTACHMENTS:** Draft Ordinance 2021-06  
Draft Resolution 2021-06 Fee Schedule

#### **BACKGROUND:**

The fees imbedded in Title 16, Subdivisions, and Title 17, Zoning, are insufficient to cover the costs to the Town of processing related applications. After a discussion at a Town Board work session held on September 16, 2021, the development of an ordinance to address the related needed amendments and a resolution to set appropriate development review fees were undertaken.

A public hearing on Ordinance 2021-06 has been scheduled for November 3, 2021. A legal notice advertising this public hearing has been placed in the Steamboat Pilot the required minimum of fifteen (15) days in advance of the public hearing. The Yampa Planning Commission is asked to consider the proposed changes and associated fee schedule contained in Resolution 2021-06 and forward a recommendation for the Town Board's final consideration subsequent to the November 3<sup>rd</sup> public hearing.

**TOWN OF YAMPA**

**ORDINANCE NO. 2021-06**

**AN ORDINANCE AMENDING AND MODIFYING TITLE 16, SUBDIVISIONS, AND TITLE 17, ZONING, AT VARIOUS SECTIONS; REPEALING ALL CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE**

WHEREAS, the Yampa Planning Commission held a public meeting on October 20, 2021 and forwarded a recommendation to the Yampa Board of Trustees on various proposed amendments to the Title 16, Subdivisions, and Title 17, Zoning, of the Yampa Municipal Code (Subdivision and Zoning Codes) to be considered at a duly noticed public hearing; and

WHEREAS, notice of a public hearing was published on October 19, 2021 in the Steamboat Pilot, a paper of general circulation in the Town; and

WHEREAS, the Yampa Board of Trustees held a public hearing on November 3, 2021 to consider the Planning Commission's recommendation and to hear public comments regarding the proposed amendments to the Subdivision and Zoning Codes. Public comment was [was not] received at said public hearing; and

WHEREAS, Trustee \_\_\_\_\_ made a motion to approve [as amended] the recommendation of the Planning Commission regarding amendments to the Subdivision and Zoning Codes with the finding of fact that the proposed changes to the Town of Yampa's Subdivision and Zoning Codes are necessary to assure current and future costs related to the provision of Town of Yampa development and review services. Trustee \_\_\_\_\_ seconded the motion. The motion passed unanimously [by a vote of \_\_\_\_ \_\_\_\_\_].

NOW, THEREFORE, be it ordained by the Board of Trustees of the Town of Yampa as follows:

**SECTION 1. AMENDMENTS TO TITLE 16.** Title 16, Subdivisions, Yampa Municipal Code, is hereby amended as follows (additions are underlined, ~~deletions are struck through~~)::

A. Section 11.B Procedure for Submission of a Subdivision Plat. is amended as follows

3. ~~The appropriate fee, as set forth in Section 16 shall be paid in full at the time of application for preliminary plat approval.~~ [Reserved.]

B. Section 16. Fees. is amended as follows:

A. ~~Amount of Fee:~~

~~In order to cover the costs of review and other expenses incidental to the approval of a subdivision, the subdivider shall pay a fee at the time of application for approval of a preliminary plat. Such fee shall be based upon the number of lots created. At the time of application for approval of the preliminary subdivision plat, the required fee shall be paid in full according to the rates set forth~~

~~below. No preliminary or final subdivision plat shall be considered by the Planning Commission or Board of Trustees until all fees are paid in full. No fees are refundable upon any processing, partial or complete, of a subdivision plat.~~

B. Fees:

~~\$10.00 per lot paid at the time of application for approval of a preliminary plat.~~

~~All of the fees collected for the approval of subdivision shall be credited to the general fund of the Town of Yampa, Colorado.~~

Fees shall be paid in accordance with the Town of Yampa Fee Schedule as adopted and amended by a resolution of the Yampa Board of Trustees from time to time.

SECTION 2. AMENDMENTS TO TITLE 17. Title 17, Zoning, Yampa Municipal Code, is hereby amended as follows (additions are underlined, ~~deletions are struck through~~):

A. Section 8.B Conditional Uses is amended as follows:

7. Rock crushers, concrete and asphalt mixing plants, sand and gravel pits or any other such excavation or surface mining shall be allowed provided they meet the following requirements:

m. ~~There shall be a fee of twenty five (25) dollars payable at the time of application of the permit to defray the cost of posting the property and advertising the public hearing. [Reserved.]~~

n. Upon the granting of a permit by the Commission the following fee schedule shall apply:

|  |                  |                       |
|--|------------------|-----------------------|
| <del>One acre or less</del>                                    | <del>_____</del> | <del>\$200.00</del>   |
| <del>More than one acre to and including two acres</del>       | <del>_____</del> | <del>\$300.00</del>   |
| <del>More than two acres to and including three acres</del>    | <del>_____</del> | <del>\$400.00</del>   |
| <del>More than three acres to and including four acres</del>   | <del>_____</del> | <del>\$500.00</del>   |
| <del>More than four acres to and including five acres</del>    | <del>_____</del> | <del>\$600.00</del>   |
| <del>More than five acres to and including ten acres</del>     | <del>_____</del> | <del>\$1,000.00</del> |
| <del>In addition, land in excess of ten acres (per acre)</del> | <del>_____</del> | <del>\$25.00</del>    |

~~The above fee schedule shall apply to each individual ownership of land which is included in the operation.~~

B. Section 15.N Fees for PUD Application is amended as follows:

~~N. Fees for PUD Application:~~

- ~~1. Fees, as may be deemed necessary, to help defray the cost of processing, administering and enforcement of this Section 5 of the Zoning Ordinance may be established by the Board of Trustees and shall be paid by the PUD applicant upon submission of the indicated type of plan for review by the Planning Commission. [Reserved.]~~

C. Section 19.L. Fees. is amended as follows:

~~The Board of Trustees may establish such fees as deemed necessary to cover the cost of enforcement and administration of this ordinance. Fees shall be paid in accordance with the Town of Yampa Fee Schedule as adopted and amended by a resolution of the Yampa Board of Trustees from time to time.~~

D. Section 20.C Amendments to the Official Zoning Map is amended as follows:

~~4. Fee for Map Amendments.~~

~~The Board of Trustees may establish such fees as deemed necessary to carry out the rezoning procedures as set forth herein. [Reserved.]~~

E. Section 21.F Planned Unit Development is amended as follows:

- ~~F. Planned Unit Development: \$250 fee, plus \$500 deposit prior to scheduling first hearing. In addition to the fee, the applicant shall pay all costs of Town review of the application, including consultants and attorney review time. The costs of such review will be deducted from the deposit, which shall be replenished at the Town's request to cover additional expenses. Unspent deposit funds shall be refunded to the applicant after the application has been finally approved, or denied, or has been withdrawn. [Reserved.]~~

**SECTION 3. SEVERABILITY, CONFLICTING ORDINANCES REPEALED.** If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. All other ordinances in conflict with the provisions of this Ordinance are hereby repealed.

**SECTION 3. EFFECTIVE DATE.** This ordinance shall take effect and be in full force and effect thirty (30) days after adoption and publication pursuant to C.R.S. § 31-16-105.

**INTRODUCED, READ, APPROVED AND ORDERED PUBLISHED** this 3<sup>rd</sup> day of November, 2021.

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Jeffrey Drust, Mayor

ATTEST:

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Sheila Symons  
Town Clerk



**RESOLUTION NO. 2021-08**

**A RESOLUTION OF THE TOWN OF YAMPA, COLORADO ADOPTING A TOWN OF YAMPA FEE SCHEDULE FOR SUBDIVISION AND ZONING APPLICATIONS UNDER TITLE 16 & TITLE 17, YAMPA MUNICIPAL CODE, AND SETTING AN EFFECTIVE DATE**

**RECITALS**

1. On November 1, 2021, the Board of Trustees passed an Ordinance amending Title 16, Subdivisions, and Title 17, Zoning, Yampa Municipal Code.
2. The Ordinance provided that a Fee Schedule is to be adopted by Resolution and be amended as needed from time to time by Resolution.
3. A Subdivision & Zoning Fee Schedule that considers the costs and fees for the processing of land use and development proposals for the Town of Yampa has been developed and is attached hereto as Appendix A.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF YAMPA, COLORADO THAT:**

Section 1. The Town of Yampa Zoning & Subdivision Fee Schedule attached hereto as Appendix A is hereby adopted.

Section 2. This Resolution shall be in full force and effect on January 1, 2022.

**PASSED, APPROVED AND RESOLVED THIS 3<sup>rd</sup> DAY OF NOVEMBER, 2021.**

\_\_\_\_\_  
Jeffrey Drust, Mayor

ATTEST:

\_\_\_\_\_  
Sheila Symons  
Town Clerk/Treasurer

**APPENDIX A  
TOWN OF YAMPA ZONING & SUBDIVISION  
FEE SCHEDULE**

Effective: January 1, 2022

**MINIMUM BASIC FEES:** The Minimum Basic Fees listed shall be paid in full at the time of application. An application will not be deemed and scheduled for review until the Minimum Basic Fee has been paid in full. The Minimum Basic Fee is designed to cover basic filing, publication and processing costs. It also includes the minimum amount of staff time typically required for an application of that type.

**HOURLY FEES:** Hourly Fees will be charged for staff time not covered by the Minimum Basic Fees. Staff time will be charged at a minimum rate of **\$100/hr**. This rate may be adjusted by the Town Board as necessary. Hourly Fees apply to all review processes unless otherwise noted.

**RENEWAL FEES:** 50% of the Minimum Basic Fee will be charged to process renewals unless otherwise noted that are authorized under the original conditions of approval or in the Zoning or Subdivision Ordinances.

**SPECIAL FEES:** Special fees may be charged at the discretion of the Town Board for professional consultants or special research/analysis that is required to ensure adequate review of an application.

**APPROVALS/PERMITS ARE CONTINGENT ON FULL PAYMENT OF ALL APPLICABLE FEES:**

This includes any and all Minimum Basic Fees, Hourly Fees, Surcharges, and/or Special Fees. Approvals/Permits with outstanding balances that exceed 90 days will be revoked.

| REVIEW PROCESS  | MINIMUM BASIC FEE   | NOTES   |
|---|---|---|
| Building Permit Sign-Off                                  | \$75  | Collected at permit application through Routt County Regional Building Dept. Hourly rates apply for reviews more than ½ hour.   |
| Floodplain Development Permit                             | \$100   |   |
| Fence Permits   | \$25  | If Planning Commission or Town Board review is required, the hourly rates apply   |
| Sign Approvals  | \$50  | No Hourly Fee   |
| Pre-Application Work Session                              | \$100   | Fee will be credited to subsequent application if such moves forward  |
| Planned Unit Development – Conceptual                     | \$1000  |   |
| Planned Unit Development – Final                          | \$500   |   |
| Conditional Use Permit                                    | \$500   |   |
| Zoning Amendment  | \$500   |   |
| Subdivision Exemption (Town Board Review Only)            | \$1000  |   |
| Vacation of Plat, Right-of-Way or Public Utility Easement | \$500   |   |
| Pre-App/Sketch Plan                                       | \$500 + \$10/lot or dwelling unit                         | Final Plats that combines Pre-Application/Sketch, Preliminary and Final Subdivision for concurrent review will be charged Final Subdivision Plat fees. These are limited to plat corrections, lot line adjustments or lot consolidations. |
| Preliminary Plat  | \$1000 + \$15/lot or dwelling unit                        |   |
| Final Subdivision Plat                                    | \$500   |   |
| Replat  | \$500   |   |
| Site Plan Review  | \$400 + \$.05/sq ft for gross bldg. area over 5,000 sq ft |   |
| Development/Subdivision Improvement Agreement             | \$500   |   |
| Appeal  | \$250   |   |
| Variance  | \$500   |   |
| Annexation  | \$2000  |   |

|   |  |  |
|---|--|--|
| Other Review Requiring Town Approval (for example Master Plan Amendments, Text Amendments)  |  | Hourly fees only. A deposit of \$500 against which the hourly rate will be applied is required. Any unused balances will be returned to applicant. |
| <b>RESEARCH<sup>1</sup>:</b> First two (2) hours no charge; each additional hour will be charged at the current rate for Hourly Fees. Research requests shall be submitted to the Town Clerk and are subject to approval prior to the initiation of any staff research. The Town Clerk shall determine if the requested research is appropriate based on the nature of the research requested, the amount of research requested, and the available staff time.  |  |  |
| <b>DETERMINATION/INTERPRETATION LETTER:</b> Hourly Fees will apply (\$50 minimum).<br><sup>1</sup> Research is defined as the interpretation of documents in the Town's land use files. By way of example and not limitation, a party may request research as to the land use history of a particular parcel or for the history and status of a land use approval for a specific parcel. This section is not intended to replace or nullify a citizen's rights under the Open Records Act to inspect and copy a specifically described document or documents or file.   |  |  |
| <b>AFTER THE FACT REVIEW:</b> An additional charge equal to the total applicable Minimum Basic Fees shall be applied to all applications for Approvals/Permits that are received after the start of construction and/or operation. These additional fees will not be used to offset any Hourly Fees that may apply.   |  |  |
| <b>MULTIPLE PROCESSES:</b> In general, an application will be charged the total of all applicable Minimum Basic Fees at the time of application. However, the Town Clerk may adjust the aggregate of fees for concurrent multiple processes based upon the scope and complexity of each affected application and the cost to the Town to complete the reviews.  |  |  |
| <b>REFUNDS:</b> Fees will not be refunded for any processing or partial processing of an application except as approved by the Town Board.  |  |  |
| <b>OTHER DEPARTMENT AND AGENCY FEES:</b> Applicant will be responsible for any and all fees charged by other departments or agencies necessary to process application including but not limited to: <ul style="list-style-type: none"> <li>a. Yampa Fire Protection District</li> <li>b. Clerk and Recorder Fees</li> <li>c. Town Attorney Fees</li> <li>d. Routt County Regional Building Department Fees</li> <li>e. Colorado State Engineer</li> <li>f. Colorado Geological Survey</li> </ul>  |  |  |
| <b>CRITERIA FOR THE WAIVER OF FEES FOR SPECIAL PROJECTS:</b> Minimum Basic and Hourly Fees may be reduced or waived by the Town Clerk or the Town Board. Fees related to professional/independent consultants and studies are not included. In general, but not limited to, the following categories will be used to determine if a fee reduction or waiver is appropriate: <ul style="list-style-type: none"> <li>a. Projects of public entities;</li> <li>b. Projects of non-profit entities that will have a substantial benefit to the citizens of the Town of Yampa; or</li> <li>c. Projects initiated by the Town of Yampa</li> </ul> |  |  |