

AGENDA ITEM #9.

CITY COUNCIL COMMUNICATION FORM

FROM: Rebecca D. Bessey, AICP, Principal Planner
Tyler Gibbs, AIA, Director of Planning & Community Development

THROUGH: Gary Suiter, City Manager

DATE: January 23, 2018

ITEM: FIRST READING OF ORDINANCE: An ordinance amending Chapter 26 of the Steamboat Springs Revised Municipal Code by amending Sections 231, 232, 233, 306, 600 and 702 to correct errors, and by amending Section 703 to revise the property posting requirement for zone map amendments; repealing all conflicting ordinances; providing for severability; and providing an effective date.

MOTION: Approve the First Reading of the Ordinance.

DIRECTION
 INFORMATION
 ORDINANCE
 MOTION
 RESOLUTION

I. REQUEST/ISSUE & BACKGROUND INFORMATION:

The updated Community Development Code was adopted in November 2017 and became effective January 1, 2018. As expected, Staff has discovered several minor errors in the new CDC. These errors are summarized below.

- 1) Section 702.E, Table 702-1 Development Review Application Types and Procedures. The Conditional Use and Appeal of Decision processes incorrectly list a Letter as the final Form of Decision; however, these processes go to City Council and are decided by Resolution.
- 2) Sections 231.B, 232.B, and 233.B, Dimensional Standards for the T4-NC, T5-TC, and SD transect zones include incorrect section references within

the footnotes related to TND building type and TND frontage type standards.

- 3) Section 600 is incorrectly titled General Provisions instead of Organization of Standards.
- 4) Section 306.C.2, use standards for the keeping of chickens/ducks, misspells the word "coop" several times.

In addition to the errors noted above, we have re-evaluated the public notice requirements for large-scale, broad rezonings. The CDC requires property posting for Zone Map Amendments. As Staff is preparing for the proposed adoption of the Entry Corridor (EC) Overlay Zone, it is apparent that posting a sign on every affected property would be onerous. In addition, the current posting requirement would require the City (as the applicant for a City-initiated rezoning of this type) to place public notice signs on private property.

II. ALTERNATIVES:

City Council may approve the First Reading of the Ordinance as presented, approve with revisions, table, or deny the Ordinance.

III. STAFF RECOMMENDATION:

Staff recommends approval of the First Reading of the Ordinance as presented.

IV. FISCAL IMPACTS:

Proposed Expenditure: n/a

Funding Source: n/a

Risk Assessment: n/a

V. LEGAL ISSUES:

There are no apparent legal issues.

VI. CONFLICTS OR ENVIRONMENTAL ISSUES:

There are no apparent conflicts or environmental issues.

VII. CONSISTENCY WITH COUNCIL GOALS AND POLICIES:

n/a

ATTACHMENTS:

Attachment 1: Planning Commission Staff Report, January 11, 2018.

Attachment 2: Draft Planning Commission Minutes, January 11, 2018.

Attachment #1

AGENDA ITEM # 2 PLANNING COMMISSION COMMUNICATION FORM

FROM: Rebecca D. Bessey, AICP, Principal Planner
THROUGH: Tyler Gibbs, AIA, Director of Planning & Community Development
DATE: January 11, 2018
ITEM: TXT-17-04: Public Notice and Corrections Amendment

PETITION: A text amendment to:

- 1) Correct errors in the following Sections:
 - 702.E, Development Review Application Types and Procedures
 - 231.B, T4-NC Dimensional Standards
 - 232.B, T4-TC Dimensional Standards
 - 233.B, SD Dimensional Standards
 - 600, General Provisions
 - 306.C.2, Use standards for the keeping of chickens/ducks
- 2) Amend Section 703.A.2, Public Notice by Application Type to revise the property posting requirement for certain types of Zone Map Amendments.

APPLICANT: City of Steamboat Springs
Department of Planning and Community Development

I. COMMUNITY DEVELOPMENT CODE (CDC) – STAFF ANALYSIS SUMMARY

CDC - Section 723.B: Criteria for approval. Text amendments to the CDC shall be evaluated and may be approved if one of the following criteria exist:					
		CONSISTENT			NOTES
		Yes	No	NA	
1	Compatible with the community plan.	<input checked="" type="checkbox"/>			
2	Error or goal/objective.	<input checked="" type="checkbox"/>			
3	Public health, safety, & welfare	<input checked="" type="checkbox"/>			
Staff Finding: Staff finds that TXT-17-04: Public notice and corrections amendment is consistent with the criteria for approval per CDC Section 723.B.					

II. BACKGROUND

The updated Community Development Code was adopted in November 2017 and became effective January 1, 2018. As expected, Staff has discovered several minor errors in the new CDC. These errors are summarized below. Proposed language corrections are highlighted in Attachment 1.

- 1) Section 702.E, Table 702-1 Development Review Application Types and Procedures. The Conditional Use and Appeal of Decision processes incorrectly list a Letter as the final Form of Decision; however, these processes go to City Council and are decided by Resolution.
- 2) Sections 231.B, 232.B, and 233.B, Dimensional Standards for the T4-NC, T5-TC, and SD transect zones include incorrect section references within the footnotes related to TND building type and TND frontage type standards.
- 3) Section 600 is incorrectly titled General Provisions instead of Organization of Standards.
- 4) Section 306.C.2, use standards for the keeping of chickens/ducks misspells the word “coop” several times.

In addition to the errors noted above, we have re-evaluated the public notice requirements for large-scale, broad rezonings. The CDC requires property posting for Zone Map Amendments. As Staff is preparing for the proposed adoption of the Entry Corridor (EC) Overlay Zone, it is apparent that posting a sign on every affected property would be onerous. In addition, the current posting requirement would require the City (as the applicant for a City-initiated rezoning of this type) to place public notice signs on private property. The proposed amendment is highlighted in Attachment 1.

III. CRITERIA FOR REVIEW AND APPROVAL

CDC Section 723. CDC Text Amendments

B. Criteria for approval. Text amendments to the CDC shall be evaluated and may be approved if one of the following criteria exist:

1. The proposed amendment is compatible with the preferred direction and policies outlined in the Community Plan and other applicable adopted plans.

Staff Analysis: Consistent: The proposed text amendment will improve the efficacy and clarity of the CDC which, as the implementation tool of the Community Plan, supports and is compatible with the Steamboat Springs Area Community Plan.

2. The proposed amendment will correct an error or will further a public goal or objective.

Staff Analysis: Consistent: The text amendment will correct several errors in the CDC.

3. The proposed amendment is necessary to ensure public health, safety and welfare.

Staff Analysis: Consistent: The proposed amendment will improve the efficacy and

clarity of the CDC, leading to better customer service and improved health, safety, and welfare through a clear interpretation of the CDC.

IV. STAFF FINDINGS

Staff finds that TXT-17-04: Public notice and corrections amendment is consistent with the criteria for approval per CDC Section 723.B.

V. ATTACHMENTS

1. Proposed amendments

1) Amend Section 703.A.2, Table 703-1 Public Notice by Application Type, to include a new Footnote 2 as follows:

Table 703-1. Public Notice by Application Type

Application Type	Newspaper Publication	Surrounding Property Owner Mailing	Property Posting	Mineral Rights Notification
Land Use				
Vacation Home Rental Permit	■	■	■	
Conditional Use	■	■	■	■
Site Development				
Conceptual Development Plan	■	■	■	■
Development Plan-Administrative	■	■	■	
Development Plan-Public Hearing	■	■	■	■
Subdivision				
Preliminary Plat	■	■	■	■
Final Plat-Major Subdivision		■	■	
Final Plat-Easement Vacation	■	■	■	
Extraterritorial Subdivision	■	■	■	■
Variance				
Minor Adjustment	■	■	■	
Major Adjustment	■	■	■	
Minor Variance	■	■	■	
Major Variance	■	■	■	■
Zoning				
Zone Map Amendment	■	■	■ ²	■
Planned Unit Development	■	■	■	■
TND Regulating Plan	■	■	■	■
CDC Text Amendment	■			
Other				
Community Plan Amendment	■	□	□	
Annexation	■	■	■	
Substantial Conformance ¹	■	■	■	

Legend

■=Required

□=Required when the application is regarding one or more specific properties

¹ Public notice shall only be required for minor amendments to Planned Unit Developments and TND Regulating Plans reviewed through the Substantial Conformance process.

² [Property posting may be waived by the Planning Director for City-initiated Zone Map Amendments that include multiple lots or property owners.](#)

2) Amend Section 702.E, Table 702-1 Development Review Application Types and Procedures, as follows:

Table 702-1. Development Review Application Types and Procedures

Application Type ¹	Public Notice ²	Administrative Review		Public Hearing				Form of Decision
		TAC	Director	HPC	BOA	PC	CC	
Land Use								
Limited Use Permit			DM					Permit
Vacation Home Rental Permit	■		DM					Permit
Conditional Use	■	□				■	DM	Letter Resolution
Site Development								
Conceptual Development Plan	■	■		□		■	DM	Resolution
Development Plan								
Minor Modification		□	DM	□		CU	CU	Letter
Development Plan-Administrative	■	■	DM	□		CU	CU	Letter
Development Plan-Public Hearing	■	■		□		■	DM	Resolution
Floodplain Development Permit		□	DM					Letter
Master Sign Plan		□	DM					Letter
Sign Permit		□	DM					Permit
Subdivision								
Preliminary Plat	■	■				■	DM	Resolution
Final Plat								
Major Subdivision		■	DM			CU	CU	Plat
Minor Subdivision	■	■	DM			CU	CU	Plat
Replat		■	DM					Plat
Condominium/Townhome Plat		■	DM					Plat
Easement Vacation	■	■				□	DM	Ordinance and Plat
Waiver of Replat		■	DM					Waiver
Extraterritorial Subdivision	■	■				□	DM	Letter
Variance								
Adjustment								
Minor Adjustment	■	□	DM					Letter
Major Adjustment	■	□			DM			Resolution
Variance								
Minor Variance	■	■	DM					Letter
Major Variance	■	■				■	DM	Resolution
Zoning								
Zone Map Amendment	■	■				■	DM	Ordinance
Planned Unit Development	■	■				■	DM	Ordinance
TND Regulating Plan	■	■				■	DM	Ordinance
CDC Text Amendment	■	□		□	□	■	DM	Ordinance
Other								
Community Plan Amendment	■	□				■	DM	Resolution
Annexation	■	■				■	DM	Ordinance

Pre-Application Review		■					Letter
Written Interpretation		□	DM				Letter
Substantial Conformance	□ ³	□	DM				Letter
Appeal of Decision		□			□	DM	Letter Resolution

Legend

TAC=Technical Advisory Committee Director=Planning Director HPC=Historic Preservation Commission
BOA=Board of Adjustment PC=Planning Commission CC=City Council
■=Required □=May be required by the Planning Director or as specified elsewhere in this CDC
DM=Decision Maker CU=May call up the final decision for review

¹ Refer to Section 705 through Section 729 for applicability of each application type.
² Refer to Section 703 for specific public notice requirements.
³ Minor amendments to PUDs and TND Regulating Plans reviewed through Substantial Conformance shall require public notice.

3) Amend Section 231.B, T4-NC Dimensional Standards, Footnotes 6 and 9 as follows:

⁶ Refer to Section ~~423~~ [424](#) for TND building type standards. [Additional building types for specialized uses may be approved by the Planning Director upon a finding that they are compatible with the transect zone.](#)

~~⁹ Refer to Section [424](#) [423](#) for TND [building frontage](#) type standards. [Additional building types for specialized uses may be approved by the Planning Director upon a finding that they are compatible with the transect zone.](#)~~

4) Amend Section 232.B, T5-TC Dimensional Standards, Footnotes 4 and 7 as follows:

⁴ Refer to Section ~~423~~ [424](#) for TND building type standards. [Additional building types for specialized uses may be approved by the Planning Director upon a finding that they are compatible with the transect zone.](#)

~~⁷ Refer to Section [424](#) [423](#) for TND [building frontage](#) type standards. [Additional building types for specialized uses may be approved by the Planning Director upon a finding that they are compatible with the transect zone.](#)~~

5) Amend Section 233.B, SD Dimensional Standards, Footnotes 4 and 6 as follows:

⁴ Refer to Section ~~423~~ [424](#) for TND building type standards. [Additional building types for specialized uses may be approved by the Planning Director upon a finding that they are compatible with the transect zone.](#)

~~⁶ Refer to Section [424](#) [423](#) for TND [building frontage](#) type standards. [Additional building types for specialized uses may be approved by the Planning Director upon a finding that they are compatible with the transect zone.](#)~~

6) Amend the title of Section 600 as follows:

600 ~~GENERAL PROVISIONS~~ [ORGANIZATION OF STANDARDS](#)

7) Amend Section 306.C.2, use standards for the keeping of chickens/ducks, as follows:

2. Keeping of Chickens/Ducks

The keeping of chickens or ducks for non-commercial purposes.

Use Standards:

- a. A maximum of five hens are permitted per lot or contiguous lots under common ownership. Roosters and drakes are prohibited. Additional hens may be permitted by the Planning Director upon a finding that the applicant has demonstrated the need for additional hens, and that the additional hens will not result in any adverse impacts.
- b. Chickens and ducks shall be kept in a secure ~~coop~~ coop at all times, except when under direct supervision.
- c. ~~Coops~~ coops shall comply with minimum principal structure setbacks.
- d. ~~Coops~~ coops shall be kept in a neat and sanitary condition at all times, and they must be cleaned on a regular basis to prevent offensive odors and attraction of pests.
- e. Feed shall be stored in a bear-proof container if located outdoors.
- f. In RR, MH, MF, CK, CN, CC, and CS zone districts and T4-NC, T5-TC, and SD transect zones, proof of consent is required from any applicable owners' or neighborhood associations.

Attachment #2

Planning Commission Minutes
January 11, 2018

Draft

#2: TXT-17-04, Public Notice and Corrections Amendment

STAFF PRESENTATION

Rebecca Bessey:

This is the first of probably several text amendments that we will be considering this year because as you all know, we just adopted the new Community Development Code, and I assure you it was not perfect when we adopted it. So we are going to find some errors that we need to clean up, and in addition to that, we've committed to addressing some policy discussion items that have been on your agenda for quite some time. We anticipate a number of text amendments coming through Planning Commission and City Council this year, this being the first.

The majority of this one is cleaning up a couple of minor errors that we found in the recently-adopted code. The conditional use process and the appeal of decision process we incorrectly listed the final form of decision as a letter. Since both of those items go to City Council, they are actually passed by resolution. We had some incorrect section referencing in the Dimensional Standards of some of the TND zone districts, so we're cleaning that up. Section 600 of the code was incorrectly titled "General Provisions" so we're proposing to change that to "Organization of Standards." The last error we're cleaning up is an incorrect spelling of chicken coops, which occurred three times in that section.

The more substantive part of this is proposing to slightly revise the public notice requirements for zone map amendments, specifically addressing the property posting requirement. Those are the yellow signs that get placed on property whenever there's a development application that comes into the Department for review. For rezonings of a large number of properties, placing a sign on every property or even in meaningful locations that would give the public some understanding of which properties were proposed for rezoning, we don't believe is practical to achieve. It's easy when it's an applicant coming to us with a development proposal; we can tell them that's required that they place the yellow sign on their property. When it is city-initiated rezoning it becomes a little bit trickier to make sure that those signs are placed on private property.

When we adopted the updated CDC, I had explained to you that there would be a zoning map amendment coming shortly after that would adopt the Entry Corridor Overlay zone. Those are not new standards, but it is a new overlay zone to the map, so we have to go through a formal zoning map amendment to place that overlay zone on a large number of properties. We don't feel that it's practical for us to be able to place a sign on each of those properties. So what this amendment would do would place a footnote in that public notice table that would indicate that for city-initiated rezonings that include multiple lots and multiple property owners, the Planning Director has the discretion to waive that requirement. So if it's achievable, we can do it. We don't want to grant a blanket waiver. It would be left to the Planning Director to have that discretion of when it's practical and when it's not. All other public notice requirements would still be met, so there would be the mailing to all the property owners who are proposed for the rezoning as well as all the property owners within 300 feet of those properties, as well as the newspaper publication and the website publication that we do.

QUESTIONS FROM COMMISSIONERS

Adams: I really like that it does say "may be waived" and that it doesn't necessarily have to if it doesn't make sense. But if the city initiated a zoning map amendment change to say a Public Park or something to change it, and it's not multiple lots or property owners, is the Planning Director allowed to say no, we're not going to tell anybody about it?

Bessey: That's certainly not the intent, and I think the way this is worded, the discretion is only there if there are multiple lots and multiple property owners – especially if it's a city-owned piece of land, we have the ability and the authority to place the sign out there. So the intent here is not to circumvent any reasonable effort to give public notice. Even if it's a city-initiated rezoning of five lots, and it's reasonable, and the property owners agree that we place the signs out there, we'll do that. With the Entry Corridor Overlay zone, we're talking about every piece of property that fronts US40 and Elk River Road outside of downtown. That's a pretty significant number of properties; it's not practical to place these on every property. I don't think it's practical or informative to place them in certain locations because then you don't see it as a cohesive zoning request. It may give the impression that there's different things going on several properties apart.

Levy: In the cases that you describe there's going to be a larger public outreach and public discussion time. How are we assuring that the people who may have normally seen the yellow signs are now going to be reached and notified, and if that should be included in the footnote somehow – whether it's extended public outreach, public hearings...

Bessey: I trust that the Planning Director would always be acting in good faith to make those efforts. I hesitate to codify something like that when we don't know what that means. Are we going to debate what length of additional publication or publicity that we have to go through? In addition to that, I don't anticipate that this is a scenario that we're going to see very often. The city doesn't typically initiate rezonings, although we do have the authority to do that.

Levy: How does that work with the future land use map? We don't do any types of postings if we're making amendments to that?

Bessey: We do. The future land use map amendments – every Community Plan amendment if it is specific to a piece of property, we do notification (mail/posting.) So if we had someone come in who wanted to change the future land use designation on a certain parcel or group of parcels to precipitate a rezoning request, we do notification for that. If it's a general future land use or Community Plan amendment or update that deals with the entire community, then we don't do a posting or mailing, but we certainly publicize that and go through a long, public process to address those – similar to a text amendment. We put this in the newspaper, but we don't mail to everybody in the city and we can't post a sign that advertises this type of change; it affects everybody equally, so we rely on the newspaper notification.

PUBLIC COMMENT

None.

COMMISSIONER DELIBERATION/MOTION

Commissioner Eck moved to approve TXT-17-04. Commissioner Buccino seconded the motion. The motion carried unanimously.

CITY OF STEAMBOAT SPRINGS, COLORADO

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 26 OF THE STEAMBOAT SPRINGS REVISED MUNICIPAL CODE BY AMENDING SECTIONS 231, 232, 233, 306, 600 AND 702 TO CORRECT ERRORS, AND BY AMENDING SECTION 703 TO REVISE THE PROPERTY POSTING REQUIREMENT FOR ZONE MAP AMENDMENTS; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council adopted the Community Development Code as Ordinance No. 2624 on November 14, 2017; and

WHEREAS, the City is committed to regular, ongoing review of the Community Development Code so that the provisions contained therein are relevant and applicable to the community at any given point in time and to amend the Community Development Code when inconsistencies or errors are found; and

WHEREAS, the City Council has recognized the importance of an efficient development review process; and

WHEREAS, the Planning Commission held a public hearing on January 11, 2018 and recommended City Council adopt the amendment to the Community Development Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF STEAMBOAT SPRINGS, COLORADO:

SECTION 1. Footnotes 6 and 9 of Section 231.B of the Community Development Code shall be amended to read as follows:

⁶ Refer to Section ~~423~~ 424 for TND building type standards. Additional building types for specialized uses may be approved by the Planning Director upon a finding that they are compatible with the transect zone.

⁹ Refer to Section ~~424~~ 423 for TND building frontage type standards. ~~Additional building types for specialized uses may be approved by the Planning Director upon a finding that they are compatible with the transect zone.~~

SECTION 2. Footnotes 4 and 7 of Section 232.B of the Community Development Code shall be amended to read as follows:

⁴ Refer to Section ~~423~~ 424 for TND building type standards. Additional building types for specialized uses may be approved by the Planning Director upon a finding that they are compatible with the transect zone.

⁷ Refer to Section ~~424~~ 423 for TND building frontage type standards. ~~Additional building types for specialized uses may be approved by the Planning Director upon a finding that they are compatible with the transect zone.~~

SECTION 3. Footnotes 4 and 6 of Section 233.B of the Community Development Code shall be amended to read as follows:

⁴ Refer to Section ~~423~~ 424 for TND building type standards. Additional building types for specialized uses may be approved by the Planning Director upon a finding that they are compatible with the transect zone.

⁶ Refer to Section ~~424~~ 423 for TND building frontage type standards. ~~Additional building types for specialized uses may be approved by the Planning Director upon a finding that they are compatible with the transect zone.~~

SECTION 4. Section 306.C.2 of the Community Development Code shall be amended to read as follows:

2. Keeping of Chickens/Ducks

The keeping of chickens or ducks for non-commercial purposes.

Use Standards:

- a. A maximum of five hens are permitted per lot or contiguous lots under common ownership. Roosters and drakes are prohibited. Additional hens may be permitted by the Planning Director upon a finding that the applicant has demonstrated the need for additional hens, and that the additional hens will not result in any adverse impacts.
- b. Chickens and ducks shall be kept in a secure ~~coop~~ coop at all times, except when under direct supervision.
- c. ~~Coups~~ coops shall comply with minimum principal structure setbacks.
- d. ~~Coups~~ coops shall be kept in a neat and sanitary condition at all times, and they must be cleaned on a regular basis to prevent offensive odors and attraction of pests.
- e. Feed shall be stored in a bear-proof container if located outdoors.
- f. In RR, MH, MF, CK, CN, CC, and CS zone districts and T4-NC, T5-TC, and SD transect zones, proof of consent is required from any applicable owners' or neighborhood associations.

SECTION 5. The title of Section 600 of the Community Development Code shall be amended to read as follows:

600 ~~GENERAL PROVISIONS~~ ORGANIZATION OF STANDARDS

SECTION 6. Table 702-1 in Section 702.E of the Community Development Code shall be amended to read as follows:

Table 702-1. Development Review Application Types and Procedures

Application Type ¹	Public Notice ²	Administrative Review		Public Hearing				Form of Decision
		TAC	Director	HPC	BOA	PC	CC	
Land Use								
Limited Use Permit			DM					Permit
Vacation Home Rental Permit	■		DM					Permit
Conditional Use	■	□				■	DM	Letter Resolution
Site Development								
Conceptual Development Plan	■	■		□		■	DM	Resolution
Development Plan								
Minor Modification		□	DM	□		CU	CU	Letter
Development Plan-Administrative	■	■	DM	□		CU	CU	Letter
Development Plan-Public Hearing	■	■		□		■	DM	Resolution
Floodplain Development Permit		□	DM					Letter
Master Sign Plan		□	DM					Letter
Sign Permit		□	DM					Permit
Subdivision								
Preliminary Plat	■	■				■	DM	Resolution
Final Plat								
Major Subdivision		■	DM			CU	CU	Plat
Minor Subdivision	■	■	DM			CU	CU	Plat
Replat		■	DM					Plat
Condominium/Townhome Plat		■	DM					Plat
Easement Vacation	■	■				□	DM	Ordinance and Plat
Waiver of Replat		■	DM					Waiver
Extraterritorial Subdivision	■	■				□	DM	Letter
Variance								
Adjustment								
Minor Adjustment	■	□	DM					Letter
Major Adjustment	■	□			DM			Resolution
Variance								
Minor Variance	■	■	DM					Letter
Major Variance	■	■				■	DM	Resolution
Zoning								
Zone Map Amendment	■	■				■	DM	Ordinance
Planned Unit Development	■	■				■	DM	Ordinance
TND Regulating Plan	■	■				■	DM	Ordinance
CDC Text Amendment	■	□		□	□	■	DM	Ordinance
Other								
Community Plan Amendment	■	□				■	DM	Resolution
Annexation	■	■				■	DM	Ordinance

Pre-Application Review		■					Letter
Written Interpretation		□	DM				Letter
Substantial Conformance	□ ³	□	DM				Letter
Appeal of Decision		□				□	DM Letter Resolution

Legend

TAC=Technical Advisory Committee Director=Planning Director HPC=Historic Preservation Commission
BOA=Board of Adjustment PC=Planning Commission CC=City Council
■=Required □=May be required by the Planning Director or as specified elsewhere in this CDC
DM=Decision Maker CU=May call up the final decision for review

¹ Refer to Section 705 through Section 729 for applicability of each application type.
² Refer to Section 703 for specific public notice requirements.
³ Minor amendments to PUDs and TND Regulating Plans reviewed through Substantial Conformance shall require public notice.

SECTION 7. Table 703-1 in Section 703.A.2 of the Community Development Code shall be amended to add a Footnote 2 to read as follows:

Table 703-1. Public Notice by Application Type

Application Type	Newspaper Publication	Surrounding Property Owner Mailing	Property Posting	Mineral Rights Notification
Land Use				
Vacation Home Rental Permit	■	■	■	
Conditional Use	■	■	■	■
Site Development				
Conceptual Development Plan	■	■	■	■
Development Plan-Administrative	■	■	■	
Development Plan-Public Hearing	■	■	■	■
Subdivision				
Preliminary Plat	■	■	■	■
Final Plat-Major Subdivision		■	■	
Final Plat-Easement Vacation	■	■	■	
Extraterritorial Subdivision	■	■	■	■
Variance				
Minor Adjustment	■	■	■	
Major Adjustment	■	■	■	
Minor Variance	■	■	■	
Major Variance	■	■	■	■
Zoning				
Zone Map Amendment	■	■	■ ²	■
Planned Unit Development	■	■	■	■
TND Regulating Plan	■	■	■	■
CDC Text Amendment	■			
Other				
Community Plan Amendment	■	□	□	
Annexation	■	■	■	
Substantial Conformance ¹	■	■	■	

Legend

■=Required □=Required when the application is regarding one or more specific properties

¹ Public notice shall only be required for minor amendments to Planned Unit Developments and TND Regulating Plans reviewed through the Substantial Conformance process.

² Property posting may be waived by the Planning Director for City-initiated Zone Map Amendments that include multiple lots or property owners.

SECTION 8. All ordinances heretofore passed and adopted by the City Council of the City of Steamboat Springs, Colorado, are hereby repealed to the extent that said ordinances, or parts, thereof, are in conflict herewith.

SECTION 9. If any section, subsection, clause, phrase or provision of this Ordinance is, or the application thereof to any person or circumstance, shall to any extent, be held by a court of competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections, clauses, phrases and provisions of this Ordinance, or the application thereof to any person or circumstance, shall remain in full force and shall in no way be affected, impaired or invalidated.

SECTION 10. The City Council hereby finds, determines, and declares that this Ordinance is necessary for the immediate preservation of the public peace, health, and safety.

SECTION 11. This Ordinance shall take effect immediately upon the expiration of five (5) days after its publication, as provided in Section 13.6 of the Steamboat Springs Home Rule Charter.

SECTION 12. A public hearing on this ordinance shall be held on February 6, 2018 at 5:00 P.M. in the Citizens Hall meeting room, Centennial Hall, Steamboat Springs, Colorado.

INTRODUCED, READ AND ORDERED published, as provided by law, by the City Council of the City of Steamboat Springs, at its regular meeting held on the 23rd day of January, 2018.

Jason Lacy, President
Steamboat Springs City Council

ATTEST:

Julie Franklin, CMC
City Clerk

FINALLY READ, PASSED, AND APPROVED this ___ day of _____, 2018.

Jason Lacy, President
Steamboat Springs City Council

ATTEST:

Julie Franklin, CMC
City Clerk